# PPG-00066

## Provincial Respectful Workplace

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|---|---|---|---|---|
| **Area** | Human Resources | | | |
| **Section** | General | | | |
| **Subsection** | N/A | | | |
| **Document Type** | Policy | | | |
| **Scope** | Applies to all staff in the region | | | |
| **Approved By** | | **Original Effective Date** | **Revised Effective Date** | **Reviewed Date** |
| Kevin Carter, VP Human Resources | | 2015-Feb-04 | 2026-Jan-14 | 2026-Jan-14 |
| **This standard provincial policy can only be changed with the approval of the Provincial Human Resources Leadership Council** | | | | |

## DEFINITIONS

**Staff**: all persons employed or contracted by Prairie Mountain Health as well as members of the medical staff, volunteers, board members and students.

**Workforce Related Disrespectful Behavior:** means disrespectful behaviour towards a worker by his or her employer or supervisor or by another worker, whether or not the harassment occurs at the workplace. Types of behavior considered disrespectful include but are not limited to:

*Note: This includes any act or omission that results in workforce related disrespectful behaviour within this definition, regardless of the form of the act or omission; the focus of the harasser's actions is not on his/her intent, but rather on the impact felt by the complainant.*

1. **Discrimination:** as defined in the Manitoba Human Rights Code 9(1):
   - 1.1. differential treatment of an individual on the basis of the individual's actual or presumed membership in or association with some class or group of persons, rather than on the basis of personal merit; or
   - 1.2. differential treatment of an individual or group on the basis of any characteristic referred to in subsection (2); or
   - 1.3. differential treatment of an individual or group on the basis of the individual's or group's actual or presumed association with another individual or group whose identity or membership is determined by any characteristic referred to in subsection (2); or
   - 1.4. failure to make reasonable accommodation for the special needs of any individual or group, if those special needs are based upon any characteristic referred to in subsection, the differential treatment of an individual or group on the basis of a Protected Characteristic (see definition) rather than on personal merit.

2. **Harassment:** as defined and interpreted in the Workplace Safety and Health Act means:
   - 2.1. objectionable conduct that creates a risk to the health of a worker; or

     *Interpretation in Workplace Safety and Health Act: objectionable, if it is based on race, creed, religion, colour, sex, sexual orientation, gender-determined characteristics, marital status, family status, source of income, political belief, political association, political activity, disability, physical size or weight, age, nationality, ancestry or place of origin.*

2.2. Severe conduct that adversely affects a worker's psychological or physical well-being.

*Interpretation in Workplace Safety and Health Act: severe, if it could reasonably cause a worker to be humiliated or intimidated and is repeated, or in the case of a single occurrence, has a lasting, harmful effect on a worker.*

2.3. This conduct includes but is not limited to:
- 2.3.1. A written or verbal comment;
- 2.3.2. A physical act or gesture or a display, leering (suggestive staring) or other offensive gestures;
- 2.3.3. Patronizing or condescending behavior;
- 2.3.4. Humiliating staff in front of co-workers;
- 2.3.5. Abuse of authority that undermines job performance or threatens a career path;
- 2.3.6. Bullying;
- 2.3.7. Cyber bullying;
- 2.3.8. Disrespectful internet postings; or
- 2.3.9. Any combination of the above.

3. **Sexual Harassment:** as defined in the Manitoba Human Rights Code 19(2), either:
   - 3.1. A series of objectionable and unwelcome sexual solicitations or advances; or,
   - 3.2. 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; or
   - 3.3. A reprisal or threat of reprisal for rejecting a sexual solicitation or advance.

