

# Agenda

## Diversity, Inclusion and Anti-Oppression Advisory Committee

The 1st Meeting of the Diversity, Inclusion and Anti-Oppression Advisory Committee

February 18, 2021, 12:00 PM

Advisory Committee Virtual Meeting - during the COVID-19 Emergency

The City of London is committed to making every effort to provide alternate formats and communication supports for Council, Standing or Advisory Committee meetings and information, upon request. To make a request related to this meeting, please contact [advisorycommittee@london.ca](mailto:advisorycommittee@london.ca)

	Pages
<b>1. Call to Order</b>	
1.1. Disclosures of Pecuniary Interest	
1.2. Election of Chair and Vice-Chair for the remainder of the current term	
<b>2. Opening Ceremonies</b>	
2.1. Acknowledgement of Indigenous Lands	
2.2. Traditional Opening	
<b>3. Scheduled Items</b>	
3.1. 12:05 PM K. Koltun, Supervisor, Policy & Strategic Issues – London's Community Diversity & Inclusion Strategy	2
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<b>4. Consent</b>	
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6.3. Advisory Committee Review	
6.4. Service Area Work Plan for 2021	
6.5. CDIS Leadership Table Vacancy	
<b>7. Adjournment</b>	

# **London's Community Diversity and Inclusion Strategy**

**February 18, 2021<sup>2</sup>**



# Agenda

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- Why this presentation
- Introduction to CDIS
- Current State of CDIS
- Roles and Responsibilities for the Representative

# Our Direction

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## Council's 2015-2019 Strategic Plan

Identified a need to develop a Community Diversity & Inclusion Strategy (CDIS) as a way to build a “*diverse, inclusive and welcoming community*” by “*supporting all Londoners to feel engaged and involved in our community.*”

Based on Council direction and stakeholder input, the CDIS will be a document which articulates:

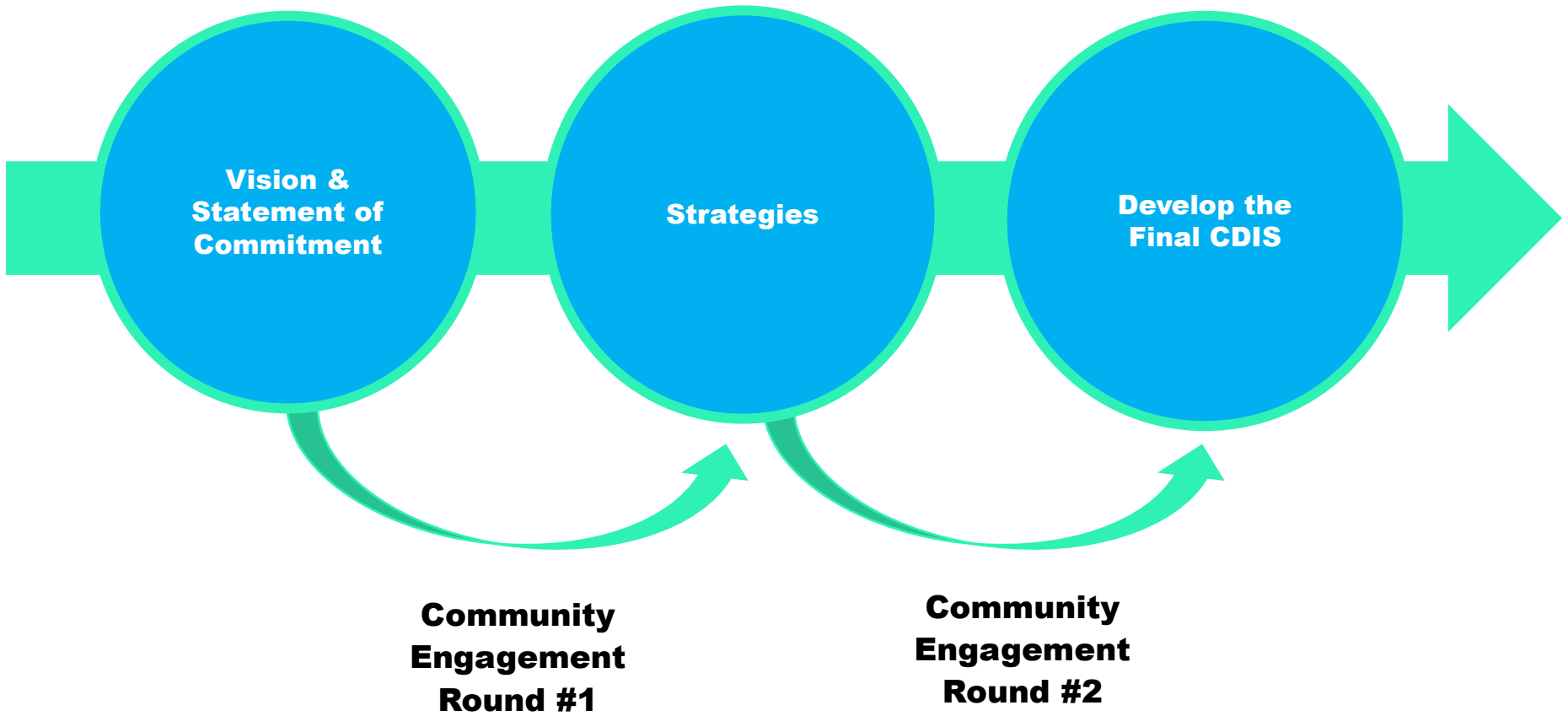
- **A Vision**
- **A Statement of Commitment**
- **A list of Strategies**

## Council's 2019-2023 Strategic Plan

The Community Diversity and Inclusion Strategy is aligned with the Strategic Plan under the Strengthening our Community Strategic Area of Focus and supports the following outcome: Londoners are engaged and have a sense of belonging in their neighbourhood and community.

# Process (January – March)

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# Process (April & Onward)

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**Review  
Strategies  
with  
Stakeholder  
Groups**

**April & May**

**Finalize the  
Community  
Diversity &  
Inclusion  
Strategy**

**June**

**Present to  
Committee &  
Council for  
Endorsement**

**August 1, 2017**

**Public  
Launch**

# **Vision**

**London is a diverse and inclusive community that honours, welcomes, and accepts all people; where people have the power to eliminate systemic oppressions.**

# Statement of Commitment

## The City of London commits to:

- Mandating equity and exemplifying our vision of London as a diverse and inclusive community.
- Learning and honouring the unique histories and lived experiences of all peoples in our community.
- Removing systemic barriers to accessibility as experienced by our community by listening and responding to the voices of those who are marginalized.

## As Londoners, we commit to:

- Working together with the City of London towards our vision of a diverse and inclusive community.
- Modelling the community we aspire to be: respecting others, learning, acknowledging our biases, and celebrating the diversity and history of our community.
- Being passionate allies with our neighbours and fellow Londoners, and standing up for one another to ensure we live in a city where everyone belongs.



# Priorities

- 1. Take concrete steps towards healing and reconciliation.**
- 2. Have zero tolerance for oppression, discrimination and ignorance.**
- 3. Connect and engage Londoners.**
- 4. Remove accessibility barriers to services, information and spaces.**
- 5. Remove barriers to employment.**

# What We Heard

During their last meeting the Community Diversity and Inclusion Champions brainstormed ways to address the needs as well as barriers and oppressions faced by specific populations within London.

When looking at all of these perspectives it is key to understand the concept of intersectionality. Intersectionality can be defined as the intersection, or crossover, of our many identities affect how each of us experience the community. These intersections occur within a context of connected systems and structures of power (e.g., laws, policies, state governments, other political and economic unions, religious institutions, and media). (Advancing Equity and Inclusion, A Guide for Municipalities) Due to the intersecting identities and the relationship with structures, many groups and individuals find themselves with little to no influence and ability to make changes to increase their power. They also risk ongoing discrimination, and tend to have fewer resources.

# What We Heard

## Indigenous, First Nations, Métis and Inuit

There are three communities located in close proximity to London, they are the Chippewas of the Thames First Nation, Munsee Delaware Nation and Oneida Nation of the Thames. Many members of these communities as well as other Indigenous peoples, Métis and Inuit have chosen to make London their home. Champions identified infrastructure, education, changing mindsets, and reconciliation as playing a role in the lives of local Indigenous peoples. A large emphasis was placed on the *Truth and Reconciliation Commission – Calls to Action* (TRC) and ways in which both the City of London and the community can work together with the local Indigenous peoples to implement the strategies. This included ideas such as:

- Establishing an implementation and accountability plan and creating ways to measure progress;
- Ensuring local Indigenous peoples lead the change within the community;
- Establishing an Indigenous relations office within the City of London; and
- Working with the local Indigenous peoples to create health, homelessness and housing strategies geared to the needs of Indigenous peoples.

