

Respectful Workplace

Purpose

Communicates BCLC's expectations and guidelines that support a work environment at BCLC that is respectful, professional, and free from Discrimination, Bullying and Harassment. A respectful workplace is one where integrity, fairness, collaboration, and professionalism are expected and required by all.

Scope

This policy applies throughout the BCLC Workplace as defined in the Definitions section below.

This policy applies to all BCLC employees and Contractors. However, BCLC expects all of its contractors, Service Providers, Vendors and third parties with a working relationship to conduct themselves respectfully and appropriately at all times.

It applies to conduct prohibited by this policy that occurs directly from person to person and/or via electronic communications (e.g., through email, internet, social media, etc.), whether or not the information technology is owned or operated by BCLC.

This policy may apply to conduct outside of the Workplace or after regular working hours where the conduct impacts the Workplace or the conduct has a substantial connection to BCLC. However, this policy is not intended to address personal disputes over non-work related matters or interfere with ordinary social or personal relationships among BCLC employees or Contractors.

This policy does not apply to interactions involving violence or threats of violence by persons external to BCLC, which must be reported and addressed in accordance with the Workplace Violence Prevention Policy.

Policy Statement

BCLC values, promotes, and is committed to providing a safe, productive and positive Workplace environment that is characterized by professionalism, inclusiveness and respect, and is free from the effects of Bullying and Harassment and Discrimination as outlined by the British Columbia *Human Rights Code*, *Occupational Health and Safety Regulation* (the Regulation) and WorkSafeBC policies.

This commitment and responsibility to maintain a respectful Workplace is shared by everyone. Every person is accountable for their own behaviour. BCLC will take steps to coordinate with Service Providers, Vendors and other third parties whose staff have working relationships with BCLC employees to address and prevent any behaviour that BCLC finds to be damaging to a respectful Workplace or endangers the well-being or safety of persons in the Workplace.

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Conduct that is defined below as Bullying and Harassment or Discrimination is prohibited in the Workplace. BCLC does not condone or tolerate Bullying and Harassment or Discrimination of any kind, including Sexual Harassment, in interactions connected to work with BCLC, whether or not the conduct in question occurs during business hours. Examples of respectful and disrespectful behaviours are provided in the Policy Details below.

Persons who experience or witness conduct prohibited by this policy should follow the Respectful Workplace Procedure. If a person is uncomfortable reporting through the process as outlined in the Respectful Workplace Procedure, they may report the matter through BCLC's [Safe Reporting Policy](#). As outlined in the Safe Reporting Policy, matters reported through that policy may be redirected to be addressed through another BCLC policy or procedure, including the Respectful Workplace Procedure. However, in these circumstances the protections for confidentiality and reprisal as outlined in the Safe Reporting Policy and Procedure continue to apply.

Employees and Contractors are encouraged to address respectful workplace issues informally, where it is safe and appropriate. Informal approaches allow for greater autonomy and may result in faster resolutions. Further information about informal resolution is outlined in the Policy Details. Where an issue escalates or where informal resolution is determined to be inappropriate or does not resolve the issue, BCLC will undertake a formal investigation and resolution process in accordance with the Respectful Workplace Procedure.

OTHER RIGHTS

Nothing in this policy compels any person to make a Complaint or replaces any other legal rights a person may have or that BCLC may have to address the subject matter of the Complaint.

MANAGERIAL DUTIES AND OTHER LEGITIMATE WORK-RELATED BEHAVIOURS

This policy is not intended to limit the legitimate and reasonable exercise of Managerial Duties or to constrain legitimate work-related behaviours that, at times, may create stress, discomfort or unpleasantness for employees or result in Workplace conflict. These responsibilities and behaviours are reasonable and acceptable under this policy unless they are carried out in an abusive or disrespectful manner or result in prohibited conduct under this policy. Employees should contact their people and culture advisor with questions regarding legitimate work-related behaviours.

This policy is not intended to constrain normal social interaction that a reasonable person would objectively view as acceptable, such as expressing differences of opinion or disagreements in a respectful manner.

Context

This policy and the Respectful Workplace Procedure are aligned to the *Human Rights Code*, which prohibits discrimination in employment on the basis of the Protected Grounds. Bullying and Harassment and Discrimination can pose a potential risk to the physical or mental health and safety of persons in the Workplace and can lead to lower productivity, physical or mental illness and/or a negative work environment.