4. **Workforce Related Disrespectful Behavior does not include:**
   - 4.1. Consensual banter or consensual romantic relationships;
   - 4.2. Exercising appropriate management authority and responsibility including performance and attendance management;
   - 4.3. Providing direction or instruction;
   - 4.4. Operational change, coaching, counseling, and/or discipline by a supervisor or manager;
   - 4.5. Workplace violence as defined in the Violence Prevention Program for Healthcare Workers Policies PPG-00074 to PPG-00078

5. **Protected Characteristic:** as defined in the Manitoba Human Rights Code 9 (2), includes:
   - Ancestry (including colour and perceived race);
   - Nationality or national origin;
   - Ethnic background or origin;
   - Religion or creed, or religious belief, religious association or religious activity;
   - Age;
   - Sex, including sex-determined characteristics, such as pregnancy, the possibility of pregnancy, or circumstances related to pregnancy;
   - Gender-identity;
   - Sexual orientation;
   - Marital or family status;
   - Source of income;

- Political belief, political association or political activity;
- Physical or mental disability or related characteristics or circumstances, including reliance on a service animal, a wheelchair, or any other remedial appliance or device; and
- Social disadvantage.

**Complainant:** The person reporting an incident of potential Disrespectful Behavior.

**Respondent:** the person alleged to have committed the Disrespectful Behavior.

## PURPOSE

Prairie Mountain Health staff are entitled to a respectful work environment free of Disrespectful Behavior. To this end, Prairie Mountain Health will ensure, so far as is reasonably practicable, that no worker is subjected to this behaviour in the workplace.

Where appropriate Prairie Mountain Health will investigate and implement corrective action respecting any person under the employer's direction who subjects a worker to disrespectful behaviour.

## POLICY/RESPONSIBILITES

1.0 Employer Responsibility:
- 1.1 As far as is reasonably practical, provide a workplace free of Disrespectful Behavior and hold staff in violation of this Policy accountable.
- 1.2 Develop, implement and communicate fair and timely procedures which address allegations or concerns in regard to Disrespectful Behavior and which incorporate:
  - 1.2.1 the process by which Staff may raise a concern, how the concern will be handled, and how the results of the process will be communicated back to the parties including the Staff involved.
  - 1.2.2 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.
- 1.3 This Policy and associated procedures and guides shall be posted on Workplace Safety & Health bulletin boards in all Prairie Mountain Health facilities.
- 1.4 Signage shall be posted containing wording, which supports the purpose of this Policy.

2.0 Staff Responsibility:
- 2.1 Treat others respectfully.
- 2.2 Report Disrespectful Behavior using the procedures established pursuant to this Policy and shall respect the confidentiality of all parties involved.
- 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.
- 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.

3.0 Manager/Supervisor Responsibility:

3.1 Each manager, supervisor and team leader shall foster a safe working environment free from Disrespectful Behavior as far as is reasonably practicable and shall ensure 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.

3.2 Managers, supervisors and team leaders shall advise Human Resources of all complaints made pursuant to this Policy

4.0 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.

**Medical Staff:** Any alleged breaches of the Respectful Workplace Policy against physicians shall be investigated and processed in accordance with this manual and the Respectful Workplace Policy and not under the processes outlined in the Medical Staff By-Law unless so delegated by the CEO. Should a physician be found to be in breach of the Policy appropriate disposition shall occur as determined by the Prairie Mountain Health facility and the Prairie Mountain Health CMO 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 Prairie Mountain Health CMO to the Medical Executive Committee ("MEC") as a "complaint" pursuant to Section 6.2.3 of the Medical Staff By-law and MEC 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

## PROCEDURE

1.0 Respectful Workplace Process

2.0 Respectful Workplace Procedures Manual

## POLICY CONTACT

Provincial Workplace Safety & Health Working Group with representation from:

- Executive Sponsor - Provincial Human Resources Leadership Council
- CancerCare Manitoba
- Interlake-Eastern Regional Health Authority
- Manitoba Health, Seniors and Active Living
- Northern Health Region
- Prairie Mountain Health
- Provincial Health Labour Relations Services
- Shared Health Manitoba
- Southern Health
- Winnipeg Regional Health Authority

