REQUEST FOR PROPOSAL No. 1444

RESPECTFUL WORKPLACE TRAINING PROGRAM

Issue date: June 11th, 2013

Closing Location:
Purchasing Department
2020 Labieux Road
Nanaimo, BC V9T 6J9

Closing Date and Time:
Proposals must be received at the Purchasing Department prior to:
3:00 pm (15:00 hrs) Pacific Time on Friday, June 28th, 2013

City Contact:
Matt Blouin
Human Resources Consultant
Telephone: (250) 755-4406
Email: mathieu.blouin@nanaimo.ca

Proposals will <u>not</u> be opened in Public

Respectful Workplace Training Program

Invitation to Bid

The City of Nanaimo ("City") is seeking proposals from a qualified consultant to work with City staff to design and deliver a City-wide Respectful Workplace ("RW") training program for 2 audience levels: 1) managers/supervisors and 2) all employees.

Purpose and objectives

The purpose of this request for proposal ("RFP") is to select a qualified consultant to provide external assistance in designing and delivering a RW training program to support the City's commitment in maintaining a positive work environment that embraces diversity and treats everyone with courtesy, dignity and fairness.

The expected outcomes of this project are to raise awareness amongst employees regarding the importance of respect in the workplace and to strengthen the understanding of and compliance with the City's RW policy. The training must also be consistent with the latest regulations and labour relations decisions regarding areas of harassment, bullying and discrimination. The curriculum for this training must encompass, but should not be limited to, the following areas: definition and examples of harassment; addressing inappropriate behavior; clarification of legal issues; employee/supervisor rights and responsibilities; valuing differences; heightening cultural awareness and sensitivity; resolving conflicts; reporting processes; and how to build a culture of respect.

Background

The City has approximately 850 employees, including management employees, members of the Canadian Union of Public Employees (CUPE) and members of the International Association of Firefighters (IAFF). These employees work in three divisions and ten departments, which offer a diverse variety of services. The departments are as follows:

- Engineering & Public Works
- Park, Recreation & Culture
- Development & Planning
- Fire Rescue
- Police Services
- Finance
- Human Resources
- Information Technology
- Legislative Services

The City is in the process of updating its RW program. A new Respectful Workplace policy was recently developed and implemented. The purpose of this policy is to provide direction on what is and what is not a respectful workplace and to outline the procedures for resolving respectful workplace complaints. The City's RW policy is attached for more details.

Deliverables

The selected consultant must submit a plan which details how the training program will satisfy the City's objectives which include, but not be limited to:

1. Develop specialized RW presentation materials for group training for managers / supervisors that include but are not limited to the elements stated in the purpose/objective section of this document in addition to defining a supervisor's role in addressing discrimination, harassment, unprofessional conduct and building a respectful workplace; legal liabilities and responsibilities; receiving complaints; investigation process; documentation; and appropriate responses.

2. Conduct specialized training sessions for 65 managers / 55 supervisors (approximately 5 sessions) by the end of September 2013. Each session will be no longer than half a day in duration.

3. Develop specialized RW presentation materials for group training of all City employees. Curriculum will include but are not limited to the elements stated in the purpose/objective section of this RFP. It is expected that the content of this presentation will be personalized to most City departments such as public works, parks, recreation & culture, fire department, etc.

4. Conduct training sessions for approximately 700 employees by the end of November 2013. It is anticipated that there will be approximately 20 group training sessions and each session will be around 1 hour and a half in duration.

5. Provide a report to the City by December 31st 2013 which will include observations regarding the training and consultant's recommendation for sustaining the program.

Qualifications and Considerations

The consultant agrees to provide workplace training via trainer(s) who is/are qualified and experienced in educating employees on issues in the workplace. Special considerations will be given to trainer(s) with previous experience in providing respectful workplace training for paramilitary groups. Resumes for all professional staff participating in the group trainings must be included in the proposal. The trainer(s) must be available to provide training sessions during weekdays and weeknights.

