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RESPECTFUL WORKPLACE & HUMAN RIGHTS POLICY

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1. POLICY

A respectful workplace - one in which people work-together collaboratively, efficiently and effectively to meet organizational goals - is a critical ingredient for Villa Cathay Care Home's success in delivering excellent care, services and health promotion. A respectful workplace is foundational for a healthy culture that nurtures staff's physical and psychological well-being, engagement and performance.

Villa Cathay Care Home (VCCH) expects its employee to not engage in acts of incivility, aggression, and bullying, and does not tolerate such behaviours in the workplace. VCCH will make every reasonable effort to prevent and eliminate conduct which falls within the scope of this policy.

2. POLICY SCOPE

This policy applies to all persons associated with VCCH, including employees (unionized staff, administrative, and management), medical staff, trainees, students, volunteers, contractors, and other service providers engaged by VCCH, as well as visitors, clients, residents and families.

This policy applies to all activities which take place on Villa Cathay Care Home premises, or which are connected to the workplace and during any employment-related duties or activities, including conferences, training sessions, travel and social functions. It applies to in-person (individual or group) communications and electronic communications, such as email.

Residents of Villa Cathay Care Home who present behavioural symptoms that employees might feel humiliating, offensive, or intimidating are considered as presenting socially inappropriate behaviour. Inappropriate behaviour is a clinical symptom and the underlying condition and/or the unmet needs that trigger the behavior ought to be properly assessed and not to be labelled or be reacted to. Subsequently, the interdisciplinary clinical team should develop a behavioural care plan to manage this clinical condition. Residents' behaviours triggered by unmet needs or other clinical conditions are covered by policy CAR 312 Behaviour Assessment and Management.

3. BEHAVIORAL EXPECTATIONS

All persons associated with Villa Cathay Care Home (VCCH) are accountable for their own behavior and must conduct themselves in a civil, respectful, cooperative and non-discriminatory manner in the workplace and at work-related gatherings.

Regardless of position, showing mutual respect is a core value and work expectation. The employees of Villa Cathay Care Home must:

- not engage in the bullying and harassment of another employee
- report to their direct supervisor or the Human Resources Manager when bullying and harassment is experienced or observed
- apply and comply with this policy and its related procedures
- collaboratively eliminate bullying and harassment in the workplace.

Management will provide

- confidential, impartial, fair, timely, and effective procedures for responding to concerns of bullying and harassment,
- effective responses to complaints, and
- appropriate consequences where findings of bullying or inappropriate conduct have been confirmed.

Responses to bullying behaviour will aim to correct the identified behaviour and to prevent further occurrences or violations of this policy. This policy will be enforced in accordance with the principles of progressive discipline taking into consideration of the severity and impact of an act.

4. DEFINITION

Disrespectful behaviour means engaging with people in ways that do not promote positive work relationships. Disrespectful behaviours can include a wide range of acts, included but not limited to raising voice in a conversation, rude or disruptive gesture, to incivility, bullying and harassment, to discrimination and human right violation, which may or may not have intent to cause harm and has a negative effect of the workplace or people in the workplace .

Bullying & harassment is defined as inappropriate comment or conduct targeted towards or about a staff member which the person knew or reasonably ought to have known would cause the staff member to be humiliated or intimidated.

Inappropriate comment or conduct can occur in many different settings, including one to one; group communication, or through electronic means i.e., email, all social media, (Facebook/Twitter/Instagram/Pinterest, etc.).

Inappropriate comment and conduct includes but is not limited to:

- actions (e.g., touching, pushing), comments (e.g., jokes, name-calling), or displays (e.g. offensive posters, cartoons);
- workplace incivility which includes rude or discourteous comments that display a lack of regard for others.

- overloading a particular person an unreasonable share of unpleasant jobs; deliberately withholding information or support necessary for a person to be able to perform work.
- humiliating a person through criticism or insults especially in front of colleagues or patients; shouting or yelling at individuals.
- recording staff members or managers/supervisors without their knowledge (consent to record the individual must always be requested and, while requests to be recorded should be thoughtfully considered, refusals to be recorded must be respected).
- gossiping, back-stabbing behavior, cyber-bullying.
- ignoring or excluding a particular person; rolling eyes, glaring or other non-verbal behavior intended to intimidate; and discriminating or harassing behavior based on a protected ground per the Human Rights Code.

What Is **NOT** Bullying

It is recognized that there may be circumstances where an employee experiences stress or discomfort in the workplace, which is not related to bullying or inappropriate behaviours.

Unless there is evidence that demonstrates a pattern of humiliating, offensive, or intimidating behaviour, or there is evidence of one incident having severe impact, such situations may not constitute a basis for complaint under this policy. For example, bullying would not include:

- the normal exercise of supervisory responsibilities, including performance reviews, direction, assigning work duties and setting workloads and deadlines, counseling and disciplinary action and transfers, lay-offs and reorganizations where necessary, provided they are conducted in a respectful, professional manner, in accordance with Villa Cathay Care Home policies and procedures.
- social interactions, jokes, and bantering, which are mutually acceptable, provided the interactions are respectful and there is no negative impact for others in the work environment.
- disagreements, misunderstandings, miscommunication and/or conflict situations, provided the behaviour of the individuals involved remains professional and respectful.

