		POLICY AND PROCEDURE MANUAL	
Category: Human Resources	Number: HUM.03	RESPECTFUL WORKPLACE	
Type:	Authority:	Approved By:	
<input checked="" type="checkbox"/> Policy <input type="checkbox"/> Procedure	<input type="checkbox"/> Council <input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> Council <input checked="" type="checkbox"/> Chief Administrative Officer <input type="checkbox"/> Department Head	
Office of Primary Responsibility: Human Resources			
Date Adopted: November 4, 2013	Council Resolution No: RC13/699	Date to be Reviewed: December 2023	
Manner Issued: Email, Pipeline (Intranet), Employee training, Employee orientation			

PURPOSE:

Inappropriate and unwelcome conduct and behaviours are some of the most sensitive issues in the workplace. The objectives of this Policy are:

- a) to maintain a safe work environment that aligns with the City’s values wherein:
 - i. all individuals are treated in a fair and respectful manner; and
 - ii. all forms of discrimination, bullying and harassment are not tolerated.
- b) to clarify what constitutes bullying, harassment and discrimination, and to confirm these behaviours are not acceptable and will not be tolerated, and that those engaged in such forms of conduct will be subject to discipline up to and including dismissal;
- c) to ensure that all Employees are educated about discrimination, human rights, bullying and harassment, and appropriate behaviour in the workplace;
- d) to establish a process for reporting and investigation of discriminatory and workplace harassment incidents/disputes;
- e) to resolve complaints in a way that provides for a healthy work environment for all Employees; and
- f) where possible, to heal the situation and strengthen the relationships and work of teams.

POLICY:

1. DEFINITIONS:

“Administration” means the Corporate Services Department, which is responsible for ensuring that the policies, programs and other directions of Council are implemented.

“Bullying and Harassment” includes any inappropriate conduct or comment by a person towards an individual that the person knew or reasonably ought to have known would cause offense or cause that individual to be humiliated or intimidated, or that creates a hostile or abusive work environment. It excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment.

Depending on the seriousness of the behaviour, bullying can consist of a single incident or can include repeated or systematic behaviour, physical, verbal or psychological including shunning which would be seen by a reasonable person as intending to belittle, intimidate, coerce or isolate another person or group of people.

Bullying and Harassment behaviour **can include:**

- verbal aggression or insults, or threats;
- humiliating initiation practices or hazing;
- calling someone derogatory names;
- spreading malicious rumours;
- vandalizing personal belongings;
- cyberbullying; and
- isolation and-or exclusion from work-related activities.

Bullying and Harassment behaviour **does not include:**

- expressing differences in opinion, a disagreement or an argument;
- offering courteous constructive feedback, guidance or advice about work-related behaviour;
- minor annoyances or grievances;
- making a legitimate complaint about another employee’s conduct; and
- reasonable action taken by a manager or supervisor relating to the management and direction of employees or the place of employment (eg. managing an employee`s performance, taking reasonable disciplinary actions, assigning work, etc.).

Bullying and Harassment becomes unlawful when done on the basis of a prohibited grounds defined in Section 13 of the *BC Human Rights Code*.

“Chief Administrative Officer” means the individual appointed by Council to the position of Chief Administrative Officer (or his/her designate) as the head of Administration.

“City” means the City of Mission.

“Complainant” is a person or group of persons that files a written complaint under this Policy.

“Complaint” is a formal statement of a breach of this Policy, brought forward verbally¹ or in writing.

“Council” means the duly elected officials of the City, those being the Mayor and Councilors.

“Cyberbullying” includes the following:

- willful and/or repeated harm inflicted via computers, cell phones or other electronic devices;
- impersonation, or posting harassing comments, photos or other materials in somebody else’s name;
- swatting;
- hacking;
- Denial of Service (DoS) attacks;
- doxing, or collecting documents containing an individual’s private information and posting them online;
- trolling, or posting nasty and provocative things online in an attempt to upset, instigate and stir up trouble;
- dogpiling, a form of trolling;
- message bombing, or targeting inboxes in volumes that make it impossible to respond to legitimate messages.

“Department Head(s)” means those City employees that are charged with overseeing a particular operational or departmental area and/or their designates.

“Discrimination” is unfair or differential treatment of an individual or group, whether intentional or unintentional, on the basis of one of the prohibited grounds as defined in Section 13 of the *B.C. Human Rights Code*.

