

Level	Manual	Section	Originating Date	Revised	Reviewed
Regional	PMH Policy and Procedure Manual	Human Resources	2015-Feb-04	N/A	N/A
Scope	Applies to all staff in the region				

Approved by: Penny Gilson, CEO

This is a standard provincial policy that can only be changed with the approval of the Provincial Human Resources Leadership Council

1.0 **PURPOSE:**

All Staff are entitled to a respectful work environment free of disrespectful behavior including discrimination, harassment, sexual harassment, personal harassment and workplace violence.

2.0 **DEFINITIONS:**

2.1 Prairie Mountain Health (PMH) - Refers to services and programs delivered by the employer.

2.2 Staff – all persons employed or contracted by Prairie Mountain Health (PMH) as well as members of the medical staff, volunteers, board members and students.

2.3 Client - All persons receiving any service offered by Prairie Mountain Health.

2.4 Disrespectful Behavior – actions or comments that are inappropriate, demeaning or otherwise offensive behavior intended to create an uncomfortable, hostile and/or intimidating work environment. Disrespectful behavior may be found to have taken place in and outside the workplace. Types of behavior considered disrespectful include but are not limited to:

2.4.1 Discrimination: as defined in the Manitoba Human Rights Code, the differential treatment of an individual or group on the basis of a protected characteristic rather than on personal merit.

2.4.2 Harassment: as defined in the Manitoba Human Rights Code, a course of offensive and unwelcome conduct or comment made on the basis of a protected characteristic.

2.4.3 Sexual Harassment: as defined in the Manitoba Human Rights Code, includes but is not limited to:

- A series of objectionable and unwelcome sexual solicitations or advances.
- A single sexual solicitation or advance if it is made by a person who is in a position to confer a benefit on, or deny a benefit to the recipient of the solicitation or advance, if the person making the advance knows or ought to reasonably know that it is unwelcome.
- A reprisal or threat of reprisal for rejecting a sexual solicitation or advance.

2.4.4 Personal Harassment: while not constituting discrimination, harassment or sexual harassment under the Manitoba Human Rights Codes, a course of behavior that is not respectful toward others with the intention to harm or be hurtful and includes but is not limited to:

- Written or verbal abuse or threats
- Leering (suggestive staring) or other offensive gestures
- Patronizing or condescending behavior
- Humiliating staff in front of co-workers
- Abuse of authority that undermines job performance or threatens a career path
- Bullying
- Cyber bullying
- Disrespectful internet postings

In addition to the protected characteristics listed below, includes an individual's weight and/or size

2.4.5 **Workplace Violence:** any act that results in injury or threat of injury, real or perceived, by an individual, including but not limited to:

- Acts of aggression
- Verbal or written threats
- Vandalism of personal property

2.5 **Disrespectful Behavior does not include:** consensual banter or consensual romantic relationships; exercising appropriate management authority and responsibility including performance and attendance management, providing direction or instruction, operational change, coaching, counseling, and/or discipline by a supervisor or manager.

2.6 **Protected Characteristic:** as defined in the Manitoba Human Rights Code, includes:

- Ancestry, including colour and perceived race
- Ethnic background & national origin
- Sex, including pregnancy, the possibility of pregnancy or circumstances relating to pregnancy
- Sexual orientation and gender-determined characteristics
- Age
- Religion or creed, or religious belief
- Marital or family status
- Source of income
- Political belief, activities or associations
- Physical or mental disability or related characteristics or circumstances, including reliance on a dog guide or other animal assistant, a wheelchair or any other remedial device

2.7 **Investigator** - The Director of Human Resources or his/her designate is the advisor/investigator. There may be occasions when the investigation is referred to a third party, or where the authority may be delegated by the Vice President Corporate to someone other than the Director of Human Resources.

2.8 **Complainant** – The person reporting an incident of potential disrespectful behavior.

2.9 **Respondent** – The person alleged to have committed the disrespectful behavior including staff, clients or a member of the public. If the respondent is a client or member of the public, it is recognized that the respondent's participation in any process pursuant to this policy is voluntary and cannot be mandated.

