

# Childcare Advisory Committee

## Report

The 1st Meeting of the Childcare Advisory Committee  
February 22, 2021  
Advisory Committee Virtual Meeting - during the COVID-19 Emergency

Attendance                      PRESENT: D. Gordon (Chair), N. Blanchette, T. Blaney, S. Carter, B. Jackson, J. Keens, D. MacRae, and K. May.

ABSENT: J. Hanbuch

ALSO PRESENT: A. Benton, J. Bunn (Acting Committee Clerk), P. D'Hollander, H. Gerrits, J. Noel, A. Pascual, A. Rae, C. Smith and B. Westlake-Power.

The meeting was called to order at 1:31 PM; it being noted that the following Members were in remote attendance: N. Blanchette, T. Blaney, S. Carter, D. Gordon, B. Jackson, J. Keens, D. MacRae, and K. May.

### 1. Call to Order

#### 1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

#### 1.2 Election of Chair and Vice Chair for the remainder of the current term

That it BE NOTED that the Childcare Advisory Committee elected D. Gordon and J. Keens as Chair and Vice Chair, respectively, until the end of the current term.

### 2. Scheduled Items

#### 2.1 Licensed Home Child Care

That it BE NOTED that the presentation from J. Keens, with respect to Licensed Home Child Care, as appended to the agenda, was received.

### 3. Consent

#### 3.1 3rd Report of the Childcare Advisory Committee

That it BE NOTED that the 3rd Report of the Childcare Advisory Committee, from its meeting held on October 30, 2019, was received.

#### 3.2 Notice of Planning Application - Official Plan Amendment - Argyle Community Improvement Plan

That it BE NOTED that the Notice of Planning Application, dated January 28, 2021, from I. de Ceuster, Planner I, with respect to an Official Plan Amendment related to the Argyle Community Improvement Plan, was received.

#### **4. Sub-Committees and Working Groups**

##### **4.1 Adopt a Councillor**

That it BE NOTED that a verbal update from J. Keens, with respect to the Adopt a Councillor program, was received.

#### **5. Items for Discussion**

##### **5.1 Respectful Workplace Policy**

That it BE NOTED that the Respectful Workplace Policy document, as appended to the agenda, was received.

##### **5.2 CCAC Terms of Reference**

That it BE NOTED that the Childcare Advisory Committee (CCAC) held a general discussion with respect to the CCAC Terms of Reference document, as appended to the agenda.

##### **5.3 Advisory Committee Review**

That it BE NOTED that the Childcare Advisory Committee held a general discussion with respect to the ongoing Advisory Committee Review; it being noted that a verbal update from B. Westlake-Power, Deputy City Clerk, with respect to this matter, was received.

##### **5.4 Service Area Work Plan for 2021**

That it BE NOTED that a verbal presentation, with respect to the Service Area Work Plan 2021, from C. Smith, Managing Director, Neighbourhood, Children and Fire Services and P. D'Hollander, Manager IV, Neighbourhood Operations, was received.

##### **5.5 City of London Update**

That it BE NOTED that a verbal update from A. Rae, Manager, Children's Services, with respect to an overview of the City of London's childcare initiatives, was received.

##### **5.6 Thames Valley District School Board Update**

That it BE NOTED that a verbal update from H. Gerrits, Thames Valley District School Board (TVDSB), with respect to the TVDSB updates, was received.

##### **5.7 London District Catholic School Board Update**

That it BE NOTED that a verbal update from A. Benton, London District Catholic School Board (LDCSB), with respect to the LDCSB updates, was received.

##### **5.8 Licensed Child Care Network Update**

That it BE NOTED that the report from B. Jackson, Licensed Childcare Network, as appended to the Added Agenda, with respect to the Licensed Child Care Network Update, was received.

5.9 Service for Special Needs Update

That it BE NOTED that the report from L. Cross, Program Manager, All Kids Belong, as appended to the Added Agenda, with respect to services for children with special needs, was received.

5.10 Nshwaasnangong Child Care and Family Centre

That it BE NOTED that a verbal presentation from J. Noel, with respect to the Nshwaasnangong Child Care and Family Centre, was received.

5.11 Francophone

That it BE NOTED that a verbal update from N. Blanchette, Executive Director of La ribambelle, with respect to the French Child Care Service Centre and Program updates, was received.

5.12 London Community Recovery Network

That it BE NOTED that the report from D. Gordon, as appended to the Added Agenda, with respect to the London Community Recovery Network Update, was received.

**6. Adjournment**

The meeting was adjourned at 3:43 PM.

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# LICENSED HOME CHILD CARE

CHILD CARE ADVISORY COMMITTEE



**London**  
CANADA



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For over 40 years licensed home child care has been available in London.