“Employee(s)” means persons employed by the City including but not limited to regular, temporary and contract employees, and to persons representing or acting on behalf of the City (including but not limited to: contractors, volunteers and students).

“Inclusion” for the purpose of this Policy means welcoming people with diverse backgrounds into the workplace. Behaviours include but are not limited to: working to understand cultural differences, working constructively with employees accommodated as a result of the City’s duty to accommodate and valuing others differing styles and contributions.

¹ *If a complaint is being made verbally, the Complainant must be clear and specific that this is a formal complaint but it is always advised to put a complaint in writing.*

“Manager” means persons acting in a managerial role and include managers and Directors (Department Heads).

“Person” includes any individual, whether or not they are a workplace party. This means that a ‘person’ could be workplace party such as an employer, supervisor, or co-worker, or a non-workplace party such as a member of the public, an elected official, a client/customer, or anyone a worker comes into contact with at the workplace.

“Prohibited Grounds of Discrimination” set out in the *B.C. Human Rights Code* are Indigenous identity, race, colour, ancestry, place of origin, political belief, religion, marital status, physical or mental disability, family status, sex, gender identity or expression, sexual orientation, age or record of conviction for an unrelated criminal offense.

“Respondent” is a person who responds or is the position to defend his or her behaviour or actions.

“Support Person” is a person who provides emotional support to a Complainant or a Respondent at their request during the process. A support person’s time will not be reimbursed regardless if they are a City employee or employed outside the City.

“Sexual Harassment” is unwelcome conduct that is sexual in nature that may detrimentally affect the work environment or lead to adverse job related consequences for the victim of the harassment or has the effect of creating an intimidating, hostile or offensive environment.

Examples of sexual harassment include but are not limited to:

- expressed or implied promise of reward for complying with a request of a sexual nature;
- remarks, jokes, innuendos or other comments regarding another person’s body, appearance, physical or sexual characteristics or clothing;
- displaying of sexually offensive or derogatory pictures, cartoons or other material;
- persistent unwelcome or uninvited invitations or requests;
- unwelcome questions or sharing of information regarding a person’s sexuality, sexual activity or sexual orientation;
- leering, ogling or other gestures;
- reprisal or an expressed or implied threat of reprisal for refusal to comply with a request of a sexual nature.

“Witness” means a person who witnessed the alleged behaviour. Witnesses will be compensated as per their contract or Collective Agreement for time involved with an investigation or mediation.

“Workplace” means any location at which the business of the City is conducted including buildings, grounds, home work spaces, remote work meetings; vehicles,

equipment and work-related travel, telephone conversations and e-mail are covered by this Policy. As an example, an off-site social event organized by the City for employees on off-duty time is still considered the “Workplace” for the purposes of this Policy.

“Workplace Harassment” includes Sexual Harassment, Cyberbullying, and Bullying and Harassment, as well as any single or a series of incidents involving unwelcome comments or actions concerning one or more of the prohibited grounds as defined in the *B.C. Human Rights Code* when:

- such conduct that is known, or ought reasonably to be known, to cause insecurity, discomfort, offence or humiliation to another person or group;
- submission to such conduct is made either implicitly or explicitly a condition of employment or used as a basis for any employment decision including, but not limited to matters of promotion, increases in salary, job security or benefits affecting the employee; or
- such conduct has the purpose or the effect of interfering with a person’s work performance or creating an intimidating, hostile or offensive work environment.

Workplace Harassment can be perpetrated by someone in authority, by a peer, by a subordinate Employee, or by a Person outside the organization.

2. POLICY STATEMENT

The City of Mission welcomes diversity and is committed to providing a safe, healthy and rewarding work environment for all Employees – one in which all persons are treated with dignity and respect.

Every Employee has the right to a workplace that is respectful and is free from discrimination and Workplace Harassment in any form. Any form of discrimination or Workplace Harassment is not acceptable or tolerated in the workplace.

A respectful workplace is characterized by:

- *Polite behaviour* – courteous and considerate behaviour toward others;
- *Inclusion* - of people with different backgrounds, cultures, strengths and opinions;
- *Safety* - from disrespectful, discriminating, bullying and harassing behaviour;
- *Constructive resolution of differences* - difference are understood to be a fact of life and are managed through conflict resolution processes; and
- *Support* – employees are supported to learn and practice personal conflict resolution and respectful workplace skills.