Evaluation

The evaluation of proposals will be based on:

- 25%: Demonstrated project understanding/methodology. Proponents need to demonstrate in their proposal that they have a clear understanding of this project. Proponents need to articulate their proposals, intentions and expectations, indicating how they will fulfill the requirements of the project, what services will be provided. Proponents must include a training outline sample on a similar project.

- 35%: Experience of the consultant and any proposed team members with projects of similar size and complexity, including experience with municipal organizations and unionized environments. Appropriate expertise should be provided by the project team members in their proposed respective roles.

- 20%: Time-lines/Proposed Fee Structure. A work plan, detailing all suggested steps in the process with an estimate of time and personnel required to complete each step should be provided. Availability and commitment of proposed project team members during the required time frame and information on backup personnel at appropriate organizational levels to be given.

- 20%: References/Interviews (if required). After an initial review of the proposals, a proponent shortlist may be created at the City's sole discretion and references checked. Interviews may also be conducted at the discretion of the City. Proponents must provide a minimum of three (3) references that demonstrate successful competency with comparable work for similar clients. Include a brief description of the project, the timelines and all relevant reference contact information.

- Preference will be given to Contractors within the Regional District of Nanaimo where quality, service and price are equivalent.

Instructions to Proponents

Closing Date/Time/Location

It is the sole responsibility of the Proponent to submit their Proposal to the Purchasing Department prior to the closing time of 3:00 PM (15:00 hrs), Pacific Time, Friday, June 28th, 2013. Proposals received after the noted due time will not be considered.

Proposals shall be received for by one of the following two (2) methods:

i. By hand/courier delivery: One (1) hard copy of the Proposal should be enclosed and sealed in an envelope clearly marked: "RFP 1444 RESPECTFUL WORKPLACE TRAINING PROGRAM" along with one (1) electronic version on DVD or USB flash drive delivered

and addressed to the Purchasing Department, City of Nanaimo, 2020 Labieux Road, Nanaimo, BC V9T 6J9.

ii. By Email: At the only acceptable electronic address: purchasinginfo@nanaimo.ca
Please note: Maximum email file size limit is 8MB, or less.

The City of Nanaimo will not be liable for any delay for any reason including technological delays, spam filters, firewalls, job queue, file size limitations, etc. It is the Proponent's sole responsibility to ensure they allow themselves enough time to submit their Proposal prior to the posted closing date and time.

Proposals received by facsimile WILL NOT be accepted. All costs to prepare the Proposal shall be borne solely by the Proponent.

Communications and Enquiries
All enquiries regarding this RFP are to be directed in writing or by email, to the following persons. Information obtained from any other source is not official and should not be relied upon. Enquiries and responses will be recorded and will be distributed directly to all Proponents that return the "Receipt Confirmation Form" at the end of this document.

Work Scope Enquiries
Matt Blouin
Human Resources Consultant
Telephone: (250) 755-4406
Email: mathieu.blouin@nanaimo.ca

Proposal Process Enquiries
Kurtis Felker, SCMP
Purchasing Manager
Phone: (250) 756-5317
Email: kurtis.felker@nanaimo.ca

Cover Letter & Signature
The Proposal should include a cover letter signed by a person authorized to legally bind the Proponent to the statements made in the Response to this RFP.

Amendment to Proposals
Proposals may be amended in writing and delivered to the closing location before the closing time but not after. Such amendments should be signed by the authorized signatory of the Proponent and either hand delivered or emailed to the Purchasing Department.

Addenda
If the City determines that an amendment is required to this RFP, the City 's Purchasing Department will issue an addendum and such an addenda will be posted on the BC Bid website at www.bcbid.gov.bc.ca and the City of Nanaimo website at www.nanaimo.ca. While the City will attempt to send information to Proponents who have returned the Receipt Confirmation Firm, it is the sole responsibility of the Proponent to check for amendments on the BC Bid and City of Nanaimo websites issued up to the "closing date & time".