# Glossary of Terms

The following definitions are provided to assist users with the general understanding of issues related to diversity management. The definitions come from various sources, which are credited following each explanation. Language related to diversity management is complex and frequently undergoes transformation into new words, phrases, terms, concepts, and understandings. (Exert from: Halifax Regional School Board, Diversity Definitions)

These terms were devised in collaboration between community anti-oppression educators, City staff, and City of London's Diversity Inclusion and Anti-Oppression Advisory Committee noting that many terms were adopted from DIAAC's "Diversity Definitions" resource tool. We acknowledge permission of DIAAC to use the tool.

## Ableism

Attitudes in society that devalue and limit the potential of persons with disabilities. People with disabilities are assumed to be less worthy of respect and consideration, less able to contribute and take part, and of less value than other people. Ableism can be conscious or unconscious and is embedded in institutions, systems or the broader culture of a society. (Ontario Human Rights Commission)

## Accessibility

A general term for the degree of ease that something (e.g., device, service, physical environment and information) can be accessed, used and enjoyed by persons with disabilities. The term implies conscious planning, design and/or effort to make sure something is barrier-free to persons with disabilities. Accessibility also benefits the general population, by making things more usable and practical for everyone, including older people and families with small children. (Ontario Human Rights Commission)

## Accessible

Does not have obstacles for people with disabilities – something that can be easily reached or obtained; facility that can be easily entered; information that is easy to access. (Ontario Human Rights Commission)

## Accessibility for Ontarians with Disabilities Act (AODA), 2005

The purpose of the AODA is to develop, implement and enforce accessibility standards to remove barriers for Ontarians with disabilities on or before January 1, 2025 in relation to: goods, services, facilities, accommodations, employment and buildings, structures and premises. The AODA came into effect on June 4, 2005. (Ontario Human Rights Commission)

## Affirmative Action

Action designed to address the historic disadvantage that identifiable groups (e.g., women, racialized persons) have experienced by increasing their representation in employment and/or higher education. (Ontario Human Rights Commission)

## African Canadian

A Canadian of African origin or descent. (Ontario Human Rights Commission)

## Afrocentricity

Placing African ideals at the center of any analysis that involves African culture and behaviour. (Asante, Molef. 1987. The Afrocentric Idea.)

## Ageism

Prejudice or discrimination against a particular age-group, especially the elderly. (Ontario Ministry of Children and Youth Services)

## Allyship

A process, and everyone has more to learn. Allyship involves a lot of listening. Sometimes, people say "doing ally work" or "acting in solidarity with" to reference the fact that "ally" is not an identity, it is an ongoing and lifelong process that involves a lot of work. (Tri-College Libraries Research Guide, Allyship and Anti-Oppression: A Resource Guide)

## Alternative (alternate) Format

A method of communication that takes into account a person's disabilities. Examples include providing a text version of a website, or a large print version of a document for someone with a visual disability. (Ontario Human Rights Commission)

# CDIS Implementation

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## 1. CDIS Leadership Table

## 2. Five Working Groups

- I. Take concrete steps towards healing and reconciliation
- II. Have zero tolerance for oppression, discrimination and ignorance
- III. Connect and engage Londoners
- IV. Remove accessibility barriers to services, information and spaces
- V. Remove barriers to employment

## 3. City of London Backbone Support

# CDIS Highlights – Working Groups

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## Priority 1

Collaborate with Saunders S.S girls hockey team for the Bostwick Welcome Wall to include the languages of the three neighbouring First Nations communities.



## Priority 2

Conducted research on discrimination in London as part of the 2019/20 CityStudio project.



## Priority 3

Co-producing a seven-episode series with Rogers TV. First episode aired Sept.14



## Priority 4

Compiling a list of accessibility services available within London.



## Priority 5

Partnered with Immploy to deliver a series of webinars focused on immigrant employment.

# CDIS Recommendations

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In September 2020, the CDIS Leadership Table brought a list of recommendations aimed at addressing anti-Black and anti-Indigenous racism in the Corporation of the City of London. These recommendations can be divided into three themes:

1. Recommendations on ongoing City projects;
2. Recommendations on community engagement; and,
3. Recommendations on City staffing.

Civic administration reported on progress and next steps in October 2020.

# Priority Six

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Following extensive discussion, the CDIS Leadership Table recommended the creation of a new, sixth priority within the CDIS that will focus specifically on addressing anti-Black racism in London.

The Leadership Table confirmed that anti-Indigenous racism is best addressed through the existing Priority 1: *Take concrete steps towards healing and reconciliation* Working Group.

This priority will be created through an extensive consultation process with community leaders and residents.

The recruitment process for the Steering Committee closed on January 11, and the group will meet for the first time on February 18.

# Roles and Responsibilities

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- Identify opportunities for collaboration with their respective Advisory Committee;
- Act as a liaison between the CDIS Leadership Table and their respective Advisory Committee, and;
- Report to the CDIS Leadership Table during the bi-monthly meetings.
- Report to DIAAC about CDIS projects and work alignment.

The CDIS Leadership Table meets on bi-monthly basis in February, April, June, October, and December. The meetings are from 6:30pm – 8:30pm.

**Next Meeting:** Beginning of April .



# Thank You

**For More Information & Questions:**

**Kinga Koltun**

City of London

[kkoltun@London.ca](mailto:kkoltun@London.ca)

London.ca/CDIS

**Appendix A**  
**Recommendations to end anti-Black and anti-Indigenous racism in London**  
**CDIS Leadership Table**

The Corporation of the City of London shall:

1. Provide an update on the implementation of the recommendation of the Calls to Action by the Truth and Reconciliation Commission.
2. Provide an update on the implementation and application of the Equity and Inclusion lens and the de-colonization lenses, with specific reference to what steps have been taken to identify and remove anti-Black and anti-Indigenous racism materials and systemic barriers present in existing City of London policies, procedures, and operating manuals.
3. Provide an update on the implementation of the Diverse Voices for Change project recommendations, with specific focus on addressing lack of diversity amongst members of its Advisory Committees, Boards and Commissions, and of other Committees and Task Forces. Furthermore, provide information on steps taken to identify and remove barriers faced by persons from diverse backgrounds when seeking committee membership.
4. Provide an update on the implementation of the Employee Census Report, and the annual changes of the composition of City of London workforce, and next steps to be taken in respect to addressing; hiring, retention, and promotion of Black, Indigenous employees, and employees from other equity seeking groups. Ensure the disaggregated data from the Census is also made available.
5. Prepare and implement a detailed plan to change the face of City Hall to reflect the composition of the city of London. Addressing issues relating to, greater diversity amongst Senior Leadership Team, and the members of the Police Force, Fire Services, and other Union Executive members. Ensure the plan includes specific targets and deadlines.
6. Build and foster a strong relationship with members of the Black communities of London, Including but not limited to:
  - a. Black history Month Organizing Committee;
  - b. Black Lives Matter London;
  - c. Black Community Employment Working Group;
  - d. Congress of Black Women of Canada – London Chapter; and,
  - e. Organizations representing Black communities, such as, African, Caribbean, Black Francophone, etc.
7. Build and foster strong relationships with members of the Indigenous communities in and around London. Including but not limited to:
  - a. The urban Indigenous community;
  - b. Chippewas of the Thames First Nation;
  - c. Oneida Nation of the Thames;
  - d. Munsee-Delaware Nation;
  - e. Atlohsa Native Family Healing Services;
  - f. N'Amerind Friendship Centre; and,
  - g. Southwestern Ontario Aboriginal Healing Access Centre (SOAHAC).
- 8.1 Proclaim, recognize and celebrate key important dates to foster strong relationships between the City and Black and Indigenous communities;

- a. February: Black History Month;
- b. March 21: U.N Day for the Elimination of Racial Discrimination;
- c. May 5: National Day of Awareness to Commemorate Missing and Murdered Indigenous Women and Girls;
- d. June: Indigenous History Month;
- e. June 21: National Indigenous Peoples Day;
- f. September 30: Orange Shirt Day/ National Day for Truth and Reconciliation;
- g. November 2 – 6 2020 (First week of November): Treaties Recognition Week.

**8.2** Review and amend the City of London’s proclamation by-law to ensure it is community friendly, this will make sure community members are able to easily submit requests.

