

# Workplace Environment Guide

This guide provides an overview of the process for both the employee and employer regarding workplace environment complaints filed under Interior Health's AU1000 Workplace Environment Policy. It also provide tools and resources to assist in the process. Note: Where a collective agreement provides for other/additional processes, those processes must be followed and may amend the processes followed in this Guide.

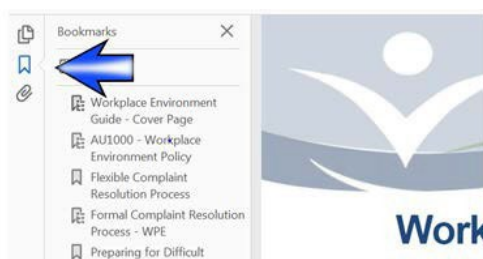
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**\*\*Be sure to click the bookmark image on the left hand side for ease of access**



Any updates or comments regarding this document should be sent to [employeeexperience@interiorhealth.ca](mailto:employeeexperience@interiorhealth.ca)



## AU1000 – WORKPLACE ENVIRONMENT

### 1.0 POLICY

The policy of the Interior Health Authority (the Authority) is to provide and maintain a workplace that is free of discrimination and harassment, not only the specific conduct prohibited by the *BC Human Rights Code*, but of any form of personal harassment which may cause embarrassment, insecurity, discomfort, offence or humiliation to another person or group.

The Authority is committed to a professional working environment where employees, medical staff, volunteers and students working within the Authority's facilities and programs, are treated with respect and dignity. The Authority is committed to a workplace where the full range of staff diversities are recognized, welcomed and valued.

### 2.1 MANAGEMENT RESPONSIBILITIES

In the implementation of this Policy, management will:

- a) Ensure that this policy goal is communicated to all staff members and remains a priority throughout the broad spectrum of personal contacts and relationships generated by the Authority's operations.
- b) Develop internal policy guidelines which identify unacceptable conduct.
- c) Organize and renew as necessary, related staff education programs
- d) Develop a confidential reporting and investigation system and a sensitive, flexible process for resolving complaints, which includes access to trained counselors.
- e) Maintain a zero tolerance stance, taking appropriate action where policy goals have not been met, including discipline or dismissal where necessary.

### 3.0 PERSONAL RIGHTS

- 3.1 Any allegation or complaint of discrimination, harassment or personal harassment will be considered personal information supplied in confidence for the purpose of Sections 22(2)(f) of the Freedom of Information and Privacy Act. This Section of the Act entitles a complainant to confidentiality of both their name and the substance of the complaint. The name of the complainant or the substance of the complaint will not be disclosed to any person except where disclosure is necessary for the proper investigation of the complaint, or as required by law.
- 3.2 This policy is in addition to and not in substitution for any rights an individual may have to pursue action, whether under collective agreements, policies including Medical Staff By-Laws or any applicable legislation, including human rights legislation. In cases where a staff member elects to pursue external remedies, the Authority has the right to discontinue its investigation.

Policy Sponsor: VP Human Resources	1 of 2
Policy Steward: Director, Labour & Employee Relations	
Date Approved: September 2003	Date(s) Reviewed(r)/Revised(R): July 2020; Dec 2022



- 3.3 This policy is not intended to constrain legitimate work-related behaviours. (For example, a supervisor engaged in legitimate, non-harassing behaviour when attempting in good faith to address or correct misconduct or poor performance.) This policy is not intended to constrain normal social interaction or banter between people.

#### **4.1 ACCOUNTABILITY**

Management will make periodic reports to the Board and measures taken to implement the policy and its effectiveness. The Board will also be kept informed of any serious incidents, the action which has been taken, and the outcome.

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## **FLEXIBLE COMPLAINT RESOLUTION PROCESS for POLICY AU1000 WORKPLACE ENVIRONMENT**

### **Step 1 – Flexible Resolution Process - Conversation**

#### **Option A) Informal Conversation**

Complainants are encouraged to resolve complaints/concerns with others **as soon as they arise**, using the informal process set out below, unless it is clearly inappropriate.

Wherever reasonable, a Complainant should address the person with whom they are having difficulty (the “Respondent”) in a direct and discreet (confidential) manner **as soon as possible** following the incident.

Without limiting its application, the informal conversation resolution is commonly used in circumstances where the alleged concern/conduct appears to be: (a) non-repetitive (a “one-off” discussion/interaction); *and* (b) relatively minor in severity or seriousness, considering its content, potential impact on the individual and/or the safety/health of the overall organization.