3. SCOPE

This Policy applies to all Employees. This Policy applies to any form of discrimination and workplace harassment that is work-related whether it occurs at the workplace itself or during work-related activities or events that occur outside the workplace.

This Policy applies to interpersonal and electronic communications, such as email, internet and the intranet (Pipeline).

This Policy is intended to supplement any other requirements imposed by applicable legislation and does not replace legislation. If any part of it is in conflict, then legislation takes precedence.

4. RESPONSIBILITIES

Everyone who works for the City has a responsibility to ensure that the workplace is free of discrimination and Workplace Harassment. The City, Managers, Supervisors, Employees and Investigators all play important roles in this matter:

- a) Administration will:
 - i) Provide timely advice to managers and supervisors respecting the application of this Policy including guidance on an appropriate Employer response to breaches of the Policy; and
 - ii) Ensure all Employees are made aware of the Policy and the expectations for a Respectful Workplace.
- b) In addition to the Responsibilities for an Employee, Managers and Supervisors will:
 - i) Promote a work environment that is free of discrimination and Workplace Harassment by ensuring that discrimination and Workplace Harassment are not allowed, condoned or ignored;
 - ii) Provide information to staff regarding policies and procedures related to discrimination and Workplace Harassment;
 - iii) Support, endorse and be diligent in the enforcement of this Policy;
 - iv) Deal with breaches of this Policy in a timely manner taking the appropriate action based upon the facts and circumstances; and
 - v) Respond promptly to any complaint, formal or informal, of discrimination or workplace harassment.

Nothing in this Policy is intended to reduce the rights and responsibility of a manager or supervisor to appropriately and in good faith, manage the work performance of individuals in their work teams.

- c) Employees will:
 - i) Conduct themselves in a respectful and appropriate manner in the workplace and at work-related gatherings;
 - ii) Contribute to a work environment that is free of discrimination and Workplace Harassment,
 - iii) Read and abide by this Policy and lawful directions that relate to their employment with the City;

- iv) Be responsible for attempting to resolve personal differences in the workplace in a respectful manner;
 - v) Be empowered to step forward to alleviate instances of Workplace Harassment, if he or she feels safe and comfortable to do so;
 - vi) Report instances of discrimination and Workplace Harassment;
 - vii) Be truthful and forthcoming in making or responding to complaints;
 - viii) Cooperate with an investigation undertaken by the City, in a timely manner;
 - ix) Respond appropriately to requests for behavioural change if they are in violation of this Policy; and
 - x) Check with their Manager or Human Resources when they are uncertain about any aspect of this Policy.
- d) Investigators will:
- i) Gather all required information to conduct a full and comprehensive investigation;
 - ii) Complete the investigations free from bias;
 - iii) Provide follow up and recommendations to assist in eliminating reoccurrence; and
 - iv) Ensure investigation procedures are followed.

A. PROCEDURE FOR REPORTING INCIDENTS

The intent of the complaint procedure is to be flexible enough to apply to all situations under this Policy.

1. A person who feels they are the subject of discrimination or Workplace Harassment should first speak to the person whose behaviour offends the intent of this Policy if it is reasonable and safe to do so.
2. If the Employee is uncomfortable speaking to the alleged harasser, or if they have done so and the unwelcome behaviour continues, the matter must be reported to their Manager.
3. Where the Manager is the alleged harasser, the Department Head, the Director of Human Resources or the Deputy Chief Administrative Officer will assist in receiving and following up on incidents and reports.
4. Information which is provided by the individual regarding the behaviour(s) complained of must be detailed and specific. Employees should report incidents or complaints of discrimination or workplace harassment on a RESPECTFUL WORKPLACE COMPLAINT FORM (Appendix A). When verbally reporting, the Manager, along with the Complainant, will fill out the complaint form and the Complainant shall sign it.

5. Incidents or complaints should be reported as soon as possible after experiencing or witnessing an incident. This allows the incident to be investigated and addressed promptly.
6. Physical or sexual assault is an offense under the *Criminal Code of Canada* and will be reported to the RCMP.

B. PROCEDURE FOR INVESTIGATING INCIDENTS

a) Internal Complaints

Prior to commencing a formal investigation, the City will explore opportunities to address the complaint through informal means, such as coaching, mediation, or other measures that are acceptable to both the Complainant and the Respondent.