**9.** Call for a city-wide Anti-Racism Roundtable bringing executive leadership together from across London’s human services sector (non-profit, and social services), and local businesses and organizations to create a multi-stakeholder collaboration towards the shared goal of eliminating systemic racism. A strategic collaboration will earn trust with the community and promote broad-based sustained action. (Model after [Peel Region Regional Diversity Round Table](#), and the [York Region Inclusion Charter](#).)

**10.** Hire an Anti-Racism Facilitator to lead the work of an Anti- Racism Roundtable to:

- a. Engage executive Leadership
- b. Share best practices
- c. Create a supportive network amongst leaders
- d. Explore sharing of resources to support fiscal responsibilities across the sectors.

**11.** Initiate the immediate hiring of an Indigenous Community Liaison Officer, a Black Community Liaison Officer, and revise the vacant role of Diversity and Inclusion Specialist to become the Director of Anti-Racism and Anti-Oppression, with special consideration given to the Management/Leadership level and compensation for these positions.

**12.** Create a designated team within the City of London, led by the Director of Anti-Racism and Anti-Oppression and comprised of the Indigenous Community Liaison Officer, the Black Community Liaison Officer, Accessibility Specialist, Anti- Racism Roundtable Facilitator, and the Community Diversity and Inclusion Strategy support staff, to ensure that all those involved in equity work are strategically working together in one Service Area. The Director of Anti-Racism and Anti-Oppression shall report to the City Council through the City Manager.

# Diversity, Inclusion and Anti-Oppression Advisory Committee

## Report

The 3rd Meeting of the Diversity, Inclusion and Anti-Oppression Advisory Committee  
February 20, 2020  
Committee Room #5

Attendance PRESENT: R. Hussain (Chair), J. Braithwaite, M. Buzzelli, F. Cassar, C. DuHasky, B. Hill, M. Mlotha and D. Turner (Committee Clerk)

NOT PRESENT: Z. Hashmi

ALSO PRESENT: F. Andrighetti, S. Khan, C. Saunders, M. Stone, and T. Tomchick-Condon

The meeting was called to order at 12:09 PM.

### 1. Call to Order

#### 1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

### 2. Opening Ceremonies

#### 2.1 Acknowledgement of Indigenous Lands

That it BE NOTED that the meeting was opened with an Acknowledgement of Indigenous Lands by R. Hussain.

#### 2.2 Traditional Opening

That it BE NOTED that no Traditional Opening was received.

### 3. Scheduled Items

#### 3.1 Accessibility for Ontarians with Disabilities (AODA) Orientation

That it BE NOTED that the presentation from M. Stone, Supervisor I, Municipal Policy (AODA), as appended to the agenda, with respect to 'Accessibility for Ontarians with Disabilities' customer service training, was received.

### 4. Consent

#### 4.1 2nd Report of the Diversity, Inclusion and Anti-Oppression Advisory Committee

That it BE NOTED that the 2nd Report of the Diversity, Inclusion and Anti-Oppression Advisory Committee, from its meeting held on January 16, 2020, was received.

#### 4.2 Municipal Council Resolution - 8th, 1st and 2nd Reports of the Diversity, Inclusion and Anti-Oppression Advisory Committee

That it BE NOTED that the Municipal Council resolution, from its meeting held on January 28, 2020, with respect to the 8th, 1st and 2nd Reports of the Diversity, Inclusion and Anti-Oppression Advisory Committee, was received;

it being further noted that a verbal update from C. Saunders, City Clerk, with respect to advisory committee budget expenditure guidelines, was received.

4.3 Municipal Council Resolution - Advisory Committee Work Plans

That it BE NOTED that the Municipal Council resolution, from its meeting held on January 28, 2020, with respect to Advisory Committee work plans, was received.

**5. Sub-Committees and Working Groups**

5.1 Joint Policy and Planning / Education and Awareness Sub-Committee

That an expenditure of up to \$250.00 from the 2020 Diversity, Inclusion and Anti-Oppression Advisory Committee (DIAAC) budget BE APPROVED for the creation of clip-on magnets and pins to help the public identify DIAAC members at upcoming community events;

it being noted that a verbal update from M. Mlotha, with respect to the joint Policy and Planning / Education and Awareness sub-committee minutes, as appended to the agenda, was received.

5.2 Awards and Recognition Sub-Committee

That it BE NOTED that the committee held a general discussion with respect to the Awards and Recognition sub-committee.

5.3 Community Diversity and Inclusion Strategy

That it BE NOTED that no update was heard with respect to the Community Diversity and Inclusion Strategy.

**6. Items for Discussion**

6.1 2020 Work Plan

That the ~~attached~~ 2020 Diversity, Inclusion and Anti-Oppression Advisory Committee work plan BE FORWARDED to Municipal Council for consideration and approval.

6.2 Issuance of Proclamations Policy

That it BE NOTED a verbal update from C. Saunders, City Clerk, with respect to the *Issuance of Proclamations Policy*, was received.

6.3 Upcoming/Exigent Events, Meetings and Celebrations

That it BE NOTED that the committee held a general discussion with respect to upcoming/exigent events, meetings and celebrations.

**7. Adjournment**

The meeting adjourned at 1:23 PM.

Hi Heather,

Thank you for reaching out to me. I'm currently taking a step back from DIAAC and the CDIS as I'm at capacity.

I'm not sure if anyone has reached out to Flo, but I won't be able to participate in these meetings.

Regards  
Janice



London  
CANADA

## Respectful Workplace Policy (Anti-Harassment/Anti-Discrimination)

**Policy Name:** Respectful Workplace Policy (Anti-Harassment/Anti-Discrimination)

**Legislative History:** Replaces Workplace Harassment and Discrimination Prevention Policy Enacted September 19, 2017 (By-law No. CPOL.-155-407) and amended July 24, 2019 (By-law No. CPOL.-155(a)-384); Adopted December 10, 2019, in force and effect March 1, 2020 (CPOL.-396-7)

**Last Review Date:** December 3, 2019

**Service Area Lead:** Director of People Services

### 1. Policy Statement

The Corporation of the City of London (“Corporation”) is committed to providing a safe and supportive workplace in which the diversity, dignity, and perspectives of all individuals are valued and respected.

Harassment and discrimination in the workplace are prohibited by law. Under Ontario’s [Human Rights Code](#), every person has a right to equal treatment in employment without discrimination and the right to be free from harassment in the workplace. Workplace measures to prevent and address workplace harassment are also required by the [Occupational Health and Safety Act](#).

The Corporation will not tolerate, ignore, or condone harassment, discrimination, or reprisal of any of its employees in the workplace by anyone, including other employees, elected officials, members of the public, customers/clients, volunteers, contractors, and consultants. Workplace harassment, discrimination, and reprisal are serious forms of misconduct that may result in corrective and and/or disciplinary actions, up to and including termination of employment.

### 2. Definitions

The following definitions are intended to assist employees in understanding terms referenced in this policy. To the extent definitions may not be identical to legal definitions, they shall be interpreted and applied in accordance with applicable legislation, including the [Human Rights Code](#) and [Occupational Health and Safety Act](#).

- 2.1 **Discrimination** – Actions or behaviours that result in unfavourable treatment or which have a negative impact on an individual or group because of one or more of the prohibited grounds listed in the [Human Rights Code](#). Discrimination may be intentional or unintentional. It may involve direct actions that are outright discriminatory, or it may involve rules, practices or procedures that appear neutral, but disadvantage certain groups of people.
- 2.2 **Disrespectful Behaviour** – Failing or refusing, through words or actions, to treat others in a professional, courteous, civil, dignified, fair, and equitable manner.
- 2.3 **Harassment** – Engaging in offensive, hurtful, upsetting or embarrassing comment or conduct that a person knows or ought reasonably to know is unwelcome. The fact that a person does not explicitly object to harassing behaviour, or appears to be going along with it, does not mean the behaviour is welcomed, consented to, or is not harassing. Harassment usually involves more than one incident or a pattern of behaviour, but a single incident may be sufficiently serious, offensive, or harmful to constitute harassment.

Harassment may be:

- a) **Personal** – directed at an individual(s) but not based on any prohibited ground listed in the [Human Rights Code](#); or
- b) **Code-based** – based on one or more of the prohibited grounds listed in the [Human Rights Code](#). Code-based harassment is also a form of discrimination.

Harassment of a worker in the workplace, including sexual harassment of a worker in a workplace, is collectively referred to as “workplace harassment” for the purposes of the [Occupational Health and Safety Act](#).

