



**DIRECTORS RESOLUTIONS OF
MAMELE'AWT QWEESOME HOUSING SOCIETY
(the "Society")**

Motion: 3 -21 Date of Motion: September 28, 2021

On motion duly made and seconded, **IT WAS RESLOVED THAT:**

WHEREAS,

There is a need to add a 'Workplace Harassment and Byllying' policy to the Mamele'awt Qweesome Housing Society Policy Manual.

BE IT RESOLVED THE FOLLOWING:

We will hereby add addendum #2 – 'Workplace Harassment and Bullying' policy to the Mamele'awt Qweesome Housing Society Policy Manual

I hereby certify that the foregoing is a true copy of a Resolution duly passed at a meeting of the directors of **MAMELE'AWT QWEESOME HOUSING SOCIETY AND TO'O HOUSING SOCIETY** regularly held quarterly. I further certify that the said resolution is now in full force and effect. I further certify that the following is a list of directors authorizing the conveyance of this resolution.

WITNESS my hand and seal of the Mamele'awt Qweesome Housing Society

This 28th day of September, 2021

ANDREA VOSS

DARLENE KELLY

COLETTE TRUDEAU

DONNA BLAIR

Votes for Motion: _____

Votes Against Motion: _____

Abstentions: _____



Addendum #2- Workplace Harassment and Bullying Policy

Purpose

MQHS/To'o has a zero-tolerance approach to workplace harassment, bullying, and violence and we are committed to promoting a workplace environment in which all people respect each other.

Any incidents of workplace harassment, violence, or discrimination are not acceptable and will not be tolerated on any of the Society premises, while conducting society business, or at society functions or social events.

This policy will be reviewed with all new staff during orientation and will be reviewed and re-signed on an annual basis. MQHS/To'o commits to reviewing this policy at minimum every 3 years or if there is an incident of harassment or violence or if the health and safety committee or representative requests a review as per the Occupational Health and Safety Regulation or WorkSafe BC.

These Policies can be amended by the Members of the "Society" at a General Meeting if the Members find that the Policies in any way prejudice the "Society", the Board of Directors and the Employees.

Scope

The zero-tolerance approach and this policy apply to all Managers, Supervisors, employees (including permanent, temporary, and casual workers), and contractors.

Policy:

A Complainant and Respondent are defined as the following:

Complainant: Should an incident or issue come forward, a complainant is defined as the individual bringing forward the complaint about the "respondent".

Respondent: A respondent is defined as the subject of the complaint and would be called upon to give a response to the incident involving the complainant.

Workplace Harassment

Bullying and harassment

(a) 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, but

(b) excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment.

Harassment occurs when a person is subjected to unwelcome or unwanted verbal and/or physical conduct. However, a single incident of a significant nature may be sufficient to constitute harassment.

Workers must:

- not engage in the bullying and harassment of other workers
- report if bullying and harassment is observed or experienced
- apply and comply with the employer's policies and procedures on bullying and harassment

Examples of Harassment could include but may not be limited to the following:

- Epithets, remarks, jokes, or innuendos related to the Canadian Human Rights Act or the protected grounds of race, colour, ancestry, national or ethnic origin, religious beliefs, gender, gender identity, gender expression, genetic characteristics, age, physical disability, mental disability, marital status, family status, source of income, sexual orientation or conviction for which a pardon has been granted or a record suspended.
- Showing or circulating offensive pictures, graffiti, or materials related to the Canadian Human Rights Act or protected grounds, whether in print form or using e-mail or other electronic means.
- Singling someone out for humiliating or demeaning "teasing" or jokes because of Protected Grounds.
- Comments or ridiculing because of characteristics, dress, etc. that are related to Protected Grounds.
- Making rude, degrading, or offensive remarks.
- Yelling at a person or prohibiting a person from speaking to others.
- Making an individual dress in a sexualized or gender-specific way.
- Gender-related comments about a person's physical characteristics or mannerisms.
- Suggestive or offensive remarks or innuendoes about members of a specific gender.
- Gender-related verbal abuse, threats, or taunting.
- Making suggestive or offensive comments or hints about members of a specific gender.
- Paternalistic comment or conduct based on gender, which undermines a person's self-respect or position of responsibility.
- Making unnecessary physical contact, including unwanted touching, etc. Demanding hugs.
- Making comments or treating someone badly because they don't conform to sex-role stereotypes.
- Making threats to penalize or otherwise punish.
- Invading personal space.
- Leering or inappropriate staring.

Workplace Harassment Exclusion

A reasonable action taken by MQHS/To'o or a Manager relating to the management and direction of employees or the workplace is not considered workplace harassment. Examples of counseling, performance reviews, performance management, work assignments, and the implementation of disciplinary actions are not forms of workplace harassment and do not restrict a Manager's responsibilities in these areas.