If a complaint cannot be resolved informally, a formal investigation will be initiated. The purpose of the investigation is to ascertain and review the facts related to the complaint, and determine if discriminatory or Workplace Harassment has occurred; has the Policy been breached.

The process for investigating incidents and complaints of discrimination and Workplace Harassment will be:

- undertaken promptly and diligently, and be as thorough as necessary, given the circumstances;
- fair and impartial, provide both the Complainant and Respondent equal treatment in evaluating the allegations;
- sensitive to the interest of all parties involved;
- focused on finding facts and evidence, including interviews of the Complainant, Respondent, and any witnesses; and
- maintain confidentiality.

Most investigations at the City will be conducted internally. In complex or sensitive situations, an external investigator may be hired. The Chief Administrative Officer will be advised of the complaint and authorize whether the investigation will be conducted internally or externally.

The Director of Human Resources will be responsible for the investigation process. In his/her absence, the Chief Administrative Officer will appoint another qualified person to assume this role.

Investigations will include interviews with the Complainant, the alleged harasser (Respondent), and any witnesses. In accordance with due process, the Respondent will be provided with the details of the complaint in order to respond to the allegations. If the Complainant and the alleged harasser agree on what happened,

then the City will not investigate any further, and will determine what corrective action to take, if necessary.

A Complainant and a Respondent are each entitled to have a Support Person to voluntarily accompany them for emotional and moral support. The Support Person is not to talk for the party they are supporting, and information they are privy to must be kept confidential. It is not the role of a Support Person to search for witnesses or garner support for the Complainant or the Respondent.

The investigator will also review any evidence, such as emails, handwritten notes, photographs, or physical evidence like vandalized objects.

If an external investigator is hired, they will conduct investigations and provide a written report with conclusions to the Director of Human Resources.

At any time during the investigation, if the investigator feels it is appropriate, and both parties are agreeable, the investigation may be put on hold while the parties attempt to resolve the issue through mediation. If mediation is successful, the outcome will supersede the investigation. If mediation is not successful, the investigation will start where it left off. Information that comes to light as part of a failed mediation will be available to the investigator. Both parties will be provided with a document stating the outcome of the investigation once it is concluded.

Following an investigation, the workplace procedures will be reviewed and revised to prevent any future discriminatory or workplace harassment incidents in the workplace. Employees who have been involved in an investigation are welcome to provide feedback to the Chief Administrative Officer or the Director of Human Resources on how a problem or complaint was addressed.

If a complaint is substantiated, appropriate action(s) will be taken commensurate with the nature and severity of the offence, which may include discipline up to and including dismissal.

In appropriate circumstances, Employees may be referred to the Employee and Family Assistance Program or be encouraged to seek medical advice.

In appropriate circumstances, the City may provide additional support such as coaching, in-service training and/or internal or external expert intervention designed to bring conflict resolution skill and respectful workplace knowledge to the work unit.

b) External Complaints

If the Respondent is a member of the public, the City may not be able to compel them to participate in an investigative process. However, the Complaint will be looked into and if founded, steps will be taken to protect the Employee from future Workplace Harassment. These actions include providing the Respondent/member of the public with a notice that they need to be respectful in their interactions with staff and if they are unable to do so, they will be required to appoint an agent to communicate with the City on their behalf until such time that they can demonstrate a willingness and

ability to be respectful in their communications – See Appendix C for a sample letter.

If the Respondent is displaying inappropriate, disruptive or aggressive behaviour that threatens the security and safety of staff or others at the Mission Leisure Centre or other City-owned facilities, the individual may be subject to suspension, banning or having a Trespass Notice issued in accordance with Policy PC-LAN.05 – See Appendices D, E and F.

C. RETALIATION IS NOT TOLERATED

Every Employee has the right to report, in good faith, any instance of discrimination or Workplace Harassment, without fear of retaliation. Retaliation in any form against any individual involved in complaint(s) or conflicts under this Policy by any party will not be tolerated, and will be subject to disciplinary action up to and including dismissal, revocation of privileges and/or cancellation of contract.

D. FALSE ACCUSATION

Where a complaint is not substantiated, and it is determined that the complainant deliberately made a false accusation, or acted in a malicious or vexatious manner, or to receive some personal benefit, disciplinary action may be taken against the complainant, up to and including dismissal, revocation of privileges and/or cancellation of contract.