3.0 **POLICY:**

3.1 Employer Responsibility:

- 3.1.1 As far as is reasonably practical, provide a workplace free of disrespectful behavior and hold staff in violation of this policy accountable.
- 3.1.2 Develop, implement and communicate fair and timely procedures which address allegations or concerns in regard to disrespectful behavior and which incorporate:
 - the process by which staff may raise a concern, how the concern is handled, and how the results of the process are communicated back to the parties including the staff involved
 - measures to ensure that all concerns are treated confidentially including the name of the complainant(s) and respondent(s) or the circumstances to any person except as necessary to investigate the complaint or as required by law
 - Workplace Safety and Health programs to eliminate or minimize the risk of violence in the workplace
- 3.1.3 This policy and associated procedures and guides shall be posted on Workplace Safety & Health Boards in all PMH facilities.
- 3.1.4 Signage shall be posted in PMH facilities containing wording which supports the purpose of this policy.

3.2 Staff Responsibility:

- 3.2.1 Treat others respectfully
- 3.2.2 Report disrespectful behavior using the procedures established pursuant to this policy and respect the confidentiality of all parties involved.
- 3.2.3 This policy does not prevent staff from exercising any other legal right including the filing of a complaint with the Manitoba Human Rights Commission pursuant to the provisions of *The Manitoba Human Rights Code* respecting discriminatory practices or of the right to refuse unsafe work pursuant to The Workplace Safety and Health Act.
- 3.2.4 Anyone filing a frivolous complaint or complaint made in bad faith or, anyone who retaliates against a person who makes a complaint or is involved in an investigation as a witness is subject to disciplinary action.

3.3 Manager/Supervisor Responsibility:

- 3.3.1 Each manager, supervisor and team leader fosters a safe working environment free from disrespectful behavior and ensures that situations of alleged or potential disrespectful behavior are dealt with in accordance with this policy and associated procedures regardless of whether or not a staff complaint has been made.
- 3.3.2 Managers, supervisors and team leaders shall advise Human Resources of all complaints made pursuant to this policy

3.4 Effect of Complaint On Other Proceedings

This policy in no way prevents staff from exercising any other legal rights available to them under any other process or law and specifically, staff have continued and full access to raise concerns and/or file complaints with The Manitoba Human Rights Commission.

3.5 Medical Staff

Any alleged breaches of the Respectful Workplace Policy against physicians are investigated and processed in accordance with this policy and the Respectful Workplace Procedures Manual and not under the processes outlined in the Medical Staff By-Law unless so delegated by the Chief Executive Officer. Should a physician be found to be in breach of the policy, appropriate disposition occurs as determined by the PMH facility and the PMH Chief Medical Officer except that such disposition shall have no impact on the physician's privileges. This disposition does not prevent the simultaneous referral of the issue by the PMH Chief Medical Officer to the Medical Advisory Committee ("MAC") as a "complaint" pursuant to Section 8.3.4 of the Medical Staff By-Law and MAC may determine the appropriate disposition of the complaint, in accordance with the Medical Staff By-Law, and whether the physician's privileges should be affected