If the Complainant is not comfortable using option A, or if the Complainant has done so without success, then the Complainant should move to option B.<sup>1</sup>

#### **Option B) Formal Conversation**

The Complainant should approach their supervisor or manager; or in the case of medical staff, their Department Head/Chief of Staff (the “Individuals”) with their concerns. Advise of concern and the particulars of the occurrence, with as much detail as possible, including inappropriate statements, or verbal or non-verbal behaviors of the Respondent, including dates, time, and names of any witnesses. This should be done **as soon as reasonably possible** following the incidents/behaviors.

If the Complainant is uncomfortable approaching these Individuals, or if the Individual/s are the Respondents or if the Individuals are perceived by the Complainant to be part of the concern/conflict, then the Complainant can speak to a Employee Relations Advisor. In the case of medical staff, the VP – Medicine and Quality or their designate.

Formal conversations or interventions by managers, Employee Relations or Department Head/Chief of Staff/ Executive Medical Director/VP – Medicine and Quality in option B may include one or more of the following possibilities (or other similar interventions):

- Meeting separately with each person involved in the concern/conflict to discuss and gather further details on the situation;

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<sup>1</sup> Although the Complainant may indicate that they prefer the informal process, IH may at any time exercise its discretion to initiate a formal investigation based upon its overall review of the circumstances.

- Meeting together with the persons involved to facilitate a discussion aimed at understanding and resolving the issue in a practical, non-punitive manner or mediating a solution that works for all Parties;
- Clarifying expectations with one or more of the Parties (verbally or in writing) on workplace expectations regarding appropriate workplace behavior or performance;
- Engaging the support of Human Resources to assist with facilitated conversation processes; or conversations without making findings against any Party (i.e. mediation”);
- Employees may request to have cultural resolution process incorporated into the resolution process if appropriate and agreeable by the parties (i.e. Talking or Healing circle).

If, at the outset of or at any time during the Step 1 (B) process, the individual who receives the reported complaint/concern concludes that, given the severity of the behaviors alleged in the complaint, including their potential physical or psychological impact on the Complainant or other members of the IH community, a formal investigation is warranted, then the matter should be immediately referred to Step 2 of the Policy for investigation and resolution.

Based on the findings and severity of the misconduct during Step 1 – flexible resolution process, where warranted, recommending or applying discipline could result.

If the Complainant is not comfortable pursuing the options outlined in Step 1, or if the Complainant has done so without success, then the Complainant should proceed to Step 2.

**For information on the formal investigation process see page 6.**

### **Diversity, Inclusion and Cultural Safety**

Where the workplace conflict is caused by cultural differences protected by Human Rights legislation, IH will take reasonable steps to ensure the cultural and psychological safety of the employee(s) involved. Whenever possible, the preferred terms or phrases of the person or group of people involved should be respected. As language is constantly evolving, it may be necessary to seek advice or more information for situations that are unclear.

Additional Reference; [AV3000 – Psychological Health and Safety in the Workplace](#)



## **FORMAL COMPLAINT RESOLUTION PROCESS for POLICY AU1000 WORKPLACE ENVIRONMENT**

### **Step 2 – Formal Resolution Process - Investigation**

The formal investigation process involves an objective Investigation of a written complaint/concern that has been brought forward to IH (the “Complaint”). The Complainant will be asked to complete a formal complaint form, and submit to their immediate supervisor, manager or Employee Relations Advisor; or in the case of medical staff, their Department Head/Chief of Staff/VP – Medicine and Quality for review.

Following this review, the individual(s) who receives the Complaint may take one of the following steps:

- Refer the matter back to Step 1 to resolve the matter through informal processes; or
- Assign an internal or external Investigator to conduct a formal investigation of the Complaint.

Following the conclusion of a formal investigation, the parties (manager/complainant/respondent) may discuss engaging in the flexible resolution process to repair the working relationships and emotional harm that may have been caused to the individuals or departments involved in the complaint.

### **The Complaint**

The formal process involves an objective Investigation of a written complaint/concern that has been brought forward to IH.

Once the complaint has been received by the immediate supervisor, manager, or Employee Relations representative; or in the case of medical staff, their Department Head/Chief of Staff/VP – Medicine and Quality, the formal investigation will begin. If the Complainant has not done so already, they will be asked to complete the formal complaint form.

The filing of a formal Complaint does not necessarily mean that a formal investigation will be automatically conducted. The manner in which a Complaint is investigated and resolved will be determined by IH, and will depend on a number of factors, including the nature, extent and severity of allegations brought forward by the Complainant and the history of circumstances leading up to the filing of the formal Complaint.