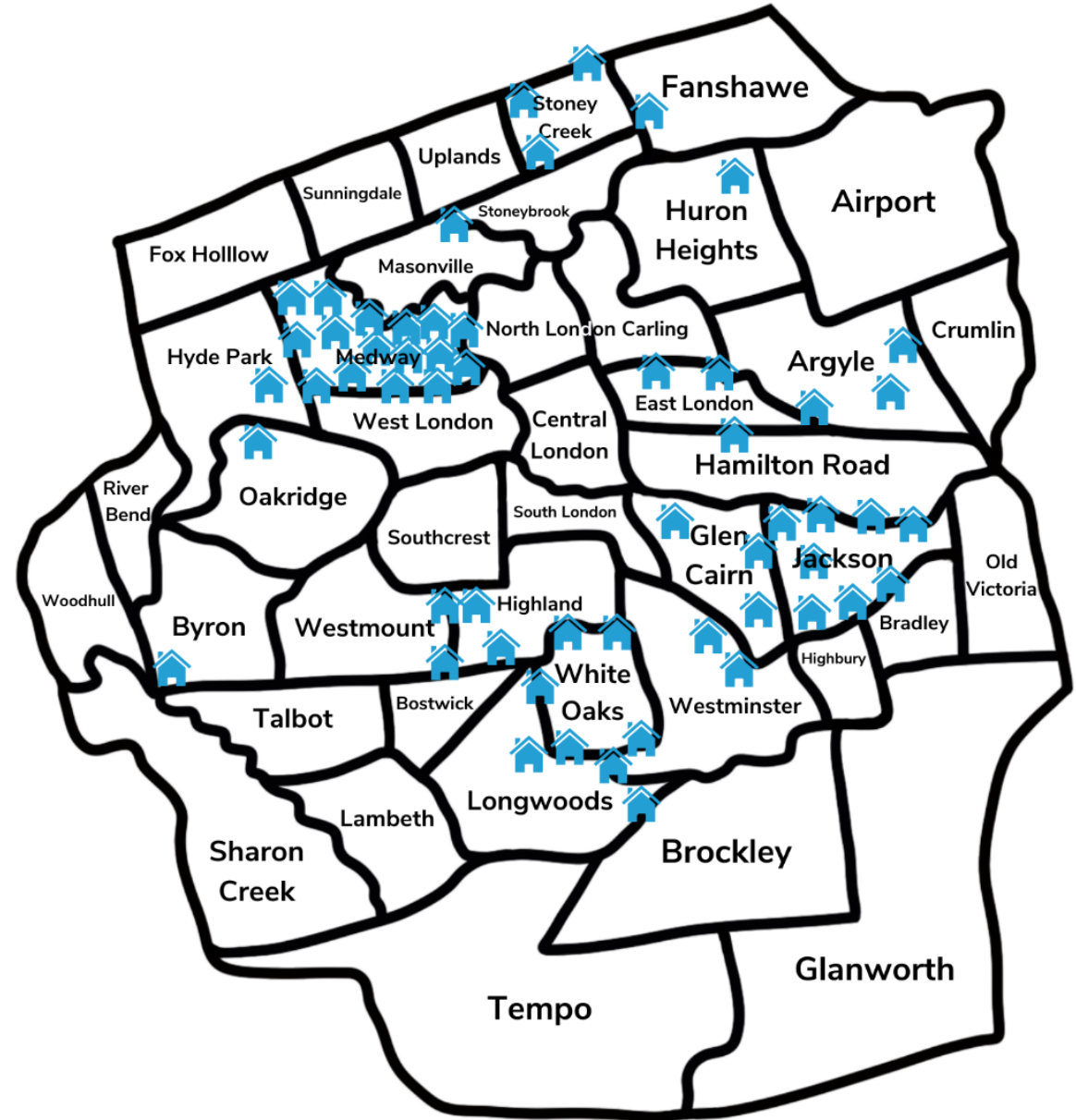
The programs are licensed by the Ministry of Education and operate under regulations set out in the Child Care and Early Years Act.

Our self-employed Providers are not licensed, but contracted by the program to provide a form of licensed child care in their approved home.

Providers working with a licensed program may care for no more than three children under the age of two years, up to a total of six children under the age of thirteen, at any time.



There are 60 approved Providers currently operating in London.



The role of each program is to select, screen, approve, and contract skilled Providers to offer quality child care in their own home.

Programs ensure that approved Providers meet the requirements of the Child Care and Early Years Act and related policies and procedures.

We offer professional support for families in selecting and using a safe, nurturing home child care program.





# APPROVAL PROCESS

Prospective providers must:

- demonstrate a professional commitment to quality child care
- meet home safety inspections to ensure that their home is child friendly and child-proof
- hold current certificate in CPR and First Aid
- have an acceptable Vulnerable Sector Check on all members of the household who are 19 or older
- acquire child care business liability insurance
- provide an inviting environment for children and families