4.0 **PROCEDURE:**

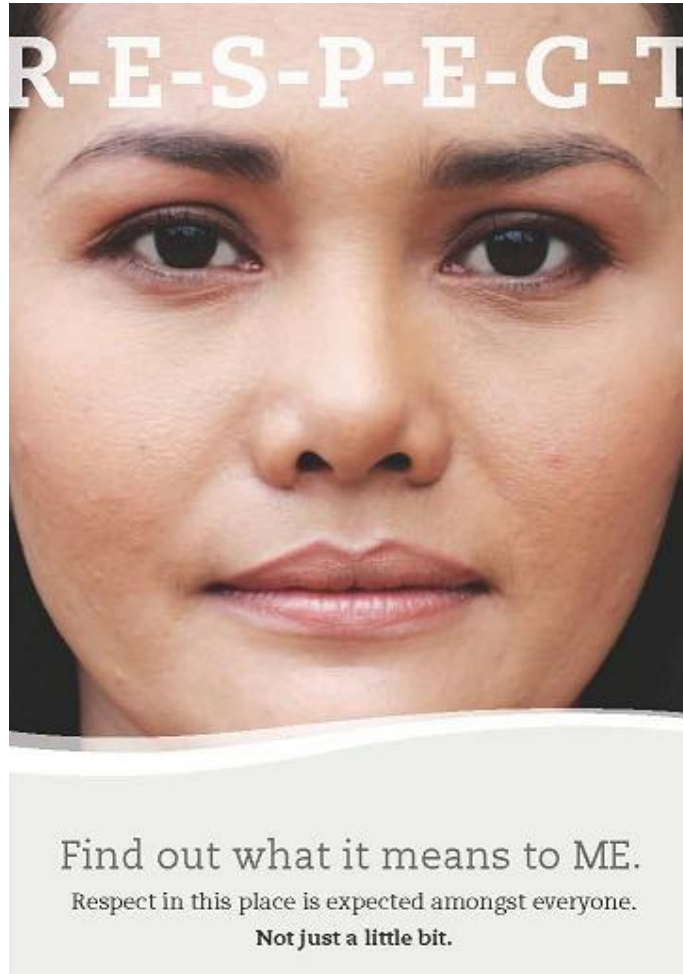
- 4.1 See Procedures Manual – Appendix "A"
- 4.2 Respectful Workplace Complaint Form, R.HR.GEN.690a
- 4.3 Respectful Workplace Respondent Response Form, R.HR.GEN.690b

5.0 **REFERENCES:**

- 5.1 The Manitoba Human Rights Code
- 5.2 The Labour Relations Act (Manitoba)
- 5.3 The Workplace Safety and Health Act (Manitoba)
- 5.4 Prairie Mountain Health Board By-Law, Medical Staff



APPENDIX A



Respectful Workplace Procedures Manual

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INTRODUCTION

This respectful workplace procedures manual serves as a reference for the staff of Prairie Mountain Health.

This manual is intended to assist staff in understanding the privileges and obligations of employment. Where there is a conflict between this manual and any of the policies or collective agreements governing employment, the policies/collective agreements take precedence. Acceptance of employment means acceptance and adherence of the provision of this manual and all Prairie Mountain Health policies.

As our organization continues to grow, the need may arise to revise, supplement or rescind certain portions of this manual from time to time.

Any ideas you have for improving this manual can be forwarded to your Human Resources department.

OUR COMMITMENT

Prairie Mountain Health (PMH) is committed to providing a work environment that respects and promotes human rights, personal dignity and health and safety.

PMH supports the principle that all persons employed or contracted, as well as members of the medical staff, board members, volunteers, patients, clients, residents and members of the public are entitled to a work and service environment that is free from any form of disrespectful behavior.

RESPECTFUL WORKPLACE POLICY

Prairie Mountain Health has adopted the Respectful Workplace Policy (R.HR.GEN.690) which serves to confirm the commitment to provide staff with a respectful workplace. All staff are expected to be familiar with the policy and its contents and to abide by its provisions. The majority of the contents of the Respectful Workplace Policy have been incorporated directly into this manual.

DEFINITIONS

The following definitions are defined in the Respectful Workplace Policy and are used throughout this manual. Please review the definitions as they will assist in understanding what is considered disrespectful behavior.

Prairie Mountain Health (PMH) - Refers to services and programs delivered by the employer

Staff – all persons employed or contracted by Prairie Mountain Health (PMH) as well as members of the medical staff, volunteers, board members and students.

Client - All persons receiving any service offered by Prairie Mountain Health

Disrespectful Behavior – actions or comments that are inappropriate, demeaning or otherwise offensive behavior intended to create an uncomfortable, hostile and/or intimidating work environment. Disrespectful behavior may be found to have taken place in and outside the workplace. Types of behavior considered disrespectful include but are not limited to:

