

	Name of Manual: EMPLOYEE WELLNESS / HEALTH AND SAFETY	Policy Number: 2 - 340
	Section: OCCUPATIONAL HEALTH AND SAFETY	
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POLICY

All employees, physicians, volunteers, students, contractors, and all others (herein referred to as employees for the purposes of this policy), working or carrying out duties on behalf of Central Health have a responsibility to contribute to, promote and create a respectful workplace. Disrespectful behaviour and bullying are unacceptable anywhere in our workplace.

A person who submits a complaint in good faith, even when the complaint cannot be proven is protected under this policy. Retaliation or reprisals against anyone involved in a complaints process is unacceptable and will be dealt with through progressive discipline.

If an investigation results in a finding that the complainant knowingly, or in a malicious manner made a false accusation of disrespectful behaviour or bullying, disciplinary actions will be taken against the complainant.

PROCEDURE

There are three options available to employees for addressing disrespectful behaviour and bullying.

1. INFORMAL COMPLAINT PROCESS

The complainant will initiate any one or more of the following:

- Advise the respondent that their behaviour is perceived to be disrespectful and explain to the respondent that their conduct is unwelcome and ask that it stop.

Note: the complainant may choose to engage the services of the Respectful Workplace Advisor before initiating this action. The complainant may document any discussion with the respondent and keep copies of any documentation.

- Consult with the complainant's manager to explore options for resolution. If the conflict involves the manager, the complainant will consult with the next level of management.

- Seek assistance from the Employee and Family Assistance Program (EFAP) Coordinator, if deemed necessary

The EFAP Coordinator will explore with the complainant the following options:

- Mediation
- Facilitation
- Counselling
- Team Building Services
- Education and Training

2. FORMAL COMPLAINT PROCESS

The complainant will:

- 2.1. Submit a written and signed complaint to the VP of Human Resources outlining the allegation(s), including date, time and names of any witnesses

Note: In the event that the complaint is against a member of Senior Leadership, the complaint must be directed to the Chief Executive Officer (CEO).

In the event that the complaint is against the CEO, the complaint must be directed to the Board Chair.

The VP of Human Resources or alternate will:

- 2.2. Review the complaint in consultation with the Director of Employee Wellness/Health and Safety within ten working days of receipt to determine if the complaint warrants a formal investigation.
- 2.3. If it is determined that a formal investigation is warranted, the VP of Human Resources or alternate will, within five working days, notify the complainant and respondent that a formal investigation will be conducted. The respondent will be provided the details of the allegations made against him and the name(s) of the person(s) making the allegations.
- 2.4. Assign an investigator within ten working days to conduct the investigation.

The investigator will:

- 2.5. Complete the investigation within 30 working days.
- 2.6. Submit a written report to the VP of Human Resources or alternate, complainant and the respondent within 14 days following completion of the investigation.

The complainant and respondent will:

- 2.7. Respond (optional) in writing to the report within seven days, to the VP of Human Resources or alternate

The VP of Human Resources or alternate will:

2.8. Decide on corrective action within ten working days and this decision will be communicated to the respondent.

Note: Any action taken as an outcome of the investigation process may be appealed by the respondent through the procedures set out in their applicable collective agreement.

EFAP services are available to both the complainant and the respondent throughout the investigation process.

If it is determined that a formal investigation is not warranted, the VP of Human Resources or alternate will inform the complainant within five working days and explore with the complainant other options available.

The timelines outlined in this process may be extended through mutual agreement of the parties involved.

3. ALTERNATE OPTIONS

All employees have the right to seek resolution to a workplace issue through avenues other than those available through their employer. These avenues include but are not limited to:

- Collective Agreement Procedures
- Human Rights Complaint
- Legal Options
- Police Report

DEFINITIONS

Bullying: Bullying is defined as persistent, demeaning and downgrading behaviour through vicious words and cruel acts such as belittling, coercion, threatening, intimidation, undermining staff or colleagues, blaming, fear and professional humiliation that gradually undermine confidence and self-esteem” (Ontario Safety Association). It usually involves repeated incidents or a pattern of behaviour that is intended to intimidate, offend, degrade, or humiliate a particular person or group of people (CCOHS, 2005).

Complaint: This is a claim by an employee that he/she has been treated disrespectfully by one or more persons. A complaint can be made informally or formally.

Complainant: An employee who is the recipient of disrespect or bullying in the workplace.

Disrespectful Behaviours: An unwarranted or unnecessary comment or act (unwelcome, objectionable or offensive, including verbal, written or internet threats) that is known, or ought to have been known to cause offense, distress, psychological or physical harm to the victim(s). This may occur during one incident or over a series of incidents.

Employee and Family Assistance Program (EFAP): This is a program through which employees, their partners and dependants experiencing personal and/ or work-related problems that affect their well-being or their job performance can have direct access to professional assessment and brief intervention on a strictly confidential basis. Services can be accessed through self-referral, or through a supervisor/manager.

Employee: All persons employed or contracted by Central Health, as well as members of the medical staff, volunteers, board members, and students.

Employer: Central Regional Health Authority.

Investigator: A designated professional who has sound knowledge of both workplace legislation, and internal policies, and who has formal training and experience in conducting a 'fact-finding' process. Selection of an investigator must ensure an independent and objective assessment of the facts. The investigator remains an unbiased, neutral third party throughout the investigation process, and does not act as a representative for the employer, employee(s), witness or union.

Respectful Workplace: A respectful workplace is one that is healthy, safe, and supportive, and values diversity. It is a place where employees are valued; communication is polite and courteous; people are treated with respect; conflict is addressed in a positive and respectful manner; and disrespectful behaviour, harassment, and bullying, are addressed.

Respectful Workplace Advisor: An employee who volunteers to serve as a source of information, support and guidance to any employee who believes they are experiencing disrespect or bullying in the workplace. RWP advisors hold positions of trust and are known to be held in high esteem by coworkers. They undergo an intensive selection process, including reference checks, and undergo a training process, internal to Central Health. Advisors can be accessed by employees either in person or by telephone. Contact information for advisors will be made available/accessible to all employees through the Intranet.

Respondent: The person who's behaviour is in question or whom a complaint has been made against.

Threats: Include acts, gestures or statements which signal an intention to take some form of adverse action which cause a person to reasonably believe that his/her safety, welfare, or professional standing will be jeopardized. They can be verbal, written or cyber-threats.

Witness: A witness is any employee identified by the complainant or respondent who has first hand information regarding the incident in question.

Workplace: A work or work related environment where Central Health's business is being conducted.

REFERENCES

1. Occupational Health and Safety Legislation
2. Human Rights Act

APPROVED BY: Karen McGrath, Chief Executive Officer

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