E. CONFIDENTIALITY

To protect the interests of the individuals involved in conflicts and to improve chances of a successful outcome, confidentiality will be maintained throughout the resolution process to the extent practicable and appropriate. Information that must be shared will be disclosed on a 'need to know' basis only. This applies to any person having access to confidential information arising from a complaint or an investigation.

All complaints will be handled in a confidential manner. Except as required by due process of law, all written materials, including internal and external reports of any form, related to either the complaint, the investigation, the result of the investigation, and any actions, agreements or resolutions that result, will be treated as strictly confidential for all purposes, including any applications made under the *Freedom of Information and Protection of Privacy Act*.

Any breach of confidentiality will be considered a breach of this Policy will be subject to disciplinary actions up to and including dismissal, revocation of privileges and/or cancellation of contract.

F. RECORD KEEPING REQUIREMENTS

The City expects that Employees will keep written accounts of incidents to submit with any complaints. The Human Resources Department will retain a written record of investigations, including the findings; such files will be held in confidence. Where a complaint is not substantiated, no documentation of the complaint will be placed on the personnel file of the Respondent.

If the parties agree to a resolution, the resolution will be recorded in writing, and the resolution document will be placed in a confidential file kept by the Human Resources Department.

G. TRAINING

Training for Employees will include the following:

- Defining discrimination, human rights, workplace harassment and acceptable behaviour;
- How to recognize discrimination, bullying and harassment;
- How to respond when discriminatory and harassing behaviour is experienced or witnessed;
- Procedures for reporting, and follows up with incidents or complaints;
- Documents/form review.

H. OTHER REMEDIES

Nothing in this Policy prevents Complainants from seeking other remedies including filing a grievance where appropriate or filing a complaint with the BC Human Rights Tribunal.

I. ANNUAL REVIEW

This Policy will be reviewed every year and all Employees will be provided with access to a copy.

RELATED POLICIES, PROCEDURES, AGREEMENTS AND/OR BYLAWS:


- *Human Rights Code [RSBC 1996] CHAPTER 210*
- *Workers Compensation Act, Sections 115, 116, 117*
- *HEA.26 Use of Electronic Communication Devices*
- *HEA.16 Occupational Health and Safety Program*
- *HUM.02 Standards of Conduct for Employees*
- *HUM.04 Computer and Technology Acceptable Use*
- *HUM.05 Progressive Discipline*
- *PC-LAN.05 – Suspension, Banning and Trespass*
- *SMS.119 Violence in the Workplace*

***** END OF POLICY *****

RECORD OF AMENDMENTS/REVIEW

Policy #	Date Adopted	Date Reviewed	Amended (Y/N)	Date Reissued	Authority (Resolution #)	Comments
PER.12	2001-05-22				CRN IC2001/211	
PER.12	2005-05-10		Y	2005-05-10	CAO Approval	
PER.12	2011-10-04		Y	2011-10-04	CAO Approval	
HUM.03 (Renumbered & Reformatted)	2013-11-04		Y	2013-11-04	RC13/699	
HUM.03	2018-02-19		Y	2018-02-19	RC18/99	
HUM.03	2023-07-10		Y	2023-07-10	RC23/156 CAO Approval	
HUM.03		2023-12-05	Y	2023-12-05		Formatting and logo updated

APPENDIX A

	<p>CONFIDENTIAL</p> <p>RESPECTFUL WORKPLACE COMPLAINT FORM</p>	
<p>Please complete this form or provide the requested information from this form on your own paper and forward to your manager or Director of Human Resources.</p>		
<p>COMPLAINANT INFORMATION</p>		
NAME:	POSITION:	
DEPT:	UNION: (if applicable)	
WORK PHONE:	HOME PHONE:	
MANAGER:		
NAME(S) OF ALLEGED HARASSER(S) (and Department if internal):		
NAME(S) AND DEPARTMENT OF WITNESS(ES):		
<p>Details of the Complaint</p>		
<p>The <i>Respectful Workplace Policy</i> refers to different types of harassment. Please indicate which type of harassment you believe applies to your situation by checking the appropriate box(es):</p> <ul style="list-style-type: none"> <input type="checkbox"/> Discrimination – circle which of prohibited grounds of discrimination (<i>B.C. Human Rights Code</i>) form the basis of your complaint <i>Indigenous identity, race, colour, ancestry, place of origin, political belief, religion, marital status, physical or mental disability, family status sex, gender identify or expression, sexual orientation, age or record of conviction for an unrelated criminal offense.</i> <input type="checkbox"/> Workplace Harassment <input type="checkbox"/> Sexual Harassment <input type="checkbox"/> Cyber Bullying <input type="checkbox"/> Bullying and Harassment <p>See the Definition section of Policy <i>HUM.03</i> for definitions regarding the types of harassment</p>		
<p>Details of the Complaint</p>		
<p>Please include a written outline with the details of your complaint along with this form. To assist us to understand your situation, please include the following details:</p> <ol style="list-style-type: none"> 1. The specific incident(s) that led you to file this complaint – if there is more than one please number them. (Attach additional sheets of paper if more room is required) 		