To determine whether or not bullying has occurred, Villa Cathay Care Home will examine each situation reasonably and objectively, based on its specific facts.

5. RIGHTS, ROLES, and RESPONSIBILITIES

5.1. *Employees' Rights, Roles and Responsibilities*

Each employee is expected to support the implementation of this policy by:

- 5.1.1. conducting themselves in a manner which demonstrates professional conduct, mutual respect for others and which honours diversity in the workplace.
- 5.1.2. participating fully and in good faith, in any resolution process or formal complaint and investigation process where they have been identified as having potentially relevant information
- 5.1.3. respecting the rights to personal dignity, privacy and confidentiality pertaining to this policy
- 5.1.4. reporting any incidents which may be in violation of this policy. VCCH expects anyone who witnesses inappropriate comment or conduct, to support their colleagues(s), intervene where appropriate (e.g., speak up and say the other person's behaviour is not acceptable) and report the incident to the supervisor or manager who is accountable to act upon any situation involving inappropriate comment or conduct in accordance with this policy.

5.2. Management Roles and Responsibilities

While every employee is responsible for maintaining and contributing to a respectful environment that is free from incivility and bullying, those in positions of authority over staff carry more responsibility than other employees within our organization. Management personnel have additional obligation to make every reasonable effort to establish and maintain a workplace free of bullying and psychological harassment.

Management responsibilities in anti-bullying and harassment include:

- 5.2.1. acting as a role model for professional and respectful conduct
- 5.2.2. ensuring employees have full access to information regarding employer policies and standards
- 5.2.3. conducting timely investigations to complaints raised under this policy
- 5.2.4. notifying police when there are reasonable grounds to believe that a violation of the Criminal Code has occurred
- 5.2.5. respecting the rights of all parties to a fair, equitable and confidential process for responding to complaints
- 5.2.6. supporting to all those who participate in a problem-solving process
- 5.2.7. enforcing corrective and/or disciplinary measures, where applicable

6. Options to Reporting and Resolving Inappropriate Conduct and Comment

6.1. Having the Conversation with the Person:

If someone (including your Supervisor, Manager, or Division or Department Head) behaves in a way that came across as offensive, initiate a conversation with the person and bring the experience to their attention. Many individuals will change

their behaviour once they are made aware of the problem or the negative impact on others.

Start with an informal conversation by approaching the other person(s), explaining the impact of their behaviour, and ask them to stop. Do this calmly in a private setting.

6.2. Reporting the Incident(s)/ Formal Complaint:

If the opportunity of the conversation is not available or cannot be achieved without help, contact the direct Supervisor or the HR Manager to report the incident formally. If the Direct Supervisor is the person engaging in disrespectful workplace behaviours, contact the Human Resources Manager. The Human Resources Manager will respond within three business days when an employee reports a concern/complaint. This is considered as filing a formal complaint.

VCCH reserves the right to investigate incident(s), with or without the person's consent, if there are concerns about serious harm.

When reporting, provide as much information as possible, such as the names of people involved, witnesses, where the events occurred, when they occurred, and what behaviour and/or words led to the complaint. Attach any supporting documents, such as emails, handwritten notes, or photographs. Physical evidence, such as vandalized personal belongings, can also be submitted.

Verbal Complaint: You will also be given the option for the Human Resources Manager to speak with your Manager or Department Head and arrange a meeting with the parties involved to resolve the behaviour.

Written Complaint: If you wish to file a complaint, the Human Resources Manager will call you and summarize your concerns on a complaint form, which they will send to you for confirmation and signature. You will be updated by the Human Resources Manager every 10 business days of the progress until the investigation of the complaint is completed.

6.3. Supports that can be Offered

Counselling: Confidential EFAP counselling and wellness services is available to all Villa Cathay employees to provide psychological support, skill building, and assisting with decision making and conflict resolution.

Coaching: The Human Resources Manager can provide coaching and advice on skills in having a difficult conversation, conflict resolution, and effective communication.

Other options may be available depending on the needs.

6.4. Other Resolution and Appeal Process

If the result of the investigation and conclusion is not to the satisfaction of the complainant who reported the concern and complaint pursuant to this policy, the complainant may advance the complaints through the applicable collective agreement, relevant professional bodies, WorkSafe BC, or the BC Human Rights Tribunal. In the event that an employee file a complaint outside of this policy, VCCH reserves the right to not proceed with the second complaint under this policy.

Employees who are under a collective agreement will be offered to have a union representative under this policy.

6.5. Consequences of Violating the Policy and Confidentiality

Any staff member (including physicians) found engaging in inappropriate comment or conduct (such as bullying or discrimination) or who retaliates against the complainant, will be subject to remedial and/or disciplinary action such as: a warning, direction to issue a written apology, a behavior agreement, counselling, demotion, dismissal, cancellation of contract and/or revocation of privileges pursuant to applicable Health Authority processes. Staff filing complaints in bad faith may be subject to disciplinary action.