2.4 **Poisoned Work Environment** – A hostile, humiliating, or uncomfortable workplace that is created by comments or conduct (including comments or conduct that are condoned or allowed to continue when brought to the attention of management) that intimidate, demean or ridicule a person or group. The comments or conduct need not be directed at a specific person, and may be from any person, regardless of position or status. A single comment or action, if sufficiently serious, may create a poisoned work environment. Pornography, pin-ups, offensive cartoons, insulting slurs or jokes, and malicious gossip are examples of comments and conduct that can “poison the workplace” for employees.

2.5 **Prohibited Grounds** – The [Human Rights Code](#) prohibits harassment and discrimination in employment based on one or more of the following grounds:

- race
- colour
- creed (religion, including atheism)
- gender identity
- record of offences (criminal conviction for a provincial offence or for an offence for which a pardon has been received)
- disability (includes mental, physical, developmental or learning disabilities)
- ancestry
- ethnic origin
- sex (includes pregnancy and breast feeding)
- gender expression
- marital status (includes married, single, widowed, divorced, separated, living together in a conjugal relationship outside of marriage, whether in a same-sex or opposite sex relationship)
- association or relationship with a person identified by one of the listed grounds
- place of origin
- citizenship
- sexual orientation
- age
- family status (such as being in a parent-child relationship)
- perception that one of the listed grounds applies, whether or not it actually does

2.6 **Reprisal** – Any act of retaliation or revenge against a person for:

- a) Raising a concern or making a complaint under this policy (whether on their own behalf or on behalf of another);
- b) Participating or cooperating in an investigation or other complaint resolution process under this policy; or
- c) Associating with or assisting a person identified in paragraphs a) and/or b) above.

2.7 **Sexual Harassment** – Harassment based on sex, sexual orientation, gender identity, or gender expression and includes:

- a) Engaging in offensive, hurtful, upsetting or embarrassing comment or conduct because of sex, sexual orientation, gender identity or gender expression that a person knows or ought reasonably to know is unwelcome;
- b) Making a sexual solicitation (i.e. request) or advance where the person making the solicitation or advance is in a position to confer, grant or deny



- a benefit or advancement and the person knows or ought reasonably to know that the solicitation or advance is unwelcome; and
- c) Retaliating against or threatening to retaliate against an individual for the rejection of a sexual solicitation or advance where the retaliation or threat of retaliation is by a person in a position to confer, grant or deny a benefit or advancement to the individual.

Sexual harassment of a worker in the workplace is referred to as “workplace sexual harassment” for the purposes of the [Occupational Health and Safety Act](#).

- 2.8 **Supervisor** – When referenced in this policy means a management supervisor.
- 2.9 **Workplace** – Includes all sites, facilities, and other locations where the business, work, or social activities of the Corporation take place (see also the Applicability section below).

### 3. **Applicability**

- 3.1 This policy applies to:

- All Corporation employees, including full-time, part-time, temporary, probationary and casual employees;
- Elected officials;
- Volunteers (including members of Advisory Committees, Special Committees and Task Forces);
- Interns and students on placements; and
- Contractors and consultants acting on behalf of the Corporation.

Members of the public, including visitors to Corporation facilities and individuals accessing services or conducting business with the Corporation, are expected to adhere to the standards of conduct set out in this policy, including refraining from workplace harassment and discrimination of employees, elected officials, and persons acting on behalf of the Corporation.

- 3.2 This policy applies at all Corporation workplaces, whether during or outside of normal working hours and whether at or away from the worksite. This includes:
- a) All Corporation facilities and worksites;
  - b) All Corporation vehicles;
  - c) Any other location where Corporation employees are performing work-related duties or carrying out responsibilities on behalf of the Corporation, including work-related travel and off-site meetings, conferences, seminars, and training;
  - d) Locations at which work-related social functions take place, including formal events officially sanctioned by the Corporation and informal after-work social gatherings where behaviours could have an impact on the workplace; and
  - e) Social media sites (e.g. Facebook, Twitter, Instagram etc.) and internet sites, where posts may be connected to the workplace or could have an impact on the workplace or working relationships.
- 3.3 This policy also applies to communications by telephone, cell phone, email, text message, or other electronic instant messaging platforms where the communication may be connected to the workplace or have an impact on the workplace or working relationships, whether the computer, phone, or other electronic device used to make the communication is a personal or Corporation-issued device.

### 4. **The Policy**

- 4.1 Purpose

The purpose of this policy is to:

- a) Set expectations and standards of behaviour for a respectful, safe and supportive workplace;
- b) Define behaviours that may be offensive and prohibited by law and/or this policy;
- c) Clarify roles and responsibilities with respect to interpersonal behaviour in the workplace;
- d) Outline measures to prevent and address prohibited behaviour, including harassment, discrimination, and reprisal; and
- e) Address the Corporation's obligations under applicable employment laws, including the [Human Rights Code](#) and [Occupational Health and Safety Act](#).

#### 4.2 Expected Behaviour

Employees will interact with one another, members of the public, and all others in the workplace in a professional, courteous, civil, dignified, fair, and equitable manner.

#### 4.3 Prohibited Behaviour

The following behaviours are prohibited in the workplace:

- Disrespectful Behaviour
- Discrimination
- Harassment (Personal and Code-based), including Sexual Harassment
- Reprisal

See [Appendix A](#) for examples of the prohibited behaviours listed above.

#### 4.4 Roles and Responsibilities

Creating and maintaining a respectful workplace is a shared responsibility. Every individual to whom this policy applies, as well as individuals who attend at Corporation workplaces, or who access services or conduct business with the Corporation, are expected and required to abide by the standards of behaviour set out in this policy.

Employees who are subjected to or witness prohibited behaviour in the workplace should consult the Respectful Workplace Dispute Resolution and Complaint Procedures ("[Resolution/Complaint Procedures](#)" – [Appendix B](#)) which outline various options available to address and resolve such behaviour.

##### 4.4.1 All Employees

Every employee has a responsibility to create and maintain a respectful workplace. This includes to:

- a) Ensure words and actions are consistent with this policy;
- b) Raise concerns as soon as possible of prohibited behaviour;
- c) Accept responsibility for their workplace behaviours and their impact on others;
- d) Cooperate in investigations and handling of alleged prohibited behaviour upon request;
- e) Maintain confidentiality related to investigations of alleged prohibited behaviour; and
- f) Participate in training associated with this policy.

##### 4.4.2 Managers/Supervisors

Managers and supervisors have additional responsibilities to create and maintain respectful workplaces and must act immediately on observations or allegations of

prohibited behaviour.

A manager or supervisor may be held responsible if they are aware of an incident of prohibited behaviour but do not take steps to resolve or address it.

Managers and Supervisors must:

- a) Ensure work-related practices/procedures in their areas are free from barriers and do not discriminate against groups or individuals;
- b) Set a good example by ensuring their own words and conduct adhere to this policy;
- c) Be aware of what constitutes prohibited behaviour and the procedures in place for addressing and resolving such behaviour;
- d) Act promptly to address observations or allegations of prohibited behaviour;
- e) Consult and work cooperatively with the Human Rights and Human Resources Divisions as needed;
- f) Keep a detailed record of any violations of this policy and corrective actions taken and report this information to the Human Rights Division as required;
- g) Support training and awareness activities related to this policy;
- h) Ensure this policy is distributed and posted in a location that is easily accessible by all employees and any other individuals who enter the workplace and ensure contractors and consultants who enter the workplace are aware of this policy;
- i) Implement disciplinary/corrective actions and workplace restoration measures as required;
- j) Monitor the workplace where prohibited behaviour has occurred to ensure it has stopped; and
- k) Provide appropriate support to all those in their work area affected by prohibited behaviour, including witnesses.

#### 4.4.3 Non-management Supervisors

Non-management supervisors must likewise set a good example by ensuring their behaviour complies with this policy and must report all observations, concerns, and/or complaints of prohibited behaviour to their supervisor/manager or the Human Rights Division immediately to be addressed in accordance with the [Resolution/Complaint Procedures \(Appendix B\)](#).

#### 4.4.4 Human Rights Division

The focus of the Human Rights Division is to assist in preventing, correcting, and remedying prohibited behaviours. The Human Rights Division does not advocate for, act on behalf of, or represent any party in a dispute (complainant, respondent, or management). All complaints to the Human Rights Division will be dealt with in an unbiased manner.