- **Discrimination:** as defined in the Manitoba Human Rights Code, the differential treatment of an individual or group on the basis of a Protected Characteristic rather than on personal merit
- **Harassment:** as defined in the Manitoba Human Rights Code, a course of offensive and unwelcome conduct or comment made on the basis of a Protected Characteristic
- **Sexual Harassment:** as defined in the Manitoba Human Rights Code, includes but is not limited to:
 - A series of objectionable and unwelcome sexual solicitations or advances
 - A single sexual solicitation or advance if it is made by a person who is in a position to confer a benefit on, or deny a benefit to the recipient of the solicitation or advance, if the person making the advance knows or ought to reasonably know that it is unwelcome
 - A reprisal or threat of reprisal for rejecting a sexual solicitation or advance
- **Personal Harassment:** while not constituting discrimination, harassment or sexual harassment under the Manitoba Human Rights Codes, a course of behavior that is not respectful toward others with the intention to harm or be hurtful and includes but is not limited to:
 - Written or verbal abuse or threats
 - Leering (suggestive staring) or other offensive gestures
 - Patronizing or condescending behavior
 - Humiliating staff in front of co-workers
 - Abuse of authority that undermines job performance or threatens a career path; or,
 - Bullying
 - Cyber bullying
 - Disrespectful internet postings
 - In addition to the Protected Characteristics listed below, includes an individual's weight and/or size
- **Workplace Violence:** any act that results in injury or threat of injury, real or perceived, by an individual, including but not limited to:
 - Acts of aggression
 - Verbal or written threats
 - Vandalism of personal property

Disrespectful Behavior does not include: consensual banter or consensual romantic relationships; exercising appropriate management authority and responsibility including performance and attendance management, providing direction or instruction, operational change, coaching, counseling, and/or discipline by a supervisor or manager.

Protected Characteristic: as defined in the Manitoba Human Rights Code, includes:

- Ancestry, including colour and perceived race
- Ethnic background & national origin
- Sex, including pregnancy, the possibility of pregnancy or circumstances relating to pregnancy
- Sexual orientation and gender-determined characteristics
- Age
- Religion or creed, or religious belief
- Marital or family status
- Source of income
- Political belief, activities or associations
- Physical or mental disability or related characteristics or circumstances, including reliance on a dog guide or other animal assistant, a wheelchair or any other remedial device

Investigator - The Director of Human Resources or his/her designate is the advisor/investigator. There may be occasions when the investigation is referred to a third party, or where the authority may be delegated by the Vice President Corporate to someone other than the Director of Human Resources

Complainant – The person reporting an incident of potential disrespectful behavior.

Respondent – The person alleged to have committed the disrespectful behavior including staff, clients or a member of the public. If the respondent is a client or member of the public, it is recognized that the respondent's participation in any process pursuant to this policy will be voluntary and cannot be mandated.

RESPONSIBILITIES AND RIGHTS IN A RESPECTFUL WORKPLACE

Within the workplace, the roles and responsibilities of different individuals in regard to ensuring a respectful workplace vary based on their function within the organization. Roles include:

Employer:

Disrespectful behavior within PMH is not condoned or tolerated. PMH is committed to promoting mutual respect, cooperation and understanding to ensure a respectful, healthy and safe environment. All allegations of disrespectful behavior are considered and responded to appropriately, quickly, fairly and confidentially.

Employee/Staff:

All employees have the responsibility to treat others with respect and are encouraged to bring forward concerns involving conduct that is disrespectful. No employee is required to tolerate disrespectful behavior. Each employee is responsible and accountable for his/her own actions.

The provisions of the Respectful Workplace Policy and this manual do not take away an employee's right to take other actions and/or seek other remedies including filing a claim with the Manitoba Human Rights Commission or filing a grievance under a collective agreement.

Manager/Supervisor:

Each manager, supervisor, and team leader fosters a respectful working environment. Managers, supervisors and team leaders are expected to set an example by modeling respectful behavior, and deal with situations immediately in an appropriate fashion upon becoming aware regardless of whether there has been a formal complaint. Managers, supervisors and team leaders advise Human Resources of all allegations of disrespectful behavior.

Human Resources:

Human Resources are responsible for promoting awareness of the Respectful Workplace Policy and this manual; assisting management in the consistent application of the policy and manual; consulting with and providing advice to management; counseling employees on their rights and options; receiving concerns and ensuring appropriate action is initiated; conducting investigations as required and working collaboratively with others involved.