Workplace Bullying

Workplace bullying is a repeated pattern of negative behaviours aimed at a specific person or group - the bully's target. However, a single incident of a significant nature may be sufficient to constitute bullying.

Although it can include physical abuse or the threat of abuse, workplace bullying usually causes psychological rather than physical harm. Workplace bullying can involve sexual harassment and discrimination.

Bullying and psychological harassment can take many forms and may occur when the behaviour or conduct.

Examples of Workplace Bullying could include but may not be limited to the following:

- Would reasonably tend to cause offense, discomfort, humiliation, or embarrassment to another person or group.
- Has the purpose or effect of interfering with a person's work performance.
- Creates an intimidating, threatening, hostile, or offensive work environment.
- Insulting or derogatory remarks, gestures, or actions.
- Rude, vulgar language, or gestures.
- Malicious rumours, gossip, or negative innuendo.
- Verbal aggression and/or verbal abuse.
- Shouting or yelling.
- Swearing or name-calling.
- Glaring or staring.
- Outbursts or displays of anger directed at others.
- Targeting an individual through persistent, unwarranted criticism.
- Public ridicule.
- Verbal, written, or physical threats and intimidation.
- Mobbing and/or swarming.
- Misuse of power or authority.
- Isolation and/or exclusion from work-related activities.

Sexual Harassment

Sexual harassment is unsolicited, nonreciprocal behavior by an employee who is in a position to control or affect another person's job status and who uses the power or authority of that position to cause that employee to submit to sexual activity, or to fear that he or she would be punished for refusal to submit.

Sexual harassment also includes any employee conduct unreasonably interfering with another's work performance by creating an intimidating, hostile, or offensive working environment.

Examples of Sexual Harassment could include but may not be limited to the following:

- Using sexual or gender-related comments or conduct to bully someone.
- Using sex-specific derogatory names.
- Offensive jokes or comments of a sexual nature about an employee or client.

- Display of sexually offensive pictures, graffiti, or other materials, including through electronic means.
- Showing or sending pornography, sexual pictures or cartoons, sexually explicit graffiti, or other sexual images (including on-line).
- Demands for dates or sexual favours.
- Sexual jokes, including passing around written sexual jokes by email.
- Spreading sexual rumours in person or on-line.
- Bragging about sexual prowess.
- Asking questions or talking about sexual activities.
- Propositions of physical intimacy.

Workplace Violence

As defined in the Occupational Health and Safety Code ('OHS Code'), violence means the threatened, attempted or actual conduct of a person that causes or is likely to cause physical injury.

Examples of Workplace Violence could include but may not be limited to the following:

- Beatings, stabbings, suicides, shootings, rapes, and any physical contact with intent to harm.
- Any physical contact that causes or could cause physical injury.
- Acts causing psychological trauma such as threats, obscene phone calls, mental cruelty and intimidation, and threatening hand gestures or body language.
- Behaviour which gives a person reason to believe that they or any other person is at risk of injury.
- Verbal, written, or telephone threats, including:
 - Direct: Direct threats to the victim from the perpetrator, e.g. "I'll hurt you."
 - Conditional: Threats of violence to the victim by the perpetrator, if the victim does or doesn't do something, e.g., "If you blow the whistle, I know where you live."
 - Veiled: Non-specific threats from the perpetrator, e.g., "I hope you don't get hurt."

Domestic Violence

Domestic or family violence can have an impact on the work performance of an employee and may affect the safety of other co-workers in the Society. MQHS/To'o will take reasonable precautions to protect affected workers if they are likely to be exposed to domestic violence at a work site.

Sexual violence

Sexual violence as a workplace hazard refers to any sexual act, attempt to obtain a sexual act, or other act directed against a worker's sexuality using coercion, by any person regardless of their relationship to the victim, in a workplace or work-related setting. Sexual violence exists on a continuum from obscene name-calling to sexual assault and/or homicide. It includes an online form of sexual violence, such as internet threats and harassment, and sexual exploitation.

Responsibilities

The Policy applies to all Managers, Supervisors, employees (including permanent, temporary, and casual workers), and contractors working for MQHS/To'o and in all jurisdictions.

For the purposes of this policy, “employee” is used to indicate all the above. All employees are responsible to prevent, report and stop workplace harassment, bullying and violence from occurring in the workplace, and have an individual responsibility to adhere to this policy.

