



# **Respectful Workplace Handbook**

**(Includes Directives HR001,  
HR002, HR003, HR004, HR005)**

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## **Anti-Discrimination Directive**

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**Directive: HR-001**

**Effective: October 2009**

### **Purpose**

Lethbridge County is wholly committed to the principles of workplace diversity. Lethbridge County has and will continue to develop and implement workplace diversity principles and strategies across all of its structures, policies, procedures, and decision making processes.

Lethbridge County rejects and entirely disapproves of all biased distinctions based on the grounds of:

- Race
- Ancestry
- Place of origin
- Colour
- Ethnic origin
- Citizenship
- Creed
- Sex
- Sexual orientation
- Age
- Record of offences
- Marital status
- Same-sex partnership status
- Family status
- Disability
- Gender history
- Religious beliefs
- Political convictions
- Disability or medical condition (that does not affect work performance)
- Pregnancy

Efforts to eliminate all forms of discrimination – whether they are direct or indirect – are fully endorsed by Lethbridge County. Any harassment or intimidation against the profiles listed above is strictly prohibited.

Men and women are considered by Lethbridge County to be equally eligible for employment. Decisions will be based on job qualifications only. No religious, racial or political test shall be imposed upon any person as a condition of employment.

The main objective of the Anti-Discrimination Directive is to ensure that the County's practices are free from direct and indirect discrimination. This Directive covers all aspects of employment, including candidate selection, appointment, promotion, compensation, benefits, training, layoffs, transfers, and any other terms and conditions of employment.

### **Definitions**

1. **Direct Discrimination** – Direct discrimination is defined as an occurrence where a person is treated less favourably or fairly than another person or group of people in the same or similar circumstances because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, same-sex partnership status, family status or disability.
2. **Indirect Discrimination** – Indirect discrimination is defined as an occurrence where a neutral policy, practice, rule, or procedure is supposed to be the same for all employees, but has an adverse effect or result on a particular person or group of people such that a high proportion of persons with one or more of the attributes listed at the beginning of this Directive cannot comply on equal terms. Indirect discrimination is also defined as any organizational policies, practices, rules, or procedures that are not reasonable given the circumstances.
3. **Complainant** – A person who is or has been subjected to the alleged discrimination.
4. **Respondent** – Someone who is alleged to have exhibited conduct that is the subject of a complaint.

### **Resolution Procedures**

Individuals who believe they have been victimized by an act or acts of direct or indirect discrimination should report the incident(s) immediately to Human Resources or their supervisor. Any delays in reporting acts of direct/indirect discrimination can make the case against the Respondent more difficult to establish, and may even result in retaliatory acts by the Respondent.

The reporting and resolution processes for any and all cases of discrimination are covered in the Conflict Resolution Directive portion of the Respectful Workplace Handbook.

## **Anti-Harassment & Violence Directive**

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**Directive: HR-002**

**Effective: October 2009**

### **Purpose**

Lethbridge County is committed to building and preserving a safe working environment for its employees. In pursuit of this goal, Lethbridge County does not condone and will not tolerate acts of harassment and/or violence against or by any employee. As such, this Directive prohibits physical or verbal threats – with or without the use of weapons – intimidation, or violence in the workplace.

It is also a violation of Lethbridge County's Anti-Harassment & Violence Directive for anyone to knowingly make a false complaint of harassment or violence, or to provide false information about a complaint. Individuals who violate this Directive are subject to disciplinary and/or corrective action, up to and including termination of employment.

### **Definitions**

1. **Harassment** – Harassment is defined as any interaction between individuals that can be characterized as unwelcome, intimidation, bullying, violence, or misconduct. Lethbridge County rejects and entirely disapproves of all harassment based on the grounds of: race (i.e. color, ethnicity, origin, nationality, descent), sex, marital status, age, sexual orientation, gender history, religious beliefs, political convictions, disability, or medical condition. Such acts include:
  - Inappropriate physical conduct;
  - Creating an intimidating or offensive working environment; or
  - Creating a degrading, humiliating, or hostile work environment.
  