The Human Rights Division is responsible for:

- a) Reviewing and recommending updates to this policy;
- b) Providing information to employees, including to managers and supervisors, regarding this policy and the various options available for raising, addressing, and resolving concerns and complaints of prohibited behaviour;
- c) Making referrals to agencies for counselling and assistance when required;
- d) Receiving complaints, including conducting intakes;
- e) Recommending appropriate interim measures, and complaint resolution and investigation options;
- f) Conducting independent investigations;
- g) Assisting in implementing resolutions of complaints; and
- h) All tracking of concerns and complaints under this policy.

#### 4.4.5 Human Resources Division

The Human Resources Division is responsible for:

- a) Removing barriers in hiring and employment policies, practices, and procedures that may have the effect of discriminating against groups or individuals;
- b) Providing training on this policy and related practices and procedures;
- c) Providing support to managers and supervisors in responding to and addressing matters under this policy;
- d) Making referrals to agencies for counselling and assistance where required;
- e) Consulting with the Human Rights Division as required with respect to alleged prohibited behaviour; and
- f) Reporting all complaints of prohibited behaviour to the Human Rights Division, including grievances alleging harassment, discrimination and/or reprisal filed under a collective agreement.

#### 4.4.6 Corporate Security and Emergency Management Division

The focus of Corporate Security Services is to protect and promote the safety and security of Corporation workplaces, employees, and the public by assisting in preventing and addressing prohibited behaviours where safety may be at risk. Corporate Security Services is responsible for:

- a) Providing advice and assistance to address concerns and complaints of prohibited behaviour against a member of the public or where the physical safety of employees or others may be at risk;
- b) Making referrals to agencies for counselling and assistance when required;
- c) Receiving complaints alleging a member of the public has engaged in prohibited behaviour, including conducting intakes and determining appropriate interim measures;
- d) Determining informal actions, and conducting independent investigations of complaints of prohibited behaviour against a member of the public;
- e) Consulting and working cooperatively with Human Rights and Human Resources Divisions as required;
- f) Recommending and implementing appropriate corrective action involving members of the public when required; and
- g) Reporting prohibited behaviour by members of the public and corrective actions taken to the Human Rights Division as required.

#### 4.4.7 Respectful Workplace Ombudsperson (“RWO”)

The RWO is available as a neutral and confidential resource for employees to obtain information regarding their rights and obligations under this policy. The RWO advocates for fair and transparent processes under this policy and related practices and procedures, but does not act as an advocate for or provide legal advice to individuals.

The RWO will:

- a) Receive and respond on a confidential basis to questions from employees regarding this policy;
- b) Provide assistance to employees as they proceed through the [Resolution/Complaint Procedures](#);
- c) Review complaints from employees related to processes and procedures undertaken by the Corporation under this policy and make recommendations to the City Manager for improvements; and
- d) Report annually to the City Manager about their interactions with employees related to this policy and identify themes and potential options for action and improvement.

#### 4.4.8 Joint Health and Safety Committees

The Corporation's Joint Health and Safety Committees will be consulted and may provide input and feedback with respect to the implementation and maintenance of this policy and related processes and procedures in accordance with the [Occupational Health and Safety Act](#).

#### 4.4.9 Unions/Associations

Union/Association officials are available for confidential consultation and to provide representation to both complainants and respondents, if they are Union/Association members. Union/Association officials can also make a referral to agencies for counselling and assistance where required.

#### 4.4.10 Community Agencies

Community agencies are available to provide confidential advice to individuals affected by complaints.

#### 4.5 Communication

This policy shall be posted on the Corporation's intranet, on the Corporation's website, and in the Corporation's workplaces.

#### 4.6 Respectful Workplace Training

Employees, elected officials, interns and students on placement, will receive mandatory training on this policy upon assuming their respective roles in the workplace. Thereafter, as appropriate, they will receive refresher or in-service training with respect to specific rights and/or obligations arising from the [Human Rights Code](#) and/or the [Occupational Health and Safety Act](#) and will be reminded of the complaint mechanisms to enforce those rights and any substantial changes.

#### 4.7 Policy Review Process

The Corporation is committed to continuing to enhance its respectful workplace policies, practices, and procedures. This policy will be reviewed as often as necessary, but at least annually, to ensure it remains current and is appropriately implemented. Employees and their representatives are encouraged to provide input and feedback to the Human Rights Division, the Human Resources Division, or the RWO.

#### 4.8 Policy Implementation

Implementation of this policy will be in accordance with applicable Council and/or Corporation by-laws, policies and procedures, legislation, and collective agreement provisions.

#### 4.9 Related Policies and Procedures

- [Accommodation of Employees with Disabilities Procedure](#)
- [Code of Conduct for Members of Council](#)
- [Formal Investigation Process](#)
- [General Policy for Advisory Committees](#)
- Public Conduct Administrative Practice
- [Rzone Policy](#)
- [Time Off for Religious Observances Guideline](#)
- [Use of Technology Administrative Procedure](#)
- [Workplace Violence Prevention Policy](#)

## Appendix A: Examples of Prohibited Behaviours

The following are some examples of the prohibited behaviours listed in Section 4.3 above.

### Disrespectful Behaviour

Examples could include:

- Teasing or joking that intimidates, embarrasses, or humiliates;
- Belittling and use of profanity;
- Using sarcasm or a harsh tone;
- Deliberately expressing or exhibiting disinterest when an employee is speaking;
- Spreading gossip or rumours that damage one's reputation;
- Condescending or patronizing behaviour;
- Actions that invade privacy or one's personal work space; and
- Deliberately excluding an employee from basic civilities (e.g. saying "good morning"), relevant work activities, or decision making.

Any of the behaviours listed above could also constitute discrimination (if based on one or more of the prohibited grounds) or harassment (if the behaviour is repeated, occurs in combination with other prohibited behaviours, or is severe).

### Discrimination

If based on one or more of the prohibited grounds, examples could include:

- Excluding an employee from workplace activities;
- Refusing to work with another employee;
- Denial of hiring, promotion, work assignment, career development or training;
- Failing or refusing to accommodate short of undue hardship; and
- Denial of services to any individual or group of individuals.

### Harassment

Examples of **Personal Harassment** could include:

- Angry shouting/yelling;
- Abusive or violent language;
- Physical, verbal, or e-mail threats or intimidation;
- Aggressive behaviours (e.g. slamming doors, throwing objects);
- Targeting individual(s) in humiliating practical jokes;
- Excluding, shunning, or impeding work performance;
- Negative blogging or cyberbullying;
- Retaliation, bullying, or sabotaging;
- Unreasonable criticism or demands;
- Insults or name calling;
- Public humiliation; and
- Communication via any means (e.g. verbal, electronic mail, voice mail, print, social media posts, or radio) that is demeaning, insulting, humiliating, or mocking.

Examples of **Code-based Harassment** could include (if based on one or more of the prohibited grounds):

- Insulting, offensive, humiliating or mocking remarks, gestures, jokes, slurs, or innuendos;
- Name calling, including using derogatory or offensive terms or language;
- Refusing to work or interact with an employee;

- Attaining, viewing, retaining or distributing insulting, derogatory or offensive information from the internet or other sources;
- Vandalism of an individual's property;
- Interference with a person's ability to perform their work responsibilities;
- Offensive, derogatory, insulting or demeaning communication via any means (e.g. verbal, electronic mail, voice mail, print, social media posts, or radio); and
- Displaying pictures, graffiti or other materials that are derogatory or offensive.

### **Harassment Does Not Include:**

- Reasonable performance of management or supervisory functions, including:
  - performance/probation reviews/appraisals,
  - performance management (including coaching, counselling, discipline),
  - organizational changes/restructuring,
  - shift/vacation scheduling,
  - work direction, and
  - work assignments/work location;
- Occasional disagreements or personality conflicts between co-workers;
- Stressful events encountered in the performance of legitimate duties; or
- A single comment or action unless it is serious and has a lasting harmful effect.

### **Sexual Harassment**

Examples could include:

- Comments, jokes, slurs, innuendos or taunting about a person's body, attire, sex, sexual orientation, gender identity, or gender expression;
- Comments or conduct of a sexual nature (verbal, written, physical);
- Jokes of a sexual nature which cause awkwardness or embarrassment;
- Negative stereotypical comments based on gender, sex or sexual orientation;
- Gender related comments about an individual's physical characteristics or mannerisms;
- Displaying or distributing pornographic pictures or other offensive material;
- Inappropriate touching, gestures, leering, staring or sexual flirtations;
- Sexual assault (also an offence under the [Criminal Code](#));
- Persistent unaccepted solicitations for dates (including unwelcome contact subsequent to the end of an intimate relationship);
- Unwelcome solicitation(s) made by a person in a position to confer or deny a workplace benefit or advancement on the recipient; and
- Unwelcome comments or questions about a person's sex life.

