

Category: Administration Policy

Policy Title: **Respectful Workplace Policy**
Report Number: **ALT2020-1092**
Adopted By: **Administrative Leadership Team**
Effective Date: **2010 November 11**
Last Amended: **2020 March 03**
Next Review Date: **2023 March 03**
Policy Owner(s): **Human Resources Support**

1. PURPOSE

1.1 The purpose of this administrative policy is to:

- a. Adopt a proactive approach to the prevention and management of inappropriate workplace behaviour;
- b. Outline the expectations of employees and The City of Calgary (“The City”) in reporting and responding to harassment incidents if they occur; and
- c. Ensure inappropriate workplace behaviour, which includes harassment, disrespectful behaviour and discrimination, will not be tolerated.

2. POLICY STATEMENTS

2.1 General Policy Statements

- 2.1.1 The City is committed to creating and sustaining a vibrant work environment where everyone is treated with respect, civility and dignity.
- 2.1.2 People listed in section 4.1 will adhere to this administration policy and will not subject any person to inappropriate workplace behaviour.
- 2.1.3 The City is committed to working in collaboration with its employees, unions and associations to create a respectful workplace by:
 - a. Maintaining a common understanding of the expectations and behaviours considered appropriate and inappropriate in City workplaces and in the delivery of or access to City services; and
 - b. Taking action to prevent and manage inappropriate behaviour in City workplaces.
- 2.1.4 The City recognizes that conflict, disagreement or inappropriate workplace behaviour will occur. The City expects these issues to be resolved in a manner that contributes to a healthy, safe and productive workplace.

- 2.1.5 The City will assess and respond in a timely manner to allegations of inappropriate workplace behaviour and will respect the privacy of all concerned as much as reasonably possible.

2.2 False or Frivolous Complaints

- 2.2.1 Complaints that are found to be false, frivolous or made in bad faith will not be tolerated and will be subject to the appropriate disciplinary action or denial of City service.

2.3 Retaliation

- 2.3.1 Everyone has the right to report, in good faith, incidents of inappropriate workplace behaviour without fear of retaliation.
- 2.3.2 Retaliation by any person against anyone involved in informal or formal complaint processes will not be tolerated and will be subject to discipline, up to and including dismissal or denial of City services.
- 2.3.3 This Policy does not discourage or prevent any person from exercising their rights under any law, including the *Alberta Human Rights Act*.

2.4 Appropriate Workplace Behaviour

- 2.4.1 In general, behaviours that are encouraged are those which support and create a healthy, respectful workplace and its related business objectives.
- 2.4.2 Examples of appropriate workplace behaviour include, but are not limited to:
- a. Being polite, courteous and respectful of others;
 - b. Using common greetings, farewells or inquiries about others' well-being;
 - c. When reviewing others' ideas, suggestions or work, identifying what is positive or good about the proposal as well as where it can be improved;
 - d. Treating others equitably and fairly;
 - e. Being open-minded to others' ideas, comments and suggestions;
 - f. Seeking input and the active involvement of appropriate people in planning, decision-making and implementing initiatives;
 - g. Ensuring that decision-making takes into account relevant factors and is fair;
 - h. Recognizing and valuing the diversity among workgroup members, customers and citizens;

- i. Sincerely apologizing to people when something you said or did may have offended them;
- j. Allowing one person to speak at a time;
- k. Expressing appreciation, praising good work;
- l. Giving timely recognition of people's efforts and accomplishments;
- m. Listening openly to other points of view, even when you disagree;
- n. Sharing knowledge and information;
- o. Being inclusive; and
- p. Mentoring or coaching, taking time to develop others.

2.5 Inappropriate Workplace Behaviour

2.5.1 Inappropriate workplace behaviour is a single or repeated action that is objectionable or unwelcome, and negatively affects an individual or the workplace. Inappropriate workplace behaviour may create a poisoned work environment. Understanding different types of inappropriate workplace behaviour is key to evaluating and adjusting our own actions, and responding and acting appropriately.

2.5.2 There are three types of inappropriate workplace behaviour addressed in this policy. They are:

- 1. Harassment;
- 2. Disrespectful Behaviour; and
- 3. Discrimination.