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## RELATED MATERIAL

Appendix A, Respectful Workplace Procedures Manual
PMH2876, Respectful Workplace Complaint Form
PMH2877, Respectful Workplace Respondent's Response Form
PPG-00074, Workplace Violence Prevention Program Client Risk Screening and Alerts
PPG-00075, Workplace Violence Prevention Program Summoning Assistance for Acts of Violence
PPG-00076, Workplace Violence Prevention Program Training
PPG-00077, Workplace Violence Prevention Program Environmental Risk Assessment
PPG-00078, Workplace Violence Prevention Program

## REFERENCES

Violence Prevention for Healthcare Workers policies PPG-00074 – PPG-00078

The Manitoba Human Rights Code

The Labour Relations Act (Manitoba)

The Workplace Safety and Health Act and Regulation (Manitoba)

## DOCUMENT HISTORY

| Version | Changes |
|---|---|
| 2015-Feb-04 | New. |
| 2018-Feb-28 | Revised. Reformatted to current PPG template. |
| 2019-Sep-18 | Revised. Contact HR for summary of changes. |
| 2026-Jan-14 | Reviewed. No revision. |

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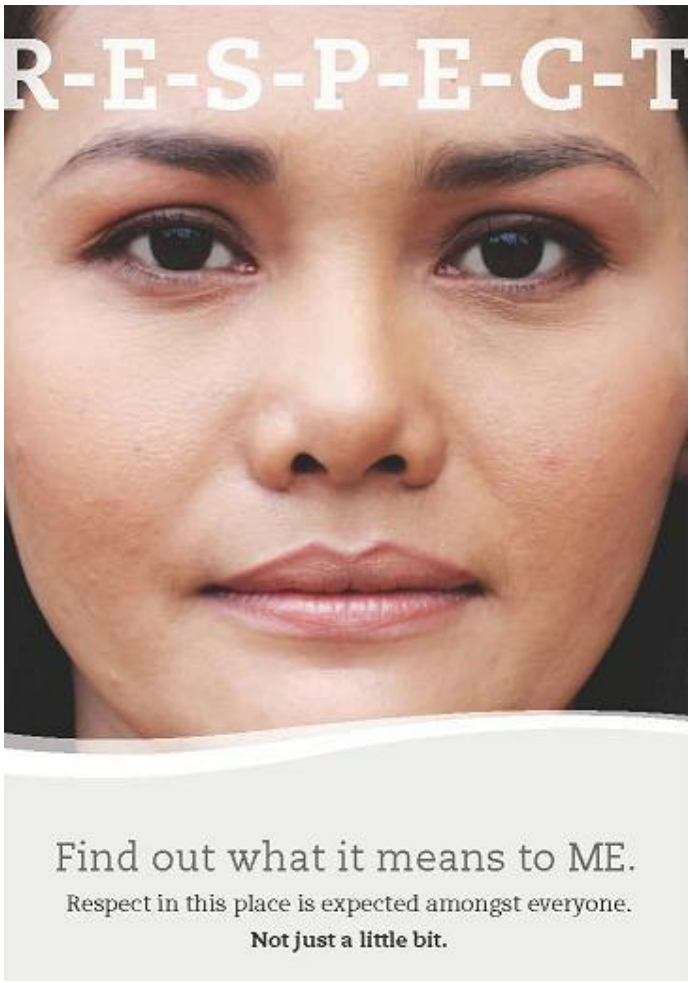
## APPENDIX A




# Respectful Workplace Procedures Manual

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## INTRODUCTION

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

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 relevant and Prairie Mountain Health policies.

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 Human Resources.

## OUR COMMITMENT

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

Prairie Mountain Health supports the principle that all persons employed or contracted, as well as members of the medical staff, board members and volunteers, students, 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.

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As confirmed in the Respectful Workplace policy, conduct that contravenes these principles will not be tolerated and appropriate remedial and other action will be taken as means of enforcement.

## RESPECTFUL WORKPLACE POLICY

Prairie Mountain Health has adopted the Respectful Workplace Policy, which serves to confirm our commitment to our staff to provide a respectful workplace. All staff are expected to be familiar with the policy and its contents and to abide by its provisions. A copy of the policy can be accessed through the intranet or from Human Resources. The majority of the contents of the Respectful Workplace Policy have also 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 behaviour.