# EXPECTATIONS OF PROVIDERS

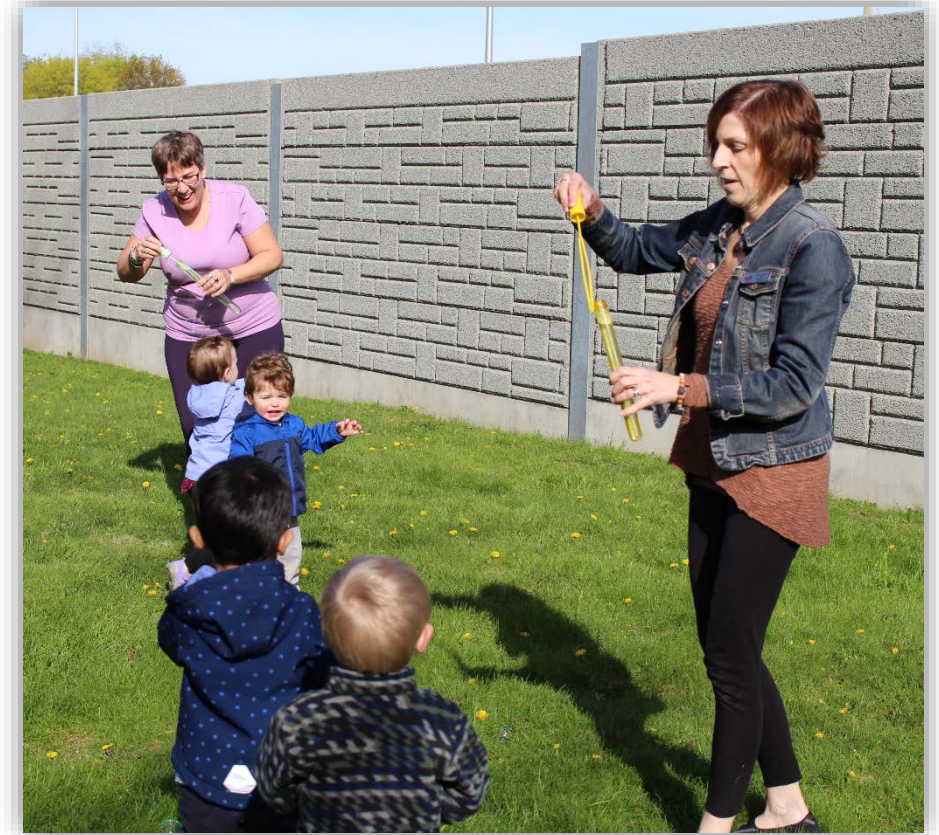
Providers must:

- Adhere to the program statement consistent with the Ministry of Educations' policy statement on programming and pedagogy as guided by the *How Does Learning Happen?* document
- Provide a selection of materials, equipment and resources suitable for children of different ages to support the needs of their program