### **Appointment of Investigator**

Factors that IH will consider in determining whether to retain an Internal or External Investigator may include: the overall complexity of the facts/law related to the Complaint; the parties to the Complaint, the anticipated length of time necessary to conduct the Investigation; the potential severity of the outcome(s) of the Investigation in relation to the Respondent(s) should the complaint be substantiated; and any other relevant circumstances.

## **Interim Measures**

It may be necessary to take interim measures, such as transfers/leaves/restrictions on contact or communication while a complaint is being investigated. Such measures will be precautionary, not disciplinary. In the case of members of the Medical Staff, summary suspension and hearing before the Health Authority Medical Advisory Committee (HAMAC) may occur.

## **Withdrawal of a Formal Complaint**

At any time during the course of an Investigation of a formal complaint, the Complainant may choose to withdraw their complaint without penalty so long as the complaint was filed in good faith. In such circumstances, there should be no indication of the complaint in the personnel files of the Complainant or Respondent. Despite the withdrawal of the complaint, Interior Health may be required to continue the investigation. Outcomes may be placed on the employee file if disciplinary measures are taken.

## **The Investigation Process and Role of the Investigator**

The investigator will aim to follow the general investigation principles below:

- be undertaken promptly and diligently, and be as thorough as necessary, given the circumstances
- 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, including interviews of the complainant, respondent, and any witnesses

Investigations may include interviews with the alleged target, the alleged bully, and any witnesses. The investigator may also review any evidence, such as emails, handwritten notes, photographs, or physical evidence like vandalized objects.

## **GENERAL OUTCOMES**

The investigator will prepare a Report of Investigation outlining their findings and conclusions and submit the report to the manager and/or Employee Relations Advisor; or in the case of medical staff to the VP – Medicine and Quality or their designate.

The findings and conclusions may relate to both the conduct at issue and the medical/emotional/financial impact of the conduct on those involved.

The investigator may include recommendations in the Report, where applicable and if requested by IH. IH will advise both the Complainant and Respondent of general findings and the conclusions of the Investigation. Other parties involved in the complaint (witnesses and others) may be advised that the Investigation has been concluded (without being provided any further information).

IH management will determine and implement specific consequences and remedies that are reflective of and relevant to the Investigative findings/conclusions within a reasonable period of time after receipt of the Report of Investigation. Significant discipline (including termination of employment, revocation of privileges or removal from premises) may arise even after one incident if such action is warranted based on the severity of the findings/conclusions of the Investigation.

## **Outcomes for Medical Staff**

In the event the Respondent is a member of medical staff, the VP – Medicine and Quality shall determine the specific consequences and remedies in response to the Report of Investigation having regard to any relevant Medical Staff bylaws. In circumstances involving the suspension/revocation of



privileges, necessary referrals will be made to HAMAC.

### **Outcomes for Students**

In the event the Respondent is a student, IH in consultation with the appropriate representative of the Respondent's training organization, will implement the appropriate remedy.

### **Outcomes for Volunteers**

In the event that the Respondent is a volunteer, IH will consult with the Volunteer Services manager, to implement the appropriate remedy.

### **Outcomes for Contractors**

In the event that the Respondent is a contractor, IH will consult with the appropriate personnel within either the IH Contract Management department or the external agency to determine the appropriate remedy.

### **Record Keeping**

The Investigator, in consultation with their HR Representative, will keep a written record of the investigation, including the findings.

### **Appeals of Outcomes/Discipline**

Any Party who disagrees with the nature/extent of action or disciplinary action imposed by IH as a result of the Investigation should access the usual grievance/appeal processes set out in relevant collective agreements, IH policies or medical staff bylaws.

## **Expectations to be aware of prior to submitting a complaint**

### **Malicious/Vexatious/Frivolous Complaints or Misuse of the Policy**

In circumstances where a complaint is found to have been made in bad faith or determined to be vexatious, frivolous or a general misuse of the Policy, the Complainant may face similar outcomes as a Respondent as set out above (i.e. interventions ranging from coaching to formal disciplinary action).

This section of the Policy may apply to *filed* Complaints as well as any circumstances in which individuals repeatedly threaten to file Complaints against others in order to achieve similar ends.

A Complaint (or "threatened" Complaint) will be deemed to have been made in bad faith when, considering all of the circumstances surrounding the Complaint including its timing and context, the Complaint was found to have been made solely in an attempt to:

- influence or overturn decisions related to the Complainant's employment;
- intimidate, threaten or cause trouble to the Respondent;
- create a hostile or intimidating workplace environment for others, including the Respondent; or
- create a potential personal benefit or entitlement to the Complainant.