Your Responsibilities

Every Manager, Supervisor, employee (including permanent, temporary, and casual workers), and contractor is responsible for:

- Reading and understanding the policy.
- Participating and attending workplace training for workplace harassment, bullying, and violence.
- Refraining from causing or participating in harassment, bullying, or violence.
- Treating everyone in the workplace with dignity and respect at all times.
- Immediately report any violations of this policy to your supervisor, manager, or Human Resources.
- Co-operating in the investigation of complaints
- Ensuring the confidentiality of the investigation process and evidence in a complaint investigation.

Supervisor and Manager Responsibilities

Every Manager and Supervisor is also responsible for:

- Promoting and supporting a workplace culture that is safe for all individuals and ensuring an inclusive and respectful environment.
- Ensuring individuals who fall under their responsibility are aware of the policy, that they are provided with training and guidance, and consistently apply the policy.
- Conducting workplace hazard assessments of violence and harassment.
- Preventing, reporting, and stopping any non-compliance with the policy.
- Communicating that assistance is available for employees who are dealing with domestic or workplace harassment, bullying, and violence.
- Supporting compliance to this policy, any investigation required, and support any treatment plans in a fair, respectful, and timely manner.
- Protecting the private and personal information about employees.
- Ensuring compliance with this Policy.
- Responding appropriately to address all incidents and complaints of workplace harassment, bullying, and violence in a fair, respectful, and timely manner.
- Fully supporting any investigation according to relevant policy and procedures.

Reporting Incidences of Workplace Harassment, Bullying or Violence

Harassment or Bullying Informal Procedure

If you have been the subject of workplace harassment or bullying, and should you feel comfortable doing so, we would encourage you to address the situation directly with the individual in a respectful manner and with the intention of building a better relationship by pointing out unwelcome behaviours. Sometimes by directly addressing a matter with a specific individual, it may be a misunderstanding that can be cleared up quickly. If you should not be comfortable addressing the situation directly with the individual, please follow the guidelines listed below.

Harassment, Bullying and Violence Complaint Procedures

1. Immediately communicate to the person who is engaging in the behaviour or conduct to stop and that it is unwelcome and inappropriate.
2. If possible, document some notes about what occurred (e.g. specific comments or behaviour), when it happened (e.g. date, time, and location), who was involved, and who may have witnessed the incident. These details can be helpful in the future to refresh your memory.
3. Report the incident immediately or within 24 hours to your Supervisor, Manager (or to another Manager if the problem is with your Manager) or HR Consultant (as listed on BambooHR).
4. In the event of workplace violence, immediately contact your Supervisor or Manager or call 911 (if the situation poses imminent danger).
5. Please complete the Appendix A - *Incident Report form* and submit it to your Supervisor, Manager (or to another Manager if the problem is with your Manager) or HR Consultant (as listed on BambooHR).

Society Actions: Formal and Informal Processes

Should an incident or complaint occur, MQHS/To'o will initiate appropriate action quickly and within a reasonable time frame to either resolve informally, or conduct a formal investigation.

A formal investigation may or may not be appropriate in the circumstances in response to each complaint or issue that is brought to the Society's attention. In some situations, there may be other options to informally resolve the complaint or issue. If this is the case, the options will be discussed with a plan for resolution and follow-up to resolve the complaint or issue.

An individual may also file a complaint with the appropriate human rights governing body or other legal avenues.

Formal Investigation

Depending upon the nature and context of the incident or complaint and should an informal resolution not be possible or has not been successful, a formal investigation may occur.

The nature of the investigation may vary depending upon the complaint. Typically the investigation will involve meeting and interviewing with the complainant(s), respondent(s) and if appropriate, any witnesses.

Investigations will be conducted externally by our HR Consultant and will consist of the following:

- Be fair and impartial, providing both the complainant and respondent equal treatment in evaluating the allegations.
- Be sensitive to the interests of all parties involved and maintain confidentiality.
- Be focused on finding facts and evidence and include interviews of the complainant, the respondent, and any witnesses.
- Incorporate, where appropriate, any need or a request from the complainant or respondent for assistance during the investigation process.

MQHS/To'o is committed to the following:

- Investigate incidents of harassment, bullying, and violence using the appropriate investigation procedures.
- Ensure the investigation is conducted by individuals independent from the parties involved in the incident.

- Ensure corrective actions are tracked to prevent reoccurrence.
- Provide the appropriate supports and/or resources to the complainant as needed, e.g. referral to a health professional, accessing services and resources.
- Formally document the investigation and corrective actions, maintain confidentiality and retain records for at least two years.
- Cooperate with regulatory bodies on requests for information and documentation.
- Target a timeline of 90 days to the completion of an investigation.

The Society, its supervisors, and managers will not identify any involved parties or circumstances about a reported incident, except:

- When it is necessary for investigating the complaint;
- If it is part of disciplinary action; or
- Where it is required by law.