No information will be disclosed by any person during an investigation or resolution of a complaint under this policy except as necessary to enable due process.

6.6. Additional Considerations

Villa Cathay Care Home is committed to addressing and eliminating bullying and other disrespectful behaviours in the workplace. However, employees always maintain the right to pursue any other available remedies which may include, where applicable, the police, Ministry of Labour, Worksafe BC, BC Human Right Tribunal and/or seek the advice of his/her own legal counsel.

Members of the bargaining unit may also have the right to file a grievance under the collective agreement where applicable.

6.7. Consequences for Violating the Policy and Confidentiality

Any staff member found engaging in inappropriate comment or conduct (such as bullying or discrimination) or who retaliates against the complainant, will be subject to remedial and/or disciplinary action such as: a warning, direction to issue a written apology, a behavior agreement, transfer, counselling, demotion, dismissal, and cancellation of contract.

7. REFERENCES & RELATED POLICIES

- Worksafe BC Handbook 2013

Appendix: Staff Education Materials

What you can do when encountering a disrespectful workplace behaviours or alleged bullying situation?

- *Having the Conversation:*

If someone (including your Supervisor, Manager, or Division or Department Head) behaves in a way that you feel is offensive, do not assume the problem will go away. Sometimes the person may not be aware their behaviour is offensive, and many individuals will change their behaviour once they are made aware of the problem.

If someone (including your Supervisor, Manager, or Division or Department Head) behaves in a way that came across as offensive, initiate a conversation with the person and bring the experience to their attention. Many individuals will change their behaviour once they are made aware of the problem or the negative impact on others. Start with an information conversation by approaching the other person(s), explaining the impact of their behaviour, and ask them to stop. Do this calmly in a private setting.

If you are uncomfortable, have an informal conversation by approaching the other person(s), explaining how the behaviour impacts you, and then asking them to stop. Do this calmly and in a private setting.

- *Reporting the Incident(s):*

If you are not comfortable having the conversation directly with the person(s), contact your Supervisor, Manager or Department Head. If one of these individuals is the person engaging in bullying and harassing behaviour, contact the Human Resources Manager.

The Human Resources manager will contact the employee within three business days when an employee reports a concern/complaint to their Supervisor, Manager or Department head regarding the behaviour of other(s) or when an employee asks for advice, or wishes to file a complaint regarding the behaviour of other(s).

VCCH reserves the right to investigate incident(s), with or without the person's consent, if there are concerns about serious harm.

When reporting, provide as much information as possible in the report, such as the names of people involved, witnesses, where the events occurred, when they occurred, and what behaviour and/or words led to the complaint. Attach any supporting documents, such as emails, handwritten notes, or photographs. Physical evidence, such as vandalized personal belongings, can also be submitted.

Verbal Complaint: You will also be given the option for the Human Resources Manager to speak with your Manager or Department Head and arrange a meeting with the parties involved to resolve the behaviour.

Written Complaint: If you wish to file a complaint, the Human Resources Manager will call you and summarize your concerns on a complaint form, which they will send to you for confirmation and signature. You will be updated by the Human Resources Manager every 10 business days of the progress until the investigation of the complaint is completed.

- What Can you expect?

- **Confidentiality:** VCCH will keep your complaint and report confidential. No information will be disclosed by any person during an investigation or resolution of a complaint under this policy except as necessary to enable due process
- **Investigation:** VCCH reserves the right to investigate incident(s) and expressed concern and complaint. The involved parties will be informed of the investigation. The investigation can be done with or without the person's consent, if there are concerns about serious harm.
- **Counselling:** Confidential EFAP counselling and wellness services will be offered to assist you in dealing with the effects of bullying or other inappropriate behaviour, and if you are unsure about proceeding, help you determine how you would like to resolve the conflict.
- **Coaching:** If you choose, the Human Resources Manager will contact you within three business days to discuss options to resolve the conflict/behaviour, including coaching advice on how to have a difficult conversation with the other person(s) in order to maintain the working relationship.

- Other Resolution and Appeal Process

If you are dissatisfied or otherwise disagree with the results of an investigation conducted pursuant to this policy, you are not precluded from advancing complaints through the applicable collective agreement provision, relevant professional bodies, WorkSafe BC, or the BC Human Rights Tribunal. In the event you file a complaint outside of this policy, VCCH reserves the right to not proceed if you filed a second complaint under this policy.

Your union representative may participate at any point under this policy.

- Consequences of Violating the Policy and Confidentiality

Any staff member (including physicians) found engaging in inappropriate comment or conduct (such as bullying or discrimination) or who retaliates against the complainant, will be subject to remedial and/or disciplinary action such as: a warning, direction to issue a written apology, a behavior agreement, counselling, demotion, dismissal, cancellation of contract and/or revocation of privileges

pursuant to applicable Health Authority processes. Staff filing complaints in bad faith may be subject to disciplinary action.