Each addendum will be incorporated into and become part of the RFP. No amendment of any kind to the RFP is effective unless it is contained in a written addendum issued by the City's Purchasing Department.

Withdrawal of Proposals
The Proponent may withdraw their Proposal at any time prior to the Proposal closing time by submitting a written withdrawal letter to the City's Purchasing Department.

Irrevocability
All Proposals are irrevocable for a period of (60) business days from the closing date.

Ownership of Proposals and Freedom of Information and Privacy Protection Act
All Proposals, including attachments and any documentation, submitted to and accepted by the City in response to this RFP become the property of the City. They will be received and held in confidence by the City, subject to the provisions of the Freedom of Information and Privacy Protection Act (FOIPPA).

General Terms and Conditions

Negotiation
The City reserves the right to negotiate enhancements or changes to the preferred Proposal with the proponent.

Right of the City to Cancel the RFP Process
The City is not bound to select a preferred Proponent or accept any Proposal and reserves the right in its sole discretion to postpone or cancel this RFP at any time for any reason whatsoever in accordance with the City's judgment of its best interest and to proceed with the Services in some other manner separate from this RFP process.

Conflict of Interest
Proponents shall disclose in their Proposals any actual or potential Conflict of Interest and existing business relationships it may have with the City, its elected officials, appointed officials or employees.

Business License
The successful Proponent will be required to hold a valid City of Nanaimo business license for the duration of the project.

Solicitation of Council Members and City Staff
Proponents and their agents will not contact any member of the City Council or City Staff with respect to this RFP, other than the City Representative named in this document.

Governing Law
This agreement shall be governed by the laws of the Province of British Columbia.

Dispute Resolution
In the event of a dispute arising between the City and the Proponent as to their respective rights and obligations under the Agreement, both parties agree to resolve the dispute by:

a. Frank and open negotiations whereby both parties use their best efforts to resolve the dispute by mutual agreement including the most Senior Management of both parties.
b. If, after 30 calendar days, the dispute is not resolved, both parties agree to appoint a mediator to resolve the dispute. All costs to be split equally.
c. If, after the mediation process is complete and the dispute is not resolved, the parties shall proceed to arbitrations following the rules of procedures as per the British Columbia International Commercial Arbitration Centre located in Vancouver, B.C.. All costs, with the exception of legal fees, shall be borne equally.

Indemnification
The Proponent shall indemnify and save harmless the City, its agents, employees and elected officials from and against any and all liability whatsoever for losses, liens, charges, claims, demands, payments, suits, actions, recoveries, and judgments including legal fees and expenses of every nature and description brought or recovered against either the City, its agents and employees, or the consultant by reason of an act, error or omission of the Consultant, its agents employees or licencees in providing the services, including, without limiting the generality of the foregoing, loss or damage to property, injury to or the death of any persons, alleged copyright, patent or other intellectual property rights infringement or interference, defective design or damage to the environment.

Litigation Clause

The City may, in its absolute discretion, reject a Proposal submitted by Proponent, if the Proponent, or any officer or director of the Proponent is or has been engaged either directly or indirectly through another corporation in legal action against the City, its elected or appointed officers and employees in relation to:

a. any other contract for works or services; or
b. any matter arising from the City's exercise of its powers, duties, or functions under the Local Government Act, Community Charter or another enactment

within five years of the date of this Call for Proposals.

In determining whether to reject a Proposal under this clause, the City will consider whether the litigation is likely to affect the Proponent's ability to work with the City, its consultants and representatives and whether the City's experience with the Proponent indicates that the City is likely to incur increased staff and legal costs in the administration of this Contract if it is awarded to the Proponent.