Prevention

No Reprisal

No individual shall be penalized, reprimanded, or in any way criticized when acting in a good faith while following this policy and procedure for addressing situations involving harassment, bullying, or violence in the workplace.

External Reporting and Whistleblowing

While internal reporting and investigation is always the best option for resolving issues and problem-solving in the workplace if, for any reason, employees do not feel comfortable raising an issue or concern with any internal resource as outlined above, there is an external resource for confidential reporting and whistleblowing:

Contact listed on BambooHR.

Fraudulent or Malicious False Claims

Unfounded, frivolous, or fraudulent allegations of harassment, bullying, and violence may cause both the accused person and the Society significant damage and will not be tolerated. Any individual who files a complaint of harassment, bullying, or violence and, after a thorough investigation has been conducted, is found to have made a false claim, will be subject to the appropriate discipline, up to and including termination of employment.

Policy Violations

If a complaint is found to have been substantiated, the Society will take appropriate action, which may include training, discipline, and/or other recommendations. Disciplinary action, up to and including immediate suspension or termination of employment or service contract of the respondent may occur with MQHS/To'o.

All policy violations will be appropriately investigated on a case-by-case basis. Any disciplinary action will be determined by management in consultation with HR and/or Legal advice.

Employee Family Assistance Program

MQHS/To'o will offer support to employees who are affected by harassment or violence. Employees who have concerns or are experiencing negative consequences associated with harassment, bullying, or violence (workplace or domestic) are encouraged to seek confidential assistance through Human Resources, their physician, or Provincial health services and programs.

Training and Communication

MQHS/To'o will ensure the Workplace Harassment, Bullying, and Violence Prevention policy and training are available to all employees and reviewed on an annual basis.

MQHS/To'o is committed to prevention and as such, we will provide all employees with initial and ongoing training about workplace harassment, bullying, and violence including the following:

- The hazards of workplace harassment, bullying, and violence
- How to recognize the signs of harassment, bullying, and violence
- What to do about it
- How to report it

Employee Acknowledgement

I hereby acknowledge receiving and reviewing a copy of MQHS/To'o Workplace Harassment, Bullying and Violence Prevention" policy, which has made me aware of the definition of workplace harassment, bullying, and violence and my responsibility in adhering to the policy.

I understand all the terms and conditions of the above-referenced policy. I freely and voluntarily agree that the terms and conditions of this policy shall be included in the terms and conditions of my employment.

NAME	
SIGNATURE	
DATE	

Appendices

Appendix A

HARASSMENT, BULLYING AND VIOLENT INCIDENT REPORT

This form must be completed to report incidents of harassment, bullying, or violence. Employees can report incidents of alleged workplace bullying and harassment verbally or in writing. Please use this form when submitting a written complaint. Incidents must be reported as soon as possible after they are experienced or witnessed. This allows the incident to be investigated and addressed promptly. Please provide as much detail as possible in the report and attach any supporting documents that may be relevant. Once complete, please send this report to contact listed on BambooHR.

YOUR DETAILS

Name	Job/Position
Location	Province/State
Telephone	Email
Are you the victim of the alleged harassment, bullying, and/or violence? ☐ Yes ☐ No	

What were you doing at the time of the incident?

DETAILS ABOUT THE PERSON ACCUSED OF HARASSMENT, BULLYING, OR VIOLENT INCIDENT:

Name	Job/Position
Location	Province
Telephone	Email
Relationship between me and the accused (if reporting an incident that you witnessed where you are not the victim of alleged harassment or violence, please include your relationship with the victim)	

DETAILS ABOUT THE INCIDENT/SITUATION:

Date of the Incident that Occurred	Location of the Incident	Time of the Incident
Describe the situation in detail. Explain what happened. Include a full description of the events, verbal statements (words, tone, threats, requests, demands, etc.), and the impact on you and/or the victim		
Was any physical contact involved? Please explain		
What happened after the incident?		
Other relevant information, possible contributing factors, relevant events that preceded the incident		

What contact did you or the victim (if not you) have with the accused before the first incident?

What actions did you take in response to the incident?

If applicable, describe any similar incidents that took place previously that involved the same person/people

WITNESSES

Did anyone witness the incident? Yes No

If yes, names and contact information of witnesses:

Name	Phone	Email
Name	Phone	Email
Name	Phone	Email
Name	Phone	Email

Please describe the role played in the incident by each witness named above

DECLARATION

To the best of my knowledge, the information I have provided above is true, accurate, and complete. I know that making false or frivolous allegations may be subject to disciplinary action up to and including termination. I realize that an inquiry into this incident will be initiated once this report has been filed.

Signature of Complainant

Date

Thank you for taking the time to complete this report. We will contact you if we have questions about the information in this report.