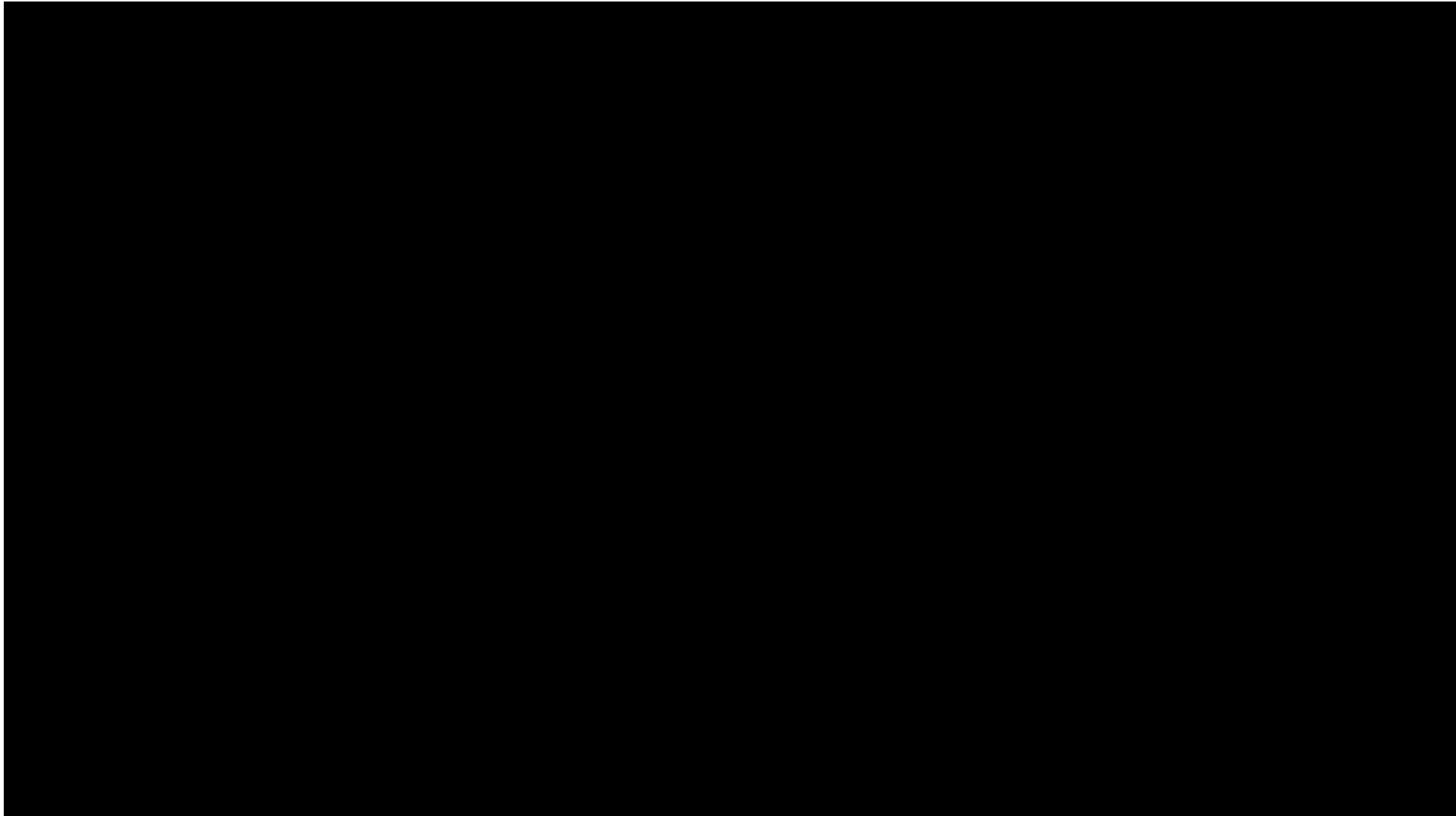
# BENEFITS OF LICENSED HOME CHILD CARE

- Regularly scheduled and drop-in support visits from Home Child Care Coordinators
- Child care related professional learning opportunities
- Access to equipment and resource lending
- Individualized care for children in small group settings that often become *'a home away from home'*
- Home Child Care Coordinators available to support families
- Full time or part time care is available
- Flexible hours of care, including extended days and overnight hours, may be available



# BENEFITS OF LICENSED HOME CHILD CARE

<https://youtu.be/OB-tzWSUf94>



# SOURCES OF GOVERNMENT FUNDING

**Provider Enhancement Grant** is prepared quarterly and calculated at approximately \$2.00 per full day per child.

**Home Child Care Enhancement Grant** is based on \$20.00 per full day of care provided and \$10.00 per part day.

This grant is paid monthly.

**Base Funding** is distributed quarterly. The purpose of this funding is to:

- Increase compensation for Providers (\$5,121.92 per Provider for 12 months worked);
- Recruit more Licensed Home Child Care Providers;
- Reduce fees for families (average refund of \$755.54 per family).



Q & A



# Childcare Advisory Committee

## Report

The 3rd Meeting of the Childcare Advisory Committee  
October 30, 2019  
Committee Room #4

Attendance PRESENT: D. Gordon (Chair), S. Carter, J. Hanbuch, B. Jackson, J. Keens, D. MacRae, K. May, and D. Turner (Committee Clerk)

ALSO PRESENT: A. Benton, L. Cross, J. Martin, A. Rae, A. Small and B. Westlake-Power

ABSENT: T. Blaney, J. Frederick, and H. Gerrits

The meeting was called to order at 1:33 PM.

### 1. Call to Order

#### 1.1 Orientation

That it BE NOTED that the Childcare Advisory Committee heard a verbal presentation from B. Westlake-Power, Deputy City Clerk, with respect to an Advisory Committee orientation.

#### 1.2 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

#### 1.3 Election of Chair and Vice Chair for the term ending November 30, 2019

Notwithstanding the current policy for Advisory Committees, that it BE NOTED that the Childcare Advisory Committee elected D. Gordon and J. Keens as Chair and Vice Chair, respectively, for the term ending June 30, 2020.

### 2. Scheduled Items

#### 2.1 Licensed Childcare Network – Marketing Campaign

That it BE NOTED that the attached presentation from N. Blanchette and B. Jackson, with respect to an overview of the Licensed Child Care Network's (LCCN) recent awareness/education campaign, including a preview of the LCCN's new website promoting the Registered Early Childhood Educator career path, was received.

#### 2.2 The Journey Together

That it BE NOTED that the attached presentation from J. Martin, Integrated Care Manager, Southwest Ontario Aboriginal Health Access Centre, with respect to an overview of recent indigenous-led child care initiatives in London, including an update on the construction of the Nshwaasnangong Child Care and Family Centre, was received.

### **3. Consent**

#### **3.1 2nd Report of the Childcare Advisory Committee**

That it BE NOTED that the 2nd Report of the Childcare Advisory Committee from its meeting held on April 15, 2019, was received.

### **4. Sub-Committees and Working Groups**

#### **4.1 Childcare Advisory Committee Work Plan - 2019-2020**

That it BE NOTED that the Childcare Advisory Committee (CCAC) held a general discussion with respect to the 2019/2020 CCAC Work Plan.

#### **4.2 Adopt a Councilor**

That it BE NOTED that the attached report from J. Frederick, Middlesex-London Health Unit, with respect to the 'Adopt a Councilor' program, was received; it being further noted that the CCAC is awaiting information from the Civic Administration before commencing this program.

### **5. Items for Discussion**

#### **5.1 City of London Update**

That it BE NOTED that a verbal update from A. Rae, Manager, Children's Services, with respect to an overview of the City of London's childcare initiatives, including the current subsidy application and placement statistics, was received.

#### **5.2 Thames Valley District School Board Update**

That it BE NOTED that no report was received with respect to an update from the Thames Valley District School Board as the representative was not in attendance.

#### **5.3 London District Catholic School Board Update**

That it BE NOTED that a verbal update by A. Benton, London District Catholic School Board (LDCSB), with respect to LDCSB updates, was received.

#### **5.4 Licensed Child Care Network Update**

That it BE NOTED that the attached report from B. Jackson, Licensed Child Care Network (LCCN), with respect to the LCCN updates, was received.

#### **5.5 Services for Special Needs Update**

That it BE NOTED that the report from L. Cross, Program Manager, All Kids Belong, as appended to the agenda, with respect to services for children with special needs, was received.

#### **5.6 Journey Together Update**

That it BE NOTED that a verbal update by J. Keens with respect to indigenous-led childcare initiatives was received.



