



Adams Lake
Indian Band

Policy:	O - 5.1
BCR #	2015-2016: 52
Approved By:	Chief and Council
Approval Date:	November 3, 2015
Amendment Date:	
Policy Holder:	Human Resources Manager

Respectful Workplace Policy

Purpose / Rationale

The Adams Lake Indian Band is committed to providing a respectful, safe, healthy, violence-free workplace to its employees. Related to this, is the Band's duty to prevent, control and minimize workplace harassment and bullying.

The Adams Lake Indian Band will act positively to resolve workplace conflict, investigate allegations of harassment and bullying, and remedy violations of this policy. Conduct found to be bullying or harassment will be cause for corrective action including, where appropriate, termination.

Scope / Limits

This Policy applies to all Adams Lake Indian Band employees, including Supervisors and Management. The Policy also applies to Chief and Council. The Community and Clients will be made aware of this Policy and the Adams Lake Indian Band's, and Chief and Council's obligation to provide a respectful, safe, healthy, violence-free workplace.

Principles

BULLYING/HARASSMENT

Bullying (also known as harassment) is a course of comment or conduct by a person towards an employee that the person knew, or reasonably ought to have known, would cause that employee to be humiliated or intimidated. Bullying usually involves repeated incidents or a pattern or behaviour intended to intimidate, offend, degrade or humiliate a particular person or group of people. Bullying can, but does not always, involve an abuse of power.

Harassment is also conduct or comments that the person knew or reasonably ought to have known would be unwelcome and which is based on race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sexual orientation or age.

Bullying and harassment include, but are not limited to, such things as:

- conduct unrelated to production or other legitimate work requirements;
- display or circulation of offensive pictures or materials, including by electronic means;
- unwelcome gifts or attention;
- hazing or initiation practices;

- threats, stalking, assaults, intimidation;
- going beyond the bounds of one's authority and/or job description to influence others;
- tampering with or vandalizing a person's personal belongings or work equipment; and/or
- undermining, sabotaging or deliberately impeding a person's work.

Bullying and harassing behaviours do not include:

- expressing differences of opinions;
- rude or disrespectful behaviour, interpersonal conflict, speaking less than tactfully (these behaviours, while not constituting bullying/harassment, are not acceptable);
- offering feedback, guidance, or work-related advice about behaviour;
- making a legitimate complaint about another worker's conduct; and/or
- work related decisions or actions taken by a supervisor or management including: decisions about job duties, workloads, transfers, layoffs, restructuring, work instructions, feedback and work evaluations, performance management, disciplinary or other forms of corrective action. An employee may view such decisions as unreasonable or incorrect, but that perspective does not turn a decision into harassment or bullying.

SEXUAL HARASSMENT

Sexual harassment is any conduct, comment gesture or contact of a sexual nature that is likely to cause offence or humiliation to any employee or might, on reasonable grounds, be perceived by that employee as placing a condition of a sexual nature on employment or on any opportunity for training or promotion. Sexual harassment can occur between people of the same gender.

Sexual harassment include, but are not limited to, such things as:

- unwanted invitations to socialize;
- unwelcome sexual interest;
- leering, staring, or making sexual or obscene gestures;
- unwanted physical contact such as touching, pinching, patting, hugging,
- negative comments directed towards someone because of a perceived sexual orientation or gender.

Disrespectful behaviour violates the Code of Conduct and Ethics, and left unresolved, can escalate into bullying and harassment. The "Informal Resolution Process" set out in the Adams Lake Indian Band's policies may be applied to disrespectful behaviour.

A. Responsibilities

The Adams Lake Indian Band is committed to:

- providing a respectful, safe, healthy and violence-free workplace for all staff, employees and community members;

- dedicating sufficient attention, resources and time to address factors that contribute to workplace violence including, but not limited to, bullying, harassing, abusive and other unacceptable or aggressive behaviours;
- communicating information to employees about factors leading to workplace violence; and
- assisting employees exposed to bullying, harassment and other forms of workplace violence.

Supervisors must ensure the activities and tasks performed by workers are completed in a healthy and safe manner. Supervisors must recognize potential bullying and harassment signs and must immediately initiate control measures to resolve, manage, eliminate and minimize the incident, event or complaint. Supervisors must engage in bullying/harassing behaviours.

Employees must not engage in bullying or harassing behaviours. Employees must report if they observe or experience bullying and harassment, being mindful of the definitions in this policy. Employees are expected to cooperate with investigators into bullying/harassment.

B. Confidentiality

Complaints of workplace conflict, harassment and/or bullying involve sensitive disclosures. Confidentiality must be respected so that the matter can be properly and fairly addressed. Confidentiality, however, must be distinguished from anonymity. In order to properly address a complaint, it will be necessary to disclose the identities of the individuals involved and the details of the complaint to those involved in any investigation or deliberations.

C. PROCEDURES

Procedures for Resolving Respectful Workplace Conflicts is outlined the ALIB Conflict Resolution Policy [O-5.10.1](#)

All employees must be orientated to this policy and sign the supporting Employee Acknowledgement Form O-5.1.2

D. LEGISLATED REFERENCES

[WorkSafeBC: Employer Duties – Workplace Bullying and Harassment](#)

[Human Rights Code RSBC 1996 c.210, Part 1](#)

[Canadian Charter of Rights and Freedoms](#)

[Canada Human Rights Act](#)

[Civil Rights Protection Act RSBC 1996 c.49](#)

[Canada Labour Code](#)

[Multiculturalism Act RSBC 1996 c.321](#)

[Criminal Code of Canada Consolidated Statutes and Regulations](#)

E. Links to Supporting Forms, Documents, Websites

[O-5.1.2 Respectful Workplace Policy Employee Acknowledgement Form](#)

O-5.3 Conflict Resolution Policy

O-5.2 Code of Conduct and Ethics