2. **Violence** – Violence is defined as any interaction or act of aggression or hostility between individuals that involves: causing physical injury to another person; the utterance of threatening remarks; creation of a reasonable fear of injury; subjecting another individual to emotional distress; damaging employer or employee property; the possession of a firearm or dangerous weapon while on Lethbridge County property or while conducting Lethbridge County business; harassing surveillance (such as stalking); bringing weapons into the workplace; displaying extreme stress or resentment; displaying irrational behaviour.
  
3. **Threats** – Threats of violence or harassment are considered serious and will be treated accordingly. Threatening behaviour includes, but is not limited to: throwing objects at another person; verbal prediction of harm directed towards another individual or his/her property; making threatening or menacing gestures; obsessive behaviour (e.g. unprofessional and/or excessive unwelcome romantic interest); any such behaviour indicating that the individual is irrational or mentally ill and poses a danger to him/herself or others; escalation of unacceptable behaviour within the workplace (e.g. behaviour triggered by personal circumstances such as an impending divorce, custody battle, etc.).

### **Harassment & Workplace Violence**

Lethbridge County employees are prohibited from engaging in any violent or harassing behaviour towards others. Any physical, verbal, or visual act – with or without a weapon, as defined above – that threatens, intimidates, creates fear, or has the purpose of interfering with an employee's job duties, or similarly creates an intimidating, hostile, or offensive work environment, is forbidden.

1. Managers, supervisors, or the Human Resources Department will take immediate action to resolve any situation that involves harassment or violent behaviour. This includes, but is not limited to, calling 911 for immediate police assistance.
  
2. Incidents that constitute criminal acts (whether felony or misdemeanour) will be referred to the local police department or other policing agency.
  
3. The Human Resources department promises to assist employees, supervisors and the management team in investigating and preparing documentation for acts and incidences of harassment or violent behaviour.

4. Should an employee be harassed or threatened by an individual from outside the workplace, and have reason to believe this person may harm them in any way, the employee is required to report concerns to his or her supervisor or Human Resources.
5. Should an employee have a legal court order (e.g. restraining order, or “no-contact” order) against another individual, the employee may be required to notify his or her supervisor, and to supply a copy of that order to the Human Resources Department. This will likely be required in instances where the employee strongly feels that the aggressor may attempt to contact that employee at Lethbridge County, in direct violation of the court order. Such information shall be kept confidential.
6. If any visitor to Lethbridge County workplace is seen with a weapon (or is known to possess one), makes a verbal threat or assault against an employee or another individual, employee witnesses are required to immediately contact the police, emergency response services, their immediate supervisor, and the Human Resources Department.
7. In cases where criminal proceedings are forthcoming, Lethbridge County will assist police agencies, attorneys, insurance companies, and courts to the fullest extent.

### **Resolution Procedures**

Individuals who believe they have been victims of harassment or violence in the workplace should report the incident(s) immediately to Human Resources or their supervisor. Any delays in reporting such acts can make the case against the Respondent more difficult to establish, and may even result in retaliatory acts by the Respondent.

The reporting and resolution processes for any and all cases of harassment or workplace violence are covered in the Conflict Resolution Directive portion of the Respectful Workplace Handbook.

### **Sexual Harassment Directive**

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**Directive: HR-003**

**Effective: October 2009**

#### **Purpose**

Lethbridge County is committed to building and preserving a positive working environment for its employees. In pursuit of this goal, Lethbridge County does not condone and will not tolerate acts of sexual harassment and/or related retaliation against or by any employee. As such, this Directive:

- Provides general definitions for sexual harassment and related retaliation;
- Bans and prohibits sexual harassment and related retaliation; and
- Sets forth procedures for employees to follow when they feel a Directive violation has occurred.

It is also a violation of Lethbridge County's Sexual Harassment Directive for anyone to knowingly make a false complaint of sexual harassment or to provide false information about a complaint. Individuals who violate this Directive are subject to disciplinary and/or corrective action, up to and including termination of employment.