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The *Workers Compensation Act* (the Act), British Columbia, sets out general duties for the employer, managers and workers with respect to health and safety in the workplace. The Regulation and WorkSafeBC policies establish additional requirements to prevent and address Bullying and Harassment, including the development and maintenance of policies and procedures for reporting and dealing with complaints of Bullying and Harassment in the workplace. In accordance with the Act and Regulation, all workers are responsible to comply with these policies and procedures and to report Bullying and Harassment that they observe or experience in the workplace.

Policy Details

EXAMPLES OF A RESPECTFUL WORKPLACE

A respectful Workplace is one where individuals act in alignment with BCLC’s [values](#), [Standards of Ethical Business Conduct](#) (SOEBC), the Diversity, Inclusion and Belonging Policy and:

- are considerate of how their actions affect others;
- think before they act, speak, text or type;
- encourage fair and respectful treatment of others;
- promote collegiality and teamwork;
- embrace diversity, inclusion, belonging and equity within the Workplace;
- promote the sharing of opinions and ideas in an open-minded environment; and
- resolve disagreements and/or disputes by maintaining the dignity of the persons involved and creating resolutions.

EXAMPLES OF RESPECTFUL VERSUS DISRESPECTFUL BEHAVIOR

For illustrative purposes only, some examples of respectful versus disrespectful behavior could include, but are not limited to, the following:

Respectful	Disrespectful
Quiet and calm communication that focuses on the issues rather than personal characteristics of the individuals involved.	Loud, profane, name-calling and abusive language that may also focus on personal characteristics of the individuals involved.
Expressing and resolving disagreements in a calm and professional tone of voice and manner.	Insulting or belittling others through personal attacks or sarcasm, or through non-verbal behavior that may include repetitive eye-rolling, loud sighing, disrespectful facial expressions, shunning, stone-walling discussions, walking out of discussions prematurely or making physical or psychological threats.

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Respectful	Disrespectful
Addressing issues and concerns regarding work performance or misconduct in a confidential, discreet manner through a direct Manager.	Engaging in gossip, rumours, speculation or criticism of a person to others or discussing issues in front of people who do not need to be a part of the discussion.
Sharing information required to deliver services effectively.	Repeatedly ignoring questions or requests for information or deliberately failing to provide necessary/helpful information.

INFORMAL RESOLUTION

Informal resolution may involve BCLC speaking to the employee and/or Contractor involved (usually separately) with the goal of stopping the undesirable conduct and addressing negative impacts of the conduct in a mutually acceptable fashion. If determined appropriate, BCLC may retain an external third party to carry out mediation, conflict resolution or other processes with the goal of reaching a resolution that is acceptable to the Complainant, Respondent and BCLC. Details of the steps in BCLC’s informal resolution process and potential interventions are outlined in the Respectful Workplace Procedure.

FAIRNESS

Complainants and Respondents under this policy and the Respectful Workplace Procedure have a right to fair treatment. Fair treatment includes the right to:

- bring forward a concern or Complaint using either an informal process or formal intervention in accordance with this policy and the Respectful Workplace Procedure;
- be informed in a timely manner of Complaints made against them;
- receive adequate notice to be heard;
- present their side and challenge the Complaint against them *before* the decision about a Complaint is made;
- receive regular updates on the progress of Complaints;
- impartial and objective consideration and evaluation of the Complaint; and
- be informed of the outcome of any formal investigation or Complaint.

CONFIDENTIALITY

All persons involved in a Complaint or in the informal/formal resolution of a Complaint must keep all related matters confidential. This includes, but is not limited to, the Complainant, Respondent, witnesses, Managers and/or People Operations employees who are aware of the complaint or complaint resolution process.

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An established breach of confidentiality regarding a complaint or complaint resolution process is considered an independent violation of this policy, which may be subject to disciplinary action, up to and including termination.

Any allegation or Complaint under this policy will be considered Personal Information supplied in confidence. The names of those involved in the Complaint must not be disclosed to any person except where necessary for the purpose of fairly investigating and determining the outcome of the Complaint, or as permitted or required by law.