Misuse of the Policy may include unreasonable, repetitive filing of Complaints or concerns that are consistently found to be unsubstantiated.

In circumstances where a Complaint has been found to be malicious, vexatious or a misuse of the Policy, the Respondent may be awarded the same remedies as those available to Complainants as set out above.



### **Unsubstantiated Complaints**

If the investigator finds insufficient evidence to support the Complainant's allegations and finds that there has been no misuse of the Policy or bad faith in filing the complaint, no action will be taken in relation to the Complaint. There will be no record of the Complaint on the Respondent's file.

### **Consequences of Retaliation**

Any established retaliation against any Party, Bystander or Witness involved in an informal or formal resolution process shall be considered an independent violation of the Policy (regardless of the merits or outcome of the initial concern or Complaint) and shall result in significant discipline commensurate with the severity of the conduct.

### **Multiple Proceedings**

This policy is in addition to and not in substitution for any rights an individual may have to pursue action, whether under collective agreements, policies including Medical By-laws or any applicable legislation, including human rights legislation.

If at any time a staff member elects to initiate other legal proceedings or if the staff member takes any steps outside of those contemplated under this policy, IH may discontinue any procedures taken under this policy as a result of the complaint.

Potentially criminal behavior such as assault, sexual assault, significant threats, or attempts at extortion shall be directly referred to the police by IH upon receipt of a complaint of this nature.

### **Diversity, Inclusion and Cultural Safety**

Where the workplace conflict is caused by cultural differences protected by Human Rights legislation, IH will take reasonable steps to ensure the cultural and psychological safety of the employee(s) involved. Whenever possible, the preferred terms or phrases of the person or group of people involved should be respected. As language is constantly evolving, it may be necessary to seek advice or more information for situations that are unclear.

Additional Reference; [AV3000 – Psychological Health and Safety in the Workplace](#)



# Preparing for Difficult Conversations

*This document serves as a guideline for employees, managers and teams who are navigating interpersonal conflict and needing to have difficult conversations in the workplace. The intent of this document is to provide IH employees and physicians with tips to come better prepared for the conversation in order to move forward in a positive manner.*

## **A. Before the Conversation:**

### **1. Pause to calm the body and mind:**

The more centred and calm you are, and the more relaxed your mind is, the more open you will be to different perspectives and possibilities when planning for, and having a challenging conversation. Practise self-care in some of the following ways:

- a. Reflect on your mindset and attitude about the person or situation. Think about whether you have a positive, negative or neutral mindset. Look at the reflection questions below (Plan for a Difficult Conversation).
- b. Take a walk outside in nature. Observe the natural environment. Breathe in the fresh air. Become mindful of your breath and each step you take.
- c. Mindful breaths: Bring your attention to your breath. Notice its pace and rhythm. Take several slow deep breaths in and out. Do this regularly.
- d. Exercise: walk, jog, go to the gym, do yoga or simple stretches (roll the shoulders, rotate the head and neck, move the legs and arms)

### **2. Plan for a Difficult Conversation:**

- a. Before the meeting, reflect on the following questions, and jot down a few notes for yourself:
  - What is the purpose of the conversation?
  - What is my ideal outcome of the conversation?
  - What story am I telling myself about this person or situation?
  - What am I willing to give/ contribute in this situation?
  - What do I want and need for myself?
  - What do I want and need from others?
  - What assumptions am I making?
  - What is it like to be in the other person(s) shoes?
  - What am I willing to let go of? (e.g. perceptions, assumptions, attitude, behaviours etc.)
- b. Practice having the conversation with yourself before the meeting. Be aware of not breaking confidentiality. If you are unsure about what would constitute a breach of confidentiality contact human resources.

- c. Communicate the purpose of the meeting to the other individual(s) involved in the meeting, so that they may prepare for the meeting.