### **Definitions**

1. **Complainant** – A person who is or has been subjected to the alleged sexual harassment.
2. **Respondent** – Someone who's alleged conduct is the subject of a complaint.
3. **Sexual Harassment** – Defined as any interaction between individuals, regardless of gender, that can be characterized as unwelcome sexual advances or misconduct. This includes, but is not limited to:
  - Requests for sexual favours;
  - Verbal conduct of a sexual nature;
  - Physical conduct of a sexual nature;
  - Submission to sexual favours or conduct as being implied as condition of an employee's employment;
  - Implying that rejection of sexual advances will affect employment decisions regarding that individual;
  - Creating a sexually intimidating or offensive working environment; or
  - Creating a sexually degrading, humiliating, or hostile work environment. (Generally, a single sexual joke, offensive epithet, or request for a date does not constitute hostile environment sexual harassment; however, being subjected to such jokes, epithets, or requests repeatedly may constitute a hostile environment sexual harassment.)
4. **Retaliatory Acts** – Any retaliation, retribution, or reprisal by a Respondent against any Complainant who reports an incident of alleged sexual harassment, or against any employee who testifies or otherwise participates in an investigation or hearing relating to the allegation of sexual harassment.

### **Resolution Procedures**

Individuals who believe they have been victimized by an act or acts of sexual harassment should report the incident(s) immediately to Human Resources or their supervisor. Any delays in reporting such acts can make the case against the Respondent more difficult to establish, and may even result in retaliatory acts by the Respondent.

The reporting and resolution processes for any and all cases of sexual harassment are covered in the Conflict Resolution Directive portion of the Respectful Workplace Handbook.

## Whistleblower Directive

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**Directive: HR-004**

**Effective: October 2009**

### **Purpose**

Lethbridge County is committed to integrity and ethical behaviour in the workplace, and will foster and maintain an environment where employees can work safely and appropriately, without fear of retaliation. This Directive has been adopted to ensure that all employees understand that they may report any wrongdoing that may adversely impact the County, the County's customers, councillors, employees, or the public at large, without fear of retaliation or a negative impact on their employment status at Lethbridge County. Reports of workplace wrongdoing may be made to Human Resources, Management or Supervisory staff.

It is a violation of Lethbridge County's Whistleblower Directive for anyone to knowingly make a false complaint of wrongdoing or to provide false information about a complaint. Individuals who violate this Directive are subject to disciplinary and/or corrective action, up to and including termination of employment.

### **Definitions**

1. **Complainant** – Any person who submits a complaint or report of wrongdoing.
2. **Respondent** – Someone whose alleged conduct is the subject of a complaint.
3. **Wrongdoing** – Any act or workplace practice that constitutes an illegal or unwanted action. This may include auditing or accounting practices, discrimination, harassment, violence, theft, fraud, illegal employment actions, unsafe activities, unsafe work environments, violation of laws and regulations, violations of Company policies, unethical behaviour or practices, endangerment to public health or safety and negligence of duty, or bullying.
4. **Retaliatory Acts** – Any retaliation, retribution, or reprisal by a Respondent against any Complainant who reports an incident of wrongdoing, or against any employee who testifies or otherwise participates in an investigation or hearing relating to the allegation of wrongdoing.
5. **Adverse Employment Action** - Examples of adverse employment action include, but are not limited to, demotion, suspension, termination, transfer to a lesser position, denial of promotions, denial of benefits, threats, harassment or denial of compensation as a result of the employee's report of wrongdoing, or any manner of discrimination against an employee in the terms and conditions of employment because of any other lawful act done by the employee pursuant to this Directive.

### **Resolution Procedures**

Individuals who believe they have witnessed an act or acts or wrongdoing should report the incident(s) immediately to Human Resources or their supervisor. Any delays in reporting acts of wrongdoing can



make the case against the Respondent more difficult to establish, and may even result in retaliatory acts by the Respondent.

The reporting and resolution processes for any and all cases of wrongdoing are covered in the Conflict Resolution Directive portion of the Respectful Workplace Handbook.

## **Conflict Resolution Directive**

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**Directive: HR-005**

**Effective: October 2009**

### **Purpose**

Lethbridge County is committed to providing a workplace free of conflict, where employees are treated with fairness, dignity and respect. Lethbridge County has instituted this Directive to provide employees with an outlet to raise concerns regarding any issues covered in the Respectful Workplace Handbook. Under no circumstance should any employee fear discrimination or reprisal in the workplace as a result of the filing of a complaint.

### **This Directive Shall:**

1. Provide the types of conflict that may arise;
2. Outline the procedures for the filing of a complaint regarding a workplace conflict;
3. Determine the responsibilities of employees regarding conflict resolution;
4. Discuss the possible resolutions to workplace conflicts;
5. Present a warning regarding the dangers of false and/or frivolous complaints.