Workplace Safety & Health (WPSH):

WPSH is responsible for guiding/assisting in the provision of a safe workplace through processes including but not limited to, job hazard analysis, risk assessment and review of direct and indirect causation of injury/near miss, development of prevention and control mechanisms including engineering controls, administrative controls, safe work plans and personal protective equipment.

Union:

Unions actively participate with the employer to ensure a respectful workplace. Many collective agreements contain provisions supporting the need for a respectful workplace and the need to work collaboratively in this regard. Unions provide support to their individual members who are involved with concerns relating to disrespectful behavior and often participate in education and communication sessions in support of a respectful workplace. If a union is aware of a concern that its members are not able to raise directly to an employer representative, the union may bring this matter to management's attention.

WHAT TO DO IF FACED WITH DISRESPECTFUL BEHAVIOUR

The following is intended to help individuals if confronted with behavior believed to be disrespectful. Each situation is different and needs to be handled appropriately.

Safety First

Staff faced with a potentially violent situation should exercise extreme caution and should consider the following:

- Remain calm and, if applicable, try to distance himself/herself as quickly and safely as possible from the situation.
- Employ safety techniques identified through training.
- In a facility setting, be aware of and use the “Code White” relating to a call for help due to aggressive behavior.
- If possible, call for assistance from other staff.
- If the aggressor is a client who attempts to leave the room/building, do not attempt to physically prevent this departure; rather, call the appropriate emergency service to intervene appropriately.
- Immediately notify the supervisor, manager, security or someone in authority and complete an incident report if appropriate.
- If necessary, security will notify the police.
- If you have suffered an injury or a near miss as a result of the incident, the incident should be reported on the appropriate incident report form and to the Workers Compensation Board.

Absent safety concerns, staff are encouraged to consider the following options available to deal with concerns of disrespectful behavior:

Immediate Resolution

Anyone who believes that they are being subjected to conduct that is disrespectful is encouraged, if reasonable, comfortable and safe, to make a direct request of the individual(s) concerned that the behavior stop immediately as it is not acceptable or respectful. Bringing your concerns forward immediately normally addresses the matter quickly and is one of the best mechanisms to bring insight to the individual causing the concern that his/her behavior is not acceptable. Often a person may not be aware that his/her behavior is offensive, and most will change the behavior once they are aware of the concern.

Consultation

Any person who thinks that he/she has been subjected to disrespectful behavior and who has not been able to deal with the concern through immediate resolution may discuss their concerns in confidence with their manager or supervisor, Human Resources, or a union representative. Discussing matters and bringing concerns forward does not commit an individual to filing a formal respectful workplace complaint.

Individuals are assisted to identify appropriate ways of responding to the concerns through both informal and formal means. Whenever reasonable, informal procedures to resolve these matters are preferable as they focus on rebuilding and repairing the on-going relationship between the affected parties.

When concerns are raised to the attention of the employer, the employer retains the right to initiate a formal review of the matter, with or without the complainant's consent, if there are sufficient concerns regarding the physical or psychological impact of the alleged behavior (both current or prospective).

Steps Following Consultation

Following consultation, the following scenarios may occur:

- 1) the staff person decides not to pursue the matter further
- 2) the employer determines that the concern does not fall under the provisions of the Respectful Workplace Policy and no further action will be taken under the policy or this manual
- 3) the employer decides to pursue the matter on its own initiative due to the serious nature of the concern raised in which case either an informal process will be pursued or a formal investigation will be commenced
- 4) the staff person pursues an informal resolution process
- 5) the staff person files a formal complaint

Informal Resolution Processes

There are multiple mechanisms by which concerns regarding disrespectful behavior can be dealt with outside of the formal complaint/investigation process. Whether any of the options listed below are appropriate depends on the situation and other options not currently contained within this manual may also be appropriate. Some of the options for informal resolution include:

One-on-One Discussion

After having the chance to consult with other parties, staff may feel equipped or have a plan on how to discuss the concerns directly with the individual with whom they have concerns. Just as with immediate resolution, this will likely lead to an effective resolution as it is likely the individual will modify his/her behavior once they are made aware of the concern. If this option proves unsuccessful, the other mechanisms for informal resolution remain available as well as the filing of a formal complaint.