RECEIPT CONFIRMATION FORM

Request for Proposal No. 1444

RESPECTFUL WORKPLACE TRAINING PROGRAM

Closing date and time: 3:00 PM (15:00 hrs), Pacific Standard Time, Friday, **June 28th, 2013**

As receipt of this document, *and* to directly receive any further information about this Request for Proposal please return this form to:

Attention: Kurtis Felker
Manager, Purchasing & Stores
City of Nanaimo
2020 Labieux Road, Nanaimo, BC, V2T 4M7
Fax: 250.756.5327
Email: purchasinginfo@nanaimo.ca

COMPANY NAME: _____

STREET ADDRESS: _____

CITY/PROVINCE: _____

POSTAL CODE: _____

PHONE NUMBER: _____

FAX NUMBER: _____

PHONE NUMBER: _____

CONTACT PERSON: _____

TITLE: _____

EMAIL ADDRESS: _____

Propents: Please note all subsequent information will also be posted on the BC Bid and City of Nanaimo websites. The City will attempt to send information directly to those Proponents that have returned this form, but it is the responsibility of the Proponents to ensure that all information has been received.

CITY OF NANAIMO

HUMAN RESOURCES POLICIES

Policy:	Respectful Workplace	**Number:** 4.9
Applies To:	All employees	
Authorized by:		**Effective Date:** June 5, 2013

PURPOSE

The City of Nanaimo ("City") is committed to providing a positive work environment that embraces diversity and treats everyone with courtesy, dignity and fairness. Accordingly, the purpose of this policy is to provide direction on what is and what is not a respectful workplace and to outline the procedures for resolving respectful workplace complaints.

POLICY STATEMENT

The City and those subject to this policy have a shared obligation for creating a respectful, safe and supportive work environment. The goal is to foster a work environment that embraces diversity and where everyone is treated with courtesy, dignity and fairness. The City encourages open discussion of job-related issues and a prompt resolution of those issues.

The City will not condone or tolerate disrespectful conduct. This policy defines disrespectful conduct as any conduct or comment that is objectionable or unprofessional, which serves no legitimate work purpose and which has the effect of creating an intimidating, humiliating, hostile or offensive work environment. Disrespectful conduct includes harassment of any kind, workplace violence, and any other unprofessional conduct that is not consistent with a respectful and safe workplace. See Schedule A which defines and provides examples of various types of disrespectful conduct.

This policy applies to conduct at the "workplace" (as defined in this policy) and may also include off-duty conduct, including behavior on social media sites, that has an adverse impact on the workplace.

Allegations of harassment or discrimination may involve disclosure of sensitive information. Confidentiality must be maintained to ensure that those who may have been disrespected feel free to come forward and so that reputations of all parties are protected throughout the process. All information gathered, received or compiled through the course of a complaint and investigation must be maintained in confidence by the investigator, complainant, respondent and others that may be privy to this information. The confidentiality of the information is to be maintained except as required for the purpose of the investigation and the decision-making and legal processes.

Employees are encouraged to report disrespectful conduct without fear of reprisal. This policy prohibits retaliation or reprisal against anyone who, in good faith, reports a violation of this policy or participates in a complaint investigation process. If any employee is found to have retaliated against another employee in such circumstance, disciplinary action up to and including termination may result.

Employees who engage in disrespectful conduct and employees who knowingly initiate a false allegation or an allegation with intent to harm the respondent or others, may be subject to disciplinary action, up to and including termination.

Disrespectful conduct by external contacts is not covered under this policy. Employees should seek assistance from their managers should they observe or experience such conduct.

RESPONSIBILITIES

Employees

- Participate in training and become familiar with this policy.
- Know and comply with their rights and obligations arising from this policy, the *BC Human Rights Code* and the applicable *WorkSafe BC regulations.*
- Ensure personal conduct toward others supports a respectful workplace.
- Attempt to resolve differences with other employees in a respectful way within a reasonable time period.
- Report disrespectful conduct if observed or experienced in the workplace.
- Cooperate in resolution meetings and investigations to resolve complaints.
- Maintain confidentiality related to complaints.