The substance of investigative reports, discovery findings, and related meetings conducted by those in authority to make decisions, will be protected from disclosure to third parties to the extent permitted by law. This is applicable regardless of whether the Complaint is substantiated or not.

EDUCATION AND TRAINING

All employees and Contractors must participate in annual respectful Workplace training. Training sessions are provided to Organizational Units, as required, or upon request, and full compliance is expected. Focused external training workshops may be delivered to areas/Organizational Units, when deemed necessary.

PROHIBITION OF RETALIATION

BCLC strictly prohibits retaliation against a person for:

- opposing or bringing forward a concern about behaviour prohibited by this policy;
- initiating a Complaint under this policy and the Respectful Workplace Procedure in good faith;
- participating in an investigation under this policy; or
- associating with another person who initiated a Complaint or participated in an investigation.

BAD-FAITH/MALICIOUS COMPLAINTS

BCLC recognizes that false accusations of Bullying and Harassment or Discrimination may have serious impacts. Any person who is found to have made a false or reckless allegation under this policy, or who makes such allegations for improper purposes, may be subject to corrective measures, up to and including termination of employment or Contract. Discipline administered in response to a bad-faith or malicious Complaint does not constitute retaliation.

A Complaint that is unfounded because of bona fide mistakes or misunderstandings does not constitute bad-faith/malicious conduct. No progressive discipline will be taken against anyone who makes a Complaint in good faith.

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Roles and Responsibilities

All employees and Contractors are responsible for:

- Complying with this policy, the Respectful Workplace Procedure and other applicable policies and procedures that are related to preventing and addressing Bullying and Harassment or Discrimination in the Workplace;
- Conducting themselves in a respectful and appropriate manner, refraining from engaging in Bullying and Harassment or Discrimination of any kind, including Sexual Harassment, and proactively maintaining a Workplace environment free from Bullying and Harassment and Discrimination;
- Promptly reporting incidents of Bullying and Harassment, Discrimination or breaches/suspected breaches of this policy that are experienced or observed;
- Fully participating and cooperating with BCLC in the investigation and/or discovery process of potential violations of this policy;
- Adhering to timelines for meetings or other investigation requirements to support the conclusion of the investigation in a timely manner; and
- Completing annual training related to this policy, as directed by BCLC.

Managers are also responsible for:

- Completing management-specific training related to this policy, as directed by BCLC;
- Providing guidance and direction related to this policy and requiring full staff participation;
- Leading by example to create a respectful work environment and take reasonable steps to provide a Workplace that is free from Bullying and Harassment and Discrimination;
- Promptly responding and/or intervening as appropriate when any unacceptable behaviour is observed or suspected in good faith, whether or not it is reported;
- Promptly advising their people and culture advisor or the manager of People Operations of reported breaches of this policy;
- Supporting and participating in the investigation process of reported incidents, as directed by BCLC;
- Taking appropriate follow-up measures or progressive discipline following an investigation, as directed by BCLC; and
- Reviewing and providing feedback about this policy and the Respectful Workplace Procedure to People and Culture.

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People Operations is responsible for:

- Providing education and training to support this policy and the Respectful Workplace Procedure;
- Establishing and implementing procedures for reporting, investigating and resolving Complaints;
- Promptly addressing Complaints under this policy;
- Keeping records of Complaints, investigations, corrective actions/progressive discipline and follow-up measures;
- Determining when an investigation is warranted and determining who is conducting the investigation; and
- Identifying and addressing any perceived or realized biases to provide a fair process for all.

Compliance

Failure to comply with this policy may result in progressive discipline up to and including termination of employment or services, whichever is applicable. Disciplinary measures for employees will be administered in accordance with BCLC's Progressive Discipline Policy. Corrective measures for breach of this policy may also be taken against persons who are not employed or engaged by BCLC to the extent possible, including revoking access to BCLC's premises if appropriate.

An act of retaliation in breach of this policy may be subject to progressive disciplinary action, up to and including termination of employment (or Contract), regardless of the merits or outcome of the initial concern or Complaint.

Definitions

Bullying and Harassment

Includes any inappropriate conduct or comment by a person towards a worker that the person knew or reasonably ought to have known would cause that worker to be humiliated or intimidated. Bullying and Harassment excludes any reasonable action taken by an employer or Manager relating to the management and direction of workers or the place of employment.