CONFIDENTIAL
RESPECTFUL WORKPLACE COMPLAINT FORM

2. The date(s) of the incident(s).
3. The context of each incident. For example, what happened before the incident?, What were others doing?
4. Names of all parties involved.
5. Any witnesses to the incident(s).
6. How each incident affected you.
7. How the incident(s) affected your work and work environment.
8. Any action you have taken so far to resolve the matter including speaking to the person whose actions is the subject of this complaint.
9. Whether you discussed this with your supervisor or manager at the time it occurred. If not, please explain why.
10. What action (if any) your manager has taken to deal with the issue so far.
11. All other relevant information.

Attach any supporting documents, such as emails, handwritten notes, or photographs. Physical evidence such as vandalized personal belongings can also be submitted. Attach additional pages, as necessary.

All harassment complaints must be kept strictly confidential


Filing a complaint is a serious matter.


This complaint is based upon my honest belief that the person named in this complaint (alleged harasser) has violated this Policy. I hereby certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge.

Complainant Signature:

Date:

APPENDIX `B`

	RESPECTFUL WORKPLACE COMPLAINT INVESTIGATION FORM COMPLETED BY THE INVESTIGATOR	
INVESTIGATOR INFORMATION		
NAME(S):	POSITION(S):	
DEPT:	DATE:	
DOCUMENT REVIEW		
List all documentation reviewed (emails, notes, photographs, physical evidence etc.)		
INTERVIEWS		
PERSON INTERVIEWED (Name, position)		
SITUATION DESCRIPTION (include dates, words actions) and impact (humiliated, intimidated etc.)		
PERSON INTERVIEWED (Name, position)		
SITUATION DESCRIPTION (include dates, words actions) and impact (humiliated, intimidated etc.)		
PERSON INTERVIEWED (Name, position)		

	<p>RESPECTFUL WORKPLACE COMPLAINT</p> <p>INVESTIGATION FORM</p> <p>COMPLETED BY THE INVESTIGATOR</p>	
<p>SITUATION DESCRIPTION (include dates, words actions) and impact (humiliated, intimidated etc.)</p>		
<p>OUTCOMES</p>		
<p>Based on the investigation, did workplace bullying and harassment occur? Yes No</p>		
<p>Reason(s) for this conclusion:</p>		
<p>Follow up with complainant/respondent. Include corrective actions, time frame, training opportunities etc.</p>		
<p>Investigator Signature:</p>	<p>Date:</p>	
<p>Investigator Signature:</p>	<p>Date:</p>	

APPENDIX `C`



FILE: XX-XXX
Correspondence
(DATE)

Respondent Name
Address
Mission, BC V4S 0C5

Dear (Name)

Re: Inappropriate Communications with City of Mission Staff

This letter is to address your recent visit to the City of Mission's (Department) located at the municipal building on Welton Street, on (date).

It has been documented that (details of exchange, e.g. front counter staff, you chose to use profane and abusive language when speaking to staff) This is not appropriate behaviourYour conduct in these exchanges violates the City of Mission's Respectful Workplace Policy.

The City has a legal duty to provide a safe and harassment-free workplace for all its staff, regardless of whether it is in person, by phone or by email. It has come to my attention that your choice of communication with City staff was and has not been respectful nor conducive to the type of work environment the City is obligated to provide to its staff.

Given that previous verbal requests have been made that you be respectful in your communications with staff, this letter is to advise you that if there is one (1) more occurrence of this type of behaviour in which you choose to use profane, disrespectful or abusive language when speaking with staff, all direct communications with you will immediately cease and you will be required to coordinate all further communications with City staff through an appointed agent for the next foreseeable future.