#### **B. During the Conversation:**

- a. Agree on the purpose at the beginning: Clear, future-focused, positive and mutually beneficial.
- b. Remember self-care:
  - a. Pause and slow down where possible. Anyone can take a break if necessary.
  - b. Breathe mindfully: to maintain a sense of calm and clear thinking.
  - c. Have water available to keep hydrated.
- c. Ensure only one person speaks at a time, keep voice volume low, and use respectful language. Give each person equal opportunity to speak.
- d. Be curious: Have a learner, non-judgemental and open mindset. What's possible for everyone? Suggest alternative options.
- e. Listen
  - a. to understand: other perspectives, assumptions, needs, wants and ideas.
  - b. without interruption or negative reaction (including facial and body language)
- f. Think before you respond and take your time to provide your response.
- g. Practise compassion, kindness, respect and empathy.
- h. Resist reacting by focusing on the situation, issue or behaviour and not the person ( i.e. don't attack, blame or put-down each other).
- i. Use "I" instead of "you" statements. (E.g. Rather than saying "you made me feel threatened", say "I felt threatened by the comment made")
- j. Notice core needs: What's important to yourself and the other(s) involved?
- k. Agree on a plan for the way forward: What can each party commit to going forward? Create an action plan.
- l. Support: discuss what support or resources may be needed to move forward.

#### **C. After the Conversation:**

- a. Continue to practise self-care.
- b. Follow through on action items and commitments agreed to in the meeting.
- c. Follow up with the individual(s) involved in the conversation if necessary.
- d. Return to 'Before the Conversation' if further discussions are required.

#### **Other Resources**

Below is a list of books that may be useful in learning more about interpersonal communication and navigating conflict:

- **Difficult Conversations: How to Discuss What Matters Most;** by D. Stone, B.Patton, and S. Heen
- **Nonviolent Communication;** by Marshall B. Rosenberg and Arun Gandhi
- **Clear Leadership: Sustaining Real Collaboration and Partnership at Work;** by Gervase Bushe



# What is Harmful Behaviour?

This appendix provides examples of different types of actions and behaviours that are considered to be a harmful or violent act. Violence is not only physical acts or verbal threats to cause physical injury to a person; violence also includes acts of discrimination, racism, bullying, and harassment that affect a person's psychological wellbeing.

## **Examples of Bullying & Harassment:**

- Verbal aggression or insults;
- Physical or verbal threats;
- Vandalizing personal belongings;
- Sabotaging someone's work;
- Blatantly ignoring someone or denying someone's accomplishments;
- Spreading/instigating malicious gossip or rumours;
- Engaging in harmful or offensive initiation practices;
- Using derogatory language when speaking to or about someone;
- Personal attacks based on someone's private life and or personal traits;
- Making aggressive, threatening, or undermining gestures i.e. shaking a fist in someone's face or eye-rolling;
- Making remarks, jokes or innuendos that demean, ridicule, intimidate, or offend;
- Displaying or circulating offensive pictures or materials in print or electronic form;
- Repeated offensive or intimidating phone calls or e-mails;

## **Examples of Sexual harassment:**

- Asking questions, talking, or writing about sexual activities;
- Rough or vulgar humour or language related to sexuality, sexual orientation or gender;
- Displaying or circulating pornography, sexual images, or offensive sexual jokes in print or electronic form;
- Leering or inappropriate staring;
- Invading personal space;
- Unnecessary physical contact, including inappropriate touching;
- Demanding hugs, dates, or sexual favours;
- Making gender-related comments about someone's physical characteristics, mannerisms, or conformity to sex-role stereotypes;
- Verbally abusing, threatening or taunting someone based on gender or sexual orientation; or,
- Threatening to penalize or otherwise punish a worker if they refuse a sexual advance.

## Examples of Discrimination, Racism, and Culturally Unsafe Behaviour:

- Derogatory language or insults directed at a person or group because of their race, religion, colour, culture, gender, or sexual orientation;
- Inappropriate jokes, innuendos, or displays directed at a person or group because of their race, religion, colour, culture, gender, or sexual orientation;
- Neglecting to use of the preferred pronouns of a person;
- Intrusive questioning or remarks about someone's race, religion, colour, culture, gender, or sexual orientation;

### Language Matters

For further support and guidance on stigmatizing, racist and culturally inappropriate language and colloquialisms, please refer to the [Employee Experience Inclusive Language Guide](#) (p21/22)



# Support and Resources for Employees

## AU1000 Workplace Environment

*The resources below are intended to support employees who have experienced bullying or harassment.  
They are not an avenue to report a complaint*

### Available to All Employees:

**Resiliency Resources:** Mental Health and Physical Health: click [here](#)

**Guide To Employee Health and Wellness Services:** click [here](#)

**Employee Wellness and Psychological Health Resources:** click [here](#)

**BC 211 Resources:** click [here](#)

**BC Interior Crisis Line Network:** Toll Free (24 hours): 1-888-353-CARE (2273)

**Crisis Services Canada:** <http://www.crisisservicescanada.ca>

### Aboriginal Employee Resources:

**First Nations Health Authority**

Resource link: [FNHA](#)

**KUU-US Crisis Line Society**

Tel: 250-723-2323 Ext 229

Email: [kuu-usexecutivedirector@shaw.ca](mailto:kuu-usexecutivedirector@shaw.ca)

Crisis Line: Adult/Elder Line: 1-800-588-8717

**To report a workplace environment complaint, see process here**



# Frequently Asked Questions for Staff

## Workplace Environment Policy and Guidelines – AU1000

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### How do I submit a complaint?