Managers and Supervisors

- Promote awareness and understanding of the Respectful Workplace policy.
- Participate in training and become familiar with this policy.
- Ensure personal conduct supports a respectful workplace; lead by example in treating all employees with dignity and respect.
- Set and enforce standards of appropriate workplace conduct and take action when unprofessional conduct occurs.
- Attempt to resolve differences between employees in a respectful manner within a reasonable time period and raise concerns to Human Resources & Organizational Planning in a timely manner when becoming aware of disrespectful conduct in the form of harassment or workplace violence.
- Maintain confidentiality related to complaints.

Union Representatives

- Promote awareness and understanding of the Respectful Workplace policy.
- Ensure personal conduct supports a respectful workplace; lead by example in treating others with dignity and respect.
- Collaborate, when required, in interventions and investigations to resolve complaints.
- Maintain confidentiality related to complaints.

Human Resources & Organizational Planning ("HR&OP") Department

- Ensure employees are provided with training on respectful workplace behaviour.
- Provide assistance with respect to policy interpretation and administration.
- Provide mediation where required, determine when a third party mediation is required.
- Maintain confidentiality related to complaints.

Individuals Designated to Manage a Formal Complaint (as identified at step 3 of the procedure below)

- Investigate allegations of disrespectful conduct either directly or indirectly
- Maintain confidentiality related to complaints

PROCEDURE

An employee, who believes that he or she has experienced disrespectful conduct, is encouraged to first try to resolve the issue through respectful and open dialogue in an informal process. If it is not possible to resolve the concern through an informal process, then a formal written complaint may be made.

An employee that pursues an informal course of action is not prevented from filing a formal complaint in the future. The City encourages the prompt reporting of all alleged violations of this policy.

Step 1 – Ask to stop

When an employee encounters disrespectful conduct, the employee should make it known to the person engaged in the conduct that the conduct is inappropriate and should cease.

Step 2 – Informal resolution

If the conduct persists or the employee is not comfortable expressing an objection directly, the second step involves the employee promptly reporting the disrespectful conduct to their Supervisor, Manager, Union Representative or HR&OP Representative. Depending on the nature and severity of the alleged conduct and subject to the consent of the employee, the Supervisor, Manager, Union Representative or HR&OP representative may decide to take such action as:

- Meet separately with each person involved in the complaint and review concerns,
- Meet together with all persons to facilitate a conversation to resolve the issue,
- Review policies and reinforce expectations of respectful conduct,
- Seek commitments from persons that they will conduct themselves in a respectful manner,
- Follow-up, where appropriate, with persons after the resolution process to ask whether commitments have been adhered to,
- Terminate the informal resolution process if there is no sufficient basis to proceed.

If resolution cannot be attained by informal resolution, then a formal complaint may be filed.

Step 3 – Submit a formal complaint

A formal complaint may be made by any person subject to the policy where they either witnessed or were the target of disrespectful conduct.

To report an incident of workplace violence, refer to the *Violence in the Workplace reporting form* in the Safety Programs section of the City's Occupational Health & Safety manual.
To make a formal complaint regarding any other unresolved disrespectful conduct, follow the procedure below.

Under this policy, the individual(s) designated to manage formal complaints are:

- the HR&OP Director, or designate, for all complaints involving individuals below the level of General Manager except those employees in the HR&OP department,
- the City Manager for all complaints involving General Managers and all staff in the HR&OP department,
- the Mayor for all complaints involving the City Manager.

The complaint must be submitted to those individuals as designated above.

Formal complaints must be filed by completing a *Respectful Workplace Complaint form* found on the City's Intranet. Information required for a written complaint includes:

- Description of the incident(s) that have led to the complaint being filed,
- The date(s) and location(s) where the incident(s) occurred,
- The name(s) of the respondent(s),
- The name(s) of any witnesses,
- The effect the incident(s) have had on the complainants,
- Any attempts made to resolve the complaint under steps one and two and the outcome.

In the event that a complainant does not proceed with a formal complaint, the City may still initiate a formal investigation if deemed necessary.

Step 4 – Investigation

The investigation of a formal complaint will be conducted promptly and will be kept confidential. Any resolutions necessary as an outcome of the investigation will be implemented in a timely manner.