I trust that no further occurrence of this kind will take place when communicating with City of Mission staff. Thank you for your attention to this matter.

Sincerely,

Name
Director of (Department)

cc: Mike Younie, Chief Administrative Officer

APPENDIX `D`

		POLICY AND PROCEDURE MANUAL	
Category: Land Use	Number: PC-LAN.05	SUSPENSION, BANNING AND TRESPASS	
Type: <input type="checkbox"/> Policy <input checked="" type="checkbox"/> Procedure	Authority: <input type="checkbox"/> Council <input checked="" type="checkbox"/> Administrative	Approved By: <input type="checkbox"/> Council <input checked="" type="checkbox"/> Chief Administrative Officer <input type="checkbox"/> Department Head	
Office of Primary Responsibility: Parks, Recreation & Culture			
Date Adopted: November 19, 2012		Date to be Reviewed: November 2014	
Manner Issued: Pipeline, Email			

PURPOSE:

The purpose of the Suspension, Banning and Trespass Procedure is to provide tools to District staff to ensure safe community facilities, both indoor and outdoor, within the District of Mission. The Suspension, Banning and Trespass Procedure gives staff the authority to ask an individual to leave a program, location or District-owned or -managed site when displaying inappropriate, disruptive, or aggressive behavior that threatens the security/safety of staff, participants, residents, visitors and/or property. Depending on the severity of the behavior, staff may choose to suspend, ban or issue a Trespass Notice.

PROCEDURE:

1. Definitions

“**Staff**” means employees of the District.

“**District**” means the District of Mission.

“**Suspension**” means an individual is prohibited from access to a program and/or facility for a specified period of time (short-term). The length of a suspension is at the discretion of staff, usually a few days, but no longer than a month in duration.

“**Banning**” means an individual is prohibited from entering a facility and/or program for a longer period of time. Full-time staff must notify their supervisor before a ban is put in place. The length of a ban is more than a month and could be up to a year. Once the ban is over, the individual (and guardian in the case of a minor) must request a meeting with the Director (or their alternate) and seek permission to return to the program and/or facility.

“**Trespass**” means a more serious incident has occurred (e.g. theft, violence, assault, weapons, substance abuse, etc.) and a Trespass Notice may be issued. Only a Supervisor, Manager, Deputy Director or Director, in consultation with program/operations staff, may issue a Trespass Notice. A Trespass Notice involves filing a report with the RCMP, which prohibits access of an individual to specific programs and/or facilities for a specified period of time, in accordance with provisions in the “Trespass to Property Act”. A Trespass Notice

SUSPENSION, BANNING AND TRESPASS
PC-LAN.05

will only be lifted upon request by the individual (and guardian in the case of a minor), a meeting with District staff and the support of the RCMP.

2. Procedures

Staff encountering behavior that requires suspension, banning or issuing a Trespass Notice from a facility or program must follow these procedures:

2.1 Issuing a Suspension, Ban or Trespass Order

- Once an individual is identified as being disruptive and/or dangerous, the staff in the immediate area should seek assistance from other staff;
- If required, call 911 and/or security;
- Staff need to be sensitive to any extenuating circumstances and consider each individual situation, including persons with disabilities/special needs. During the initial intervention, it is imperative that staff consult with the supervisor, security personnel, the parent/guardians and other appropriate staff when making decisions;
- Staff should not try to intervene in a fight or handle the situation on their own;
- The individual causing the problem should be verbally notified of their misconduct. If the conduct does not stop immediately, they should be asked to leave the premises;
- Staff will issue a written suspension, ban or Trespass Notice as soon as possible after the individual is asked to leave the program and/or facility;
- When dealing with a youth, a parent or legal guardian must be notified; and
- Staff are required to seek approval from the Deputy Director or Director prior to issue of a Trespass Notice.

2.2 While Suspended from District of Mission Facility or Property

- If the individual does not abide by the decision of staff, additional action may be required in consultation with the Deputy Director and/or Director of the Department;
- If an individual violates the suspension, ban or Trespass Notice staff are authorized to call security and/or the RCMP;
- If staff suspect that the individual is carrying a weapon, they should call the RCMP and ensure that everyone in the area is safe. DO NOT APPROACH;
- All District-owned and -managed facilities and/or program locations should be informed of individuals who have been issued a Trespass Notice and a copy of the documentation should be placed in an office or secure area beyond view of the general public;
- When serving an individual with notification of a suspension, ban or Trespass Notice, ensure that the details are clear and included on the Suspension, Ban, and Trespass Notice form; and
- All incidents leading up to a suspension, ban or Trespass Notice must be clearly documented on the District of Mission Incident Report form.