Bullying and Harassment includes Discriminatory Harassment and Sexual Harassment. It can be repeated incidents or a single incident that has a lasting, harmful effect on the recipient and may exist regardless of the intent of the conductor.

Examples of Bullying and Harassment include:

- visual displays of objects or pictures that depict persons in a derogatory way;
- verbal or written insults or jokes about a person, whether or not based on a Protected Ground (e.g., physical appearance, working style, level of intelligence, etc.);
- vandalizing personal belongings or property;

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- verbal or written threats, or unwanted physical contact or violence;
- ignoring, isolating or treating a person adversely for no legitimate work purpose; or spreading malicious rumours or gossip.
- racial, homophobic, sexist slurs
- physical or sexual assault
- refusal to converse/work with employee because of a racial or ethnic background
- demands of requests for sexual favour

Complainant	Means a person who brings forward allegations of Bullying and Harassment or Discrimination in the Workplace, and who seeks a remedy under this policy.
Complaint	Means a written statement submitted in accordance with the Respectful Workplace Procedure that outlines allegations of a violation of this policy such as, Bullying and Harassment, or Discrimination.
Contractor	Means an individual engaged by BCLC to provide services for extended periods and have the same general access to BCLC systems and information as a BCLC employee.
Discrimination	Means treating people differently, resulting in negative or adverse effects because of a Protected Ground under the <i>Human Rights Code</i> .
Discriminatory Harassment	Means Bullying and Harassment that is related to a Protected Ground of Discrimination under the <i>Human Rights Code</i> .
Manager	Means an employee whose position has been designated by BCLC as a managerial position. The employee's principal employment duties consist of supervising or directing, or both supervising and directing. This includes supervisors who do not have the term 'manager' in their position title.
Managerial Duties	Refers to a Manager's responsibilities, with support from their people and culture advisor or the manager of People Operations, which may include, but are not limited to, coaching, mentoring, providing work direction, addressing interpersonal conflicts, supervising, managing and evaluating performance including providing feedback for improvement, making changes to working conditions or job duties, transfers and reorganizations, investigating breaches of BCLC's policies, determining and implementing disciplinary action (including warnings and termination of employment), or other direction or management of people.

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Protected Grounds	Means the protected grounds articulated in the <i>Human Rights Code</i> . As at the date of this policy, the <i>Human Rights Code</i> provides protection from discrimination for the following grounds: Indigenous identity, race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex (includes pregnancy), sexual orientation, age, gender identity or expression, or conviction of a criminal or summary conviction offence that is unrelated to the employment or to the intended employment of that person.
Respondent	Means a person against whom an allegation of Bullying and Harassment or Discrimination is made under this policy.
Sexual Harassment	Refers to a form of Discrimination and includes any unwelcome comment or conduct of a sexual nature that may detrimentally affect the work environment or lead to adverse job-related consequences for the victim. The prohibited conduct, as determined by a reasonable person, may be verbal, non-verbal, physical, deliberate or unintended. Examples of Sexual Harassment include: <ul style="list-style-type: none"> • unwanted sexual advances; • requests for sexual favours; • sexual innuendos or 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.
Workplace	Means any work-related environment, including but not limited to the BCLC premises and property (including corporate vehicles), virtual work environment, corporate social functions, work-related trips, the workplace premises of BCLC's Service Providers, Vendors and third parties where BCLC employees carry out their work duties, or at non-BCLC venues/events where employees or Contractors are representing BCLC.

Policy Ownership

Contact Position	People and Culture Advisor
Policy Owner	Chief People Officer
Approving Body	Board of Directors

Policy

APPROVED

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Revision History

Version	Effective	Approved by	Amendment
2.0	Nov 21, 2024	Board of Directors	Major amendments including direction to encourage informal resolution of issues, where appropriate, updated direction on additional reporting avenue through BCLC's new Safe Reporting Policy and updated list of fair treatment rights. Added definitions for 'Complaint', 'Complainant', 'Contractor', 'Discriminatory Harassment', and 'Respondent', amalgamated definition for 'Bullying and Harassment' to align with WorkSafeBC policies, and separately defined 'Sexual Harassment'. Additional clarifications and housekeeping changes throughout.
1.0	Sept 11, 2020	Board of Directors	This policy supersedes the Harassment Policy.