Management Involvement

Many situations can be effectively dealt with through the participation and involvement of management. This may include management taking any number of steps including but not limited to the setting and confirming of expectations, clarification of obligations, introduction of certain rules, procedures, guidelines, etc. Many such actions can result in the desired effect of ensuring the discontinuance of certain behaviors which alleviates further concerns.

Human Resources Involvement

Human Resources staff can assist in any number of ways including the provision of certain education and information sharing sessions with affected staff; reinforcement of standards and expectations as well as providing certain cautions. Many such actions can result in the desired effect of ensuring the discontinuance of concerning behavior.

Conciliation/Mediation

This option uses the assistance of a neutral third party to meet with the two parties (together or separately) in an attempt to resolve the concerns and to build agreement on how interactions will occur into the future. The focus is on rebuilding the relationship and not on finding fault of either party. PMH may provide conciliation/mediation services directly and/or hire outside service providers. An individual from Human Resources, a manager or other employer representative may also serve in this role.

Filing a Formal Complaint

For staff that are not able to resolve matters through immediate resolution or through an informal resolution process, the option remains to file a formal complaint pursuant to the Respectful Workplace Policy. The process for filing a complaint is as follows:

1. Formal complaints are made in writing and are completed by either using the form provided (R.HR.GEN.690a) or by submitting written particulars which contain the following information:
 - identification of individual(s) involved
 - a clear description of the incident(s) of concern including dates, times, places
 - names of witnesses, if any
2. The complaint is forwarded to the Director of Human Resources in a sealed envelope marked confidential.
3. The Director of Human Resources confirms receipt of the complaint to the complainant.
4. The Director of Human Resources determines, based on the content of the complaint, whether the concerns fall within the Respectful Workplace Policy.
 - If the concern falls under the Policy, the Director determines whether a formal investigation is appropriate or alternatively, whether an informal resolution process should be pursued.
 - If the concern does not fall under the Policy, the Director advises the complainant that it will not be pursued under the policy and advises of other possible processes that may be appropriate.
5. If an informal process is identified, the Director of Human Resources or designate works with the complainant and/or the respondent in an effort to satisfactorily resolve the concern.
6. If a formal investigation is determined appropriate, the Director of Human Resources advises both the complainant and the respondent and assigns an investigator. The Respondent is provided with a copy of the written complaint. Management in the respective areas is advised as appropriate.
7. During the course of the investigation, the Director of Human Resources or designate assesses whether or not it is appropriate to temporarily change one or more individual's reporting relationship until the investigation is completed.
8. The investigator contacts the complainant and respondent to answer any procedural questions and to identify next steps. The respondent is advised of the need to file a written reply to the complaint with the investigator by a set date (average length of time to reply no longer than two weeks). The written reply of the respondent is completed by either using the form provided (R.HR.GEN.690b) or by submitting written particulars which contain the following information:
 - identification of individual(s) involved
 - a clear description of the incident(s) of concern including dates, times, places
 - names of witnesses, if any
9. Throughout the course of the investigation, the investigator, the complainant and/or the respondent may request that the investigation be put on hold in an effort to resolve the matter through an informal process. Such request is made to the Director of Human

Resources for determination. If an informal process is approved and is successful, the matter is closed. If an informal process is not used or, if used, is not successful, the Director reinitiates the investigation.