**Investigator**: The VP Human Resources/designate shall be the advisor/investigator - there may be occasions when the investigation is referred to a third party.

**Complainant**: The person reporting an incident of potential Disrespectful Behavior.

**Respondent**: The person alleged to have committed the Disrespectful Behavior.

**Client**: All persons receiving any service offered by Prairie Mountain Health.

**Staff:** All persons employed or contracted by Prairie Mountain Health as well as members of the medical staff, volunteers, board members and learners.

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**Workforce Related Disrespectful Behavior:** Means disrespectful behaviour towards a worker by his or her employer or supervisor or by another worker, whether or not the harassment occurs at the workplace. Types of behavior considered disrespectful include but are not limited to:

*Note: This includes any act or omission that results in workforce related disrespectful behaviour within this definition, regardless of the form of the act or omission; the focus of the harasser's actions is not on his/her intent, but rather on the impact felt by the complainant.*

**Discrimination**: as defined in the Manitoba Human Rights Code 9(1)

- differential treatment of an individual on the basis of the individual's actual or presumed membership in or association with some class or group of persons, rather than on the basis of personal merit; or

- differential treatment of an individual or group on the basis of any characteristic referred to in subsection (2);

- differential treatment of an individual or group on the basis of the individual's or group's actual or presumed association with another individual or group whose identity or membership is determined by any characteristic referred to in subsection (2); or

- failure to make reasonable accommodation for the special needs of any individual or group, if those special needs are based upon any characteristic referred to in subsection, the differential treatment

of an individual or group on the basis of a Protected Characteristic (see definition) rather than on personal merit.

**Harassment** as defined and interpreted in the Workplace Safety and Health Act means:

- objectionable conduct that creates a risk to the health of a worker; or

  *Interpretation in Workplace Safety and Health Act: objectionable, if it is based on race, creed, religion, colour, sex, sexual orientation, gender-determined characteristics, marital status, family status, source of income, political belief, political association, political activity, disability, physical size or weight, age, nationality, ancestry or place of origin;*

- severe conduct that adversely affects a worker's psychological or physical well-being.

  *Interpretation in Workplace Safety and Health Act: severe, if it could reasonably cause a worker to be humiliated or intimidated and is repeated, or in the case of a single occurrence, has a lasting, harmful effect on a worker.*

- This conduct includes but is not limited to
  - A written or verbal comment;
  - A physical act or gesture or a display, 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; or
  - Any combination of the above.

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**Sexual Harassment:** as defined in the Manitoba Human Rights Code 19(2), either:

- A series of objectionable and unwelcome sexual solicitations or advances; or,
- 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; or
- A reprisal or threat of reprisal for rejecting a sexual solicitation or advance.

**Workforce Related 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;
- Workplace violence as defined in the Violence Prevention for Healthcare Workers Policy PPG-00074-78

**Protected Characteristic:** as defined in the Manitoba Human Rights Code 9 (2), includes:

- Ancestry (including colour and perceived race);
- Nationality or national origin;
- Ethnic background or origin;

- Religion or creed, or religious belief, religious association or religious activity;
- Age;
- Sex, including sex-determined characteristics, such as pregnancy, the possibility of pregnancy, or circumstances related to pregnancy;
- Gender-identity;
- Sexual orientation;
- Marital or family status;
- Source of income;
- Political belief, political association or political activity;
- Physical or mental disability or related characteristics or circumstances, including reliance on a service animal, a wheelchair, or any other remedial appliance or device; and
- Social disadvantage.

## RESPONSIBILITIES AND RIGHTS IN A RESPECTFUL WORKPLACE

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

***Employer:***

As far as is reasonably practical, the Employer provides a workplace free of Disrespectful Behavior and holds staff in violation of this Policy accountable.

Develops, implements and communicates 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 will be handled, and how the results of the process will be 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.

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***Employee/Staff:***

Treat others respectfully.