5.7 Including Francophone on Future Items for Discussions

That it BE NOTED that the Childcare Advisory Committee (CCAC) held a general discussion with respect to the addition of a French school board update/report on future CCAC agendas.

**6. Adjournment**

The meeting adjourned at 3:15 PM.



# NOTICE OF PLANNING APPLICATION

## Official Plan Amendment

### Argyle Community Improvement Plan



**File: O-9299**  
**Applicant: City of London**

#### What is proposed?

Official Plan amendment to:

- Designate the Argyle community improvement project area
- Adopt the Argyle Community Improvement Plan
- Adopt any associated Community Improvement Plan Financial Incentive Guidelines

## LEARN MORE & PROVIDE INPUT

Please provide any comments by **April 30, 2021**

Isaac de Ceuster

[ideceust@london.ca](mailto:ideceust@london.ca)

519-661-CITY (2489) ext. 3835

City Planning, City of London, 206 Dundas St., London ON N6A 1G7

File: O-9299

<https://getinvolved.london.ca/argyle>

You may also discuss any concerns you have with your Ward Councillor:

Shawn Lewis

[slewis@london.ca](mailto:slewis@london.ca)

519-661-CITY (2489) ext. 4002

**If you are a landlord, please post a copy of this notice where your tenants can see it.  
We want to make sure they have a chance to take part.**

Date of Notice: January 28, 2021

## Application Details

Commonly Used Planning Terms are available at [london.ca](https://london.ca).

### Adoption of the Argyle Community Improvement Plan

Pass a by-law to designate the Argyle community improvement project area, pursuant to Section 28 of the Planning Act and the Community Improvement Plan section of the Our Tools part of The London Plan.

Adopt the Argyle Community Improvement Plan, pursuant to Section 28 of the Planning Act and the Community Improvement Plan section of the Our Tools part of The London Plan.

Adopt the Argyle Community Improvement Plan Financial Incentive Guidelines, pursuant to Section 28 of the Planning Act and the Community Improvement Plan section of the Our Tools part of The London Plan.

### Requested Amendment to The London Plan (New Official Plan)

Amend The London Plan Map 8 – Community Improvement Project Areas by adding the Argyle community improvement project area.

## How Can You Participate in the Planning Process?

You have received this Notice because you own, or live in, a property that is within 120 meters of the Argyle community improvement project area. The City reviews and makes decisions on such planning applications in accordance with the requirements of the Planning Act. The ways you can participate in the City's planning review and decision making process are summarized below.

### See More Information

You can review additional information and material about this application by:

- Contacting the City's Planner listed on the first page of this Notice; or
- Viewing the application-specific page at <https://getinvolved.london.ca/argyle>

### Future Opportunity to View the Application

When the City of London returns to operations that support in-person viewing, please contact the City's Planner listed on the first page of this Notice to confirm the office location of the Planner and the times that the office is open.

### Reply to this Notice of Application

We are inviting your comments on the requested changes at this time so that we can consider them as we review the application and prepare a report that will include City Planning staff's recommendation to the City's Planning and Environment Committee.

### Attend a Future Public Participation Meeting

The Planning and Environment Committee will consider the requested Official Plan changes on a date that has not yet been scheduled. The City will send you another notice inviting you to attend this meeting, which is required by the *Planning Act*. You will also be invited to provide your comments at this public participation meeting. A neighbourhood or community association may exist in your area. If it reflects your views on this application, you may wish to select a representative of the association to speak on your behalf at the public participation meeting. Neighbourhood Associations are listed on the [Neighbourgood](https://neighbourgood.ca) website. The Planning and Environment Committee will make a recommendation to Council, which will make its decision at a future Council meeting.

## What Are Your Legal Rights?

### Notification of Council Decision

If you wish to be notified of the decision of the City of London on the proposed Official Plan / Community Improvement Plan amendment, you must make a written request to the City Clerk, 300 Dufferin Ave., P.O. Box 5035, London, ON, N6A 4L9, or at [docservices@london.ca](mailto:docservices@london.ca). You will also be notified if you speak to the Planning and Environment Committee at the public meeting about this application and leave your name and address with the Secretary of the Committee.

## Right to Appeal to the Local Planning Appeal Tribunal

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of London to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the proposed official plan amendment is adopted, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the proposed official plan amendment is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

For more information go to <https://olt.gov.on.ca/contact/local-planning-appeal-tribunal/>.