### **Conflicts**

The following conflicts should be reported, and Lethbridge County shall strive to address them with reasonable resolutions.

- Perceived unfair or inequitable, or discriminatory treatment as covered in the Anti-Discrimination Directive.
- Any acts of harassment as covered in the Anti-Harassment and Violence Directive.
- Any acts of sexual harassment as covered in the Sexual Harassment Directive.
- Disputes with co-workers or managerial staff with unwanted and unresolved consequences.
- Abuse of authority.
- Any other perceived wrongdoing.

## **Conflict Reporting Procedure**

### Discussion

- Employees are encouraged to discuss the unwanted behaviour or actions with the offending party as the situation dictates.
- Under ideal circumstances, the two parties shall reach a reasonable resolution without the necessity of filing a formal complaint.
- In the event that a discussion is not feasible or fails to reach a reasonable resolution, a formal complaint may be filed.

### Procedure

#### **I. Report Obligations – Employees**

Employees who believe they have witnessed or are victims of any type of conflict (described under “Conflicts”) in their working environment are advised to first respond to the alleged offender directly, by objecting and by requesting that the unwelcome behaviour stop immediately. If this approach is unsuccessful, Lethbridge County must be made aware of all inappropriate acts or acts of retaliation in order to take the appropriate action. Thus, individuals who believe they have been subject to or have witnessed any type of conflict should report it to Human Resources, or to their supervisor.

#### **II. Report Obligations – Supervisors & Management Team**

Supervisors and members of the Management Team are directed to take all appropriate steps to prevent and stop any type of conflict in their areas of responsibility. Anyone who is subjected to, witnesses, or is given written or oral complaints of conflict or acts of retaliation shall immediately report them to Human Resources or their supervisor.

Supervisory personnel who are contacted by an individual seeking to file a complaint about conflict in their unit shall assist the complainant in contacting Human Resources.

#### **III. Investigation**

Lethbridge County seeks to resolve claims as expediently as possible. Investigations shall be conducted and the appropriate actions taken no longer than 20 days following the filing of a complaint.

The appropriate management level will be responsible for determining and administering the methods and means for addressing complaints. They will also be responsible for:

- Determining the veracity of allegations of the complaint.
- Determining whether or not there are grounds for the complaint.
- Resolving the dispute, with the agreement of both parties, where necessary.
- Administering punitive or corrective actions if allegations are true.
- Administering punitive actions if allegations were knowingly falsely made.

Wherever and whenever investigations are conducted, this Directive asserts that Complainants and Respondents certain rights. These rights include, but are not limited to:

- Receiving notice of the allegations.
- Presenting relevant information during an investigation.

At the conclusion of an investigation, the investigator shall retain copies of meeting minutes, interviews, disciplinary letters and any other related documentation used in the determination of whether this Directive has been violated. If necessary these reports shall be presented for review to the union, legal counsel or law enforcement officials.

#### **IV. Report Handling Procedures**

The appropriate management level along with Human Resources shall advise the Complainant and the Respondent of the resolution of any investigation conducted under this Directive. A copy of the investigative findings shall be provided in writing to the Complainant and the Respondent.

In all cases, Lethbridge County's Human Resources department shall retain the findings report for a minimum of 5 years or for as long as any administrative or legal action arising out of the complaint is pending.

#### **V. Confidentiality**

All complaints and subsequent investigations are considered confidential and will not be disclosed to anyone except to the extent required by law.

Lethbridge County will do everything it can to protect the privacy of the individuals involved and to ensure that the Complainant and the Respondent are treated fairly and respectfully. Lethbridge County will protect this privacy so long as doing so remains consistent with the enforcement of this Directive and adherence to the law.

#### **VI. Assurance Against Retaliation**

This Directive encourages employees to freely express – in a responsible and orderly fashion – their thoughts, opinions, and feelings regarding complaints. Retaliation by the Respondent, or anyone acting on behalf of the Respondent, against the Complainant is strictly prohibited and will result in appropriate disciplinary action. Retaliation by the Respondent, or anyone acting on behalf of the Respondent, against any witness providing information about a complaint, is also strictly prohibited. Acts of retaliation include (but are not limited to) interference, coercion, threats, and restraint.