2.5.3 Harassment is:

- a. any single significant incident or repeated incidents of objectionable or unwelcome conduct, comment, bullying or action by a person that the person knows, or ought reasonably to know, will or would cause offence or humiliation to an individual and/or a negative effect on an individual's health and safety;
- b. Repeated conduct, comments, bullying, actions or gestures which when taken in isolation seem minor but when repeated are considered harassment;

- c. A single incident of sufficient seriousness to have a significant impact on an individual, group or the work environment;
- d. Hostile or unwanted;
- e. Conduct affecting the employee's dignity, psychological wellbeing, or physical integrity;
- f. Conduct resulting in a harmful or poisoned work environment; and/or
- g. Vexatious conduct, comments, bullying, actions or gestures which are intended to humiliate, intimidate, offend or degrade a particular person or group.

2.5.4 Examples of workplace harassment include, but are not limited to:

- a. Written or verbal comments, actions, gestures, taunting, or other behaviours or jokes which are humiliating, offensive, hurtful or belittling;
- b. Bullying or intimidation;
- c. Abuse of authority that undermines a person's performance or threatens a person's career;
- d. Deliberately excluding an employee from relevant work activities or decision making;
- e. Attempting to discredit an employee by spreading false information about them;
- f. Tampering with a person's personal belongings or work equipment;
- g. Blocking applications for training, leave or promotion for no valid reason;
- h. Eye rolling, finger wagging, or other physical gestures that are used to make fun of, express frustration with, or isolate another employee; and/or
- i. Practical jokes that result in awkwardness or embarrassment.

2.5.5 Disrespectful Behaviour is:

- a. Objectionable or unwelcome conduct with moderate impact, which may or may not have intent to cause harm and has a negative effect on the work environment or individual(s);
- b. Any uncivil behaviour; and/or

- c. Any inappropriate workplace behaviour that does not meet the definition of Harassment.

2.5.6 Examples of Disrespectful Behaviour include, but are not limited to:

- a. Demeaning or belittling comments or conversation;
- b. Interruptions;
- c. Refusing to listen to another person's point of view;
- d. Excessive use of profanity;
- e. Taking credit for someone else's work or a team's work;
- f. Decision-making which is influenced by factors which have no work-related purpose; and/or
- g. Yelling, angry outbursts, or shouting (except where intended to alert another to danger).

2.5.7 Determining if Harassment or Disrespectful Behaviour has occurred is based on an objective assessment of the specific facts of each case, and not on the subjective belief of an individual.

2.5.8 Discrimination is:

- a. Harassment and bullying, when connected to a protected ground: age, ancestry, colour, gender (includes pregnancy, sexual harassment, transgender), gender expression, gender identity, family status, marital status, mental disability, physical disability, place of origin, race, religious beliefs, sexual orientation, source of income, or any other protected ground covered by the *Alberta Human Rights Act*;
- b. Practices, policies or systems which have a direct or negative impact based on a protected ground; and/or
- c. Behaviours, comments or actions to or about an individual or group, which are unwelcome, based on a protected ground and result in a negative or poisoned work environment.

2.5.9 Examples of Discrimination include, but are not limited to:

- a. Any previously described workplace behaviour under section 2.5.4 that is based on a protected ground listed above;

- b. Sexual Harassment as defined below in 3.1(g). Examples include:
- Unwelcome advances, requests, comments, physical contact such as unnecessary touching, pinching, patting, jostling or gestures that are sexually suggestive;
 - Leering that is sexual in nature;
 - Implied or expressed threats of reprisal for refusal to comply with a sexual request; and/or
 - Implied or expressed promise of reward for agreeing to comply with a sexual request;
- c. Unwelcome remarks, jokes, taunts, suggestions or speculations about a person's physical attributes or appearance;
- d. Displays of pornographic, racist, or offensive materials in the form of pictures, email, social media, text messages, graffiti, cartoons or sayings in the workplace, regardless of whether the exchange of the materials is consensual; and/or
- e. Unwelcome inquiries or comments about a person's personal life, such as inquires relating to a person's sexual orientation, family status, marital status, disability, age, or any other protected ground listed above.