You can submit a complaint 2 different ways. Informally or formally. Click [here](#) for detailed instruction.

### How long does the process take?

The length of time can vary however the employer aims to resolve matters as soon as possible.

### What information do I need to make a complaint?

Where ever possible, it is important to document the date, time and as much detail around the incident/s including if anyone may have witnessed the interaction. If you don't have this information, you can still submit a complaint.

### What can I expect in going through this process?

You will received support and guidance through the process, be included in necessary aspects of the investigation (if applicable), closure to the complaint which can include input on the healing process.

### Does the process work for people?

Yes, the process is supportive and strives for positive outcomes.

### What can resolution look like?

Resolution can look different for each situation but can include mediated conversations or separate closure conversations.

### Can I request to have a cultural resolution process incorporated into the resolution process?

Yes. Requests such as talking or healing circles can be arranged.

### I am worried if I file a complaint the person could be fired?

The employer looks at all facts related to a complaint. Forming a conclusion involves many factors. Refer to the Workplace environment guide on the process

### If I have seen my doctor and they told me to not go to work, will my absence be covered under paid sick time?

You will need to follow your terms of employment and your collective agreement (if applicable) to access sick time, which may require a doctor's note. You may also be eligible for coverage under [Worksafe BC](#).



Can I call the Workplace Health Call Centre reporting line?

Yes, you have the right to report your complaint to the call centre; if you have missed work you must call the reporting line. Toll Free. 1-866-922-9464. <http://www.whcallcentre.ca/contact-us>

Do I have to call the Employee Absence Reporting Line (EARL)?

You are only required to call [EARL](#) if you are **not** reporting to work.

Does calling the Workplace Health Call Centre speed up the process of reviewing the complaint?

No, all concerns/complaints are addressed regardless of the way they are submitted.

If I've gone through the process and I'm now being retaliated against, what do I do?

Contact the person/s who assisted you previously to report. This should include contacting leadership and HR who were assisting you.

Can I find out what happened to the individual who was the source of the complaint (respondent)?

No, details related to the respondent to the complaint are confidential and outcomes are not shared.

How can I work with the person/s knowing that we went through the Workplace Environment process and some tension may remain?

Through the process both parties will be supported and there is an opportunity for flexible resolutions that bring both parties together in moving forward.

Where do I go for support if I am not a unionized employee?

Contact [Employee Relations](#) for information on support.

Are there other supports available to me?

For additional supports refer to the supports and resources page, [Employee Relations Advisor](#) or [Employee Experience](#).

Is the complaint kept on my employment record?

Workplace environment complaints or investigation details are not stored in employee files.

Where do I find information on Psychological Health and Safe Workplaces?

You can access information [here](#) on the insidenet

Can I ask to have a Colleague/Friend/Elder/Family/Union to help me with the process?

Meetings are confidential; If you are a unionized employee, you can seek advice from a union representative. For requests other than a union representative, you can submit your request to the designated investigator or Employee Relations Advisor for review

If I am not satisfied with the outcome, how can I appeal the decision?

Any Party who disagrees with the nature/extent of action taken as a result of an Investigation should access the grievance/appeal processes set out in relevant collective agreements, IH policies or medical staff bylaws. Contact your union representative or Human Resources for assistance.

Where can I get more information about Workplace Bullying and Harassment?

You can refer to iLearn #993 Workplace Bullying and Harassment, a short 15 minutes iLearn open to all employees.

## Formal Complaint Form Policy AU1000 – Workplace Environment

This Formal Complaint Form supports the [AU1000 –Workplace Environment policy](#)

Complainant Information			
Name			
Position			
Respondent(s) Information			
Name(s)			
Position(s)			
Please include below a detailed summary of all of the specific incidents or examples of behavior that have led to the filing of the complaint, including the following: <ul style="list-style-type: none"> <li>• The date(s) and time of each incident;</li> <li>• The names of the individual(s) alleged to have engaged in the unacceptable conduct;</li> <li>• The details of the complaints – that is, the specifics of what was said or done to the Complainant to have triggered the complaint</li> </ul>			
Please describe the impact of the behaviour on the Complainant:			
Please describe any steps taken, through Steps 1 or 2 of the Policy, to address the Complaint and the outcome of those processes:			
Witness Information			
Witness #1		Witness #2	
Name		Name	
Position		Position	
Department		Department	
Witness #3		Witness #4	
Name		Name	
Position		Position	
Department		Department	

Completed By:

Date:

Submit form to your immediate supervisor or manager. If uncomfortable submitting to supervisor/manager, submit to [Employee Relations Advisor](#). In the case of medical staff, submit to [Department Head/Chief of Staff/VP – Medicine and Quality](#) for review.