### **Reprisal**

Examples could include:

- Issuing discipline, changing work location or hours, demoting, denying of advancement or promotional opportunities, or threatening to carry out such actions if done as an act of retaliation or revenge;
- Bullying, threats, or other intimidating behaviour;
- Making false allegations of workplace misconduct; and
- Pressuring an individual to withdraw or change a complaint or witness statement.

## Appendix B: Respectful Workplace Dispute Resolution and Complaint Procedures

### 1. Purpose

These procedures are intended to:

- a) Outline internal options available for employees to raise concerns of prohibited behaviour for resolution and/or investigation;
- b) Inform managers and supervisors of actions required to address concerns and complaints of prohibited behaviour;
- c) Inform employees of what they can expect to occur in the event they raise a concern of prohibited behaviour, or are a witness to, or accused of such behaviour;
- d) Inform employees of available supports to assist them in raising concerns of prohibited behaviour or in the event they are accused of, or witness such behaviour; and
- e) Outline actions that will be taken to prevent, correct, and remedy incidents of prohibited behaviour.

### 2. Definitions

For the purposes of these procedures,

- 2.1 **Complainant** – A person(s) alleging they have been subjected to prohibited behaviour under this policy.

*Note:* Complaints of prohibited behaviour will be accepted from any source that provides reasonable grounds for concern (e.g. witnesses, unions/associations, or other third parties). These individuals will not be considered “complainants” for the purpose of these Resolution/Complaint Procedures or the Corporation’s [Formal Investigation Process](#).

- 2.2 **Prohibited Behaviour** – Behaviour in the workplace that is prohibited by this policy (see Policy, Section 4.3 above).

- 2.3 **Respondent** – The person(s) who is alleged to have engaged in prohibited behaviour.

- 2.4 **Respectful Workplace Response Team** – Shall be comprised of the City Manager, relevant Managing Director, Director of People Services, or their designate(s), and a member of the City Solicitor’s Office.

### 3. Complaints Involving the City Manager/Deputy City Manager/Managing Directors/Director of People Services/Human Rights Intake Administrator

- a) Complaints received through these Resolution/Complaint Procedures alleging the City Manager has engaged in prohibited conduct (alone or in conjunction with another respondent(s)) shall be forwarded to the Director of People Services or the City Solicitor as soon as possible. Upon receipt of a complaint, the Director of People Services or the City Solicitor will immediately refer the complaint to an external third party.
- b) Complaints received through these Resolution/Complaint Procedures alleging the Deputy City Manager, a Managing Director, the Director of People Services, or the Human Rights Intake Administrator (alone or in conjunction with another respondent(s) other than the City Manager) has engaged in prohibited behaviour shall be forwarded to the City Manager as soon as possible. Upon receipt of a complaint, the City Manager will immediately refer the complaint to an external third party.
- c) The external third party will perform all the functions assigned to the Human Resources Division and/or the Human Rights Division as described in this procedure and the Formal Investigation Process.
- d) In the case of the City Manager, if the external third party determines that a formal investigation is required, they will provide the investigation report



and their recommendations, if any, to the Committee designated by the Municipal Council to deal with such matters. The Committee, after consultation with the external third party and such other external and/or internal resources as appropriate and required (e.g. external legal counsel, member of the City Solicitor's Office, Director of People Services), shall make recommendations to the Municipal Council relating to corrective and/or disciplinary actions, and the Municipal Council shall consider, adopt or otherwise deal with the recommendations from the Committee.

- e) In the case of the Deputy City Manager, Managing Directors, Director of People Services, and the Human Rights Intake Administrator, if the external third party determines that a formal investigation is required, they will provide the investigation report and their recommendations, if any, to the City Manager. The City Manager, after consultation with such other external and/or internal resources as appropriate and required (e.g. external legal counsel, member of the City Solicitor's Office, Director of People Services) will determine or, where required, will recommend to the Committee designated by the Municipal Council to deal with such matters, appropriate corrective and/or disciplinary action.

In all other respects, the Resolution/Complaint Procedures below will apply to the processing of the complaint.

#### **4. Complaints Involving a Member of Council (Including the Mayor)**

- a) Complaints received through these Resolution/Complaint Procedures alleging a Member of Council has engaged in prohibited conduct shall be forwarded to the Director of People Services as soon as possible. In the event the Director of People Services, determines that a formal investigation of the complaint is required, they will immediately refer the complaint to the Integrity Commissioner to conduct an investigation in accordance with the Integrity Commissioner's procedures. Where such a request is made to the Integrity Commissioner, the Director of People Services shall be the complainant for the purposes of the Integrity Commissioner's procedures.
- b) Where the Integrity Commissioner conducts an investigation, the Integrity Commissioner will provide results to the Director of People Services in accordance with the Integrity Commissioner's procedures. Based on the Integrity Commissioner's reporting, the Director of People Services will provide the complainant with a written summary of the findings.
- c) Where there are findings of a violation of this policy, the Director of People Services will refer the findings to the Respectful Workplace Response Team to implement appropriate corrective action to ensure the behaviour stops in accordance with section 7.4 below.
- d) As noted in Section 7.10 below, other complaint avenues for raising concerns of prohibited behaviour by a Member of Council may be available, including directly to the Integrity Commissioner as provided for in the [Code of Conduct for Members of Council](#).

In all other respects, the Resolution/Complaint Procedures below will apply to the processing of the complaint.

#### **5. Complaints Involving Members of the Public Attending at Corporation Workplaces and/or Accessing Corporation Services**

- a) The Division Manager of Corporate Security and Emergency Management, or designate, in addition to the individuals listed in sections 6.1 and 6.2 below, is available to provide advice, guidance and assistance to employees and supervisors/managers regarding available options to raise and resolve concerns of prohibited behaviour by a member of the public.
- b) The Division Manager, Corporate Security and Emergency Management, or designate, in consultation with the Human Rights Division as needed,

may also determine an appropriate informal course of action that may effectively resolve a complaint against a member of the public in a timely and fair manner as outlined in section 6.3 below. All findings of harassment, discrimination, and/or reprisal determined through informal action, as well as any corrective actions taken, shall be reported to the Human Rights Division.

- c) In addition to the Director of People Services and in accordance with section 6.5 below, the Division Manager, Corporate Security and Emergency Management or designate, in consultation with the Human Rights Division as needed, may determine that further inquiry into a complaint of prohibited conduct against a member of the public is necessary and, if so, a formal investigation of the matter will be conducted in accordance with the Corporation's [Formal Investigation Process](#).
- d) Where there are findings of a violation of this policy, corrective action shall be determined in accordance with section 7.4 below.
- e) The Division Manager, Corporate Security and Emergency Management or designate, shall report all findings of harassment, discrimination, and/or reprisal determined through formal investigation, as well as any corrective actions taken, to the Human Rights Division.

In all other respects, the Resolution/Complaint Procedures set out below will apply to the processing of a complaint against a member of the public.

## **6. Resolution/Complaint Procedures**

There are a number of internal options available to raise and resolve concerns of prohibited behaviour under this policy, including:

- 1) Consultation – Obtaining Advice and Assistance
- 2) Individual Action – Talking to the Respondent
- 3) Informal Action – Dispute Resolution without Formal Investigation
- 4) Mediation
- 5) Formal Investigation

Whether all options are available or appropriate in a particular case will depend on the nature of the concerning behaviour and/or the parties involved. In all cases, concerns should be raised and addressed as soon as possible. Where appropriate, and especially when raised right away, individual or informal actions can bring about a quick resolution and prevent escalation of workplace disputes.

### **6.1 Consultation – Obtaining Advice and Assistance**

Employees who believe they have witnessed or been subjected to prohibited behaviour may benefit from having access to information and advice before deciding how to proceed with a concern. Employees may consult any member of management or Human Resources or Human Rights Division staff. These individuals have responsibility to take action to resolve and stop prohibited behaviour (see Roles and Responsibilities – Policy, Section 4.4). They can provide advice, assistance, coaching, and referrals to assist employees in addressing the dispute themselves where appropriate to do so. Depending on the nature and circumstances of the concern raised, these individuals may be obligated to initiate an investigation even if the complainant does not wish to pursue that option.

The RWO is also available to provide neutral, confidential advice and information regarding available resolution and complaint options (see Policy, Section 4.4.7).

Employees who are members of a bargaining unit may also consult their Union/Association representative.

### **6.2 Individual Action – Talking to the Respondent**

If an employee believes they are being subjected to prohibited behaviour and

there are no immediate health or safety concerns, it is recommended the respondent be told as soon as possible that their behaviour is unwelcome and must stop.