The individual(s) designated to manage the complaint may decide not to proceed with an investigation when a determination is made that:

- this policy does not apply to the complaint;
- the complaint is frivolous, vexatious, trivial or is not made in good faith;
- there is not enough evidence to prove the complaint; or
- the dispute which caused the complaint is resolved.

If an investigation will not be commenced, the complainant will be informed of this decision and the reasons behind it.

If the investigation proceeds, the individual(s) designated to manage the complaint will conduct the investigation personally or may appoint an external investigator to investigate the allegations made. The complainant and the respondent will be notified of the investigation and who will be investigating.

The investigator will conduct a thorough and fair investigation of the complaint. The investigator will interview the complainant, respondent and any witnesses with relevant information, make findings of fact and determine whether the facts constitute a finding of disrespectful conduct.

The investigation will be conducted in a manner that ensures both the complainant and respondent each have a fair opportunity to know what the other party is saying and a fair opportunity to be heard. The respondent will be given the opportunity to respond to the allegations.

Employees have an obligation to participate in the investigative process. Refusing to do so may be grounds for disciplinary action.

The complainant and respondent may request an appropriate representative. Any representative must agree to respect this process and the confidentiality requirement.

At any time during the investigation, the individual(s) designated to manage the complaint may pursue an informal resolution to the complaint, which may include mediation. The investigation may be suspended for an informal process to occur. If this does not result in a resolution, the investigation will recommence.

Step 5: Conclusion & Remedy

Upon the conclusion of the investigation, the investigator will provide a summary report of conclusions to the complainant(s), the respondent(s) and their representatives. The investigator will also provide to the individual designated to manage the complaint an investigation report setting out the nature of the complaint and the investigation's findings. The individual(s) designated to manage the complaint, in consultation with the appropriate City personnel, will determine the remedial action to be taken.

Where a complaint is substantiated, an appropriate remedy will be assessed on a case by case basis. This may include corrective action such as education, training, temporary or permanent changes to reporting structures or work assignments and discipline up to and including termination of employment.

If the investigation determines that the complainant initiated a false allegation or an allegation with intent to harm the respondent or others, disciplinary action may result up to and including termination of employment.

Exempt employees may appeal any disciplinary action to the City Manager. Union employees may follow the procedures as prescribed in the applicable Collective Agreement.

DEFINITIONS

Complainant:
A person who makes a complaint of disrespectful conduct.

Off-Duty Conduct:
Any conduct by an employee that occurs away from the workplace, including communication on social media sites, and that has one of the following impacts:
1) harms the employer's reputation or product;
2) renders the employee unable to perform his or her duties;
3) leads to a refusal, reluctance or inability of other employees to work with him or her; or
4) inhibits the employer's ability to efficiently manage its work and direct its working forces.

Prohibited Grounds of Discrimination:
The *BC Human Rights Code* prohibits harassment and other forms of discrimination on the basis of 13 prohibited grounds (race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, age of that person or because that person has been convicted of a criminal or summary conviction offence that is unrelated to employment).

Respondent:
A person who is alleged in a complaint to have engaged in disrespectful conduct.

Workplace:
Includes City facilities, worksites, offices, vehicles, parks, washrooms, locations visited by employees on City-related business; including conferences, meetings, customer sites, locations of work-based social gatherings and all written, verbal and electronic communication taking place in such venues.