### References:

[Occupational Health and Safety policy D3-116-1 Worker Duties – Workplace Bullying and Harassment](#)

Date of Creation	Date of Revision
March 2020	Appendix a



Interior Health  
Every person matters

## REPORTING WORKPLACE ENVIRONMENT COMPLAINTS

Appendix b

### INFORMAL



1. Participate in an informal conversation with the person you are having difficulty with. This should take place as soon as possible following the incident.
2. Resolve by involving your manager or supervisor as soon as possible following the incident. If you are not comfortable approaching your manager, contact a [Human Resources Advisor](#).

### FORMAL



1. Complete a formal complaint form as soon as possible following the incident. \*Note: identities, witnesses and details of the incident will be required.
2. Resolution to the issue will be determined following consultation with both parties involved, and by the nature of the allegations. Click [here](#) to see full details of the process

Interior Health Safe Reporting Line 1-855-432-7233

**Important: If you are missing work due to bullying and harassment, click here for information on Incident Reporting.**

Click to view the Workplace Environment [Policy AU10 00](#) and full [Guide](#)

If you have experienced a traumatic event and if you need to speak with a counsellor about what you've experienced, contact the **\*Employee & Family Assistance Program** (1.844.880.9137) \*only online access for casual staff





# DEFINITIONS

## Appendix. C

### **Parties**

Parties are the Complainant(s) and Respondent(s) directly involved in a complaint and may include: employees (unionized and excluded), contractors, medical staff, students, and volunteers.

### **Complainants**

Complainants are those individuals making a complaint and seeking recourse in relation to this Policy.

### **Respondents**

Respondents are those individuals alleged to have violated this Policy.

### **Bystanders**

Bystanders are third parties who have witnessed behavior that, in their view, potentially constitutes a violation of this Policy. Bystanders should report their concerns in accordance with Step 2 of the Informal Processes set out below. Bystanders are not Parties to a complaint. However, they may be interviewed as witnesses in the event there is a formal investigation into their concerns.

### **Witnesses**

Witnesses are individuals who have direct knowledge of or involvement in any matter or incident that potentially relates to a complaint brought forward or filed pursuant to this Policy.

### **Respectful Conduct**

Respectful workplace conduct incorporates courtesy, civility, consideration and compassion. It is an approach which actively respects individuals by avoiding unnecessary behaviors which would have a negative impact on them. It involves taking responsibility for one's behavior/conduct in the workplace. A workplace disagreement or difference of opinion is not by definition disrespectful. The *manner* in which a disagreement is described, discussed or resolved will determine whether or not the conduct is respectful.

#### *Examples of Respectful vs. Disrespectful Behavior*

Violations of this Policy will be determined on an objective and case-by-case basis, having regard to the overall circumstances of each complaint, including the particular timing and context of the events in question. This commonly will be determined after receiving information from the Parties and Witnesses. However, for illustrative purposes only, some examples of respectful versus disrespectful behavior could include (but would not be limited to) the following:

- Quiet and calm communication which focuses on the issues rather than personal characteristics of the individuals involved vs. Loud, profane, name-calling and abusive language that may also focus on personal characteristics.
- Expressing and resolving disagreement in a calm and professional manner vs. 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, stonewalling discussions, walking out of discussions prematurely or making physical or psychological threats.

- Addressing issues and concerns regarding work performance or misconduct in a confidential, discreet manner through responsible managers vs. engaging in gossip, rumors, speculation or criticism of an individual to others or discussing issues in front of individuals who do not need to be a part of the discussion.
- Sharing information required to deliver services effectively vs. repeatedly ignoring questions or requests for information or deliberately failing to provide necessary/helpful information. Responding to on-call pages in a timely fashion vs. not being accessible or responding to pages when on-call.
- Written communications made in a respectful professional manner vs. unprofessional comments made about colleagues or co-workers in the Health Record.