It is not necessary for the employee to advise the respondent directly. The communication may be done verbally, via e-mail, transcribed, or other suitable means. It is recommended that if the communication is done verbally, what was said, as well as the date, time and place, be documented. Human Rights and Human Resources Division staff, a Union/Association representative, any member of management, or a trusted friend may assist.

It is recommended that the complainant maintain a detailed record of incidents of prohibited behaviour, including the number of occurrences, date(s), time(s), place(s), nature of the offensive behaviour(s), names of individuals who may have observed the incidents and all actions taken.

If addressing the respondent directly could raise health or safety risks, escalate the dispute, or is not appropriate, complainants may take other resolution options outlined in these procedures.

### 6.3 Informal Action – Dispute Resolution without Formal Investigation

If individual action is not appropriate or if the prohibited behaviour continues after asking the person to stop, the employee shall advise their supervisor/manager or the Human Rights Division of their complaint, preferably in writing. Where the employee's supervisor/manager is involved in the complaint, the employee may advise a more senior member of management. Supervisors and managers will report all complaints of behaviour that may constitute harassment, discrimination, or reprisal to the Human Rights Division as soon as possible. When uncertain, supervisors/managers should consult the Human Rights Division for guidance.

Where the prohibited behaviour alleged is not harassment, discrimination, or reprisal, the supervisor or manager in consultation with the Human Rights Division, as needed, and with the parties to the dispute, if appropriate, may determine an appropriate informal course of action that will effectively resolve the complaint in a timely and fair manner without the need for formal investigation. If the prohibited behaviour warrants disciplinary action, the supervisor or manager must consult with Human Resources or Human Rights Division staff before issuing discipline. The supervisor or manager shall document and report to the Human Rights Division any informal action taken, including any corrective/disciplinary action(s) implemented, to resolve the complaint.

Where the alleged prohibited behaviour may constitute harassment, discrimination, or reprisal, the Director of People Services, or designate, in consultation with the Human Rights Division, and with the complainant if appropriate, will determine whether an informal course of action may be appropriate.

Circumstances in which an informal course of action may be appropriate include the following:

- i) Where the alleged misconduct is minor in nature;
- ii) Where all the facts necessary for resolution are known without the need for further inquiry;
- iii) Where no other resources or special expertise are required for an impartial and timely resolution;
- iv) Where the alleged misconduct is acknowledged by the respondent, the parties to the complaint are in agreement as to how to effectively resolve the issues, and the agreed upon resolution is acceptable to the appropriate manager(s) and the Director of People Services or designate.

Informal action may include, among other actions:

- i) Consulting, advising, meeting with and/or interviewing those involved in the complaint (i.e. an informal review/investigation);
- ii) Reviewing documentary evidence (e.g. emails);
- iii) Communication of findings to the parties to the complaint and making recommendations to remedy concerns; or
- iv) A facilitated discussion to resolve the issues.

The [Occupational Health and Safety Act](#) requires employers to conduct an investigation that is appropriate in the circumstances of all incidents and complaints of workplace harassment. Therefore options for informal action that do not include investigation will not be available for complaints of workplace harassment until after an appropriate investigation has been completed.

Where there are findings of prohibited behaviour determined through informal action, communication of those findings will be in accordance with the Communication of Findings section of the Corporation's [Formal Investigation Process](#).

#### 6.4 Mediation

Mediation is a form of informal action. It is a voluntary process whereby the complainant and respondent meet with a trained mediator to determine whether the complaint can be resolved in a mutually satisfactory manner.

Mediation is not appropriate in all circumstances. For example, when there are allegations of severe discrimination or harassment which, if substantiated, would result in disciplinary action, or where there are potential health or safety concerns. If the Director of People Services or designate, in consultation with the Human Rights Division, deems mediation appropriate, it will be offered to the parties but will only be conducted with the consent of both the complainant and the respondent.

It is preferable that mediation be attempted prior to a formal investigation but will remain available to the parties throughout the investigation process. Where workplace harassment is alleged, mediation will only be available, if deemed appropriate, after an investigation is completed as required by the [Occupational Health and Safety Act](#).

During the mediation process, the complainant and the respondent may, if desired, be accompanied by a Union/Association representative or a trusted friend.

If a mediated settlement is reached, the terms of the settlement shall be reduced to writing and signed by the complainant, respondent and the mediator. If the settlement requires any action on the part of the Corporation, the agreement of the Director of People Services or designate will be required.

Discussions at the mediation will be treated as carried out with a view to coming to a settlement. Discussions will be treated as privileged and confidential to the full extent permitted by law.

#### 6.5 Formal Investigation

If mediation or other informal options to resolve the complaint are not appropriate or are unsuccessful or where the Director of People Services or designate, in consultation with the Human Rights Division, determines that further inquiry is necessary, a formal investigation into the matter will be conducted.

**Corporate-initiated Investigations:** In circumstances where a complaint is made by someone other than the alleged victim, the Corporation may conduct a formal investigation where the Director of People Services or designate, in

consultation with the Human Rights Division, deems it appropriate, including where allegations of harassment or discrimination warrant further action/investigation or where the alleged victim does not wish to submit a complaint. The Corporation may also conduct a formal investigation where there is information to suggest the existence of an outstanding specific or systemic problem in the workplace.

Formal investigations and communication of the findings from such investigations will be conducted in accordance with the Corporation's [Formal Investigation Process](#).

## **7. General Provisions**

### **7.1 Refusal to Act or Investigate**

The Corporation may refuse to act or investigate or may discontinue an informal action or investigation where:

- i) The behaviour alleged, if true, would not be a breach of this policy;
- ii) The complaint is anonymous and there is insufficient information to warrant any or further steps;
- iii) The complaint is vexatious or made in bad faith (see Section 7.5 below);
- iv) Another complaint avenue has been pursued or engaged regarding the same or a related concern/complaint; or
- v) Having regard to all of the circumstances, further investigation of the matter is unnecessary.

### **7.2 Interim Measures**

In certain circumstances such as where health or safety is at issue, it may be necessary to take immediate measures. In such a case, interim measures shall be determined by the Director of People Services, or designate, in consultation, where appropriate, with the Human Rights Division, other members of the Respectful Workplace Response Team, Corporate Security, and/or the London Police Service. Interim measures may include relocating a party, or placing a party on a non-disciplinary suspension with pay pending the resolution of the complaint or outcome of the investigation. The Division Manager, Corporate Security and Emergency Management Division, or designate, in consultation, where appropriate, with the Human Rights Division, other members of the Respectful Workplace Response Team, and/or the London Police Service, shall determine interim measures with respect to members of the public. The implementation of interim measures does not mean that conclusions have been reached relating to the allegations.

### **7.3 Support for Parties**

The Corporation recognizes that involvement in a workplace investigation may be stressful and emotionally upsetting. Complainants, respondents, witnesses, and other affected employees may access the counselling services and support provided by the Corporation's employee assistance provider. Additionally, complainants may wish to access counselling and support through outside agencies.

Parties to a complaint also have the right to be accompanied by a support person of their choice during meetings relating to a complaint made pursuant to these procedures, including their Union/Association representative, if applicable, or a trusted friend (e.g. another manager if they are a management employee). Where the Human Rights Intake Administrator/investigator is of the opinion that the presence of the support person is inappropriate (e.g. they have a conflict) or is hindering the process, the relevant party may select another support person provided that doing so does not hinder or unduly delay the meeting/process. As these procedures are intended as an internal means of addressing prohibited

behaviour outside of more formal legal proceedings, parties are not entitled to select legal counsel as their support person.

#### 7.4 Corrective Action and/or Disciplinary Action

Where a finding of a violation of this policy that does not constitute harassment, discrimination, or reprisal has been made, the applicable division manager, in consultation with the Director of People Services, or delegate, will determine appropriate corrective and/or disciplinary actions.

Where a finding of harassment, discrimination, or reprisal in violation of this policy has been made, the Respectful Workplace Response Team will determine appropriate corrective and/or disciplinary actions.

Where it is determined that corrective or disciplinary action is to be taken against an employee of the Corporation, such action may include the following:

- An apology
- Coaching or counselling
- Education or training
- Warning
- Suspension or leave without pay
- Demotion
- Transfer
- Termination of employment

The appropriate supervisor or manager will implement corrective or disciplinary actions to be taken against an employee.