This Conflict Resolution Directive will not be used to bring fraudulent or malicious complaints against employees. Any complaint made in bad faith, if demonstrated as being such through convincing evidence, will result in disciplinary action being taken against the individual lodging the fraudulent or malicious complaint.

#### **VII. Procedures for Handling Complaints**

Once the Complainant lodges a complaint with their supervisor or Human Resources, a discussion will take place that shall be kept confidential, to the extent allowed by the

law. If desired by the Complainant, no written record will be kept of this initial discussion. During this discussion, the recipient of the complaint will explain all options available to the Complainant. If the Complainant wished to proceed further with his or her complaint, the Complainant must then provide a written statement regarding the alleged offense.

#### **Informal Procedures**

- If desired, the Complainant may attempt to resolve the matter directly with the Respondent. The Complainant must report the resolution, or lack thereof, to their supervisor or Human Resources.
- Human Resources may notify the Respondent of the complaint, keeping all such communication confidential. The appropriate management level may then implement whatever steps necessary to create an informal resolution that is acceptable to both the Complainant and Respondent.
- If an informal resolution of the complaint is achieved, no record of the complaint will be entered in the Respondent's personnel records. However, Human Resources will record the occurrence of the complaint and the informal resolution achieved. Again, this record will remain confidential.

#### **Formal Procedures**

- In the case of formal complaints, the Respondent shall have 2 working days to respond, in writing, to the allegation. The Respondent's statement, written on company letterhead, must answer – with specific responses – to each complaint, either admitting, denying, or explaining the allegations against them. The Respondent must sign his or her statement, which will then be attached to the original complaint.
- If a formal hearing (meeting with all parties involved) is warranted, Human Resources along with the appropriate management level will conduct a hearing within 15 working days after receiving the request.

#### **VIII. Disciplinary Actions**

Upon concluding that an offense has indeed occurred, the Respondent will be subject to disciplinary action, which may result in suspension of duties, or outright termination of employment. Disciplinary actions imposed by the appropriate management level will be determined on the basis of the facts of each case and the extent of harm to Lethbridge County's interests and business goals.

#### **IX. Timelines**

Complainants are always encouraged to file a complaint immediately after an alleged incident. Nevertheless, Lethbridge County is aware that such a timely response may not always be possible, due to feelings of humiliation or fear on the Complainant's part. Individuals who believe that they have experienced any type of wrongdoing should lodge a complaint within 30 days following an alleged incident. Under extreme circumstances, this timeline may be extended at the request of the Complainant; however, it is the responsibility of the Complainant to show good reasons for this extension.

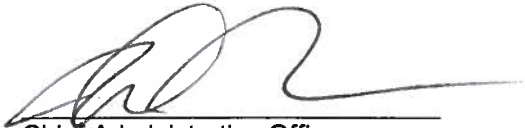
**X. Records**

Records of all formal and informal resolutions, hearings, and reviews will be kept by the Human Resources department, except where otherwise stated in this Directive. The records will only be available to members of the Human Resources department, and only in the following circumstances:

1. When determining an appropriate disciplinary action for subsequent complaints.
2. When a Respondent is a candidate for a promotion to a supervisory position.
3. When a complaint against retaliatory action is made.
4. When a decision or resolution is reviewed.

Any records concerning employees will be maintained in accordance with all applicable laws and regulations. Both the Complainant and the Respondent are eligible to obtain copies of hearings or of their own statements made throughout the course of the conflict resolution process.

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Chief Administrative Officer

August 22, 2014  
Date



## **Acknowledgement & Agreement**

I acknowledge that I have read and understand all of the Directives covered in Lethbridge County's Respectful Workplace Handbook. I agree to adhere to the rules set forth in this Handbook and will ensure that employees working under my direction adhere to the Handbook. I understand that if I violate the rules of this Handbook, I may face legal, punitive, or corrective action, up to and including termination of employment and/or criminal prosecution.

Nothing in the above noted Directive precludes an individual from submitting a complaint directly to the Alberta Human Rights and Citizenship Commission or the police.

\_\_\_\_\_  
Employee's Name (please print)

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date