Report Disrespectful Behavior using the procedures established pursuant to this Policy and shall respect the confidentiality of all parties involved.

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.

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.

***Manager/Supervisor:***

Each manager, supervisor and team leader will foster a safe working environment free from Disrespectful Behavior as far as is reasonably practicable and will ensure 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.

Managers, supervisors and team leaders are to advise Human Resources of all complaints made pursuant

to this Policy

***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.

Human Resources also ensures that signage is posted containing wording which supports the purpose of this policy.

***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.

WPSH also ensures that this policy and associated procedures and guides are posted on Workplace Safety & Health bulletin boards in all Prairie Mountain Health facilities.

***Union:***

Unions have actively participated with the Employer to ensure a respectful workplace. Many collective agreements contain provision supporting the need for a respectful workplace and the need to work collaboratively in this regard. Unions will provide support to their individual members who may be involved with concerns relating to disrespectful behaviour and will 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 or human resources' attention.

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## WHAT TO DO IF FACED WITH DISRESPECTFUL BEHAVIOUR

The following is intended to help individuals if confronted with behaviour believed to be disrespectful. Each situation will be different and will need 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 behaviour.
- 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 Occurrence Report if appropriate.
- If necessary, person in authority 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 in the Prairie Mountain Health Incident Reporting database.

*Note: Incidents of violence, aggression and responsive behaviours from patients and families are addressed through* PPG-00074-78 Violence Prevention for Healthcare Workers Policy.

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

**Immediate Resolution**

Be proactive. Try to resolve the problem directly with the person with whom you have a concern. Do not wait until it happens again or think the problem will go away. Approach the person who made you feel uncomfortable, explain how it affected you and ask them to stop. Do this calmly, respectfully, and in confidence. Often, an individual may not be aware that her or his behavior is offensive, and most will change the behaviour once s/he is aware of the problem. If another person approaches you with a concern about your own behaviour, listen carefully and respectfully. Honest, direct discussion will often lead to a resolution.

**Consultation**

If you have attempted to resolve the problem without success or if you are not comfortable addressing the problem on your own, discuss the problem and possible solutions with your immediate manager/supervisor, Human Resources, WPSH Respectful Workplace Mentor or a union representative. Consulting these supports does not commit you to filing a formal respectful workplace complaint. You will be assisted in identifying appropriate ways of responding to the concerns through both informal and formal means. Whenever reasonable, informal steps to resolve these matters are preferable as they focus on rebuilding and repairing the on-going relationship between the people involved.

**Steps Following Consultation**

Following consultation, you may consider, but are not limited to the following options:

- you may pursue an informal resolution process; or
- you may decide to file a formal complaint, or.

- you may decide not to pursue the matter further;
- the employer may determine that the concern does not fall under the provisions of the Respectful Workplace Policy and no further action will be taken under the Policy;
- the employer may decide to pursue the matter on its own initiative due to the serious nature of the concern raised and either an informal process will be pursued or a formal investigation will begin.

**Informal Resolution Processes**

Whether any of the options listed below are appropriate will depend on the situation and other options not currently contained within this material may also be appropriate. The decision on appropriate options will be at the discretion of the Employer. Some of the options for informal resolution include:

**One-on-One Discussion**

After consulting with other parties, you may feel equipped on how to discuss the concerns directly with the individual with whom you have concerns. This will likely lead to an effective resolution as it is likely the individual will modify his/her behaviour once s/he is made aware of the concern.

**Management Involvement**

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.

**Human Resources Involvement**

Human Resources staff can assist in any number of ways including providing education and information sharing sessions with affected staff; reinforcement of standards and expectations as well as providing certain cautions.

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**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. An individual from human resources, a manager, other employer representative or outside service providers may also serve in this role.

## Filing a Formal Complaint

Not every complaint of disrespectful behaviour warrants a formal investigation. In fact, it is hoped that most complaints can be resolved between the people involved, with subsequent monitoring by management to ensure that there is no recurrence. However, at times, an investigation will be required.