### **Discrimination**

Discrimination is adverse differential treatment of an individual or group, whether intended or not, on the basis of Indigenous identity, race, color, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, age or unrelated criminal conviction. Discrimination of this nature imposes burdens or obligations on an individual or group that serves no work-related function. It is important to note that such conduct is not only a breach of this Policy; it may also be a breach of the British Columbia *Human Rights Code*.

### **Discriminatory Harassment**

Discriminatory harassment is a form of discrimination and also is contrary to the *Human Rights Code*.

Discriminatory harassment is abusive, unfair, offensive, or demeaning treatment of or disrespectful/disruptive conduct towards a person or group of persons *related to* their Indigenous identity, race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, age or unrelated criminal conviction ("Protected Grounds") that a reasonable person would know or ought to know would:

- have the effect of interfering with an individual's work or participation in work-related activities; or
- create an intimidating, hostile or offensive environment for work or participation in a work-related activity.

#### ***Examples of Discriminatory Harassment:***

- Teasing, joking, taunting, insulting or criticizing a person, directly or indirectly, verbally or in writing, based on his or her "Protected Ground" (e.g. race, gender, age). This may include commentary regarding their ability to communicate "clearly", physical appearance, work style and level of intelligence.

### **Sexual Harassment**

Sexual harassment is disrespectful/disruptive conduct of a *sexual nature* made by a person who knows or ought reasonably to know that such conduct or comment is *unwanted* or *unwelcome*; or an expressed or implied promise of a reward for complying with a request of a sexual nature; or an expressed or implied threat of reprisal for refusal to comply with such a request; or disrespectful/disruptive conduct of a *sexual nature* which is intended or reasonably would be known to create an intimidating, hostile or offensive environment.

#### ***Examples of Sexual Harassment include, but are not limited to:***

- verbal abuse or threats of a sexual nature;
- unwelcome remarks, jokes, innuendoes or taunting of a sexual nature;
- displaying of pornographic or other offensive pictures;
- unwelcome and/or repeated sexual invitations or requests;
- leering or other inappropriate sexually oriented gestures;
- unnecessary physical contact such as: touching, patting or pinching;
- sexual assault (this may also be a criminal matter);
- negative comments that are gender-based; and

- repeated behavior that a person has objections to and is known or should reasonably be known to the offender as being unwelcome.

### **Personal Harassment**

Personal harassment is any behavior (including Disrespectful/Disruptive Conduct) by a person directed against another person that a reasonable person would know or ought to know would cause offence, humiliation or intimidation, where the conduct is not carried out in good faith and serves no legitimate work-related purpose.

*Examples of Personal Harassment:*

- Swearing, yelling, or making derogatory gestures or comments to or about another individual
- Engaging in embarrassing practical jokes, ridicule, or malicious gossip
- Verbal or physical threats or physical assault

### **Methods of Communication**

Inappropriate communication that may violate this Policy may be transmitted in person, on the phone, and in writing, through email, texts, Facebook, Twitter and other social media messaging, and otherwise.

Potential violations may consist of inappropriate communication made *to* a person and/or communication made *about* a person to others.

### **Fairness**

Parties, Bystanders and Witnesses have a right to fair treatment in the consideration and adjudication of complaints and concerns under this policy. Fair treatment includes the right to:

- Bring forward their concerns pursuant to processes within the Policy within a timely manner
- Being informed in a timely manner of complaints made against them
- An impartial and objective consideration and evaluation of the circumstances, through informal or formal intervention
- Confidentiality to the extent possible in the circumstances, including the avoidance of gossip, rumors and speculation by any Party or Witness
- Protection to any Party or Witness from retaliation for participation in processes under this Policy
- Being effectively informed of the outcome of any formal intervention
- Union representation for unionized staff
- Other representation, for excluded staff

### **Confidentiality**

All Bystanders, Witnesses and Parties involved in a complaint or in the informal/formal resolution of a complaint, are expected to keep matters related to a complaint confidential. This includes managers and supervisors who are privy to the complaint or complaint resolution process.

An established breach of confidentiality regarding a complaint or complaint resolution process shall be considered an independent violation of the Policy (regardless of the merits or conclusions regarding the complaint) and shall result in discipline.

Any allegation or complaint under this Policy will be considered personal information supplied in confidence for the purpose of Sections 22(2) (f) of the *Freedom of Information and Protection of Privacy Act*. The names of those involved in the complaint shall not be disclosed to any person except where necessary for the purpose of fairly investigating and determining the outcome of the complaint.

The substance of investigative reports and the substance of meetings held by those in authority to make decisions in relation to a complaint, regardless of whether it is substantiated, will be protected from disclosure to third parties in accordance with Section 40 of the *Act*.