10. The investigator discusses the complaint separately with both parties, and may consult with others who are in a position to provide relevant information. Both the complainant and the respondent may recommend relevant witnesses to the investigator. The investigator holds absolute discretion as to who he/she meets with in the course of the investigation. The purpose of these meetings is fact-finding and is in no way to be considered disciplinary meetings.
11. The complainant, the respondent and witnesses may have union representation (if unionized) during meetings with the interviewer and the interviewer shall advise of this option. Non-union staff may request permission to have a support person present at such meetings. Attendance of support persons for non-union staff is at the discretion of the interviewer and, if approved, results in no expense to the employer.
12. If staff are requested to attend a meeting with the interviewer, staff attendance is mandatory as the interviewer is acting as an agent of the employer.
13. Based on the investigation, a determination is made by the investigator as to whether or not a breach of the Respectful Workplace Policy has occurred. The test is that of a “balance of probabilities” i.e. what would a reasonable person reviewing all of the relevant factual information conclude.
14. Following the interviews, a written report is prepared by the investigator and provided to the Director of Human Resources.
15. The complainant, at any stage, may request that the complaint be withdrawn; however, the employer may still be obliged to investigate. Continuation or withdrawal of the complaint is determined by the Director of Human Resources.
16. Reasonable efforts are undertaken to complete an investigation within 90 days from date of approval to proceed unless circumstances warrant otherwise.
17. The Director of Human Resources in consultation with the Chief Executive Officer/Vice President Corporate Services and appropriate management representatives determine what action, if any is taken as a result of the findings contained within the investigation report.
18. The complaint process will be modified as follows if the complaint names:
 - **Chief Executive Officer:** the Chair of the Board of Directors is involved
 - **Director, Human Resources:** the Vice President Corporate replaces the Director of Human Resources in the process
 - **Medical Staff:** Any alleged breaches of the Respectful Workplace Policy against physicians are investigated and processed in accordance with this policy and the Respectful Workplace Procedures Manual and not under the processes outlined in the Medical Staff By-Law unless so delegated by the Chief Executive Officer. Should a physician be found to be in breach of the policy, appropriate disposition occurs as determined by the PMH facility and the PMH Chief Medical Officer except that such disposition shall have no impact on the physician’s privileges. This disposition does not prevent the simultaneous referral of the issue by the PMH Chief Medical Officer to the Medical Advisory Committee (“MAC”) as a “complaint” pursuant to Section 8.3.4 of the Medical Staff By-Law and MAC may determine the appropriate disposition of the

complaint, in accordance with the Medical Staff By-Law, and whether the physician's privileges should be affected

- **Students:** There is consultation with the appropriate representative of the respondent's training organization to determine the appropriate remedy.
 - **Volunteers:** The applicable manager is consulted to determine the appropriate remedy.
 - **Patients, Clients, Residents and Visitors:** The appropriate remedy is implemented by the executive management representative and management staff for the area.
 - **Suppliers/Contractors:** There is immediate contact with the appropriate personnel within the external agency to determine the appropriate remedy.
19. A copy of the report is shared by the Director of Human Resources with the complainant and respondent unless circumstances warrant not sharing the report, in which case a summary of the findings is shared. The complainant and respondent may share the report with their union if they wish.
20. The complainant and the respondent may file a written response to the report if they wish. The written response(s) is appended to the report but does not act to modify the report or its findings unless the Director of Human Resources determines it appropriate.

Time Limits for Filing a Written Complaint

A complaint and/or portions of a complaint which identify matters which occurred on a date more than six (6) months prior to the filing of the complaint is not investigated. Time limits may be extended at the discretion of the Director of Human Resources when:

- circumstances warrant an extension of the deadline
- the delay in filing the complaint incurred in good faith
- no substantial prejudice will result to any person because of the delay.

Historical incidents older than 6 months may form part of an investigation at the discretion of the investigator for the purpose of determining a more timely incident.

RELATED MATTERS

WORKPLACE SAFETY & HEALTH (WPSH)

Any issues raised under the Respectful Workplace Policy and considered pursuant to this manual may also need to be considered under the Workplace Safety & Health Act (WSHA). Under the WSHA, issues involving employee safety (for example: violence and harassment), are considered by the employer and dealt with in accordance with the provisions of that Act. Therefore, in addition to any of the processes and mechanisms for resolution set out under this manual, the employer must also consider its obligations under the WSHA.

The Respectful Workplace Program has been developed for this purpose. Therefore, whenever a respectful workplace concern is raised to the employer's attention, consideration is given to whether the employee's safety is or may have been at risk.

CONFIDENTIALITY

To protect the interests of the complainant, the respondent, and any others who may be involved in incidents of concern, confidentiality is maintained throughout the process to the fullest extent practicable and appropriate under the circumstances. Within the work environment of both parties, it is important that all involved work to ensure that individual privacy and confidentiality are respected. The investigation of the complaint is limited to only those individuals who must be contacted to fulfill the responsibility to investigate, provide a respectful workplace, and resolve the situation. Any breach of confidentiality is subject to appropriate disciplinary action.