2.5.10 Discriminatory practices, policies, or systems include:

- a. Denial of equitable treatment in hiring or in the terms, conditions, or benefits of employment;
- b. Policies or procedures which have a negative effect or impact on an individual or group;
- c. Denial of access to City services or the processes by which people use City related services, programs and/or facilities; and/or
- d. Failure to accommodate an individual(s) protected under the *Alberta Human Rights Act* (See Policy on Duty to Accommodate in Employment HR-EMP-001).

3. DEFINITIONS

3.1 In this administration policy:

- a. **“Employee”** means City of Calgary employees, contractors providing service for or to The City, suppliers delivering material to The City, and volunteers;
- b. **“Workplace”** means a place where an employee is, or may be, conducting work on behalf of The City, including work-related social gatherings;
- c. **“Disrespectful Behaviour”** is objectionable or unwelcome conduct with moderate impact, which may or may not have intent to cause harm and has a negative effect on the work environment or individual(s);
- d. **“Harassment”** is any single significant incident or repeated incidents of objectionable or unwelcome conduct, comment, bullying or action by a person that the person knows, or ought reasonably to know, will or would cause offence or humiliation to an individual and/or a negative effect on an individual’s health and safety;
- e. **“Bullying”** is a form of harassment that is defined as using strength or power to coerce or intimidate and causes a negative effect to an individual’s health and safety;
- f. **“Discrimination”** is any conduct, comment or action because of age, ancestry, colour, gender (includes pregnancy, sexual harassment, transgender), gender expression, gender identity, family status, marital status, mental disability, physical disability, place of origin, race, religious beliefs, sexual orientation, source of income. Harassment and bullying, when connected to a protected ground, are considered discrimination; and
- g. **“Sexual Harassment”** is any unwelcome behaviour, comment or conduct that is sexual in nature and negatively affects, or threatens to affect, directly or indirectly, a person. Sexual Harassment is considered a type of gender discrimination under the *Alberta Human Rights Act*.

4. APPLICABILITY

4.1 This administration policy applies to the following people and places:

4.1.1 People

- a. City of Calgary employees;
- b. Contractors providing service for or to The City;
- c. Suppliers delivering material to The City;

- d. Volunteers;
- e. Members of City Council; and
- f. Members of the public who are accessing City services or City operated facilities.

4.1.2 Places

- a. City buildings, facilities, sites, offices, vehicles or work environment including online environments;
- b. Locations visited by employees while traveling on City related business;
- c. City related business including conferences, meetings, vendor/supplier or customer sites; and,
- d. Locations of work-related social gatherings.

4.2 This administration policy has the following exceptions:

4.2.1 Inappropriate workplace behaviour does not include any reasonable conduct of an employer, leader or supervisor related to the normal management of employees or workplaces. Such reasonable conduct may include:

- a. Allocating work according to specific job-related requirements;
- b. Following-up on work absences;
- c. Requiring performance to job standards;
- d. Enforcing workplace policies and procedures;
- e. Evaluating or measuring performance;
- f. Denying training or leave requests with good reason;
- g. Discussing disciplinary action in private;
- h. Dismissing, suspending, demoting or reprimanding with just cause; and/or
- i. Providing constructive feedback;

4.2.2 Differences of opinion or minor disagreements communicated in a respectful manner are not generally considered to be harassment;

4.2.3 A single minor incident of objectionable or unwelcome conduct may not be considered an act of harassment; and

- 4.2.4 Workplace violence and threats of violence, and any acts addressed in the Workplace Violence Prevention Policy do not fall under this Policy.

5. LEGISLATIVE AUTHORITY

- 5.1 The City must develop and implement a harassment prevention plan and a violence prevention plan as per Section 390.4(1) of the *Alberta Occupational Health and Safety (OHS) Act*.
- 5.2 A harassment prevention plan must include a harassment prevention policy and harassment prevention procedures in accordance with the requirements set out in Section 390.5 of the *OHS Act*.
- 5.3 As per Section 390.7(4) of the *OHS Act*, The City must review this Policy, at a minimum, every three (3) years.