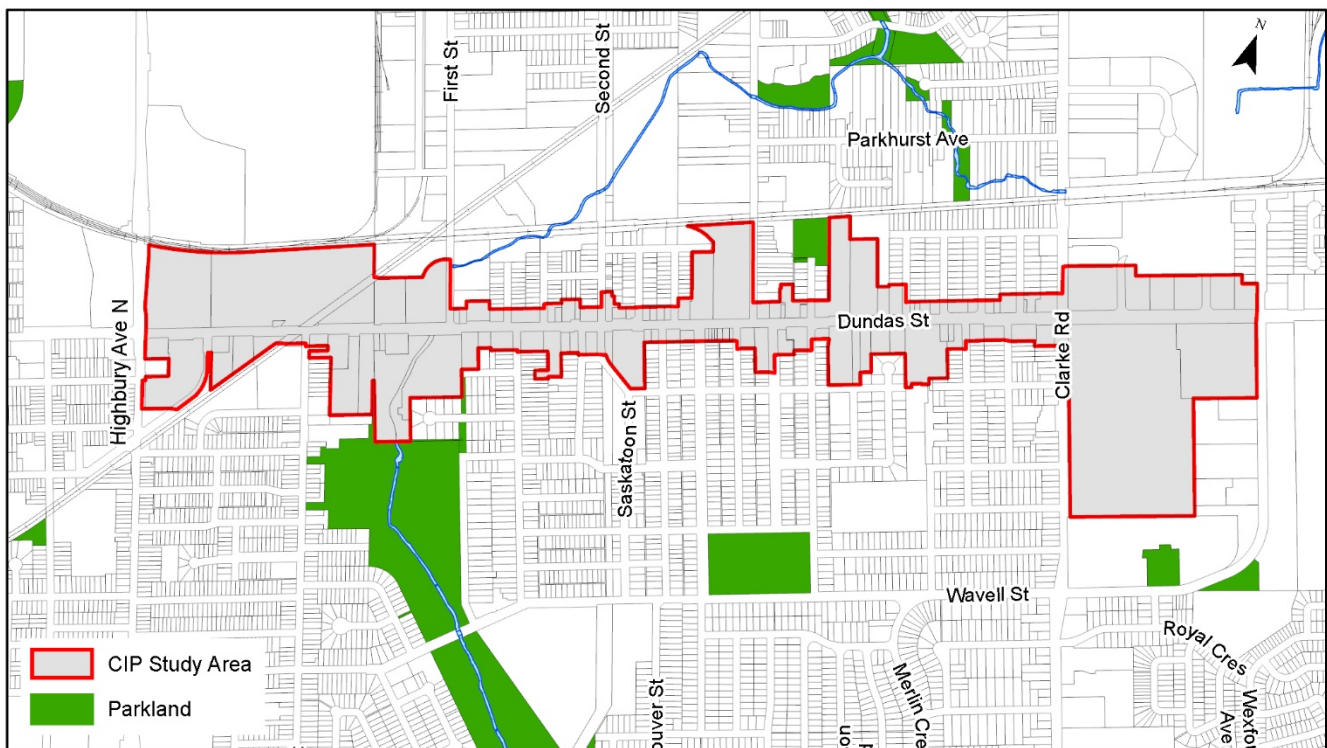
## Notice of Collection of Personal Information

Personal information collected and recorded at the Public Participation Meeting, or through written submissions on this subject, is collected under the authority of the Municipal Act, 2001, as amended, and the Planning Act, 1990 R.S.O. 1990, c.P.13 and will be used by Members of Council and City of London staff in their consideration of this matter. The written submissions, including names and contact information and the associated reports arising from the public participation process, will be made available to the public, including publishing on the City's website. Video recordings of the Public Participation Meeting may also be posted to the City of London's website. Questions about this collection should be referred to Cathy Saunders, City Clerk, 519-661-CITY(2489) ext. 4937.

## Accessibility

Alternative accessible formats or communication supports are available upon request. Please contact [planning@london.ca](mailto:planning@london.ca) or 519-661-4980 for more information.

### Argyle CIP Study Area





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
- ancestry
- place of origin
- colour
- ethnic origin
- citizenship
- creed (religion, including atheism)
- sex (includes pregnancy and breast feeding)
- sexual orientation
- gender identity
- gender expression
- age
- record of offences (criminal conviction for a provincial offence or for an offence for which a pardon has been received)
- 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)
- family status (such as being in a parent-child relationship)
- disability (includes mental, physical, developmental or learning disabilities)
- association or relationship with a person identified by one of the listed grounds
- 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**  
**THE CHILDCARE 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 Child Care Advisory Committee provides information, advice and recommendations to Municipal Council through the Community Service Committee on issues affecting early learning and child care of children from 0 years up to and including 12 years of age such as, but not limited to, special needs funding, resource centres funding, wage subsidy, childcare fee subsidy and health and safety issues, such as playgrounds.

The Advisory Committee provides an opportunity for information sharing between Municipal, Provincial and Federal social service administrations and the child care community.

Composition

Voting Members

Thirteen members at large, representing the following sectors:

- Licensed Child Care Providers (at least seven members representing the current composition of multi and single site child care and early learning sector for children from infancy through 12 years of age, including a Licensed Home Child Care agency)
- Post-Secondary Early Childhood Education Departments

- Early Child Education Resource Centre
- Ontario Early Years Centre
- Informed Community Members

#### Non-Voting Resource Group

At least one representative of each of the following:

#### Government

Ministry of Children and Youth Services

Ministry of Education, Early Learning Division

City's Community Services Department

#### Community Agencies:

Middlesex-London Public Health Unit

Children's Aid Society

Local School Boards

Support Services for children with special needs

#### 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 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

Concurrent with the term of the Municipal Council making the appointment.

#### Appointment Policies

Appointments shall be in keeping with Council Policy.

#### Qualifications

The representatives should be able to speak on behalf of the sector they represent. Members shall be chosen for their special expertise, experience, dedication and commitment to the mandate of the Committee. Non-voting representatives from local resource groups shall be members or employees of the organization they represent.

#### Conduct

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

#### Meetings

Meetings shall be held three times annually 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 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.