A formal complaint must be in writing, signed, dated and include all particulars of the allegations and the names of any witnesses to the behaviour or event. Send it to the *VP Human Resources* in a sealed envelope marked confidential. **To ensure all applicable information is included, an Respectful Workplace Complaint Form (PMH2876) form should be completed.**
The *VP Human Resources* will confirm that s/he has received your complaint via a letter of acknowledgment and will determine, based on the content of the complaint, whether the concerns fall within the Respectful Workplace Policy:

(a) If the concern falls under the Policy, the *VP Human Resources* will then determine whether a formal investigation is appropriate or whether an informal resolution process should be pursued.

(b) If the concern does not fall under the Policy, the *VP Human Resources* will advise you that it will not be pursued under the Policy and will advise of other possible processes that may be appropriate.

If an informal process is identified, the *VP Human Resources* will work with you and your union representative, at your express wish, and others identified in your complaint in an effort to satisfactorily resolve the concern.

If a formal investigation is determined appropriate, the *VP Human Resources* will advise you and the respondent and will assign an investigator. The respondent will be provided with a copy of the written complaint. Management in the respective areas will be advised as appropriate. **To ensure all applicable information is included, a Respectful Workplace Respondents Response Form (PMH2877) form should be completed.**

The investigator will contact you and the respondent to answer any procedural questions and to identify next steps. The respondent will be 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 2 weeks).

A **formal investigation** generally includes the following:

- Interviewing (union representation during the investigation is available as applicable)
  - the person who has raised the concern, witnesses, and the person who has allegedly acted disrespectfully along with his/her representative to present the complaint and hear the response
- Determining the facts
- Maintaining confidentiality among the individuals involved
- The investigator will evaluate all of the evidence and prepare a written report that will be provided to the VP Human Resources.
- The VP Human Resources in consultation with the Human Resources Consultant and appropriate management representatives will determine what action, if any will be taken as a result of the findings contained within the investigation report.
- A summary of the final report will be shared with you and respondent unless circumstances warrant otherwise, in which case a summary of the findings will be shared. The report may be shared with your union representative if you wish.

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**Time Frame**
Reasonable efforts shall be undertaken to complete an investigation within 90 days from date of approval to proceed unless circumstances warrant otherwise. If the investigation is expected to be longer in duration, everyone will be appropriately notified.

**Confidentiality**
Managers, Human Resources and investigators keep the details of a complaint confidential to the best of their ability. However, confidentiality does not mean anonymity because witnesses may be involved. If the matter involves discipline, employees covered by a collective agreement have a right to grieve through their union and non-union employees can file an appeal to the *VP Human Resources*. This grievance process may lead to a formal hearing which could involve testimony from the complainant, witnesses, the accused individual and management. These limitations on confidentiality should not discourage employees from making a complaint. Many complaints are resolved without a formal investigation. Issues should be raised at an early stage to facilitate a mutual resolution.

***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.* ***Medical Staff:*** *Any alleged breaches of the Respectful Workplace Policy against physicians shall be investigated and processed in accordance with this manual and the Respectful Workplace Policy 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 shall occur as determined by the Prairie Mountain Health facility and the Prairie Mountain Health 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 Prairie Mountain Health Chief Medical Officer to the Medical Executive Committee ("MEC") as a "complaint" pursuant to Section 6.2.3 of the Medical Staff By-law and MEC 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.*

## Related Matters

### Occupational Health & Safety (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), must be 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.

Therefore, whenever a respectful workplace concern has been raised to the Employer's attention, consideration must be given to whether the employee's safety is or may have been at risk. If so, the WPSH department must be consulted.

### Union Representation and Timelines Under Collective Agreements

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

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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 will not be 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.

### Malicious 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 verbal or written information gathered, received, or compiled throughout the complaint resolution process shall be maintained in a secured confidential file by the VP Human Resources.

All records shall remain on file for a minimum of ten (10) years. Anonymous data, however, shall continue to be recorded by the VP 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 by calling toll-free: 1-800-590-5553

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