6. ROLES AND RESPONSIBILITIES

6.1 The City of Calgary Responsibilities

- 6.1.1 Ensure that City employees, members of the public, including customers are not subjected to or do not participate in harassment or violence in the Workplace.
- 6.1.2 Develop policy and procedures respecting potential workplace harassment and violence and understanding health and safety responsibilities.
- 6.1.3 Inform and educate employees to recognize workplace harassment and violence, and understand the mechanisms to report harassment.
- 6.1.4 Conduct hazard assessments.
- 6.1.5 Develop and implement appropriate responses to workplace harassment and violence.
- 6.1.6 Develop procedures for reporting, investigating and documenting incidents of workplace harassment.

6.2 Employee Responsibilities

- 6.2.1 Every employee has a role in preventing inappropriate workplace behaviour.
- 6.2.2 To create and maintain a respectful workplace every employee must:
- Be familiar with and follow the Harassment Prevention Plan;
 - Ensure your own behaviour is respectful and appropriate at all times;
 - Accept responsibility for your own actions, reactions, and behaviours and your impact on others;

- d. Make your concerns known promptly if something is troubling you. If confident and safe, immediately inform the aggressor to stop the behaviour, or inform your supervisor, another leader, or Human Resources contact;
- e. Report incidents of Harassment and Discrimination as soon as possible if informal options to resolve the conflict are unsuccessful;
- f. Be a part of the solution by engaging in steps to resolve the matter; and
- g. Inform Corporate Security if there is an imminent threat or risk of violence that could compromise an individual's safety. Refer to the Workplace Violence Prevention Policy and Procedures.

6.2.3 An employee reporting an injury or adverse symptom resulting from an incident of violence or harassment is advised to consult a health professional of the employee's choice for treatment or referral.

6.3 Leadership Responsibilities

6.3.1 As a leader at The City your additional responsibilities are to create and sustain a respectful workplace environment, be aware of and follow the Harassment Prevention Plan, consult with your Human Resources contact, and:

- a. Be a role model as reflected in The City's Vision, Purpose and Values as guided by the Code of Conduct and leader competencies;
- b. Ensure your employees are aware of, and compliant with, this Policy and the Harassment Prevention Plan;
- c. Take appropriate action in a prompt, impartial and confidential manner when Respectful Workplace Policy allegations come to your attention;
- d. Support all parties involved in resolving allegations under the Respectful Workplace Policy with the appropriate option for resolution; and
- e. Ensure no person suffers reprisal or retaliation as a result of making a complaint in good faith or for providing information in good faith.

7. CONSEQUENCES OF NON-COMPLIANCE

7.1 Any employee who violates this Policy will be subject to appropriate administrative and disciplinary action. The action taken will depend on the circumstances of the incident and may range from, but not be limited to, discipline, up to and including dismissal.

7.2 Members of the public, visitors to City facilities, or individuals conducting business with The City are expected to adhere to this Policy. This includes refraining from inappropriate workplace behaviour towards employees, elected officials, and persons acting on behalf of The City. If inappropriate workplace behaviour occurs, The City will take appropriate action to ensure a respectful workplace. This could include barring the person from facilities or discontinuing business with contractors or suppliers.

8. ASSOCIATED STANDARDS AND/OR PROCEDURES

8.1 Harassment Prevention Plan

8.2 Workplace Violence Prevention Procedures

8.3 The City of Calgary Accommodation Standards

8.4 Bylaw 20M2018 Code of Conduct for Elected Officials

9. HISTORY

Policy Action	Date	Report Number	Description
Minor Revision	2020 May 15	N/A	Added Council Members
Amendment	2020 Mar 03	ALT2020-0192	Amendments to provide clarity around leader responsibilities, define types of inappropriate behaviour, and expand examples of appropriate workplace behaviours.
Amendment	2014 Dec 01	N/A	Amendment to address movement of 'damage to people or property' into the new Workplace Violence Policy.
Minor Revision	2010 Nov 29	N/A	N/A
New Policy	2001 Aug 15	N/A	N/A