UNION REPRESENTATION and TIMELINES UNDER COLLECTIVE AGREEMENTS

At any point in the processes outlined in this manual, including both informal and formal processes, unionized staff have the option of involvement of a union representative.

Should an informal or formal process be initiated, time limits under a collective agreement relating to grievances and or referral to arbitration should be extended as appropriate in the interests of attempting to achieve resolution of matters through alternative means.

INTERFERENCE OR RETALIATION

Every staff member has a right to bring forward a legitimate concern under the Respectful Workplace Policy. Interference with this right or with an investigation or retaliation against a complainant, respondent, witness, or any other person involved is not tolerated and may, by itself result in disciplinary action. Interference or retaliation may take the form of direct contact between the parties or more subtle actions such as shunning, reassignment, spreading of rumors, and breaches of confidentiality, among others.

VEXATIOUS AND BAD FAITH COMPLAINTS

If the investigation proves that the complaint was deliberately made for frivolous or vindictive reasons, the employee making the false allegation is subject to discipline. This does not apply to complaints made in good faith but which are not proven.

RECORDKEEPING

All records of complaints, including any and all oral or written information gathered, received, or compiled throughout the complaint resolution process are maintained in a secured confidential file by the Director of Human Resources.

All records remain on file for a minimum of ten (10) years. Anonymous data, however, shall continue to be recorded by the Director of Human Resources for statistical purposes only.

EMPLOYEE ASSISTANCE PLAN:

Employee Assistance Plan (EAP) services are available to all staff. Staff in need of support or counseling should contact the Human Resources department or EAP directly.



PRAIRIE MOUNTAIN HEALTH

Respectful Workplace Complaint Form

Complainant's name	
Facility/Program	
Department	
Phone Numbers (work/cell/home)	
Who is complaint filed against? (name & position)	

**In your own words, please indicate the details of your complaint. If you would like to provide a more detailed description, please attach to this form.
The following is a description of the incident(s), which include dates, times, places, names of persons directly involved as well as the names of any witnesses.**

Please describe what actions, if any, that you have taken to try to resolve this problem.

What resolution are you seeking?

Complainant

Date

Please note:

- 1) The filing of this complaint does not guarantee that an investigation will occur. The complaint will be reviewed and an assessment made by the employer as to whether an investigation is warranted and/or whether an informal resolution process should be pursued.
- 2) This document and any attachments that you provide in the course of filing a complaint will be held in confidence. The complaint form and its attachments may be disclosed to the respondent named in the complaint and to the investigator appointed to assist with the resolution of this complaint, as outlined in the Respectful Workplace Policy. Your signature confirms that you have been made aware and give permission for the above use of this information.
- 3) Filing this complaint in no way limits your ability to consider other options such as a complaint under the Human Rights Code or the filing of a grievance under a collective agreement.

SUBMIT COMPLETED FORM TO DIRECTOR OF HUMAN RESOURCES IN A CONFIDENTIAL ENVELOPE.



PRAIRIE MOUNTAIN HEALTH

Respectful Workplace Respondent's Response Form

Respondent's name	
Facility/Program	
Department	
Phone Numbers (work/cell/home)	

I have read a copy of the written complaint and am providing the following response.
(If more space is required, please attach a copy to this form).

(include dates, times, places, names of witnesses if there were any)

Were you aware of the complaint prior to receipt of the formal complaint? Have you attempted to resolve the problem, and if so, describe.

Do you have a proposed resolution? Explain

Respondent

Date

Please note:

- 1) The filing of this response does not guarantee that an investigation will occur. The complaint and response will be reviewed and an assessment made by the employer as to whether an investigation is warranted and/or whether an informal resolution process should be pursued.**
- 2) This document and any attachments that you provide in the course of filing a response will be held in confidence. The response form and its attachments may be disclosed to the complainant. Your signature confirms that you have been made aware and give permission for the above use of this information.**

SUBMIT COMPLETED FORM TO DIRECTOR OF HUMAN RESOURCES IN A CONFIDENTIAL ENVELOPE