## LCCN Report – Child Care Advisory Committee

February 22, 2021

Licensed Child Care Network (LCCN) continues to meet the last Tuesday of each month, excluding July, August and December. Our network continues to grow and has become a place of support for many licensed child care operators, early years' professionals and child care advocates. Community partners provide regular updates at our monthly meetings including All Kids Belong, Strive, Fanshawe College, and Child Care Advisory Committee. There is space for information sharing at the end of each meeting for Operators and Early Years Professionals to share in knowledge, ask questions and provide updates.

LCCN met weekly via Zoom during the Covid-19 closure period between March – July 2020. The Children's Services Managers with the City of London and the County of Middlesex participated in these weekly meetings to provide updates regarding Federal, Provincial and Municipal decisions. LCCN was able to meet with Early Years Representation from the Ministry of Education and with Infectious Diseases and the Child Care Team from the London/Middlesex Health Unit during the closure period. Many discussions were focused on changes to funding models during the closure period and the implementation of new health and safety measures for reopening during the pandemic. LCCN meetings became a place of support for many child care operators who were struggling during the closure and reopening period of 2020.

LCCN continued to meet monthly after child care organizations reopened and continued to address the many changes developing throughout the pandemic. The Ministry of Education provided four reopening documents during the reopening phase so LCCN members were able to work together to support one another through these evolving requirements and recommendations.

The LCCN Advocacy Subcommittee began meeting weekly during the closure period and continues to do so now that most organizations have reopened. Covid-19 has brought to the forefront the struggles families are facing in accessing affordable, quality child care. Particularly for women wanting to re-enter the workforce. The LCCN Advocacy Subcommittee met with many local Members of Parliament and Members of Provincial Parliament to discuss the challenges licensed child care and families are continuing to face during the pandemic.

Dr. Celine Bourbonnais-MacDonald and LCCN partnered in 2019 to support the research and development of a National Early Years Framework Prototype with the support from Early Childhood Leadership students from Fanshawe College. Dr. Bourbonnais-MacDonald, Strive, and the research students were able to join LCCN and LCCN Advocacy throughout the closure and reopening periods in 2020. Amazing work was developed through this partnership, including an Early Years Town Hall with several MPs and MPPs, some from other areas of the province. The research students created a short video of the highlights from the Town Hall to be shared on social media through LCCN and Strive. The students also created an infographic to provide a medium for others to learn about the Early Years Town Hall. LCCN also provided an unpaid internship in partnership with the Fanshawe ECL program over the summer months.



LCCN Advocacy continued to send letters to the Premier and the Minister of Education through the closure and reopening periods to request more funding support for the sector, for recognition of the essential work of the Early Childhood Educators, and for adequate compensation for this important work. LCCN Advocacy, with the support of Strive, has embarked on an #IAmEssential social media campaign to recognize and highlight Early Childhood Educators and #ThankYouChildCare for families to share in support of licensed child care. This social media campaign involves frames for Facebook profile pictures and powerful images of educators engaged in their work for Instagram, Facebook and Twitter. Strive has also created these images for posters.

LCCN has partnered in a Skills Advance Ontario Project with Carrefour Communautaire Francophone de London, Literacy Links South Central, and Workforce Planning and Development Board to create a pathway into the early childhood profession for job seekers. Allison Scott from Strive will represent LCCN at the Executive Advisory level to support this project work over the next two years. LCCN members will also provide Anglophone and Francophone representation on the General Advisory Committee for this SAO project. Job seekers will be trained in basic skills and offered a short, paid placement in licensed child care organizations that are searching for job seekers interested in learning more about becoming an Early Childhood Educator. The employer would have the choice to support the job seeker as they further their training through multiple pathways offered by local colleges to become a Registered Early Childhood Educator. Additionally, incumbents already employed in the child care profession, will have the opportunity to engage in learning skills through this project that would support necessary skills required to move into different roles in licensed child care. The total funding from the Ministry of Labour for this project is 1.2 million over the 22 month period of implementation.

LCCN has submitted a grant application to continue its important work on the Unsungheroes campaign through the Federal Early Learning and Child Care Innovation fund. The LCCN Unsungheroes campaign informs others about the important work Early Childhood Educators do in licenced child care and speaks to ways individuals can enter into training for the profession.

Much more work is on the horizon for this busy network. More updates to follow at the next CCAC meeting.



**all kids belong**

Inclusion Support Services

**All Kids Belong  
Updates for Child Care Advisory Committee  
February 2021**

In 2020 our community, and our program, faced unprecedented changes and challenges due to the COVID 19 Pandemic. Child Care and Early Years programs and schools were closed for several months. During this time All Kids Belong (AKB) created and distributed information and suggestions via “eblast” to support and remain in contact with programs and families. Transition to school meetings were facilitated. Workshops and Knowledge Exchange events were offered to the community. Time was spent in updating our resources and engaging in professional development. Over the course of time, some child care centres re-opened to provide care for children of essential workers. Eventually most programs and schools were able to re-open, although restrictions remained in place to promote infection prevention and control, and capacity was sometimes limited. AKB remained available at all times. We provided virtual services via videoconferencing, telephone and email. When permitted to do so, we began a gradual and cautious return to in-person services with many precautions in place. Most of the targets we set for the year were met, or almost met, although the method of service delivery was different than originally planned.