Where it is determined that corrective action is to be taken against members of Council, volunteers (including members of Advisory Committees, Special Committees, and Task Forces), students on placements, contractors, consultants, members of the public, including clients or customers, the Corporation will take such corrective action as is reasonable in the circumstances and permitted by law to ensure the prohibited behaviour stops. This may include barring the person from Corporation facilities or discontinuing business with contractors or consultants. The Division Manager, Corporate Security and Emergency Management Division or designate will be consulted with respect to determining any corrective action to be taken against members of the public.

The Corporation may also implement any systemic remedies it deems appropriate.

#### 7.5 Vexatious/Bad Faith Complaints

Where it is determined that the complainant has made a vexatious or bad faith complaint or an individual makes allegations knowing them to be false, the Respectful Workplace Response Team will take appropriate corrective and/or disciplinary action which may include the same corrective and/or disciplinary actions noted above.

A complaint is vexatious or made in bad faith if it is made for the purpose of annoying, embarrassing or harassing the respondent, out of spite or vindictiveness, or the complainant is engaging in improper behaviour such as fraud, deception, or intentional misrepresentation.

A complaint that is made in good faith but is not substantiated does not constitute a vexatious or bad faith complaint.

#### 7.6 Timing of Complaint

A complaint under these procedures should be made as soon as possible after the prohibited behaviour occurred and no later than one year after the last

incident occurred unless there are reasons why it was not possible to bring it forward sooner. Where failure to make a complaint in a timely fashion affects the ability of the Corporation to conduct a full and complete investigation, the Corporation may decline to deal with the complaint.

#### 7.7 Timing of Completion of Actions/Investigation

The Corporation will complete any informal actions or formal investigations pursuant to these procedures in a timely manner and within three (3) months from the date of receiving a complaint/initiating an investigation, unless there are extenuating circumstances (e.g. illness, complex investigation) warranting a longer period. The Human Rights Intake Administrator/investigator, supervisor, or manager responsible for handling a complaint under these procedures will update the parties to the complaint on a regular basis (approximately every two to three weeks) as to the status of their complaint and anticipated next steps.

#### 7.8 Confidentiality

The administration of these procedures will be in accordance with the [Municipal Freedom of Information and Protection of Privacy Act](#) (“MFIPPA”). All complaints received under these procedures will be considered strictly confidential subject to the Corporation’s obligation to safeguard employees, to conduct a thorough investigation, take appropriate corrective and/or disciplinary action, or to otherwise disclose information as required by law. The parties to the complaint and any witnesses are also expected to maintain confidentiality. Unwarranted breaches of confidentiality will result in corrective and/or disciplinary action.

#### 7.9 Complaint Records

Where an investigation results in corrective and/or disciplinary action against an employee, a record of such action will be placed in the employee’s Human Resources file. Where there is insufficient evidence to prove that prohibited conduct occurred, no record of the complaint shall be placed in the respondent’s Human Resources file.

All records pertaining to enquiries and complaints under this policy will be kept in confidential storage separate from employees’ Human Resources files. All records will be subject to the provisions of [MFIPPA](#) as noted above.

#### 7.10 Other Avenues of Complaint

In addition to these internal resolution and complaint procedures, there may be other avenues available to pursue complaints of prohibited behaviour. Depending on the nature of the behaviour at issue and the parties involved, other complaint avenues may include an Application to the Human Rights Tribunal of Ontario, a complaint to the Ministry of Labour, an application to the Ontario Labour Relations Board, a civil action, a criminal complaint, a complaint to the Integrity Commissioner, and a grievance pursuant to the terms of an applicable collective agreement.

These resolution/complaint procedures are not intended to interfere with or restrict employees’ rights to pursue any other available avenue(s) of complaint, including pursuant to the Ontario [Human Rights Code](#) and the [Occupational Health and Safety Act](#). Where appropriate and/or required by law, the Corporation will conduct its own independent investigation into the allegations and make its own determination in accordance with this policy even when another avenue of complaint is pursued. This includes circumstances where there may be a related criminal proceeding.

**Terms of Reference**  
**Diversity, Inclusion and Anti-Oppression Advisory Committee**

**Role**

While it is the legislative mandate of the Municipal Council to make the final decision on all matters that affect the Municipality, the role of an Advisory Committee is to provide recommendations, advice and information to the Municipal Council on those specialized matters which relate to the purpose of the Advisory Committee, to facilitate public input to City Council on programs and ideas and to assist in enhancing the quality of life of the community, in keeping with the Municipal Council's Strategic Plan principles. Advisory Committees shall conduct themselves in keeping with the policies set by the Municipal Council pertaining to advisory committees, and also in keeping with the Council Procedure By-law.

**Mandate**

The Diversity, Inclusion and Anti-Oppression Advisory Committee reports to the Municipal Council, through the Community and Protective Services Committee. The Diversity, Inclusion and Anti-Oppression Advisory Committee is to provide leadership on matters related to diversity, inclusivity, equity and the elimination of discrimination in the City of London.

The Diversity, Inclusion and Anti-Oppression Advisory Committee (DIAAC) shall be responsible for the following:

- to provide consultation, advice, report findings and make recommendations to City Council as necessary or at such times as Council may deem desirable, on matters of discrimination as defined by the Ontario Human Rights Code and matters related to diversity, inclusivity and equity in the City of London;
- to work actively with police services, education, community groups, municipal organizations, social services, business, labour and government agencies in order to facilitate a stronger understanding of the needs of the City's (London's) diverse populations;
- to advise the City in the development, maintenance and refinement of policies and practices that facilitates an inclusive and supportive work environment. This includes, but is not limited to, human resource policies related to recruitment, hiring, training, and promotion that provide equitable opportunity for members of London's diverse populations;
- to initiate and participate in the development of new policies and programs or the refinement of existing ones, related to matters of discrimination, diversity, inclusivity and equity in the City of London; and
- to be a source of information on community resources available to assist those who have enquiries regarding issues of discrimination. This includes but is not limited to complaints of acts of prejudice, racism and hate.

**Composition**

**Voting Members**

- ten members-at-large
- an individual who is primarily French-speaking

**Non-Voting Members**

One representative from organizations within each of the following sectors will serve in the capacity of non-voting members:

- ethno-cultural and linguistic community organizations
- police, justice and legal services
- age-based organizations/services
- health care services
- educational institutions/organizations/services
- immigrant settlement services
- income support organizations/services



- employment-related agencies/organizations
- faith-based community groups
- LGBT groups
- gender-based groups
- aboriginal community groups/agencies
- aboriginal community groups/agencies (Alternate)
- persons with disabilities groups/agencies
- race, anti-racism or anti-hate groups/organizations
- Two Post-Secondary Students - One from each of the University Students' Council, Western University and Fanshawe Students' Union

### Sub-committees and Working Groups

The Advisory Committee may form sub-committees and working groups as may be necessary to address specific issues; it being noted that the City Clerk's Office does not provide secretariat support to these sub-committees or working groups. These sub-committees and working groups shall draw upon members from the Advisory Committee as well as outside resource members as deemed necessary. The Chair of a sub-committee and/or working group shall be a voting member of the Advisory Committee.

### Term of Office

Appointments to Advisory Committees shall, in all but one case, be for a four-year term, commencing March 1 of the first year of a Council term and ending on February 28 or, in the case of a leap year, February 29 of the first year of the following Council term. In the case of the Non-Voting Post-Secondary Student Member, the term shall be for one year, commencing March 1 of each year and ending on February 28 or, in the case of a leap year, February 29 of the following year.

### Appointment Policies

Appointments for voting members shall be in keeping with Council Policy. Non-voting Post-Secondary Student Members shall be cooperatively nominated by the Fanshawe Student Union and the University Students' Council, Western University. Other non-voting members shall be appointed in keeping with Council Policy.

### Qualifications

Any London resident who brings understanding, expertise and experience of the principles of diversity, inclusion and human rights may be eligible for appointment to the Advisory Committee as a voting member. Organizations who fall within the stipulated sectors may submit the name of an individual for appointment as a non-voting member of the Advisory Committee.

Non-voting Post-Secondary Students shall be current students at either Fanshawe College, Western University, Brescia University College, Huron University College or King's University College.

### Conduct

The conduct of Advisory Committee members shall be in keeping with Council Policy.

### Meetings

Meetings shall be once monthly at a date and time set by the City Clerk in consultation with the Advisory Committee. Length of meetings shall vary depending on the agenda. Meetings of subcommittees or working groups that have been formed by the Advisory Committee may meet at any time and at any location and are in addition to the regular meetings of the Advisory Committee.

### Remuneration

Advisory Committee members shall serve without remuneration.