RELATED DOCUMENTS

- BC Human Rights Code
- WorkSafe BC regulations
- Human Resources Policy 4.2 – Discrimination
- Human Resources Policy 4.15 – Discipline
- Occupational Health & Safety Program Manual – Violence in the Workplace procedure
- CUPE Collective Agreement, Article 26
- Respectful Workplace Complaint Form

PAST REVISIONS

- May 2013: Revised and renamed
- September 1995: Revised
- November 1994: New document

SCHEDULE A

Types of Disrespectful Conduct

Disrespectful Conduct: Conduct or comment that is objectionable or unprofessional which serves no legitimate work purpose and has the effect of creating an intimidating, humiliating, hostile or offensive work environment. Disrespectful conduct includes harassment of any kind, workplace violence and any other unprofessional conduct that is not consistent with a respectful and safe workplace. Types of disrespectful conduct include:

A. **Harassment:** Any inappropriate conduct, comment, display, action, or gesture by a person directed at another person or persons that has the effect of creating an intimidating, humiliating or offensive work environment. Harassment includes conduct that the person engaged in the harassment knew or ought to have known would be intimidating, humiliating or offensive. Harassment may take several forms:

Discriminatory Harassment: Any unwelcome conduct, comment, display, action, or gesture related to any of the prohibited grounds of discrimination that detrimentally affects the work environment or leads to adverse job-related consequences for the victim of the harassment.

Sexual Harassment: Any unwelcome conduct, comment, display, action or gesture or contact of a sexual nature. Sexual harassment includes, but is not limited to, unwanted physical contact, sexual advances, requests for sexual favors and suggestive or offensive comments or gestures emphasizing sexuality, or sexual identity, and any conduct that reasonably leads to the perception that a condition of a sexual nature is being placed on a person's employment or any opportunities for persons in the workplace.

Personal Harassment: A type of harassment that is not related to one of the prohibited grounds of discrimination. To constitute personal harassment there must be: a) repeated conduct, comments, displays, actions or gestures; or b) a single serious occurrence of conduct, or a single serious comment, display, action or gesture that has a lasting, harmful effect on a person.

Bullying is a form of personal harassment that is marked by an intentional, persistent attempt of one or more persons to intimidate, demean, torment, control, mentally or physically harm or isolate another person(s).

Some examples of harassment are as follows (but are not limited to):

- racial or ethnic slurs including racial nicknames;
- remarks, jokes, innuendoes or other comments regarding an individual's body, appearance, age, marital status, gender, sexual orientation, ethnic/racial origin, religion, accent or disabilities;
- display of offensive or derogatory pictures, cartoons or other material in the workplace or through social media sites;
- persistent unwelcome invitations or requests;
- inappropriate physical contact such as touching, kissing, patting, pinching or brushing up against a person;
- leering, ogling or other gestures;

- verbal or written insults, abuse or threats, physical assault (actual or threatened);
- bullying, hazing, demeaning, degrading or intimidating comments;
- practical jokes which cause embarrassment, endanger safety, or negatively affect work performance;
- excluding, shunning, ostracizing, misuse of authority;
- spreading of malicious rumours or lies.

Workplace harassment DOES NOT include:

- **Human resources management:** Supervision, direction or management of employees undertaken in a good faith manner for a legitimate work purpose does not constitute harassment. For example, harassment does not include changes to working conditions, corrective action, discipline, termination of employment, decisions relating to workload and deadlines, performance evaluation, transfers, changes in job duties, lay-offs, demotions and reorganizations unless such conduct is carried out in an abusive or threatening manner or is intended to cause emotional harm.

- **Interpersonal conflict** between employees, supervisors, managers, contractors or customers is not harassment unless the conflict results in behavior that is considered threatening or abusive. Personal disputes over non work-related matters should be resolved respectfully between the persons involved or with the assistance of a supervisor, manager or HR&OP representative.

B. Unprofessional Conduct: Behaviours that are unacceptable and can include (but are not limited to) inappropriate tone of voice, belittling behaviour such as eye-rolling, outward signs of exasperation or frustration, condescending verbal and/or body language or inappropriate communication. Although the conduct may not be deemed harassment or discriminatory, it may be found to be disrespectful or inappropriate.

C. Workplace Violence of any kind, including physical or verbal assault, is also considered as a type of disrespectful conduct. *WorkSafe BC* defines workplace violence as the attempted or actual exercise by a worker towards another worker of any physical force so as to cause injury, and includes any threatening statement or behaviour which gives the worker reasonable cause to believe he or she is at risk of injury.