Currently, All Kids Belong continues to offer most services virtually, with in-person visits occurring only when other means of providing service have been exhausted. The number of classrooms and centres visited on any given day is strictly limited. Staff follow all protocols set out by the Ministry of Education, Health Unit, and individual programs.

In 2020 we developed and launched our new strategic plan that focuses on Excellence, Innovation and Leadership. We are confident that this plan has the right combination of inspiration, flexibility and accountability to guide our work with the community in this unique time.

The challenges imposed by the pandemic prompted us to be flexible and creative, and to embrace technology. We are grateful to have been able to remain available to the community, and for the new skills and approaches we learned. We will continue to evaluate the data we collected this year, and to revisit our service model in light of everything we learned, and continue to learn, from this challenging year.

Respectfully submitted,

Lee-Anne Cross  
Program Manager, All Kids Belong



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## London Community Recovery Network- Diane Gordon

I was invited to participate on the Community Readiness and Resilience priority action tables of the London Community Recovery Network (LCRN). On July 21, 2020, the creation of this Network was endorsed by London City Council and was chaired by the Mayor.

As a community-led process to empower London's recovery from COVID-19, its purpose was to streamline collaborative efforts among the private sector and non-profit and institutional organizations in the areas of; employment and talent, supporting London's most vulnerable communities, community readiness and resilience, strengthening London's downtown and core area and making London a destination community.

As a participant, I was tasked with gathering ideas from my network attendees. With the support of the Licensed Child Care Network's Advocacy sub-committee, we developed the following ideas for submission

- #1- promotion of the ECE Profession during COVID- building on the "Unsung Heroes" campaign, this would recognize the resilience of the educators with bold images and stories and would support recruitment and retention.
- #2- City of London Support for a National Child Care Framework- asking council to publicly endorse a national child care framework- recognizing the crucial role of licensed child care a city where families want to live, work and play.
- #3- An Inter-Ministerial Resource Team for Licensed Child Care- this would support a full recovery for operators currently receiving conflicting information between Health and Education. The team would regularly attend LCCN meetings.
- #4- Recruitment of RECEs during COVID- asking the employment and education sector to support the distribution of existing tools created through the "Unsung Heroes" campaign.
- #5- Connecting Business with Licensed Child Care- having reliable and quality child care essential for the well-being of employees and their families. Prior to the pandemic, finding a child care space was challenging, in the current context, licensed child care is operating at 60% enrollment. Promote as a safe and reliable option for families.

The cross-sectoral support for licensed child care is strong and this work opened up the opportunity to work with multiple sectors in our community. Ideas #2-5 were adopted by the Community Readiness and Resilience table as high priority and submitted to LCRN. On February 9<sup>th</sup>, 2021, at the Community and Protective Services Committee (CPSC) meeting, our idea #2 (#4.7 in the CPSC's report) received unanimous support from Councillors. Councillors spoke of the importance of this initiative as part of the COVID recovery. The following is the excerpt from the 4<sup>th</sup> Meeting of Community and Protective Services, February 9, 2021.

### ***Idea for Action #4.7 – Support for National Child Care Framework***

#### ***Background***

*Economic recovery from the COVID-19 pandemic depends on a strong child care and early years system. Parents can only return to their jobs if they are able to secure child care for their children. This challenge*

*disproportionally affects women who are more likely to be excluded from the workforce if they cannot access child care.*

*This Idea for Action asks the City of London to endorse the development of a National Child Care Framework. It is responsive to the Government of Canada's announcement in 2020 that "the government will make a significant, long-term, sustained investment to create a Canada-wide early-learning and child-care system" and is aligned with strategies in the London-Middlesex Child Care and Early Years Service System Plan 2019-2023.*

*London-Middlesex Licensed Child Care Network (LCCN), in partnership with Fanshawe College and Strive, has shared its vision for a National Child Care strategy. In an open letter dated August 10, 2020, LCCN asked that all levels of government act to create a National Child Care Strategy for Canada with the pillars of affordability, access, quality and responsiveness in mind.*

### **Actions Underway by Civic Administration**

*Civic Administration conducted an environmental scan of other municipalities and sector associations that have taken a position on the development of a National Child Care Framework. Additionally, Civic Administration provided support to stakeholders from the Child Care and Early Years sector to develop the following position statement for consideration by Council in advocacy efforts to the provincial and federal governments:*

*"City Council requests the Government of Canada, in partnership with the provinces, develop and implement a National Child Care Framework to focus on accessibility, affordability, and equity for all families, recognizing that licensed quality child care and qualified Early Childhood Educators are essential to COVID-19 economic and social recovery."*

### **Next Steps**

*The recommended action steps for implementing this Idea for Action are below:*

- The Mayor, on behalf of Council, to communicate support for a National Child Care Framework to the Governments of Ontario and Canada using the position statement articulated above;*
- Civic Administration to communicate Council-approved position statements to relevant sector associations; and,*
- Civic Administration to continue to support community stakeholders in championing local child care and early years priorities, as outlined in the London-Middlesex Child Care and Early Years Service System Plan 2019-2*

The Child Care Advisory Committee and the Licensed Child Care Network want to give our sincere thank you to London City Council and the London Recovery Network for their support in helping us to move this important work forward.