SUSPENSION, BANNING AND TRESPASS
 PC-LAN.05

2.3 Withdrawal of Suspension

- At the end of a suspension, ban, or trespass order, the individual (and guardian in the case of a minor) may contact the Parks, Recreation & Culture Department to arrange a meeting to seek approval before being allowed back into the District program and/or facility;
- Prior to the meeting, a written application must be made on the District of Mission Request for Withdrawal Form;
- Following receipt of the Request for Withdrawal Form and a meeting with District of Mission staff, a decision may be made to allow re-admission to the facility on a trial basis or withdrawal of the order;
- If an order is lifted and further incidents occur, the District of Mission, at its sole discretion, may issue a longer suspension, which could become permanent with Council's approval; and
- No refunds shall be issued to any individual or family in the event that a ban, suspension or trespass order is issued.

RELATED POLICIES, PROCEDURES, AGREEMENTS AND/OR BYLAWS:

- LAN.04 District of Mission Suspension, Banning and Trespass Policy

***** END OF PROCEDURE *****

RECORD OF AMENDMENTS/REVIEW

<u>Procedure #</u>	<u>Date Adopted</u>	<u>Date Reviewed</u>	<u>Amended (Y/N)</u>	<u>Date Reissued</u>	<u>Authority</u>

APPENDIX `E`



P A R K S , R E C R E A T I O N & C U L T U R E

October 18, 2017

Dear John Doe

Re: Jane Doe's Behavior at the Mission Leisure Centre

As you may be aware Jane has displayed inappropriate conduct while at the Mission Leisure Centre and was involved in an incident that confined a patron in a Hockey office and has continued to ride a scooter inside the building on multiple occasions. John was also involved in an incident of forcible entry and vandalism towards the Mission Leisure Centre building (Arena).

Subsequently the RCMP was contacted, file #2017-11241. In accordance with our banning and suspension policy and procedure we are issuing a six month suspension of Jane's user privileges effective Sept 18, 2017 – Mar 18, 2018. Thus, Jane will not be welcome at the Leisure Centre or on the Leisure Centre grounds, during this period.

Before return, it will be necessary that Jane, along with a parent/guardian, meet with a Program Coordinator to review our Code of Conduct and discuss expectations around behavior at our facility. This meeting can be scheduled any time after March 18, 2018.

We are aware of the positive influence the Leisure Centre can have on young people in our community and disciplinary action is not taken lightly. However, patrons of all ages are expected to treat the facility, its staff, and other patrons with respect. Disrespectful behavior will not be tolerated and it is my sincere hope that Jane will take this opportunity to contemplate their actions and the resulting consequences.

Should you have any questions, I can be reached at 604-820-5369.

Sincerely,

Amanda Tesluck
Program Coordinator of Parks, Recreation & Culture

cc: Director of Parks, Recreation & Culture
Deputy Director of Parks, Recreation & Culture
Manager of Facilities & Parks
Program Coordinator – Aquatics & Health & Wellness
Recreation Administrative Supervisor

APPENDIX `F`



NOTICE

The following individual(s) are not permitted on the Mission Leisure Centre property:




Name: Jane Doe

Suspended from: May 8, 2013 to: September 1, 2013

Reason (less specifics): Vandalism to the building

Whom to speak with when ready to return: Jason R.

		POLICY AND PROCEDURE MANUAL
Category: Human Resources	Number: HUM.03	<i>RESPECTFUL WORKPLACE</i>

Acknowledgement Form

I have received a copy of the ***HUM.03 Respectful Workplace*** Policy. I have read and been informed about the content, requirements and expectations of this Policy. I am aware that violations of this Policy may result in disciplinary action, up to and including termination of my employment, restitution, civil action, criminal prosecution or any combination thereof.

I understand that if I have questions, at any time, regarding the Policy, I will consult with my immediate supervisor, Human Resources staff members or the Deputy Chief Administrative Officer.

Please read the Policy carefully to ensure that you fully understand the Policy before signing this document.

Employee Signature: _____

Employee Printed Name: _____

Date Signed: _____