



## Safe and Respectful Workplace Policy May 2019

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### Commitment

The College of Dental Surgeons of British Columbia (“CDSBC”), in support of its values, is committed to providing a collegial and safe working environment in which all individuals are free from any form of disrespectful behaviour such as: discrimination; harassment as per the *BC Human Rights Code*; personal or psychological harassment (including bullying) as per the *Workers Compensation Act*; and are treated with respect and dignity. CDSBC believes that its employees’ and volunteers’ relationships with each other, its registrants and guests are based on professionalism, mutual respect, honesty and trust.

### Scope

This Safe and Respectful Workplace Policy (the “Policy”) applies to all those working for CDSBC, including employees, whether permanent, temporary, casual, or contract workers, and volunteers, including committee, working group and board members (“CDSBC Individuals”).

This Policy encompasses and covers discrimination, harassment, and bullying at CDSBC’s office; wherever CDSBC business and operations are carried out; at CDSBC-related functions, conferences and meetings; and during CDSBC-related travel. Specifically, the Policy applies to any location or function where CDSBC’s business is carried out, or to any location, function, or situation where the conduct may be reasonably viewed as having a negative impact on the workplace.

CDSBC recognizes that there is a potential for registrants, guests, or others with whom CDSBC conducts business with to subject CDSBC Individuals to discrimination, harassment or bullying in the workplace. In such circumstances, CDSBC acknowledges its responsibility to support and assist the person who has been subjected to such inappropriate conduct or comment.

CDSBC encourages the prompt reporting of all incidents of discrimination, harassment or bullying, regardless of who the offender may be. (See accompanying document for [Procedures for Reporting, Resolving and/or Investigating Respectful Workplace Complaints](#))



## **Purpose**

The purpose of this policy is to:

- maintain a working environment that is founded upon mutual respect, cooperation, and understanding;
- maintain a working environment free from discrimination, harassment and bullying prohibited by law;
- confirm for all CDSBC Individuals that discrimination, harassment and bullying in the workplace will not be tolerated; and to
- establish a process under which complaints of workplace discrimination, harassment and bullying may be brought forward and dealt with.

This Policy is not intended to constrain or interfere with normal social interaction between and amongst CDSBC Individuals, nor is it intended to inhibit good faith activities or functions undertaken for legitimate workplace purposes (e.g. performance management, discipline, etc.) as long as these activities or functions are performed in a fair and reasonable way. Instead, the Policy has been put in effect to address and remedy conduct that constitutes workplace discrimination, harassment and bullying.

## **Other Remedies**

Notwithstanding the Policy, CDSBC Individuals retain the option to pursue remedies under the British Columbia Human Rights Tribunal, WorkSafeBC or to initiate civil or criminal proceedings.

At all times, and notwithstanding the commencement of any external complaint or litigation, CDSBC reserves the right to commence or continue an investigation pursuant to the process set out in this Policy.

## **Prohibited Conduct**

### **1. Discrimination**

In an employment context, discrimination is illegal as it is contrary to the *British Columbia Human Rights Code*. Accordingly, a person must not refuse to employ or refuse to continue to employ a person; or discriminate against a person regarding employment or any term or condition of employment based on the defined prohibited grounds.



The *British Columbia Human Rights Code* defines these “prohibited grounds” as follows:

1. Race
2. Colour
3. Ancestry
4. Place of Origin
5. Political Belief
6. Religion
7. Marital Status
8. Family Status
9. Physical Disability
10. Mental Disability
11. Sex
12. Sexual Orientation
13. Age
14. Conviction for an unrelated offence
15. Gender Identity or Expression

## 2. Harassment

It is a discriminatory practice to harass an individual based on any prohibited ground, and, therefore, harassment based on a prohibited ground is a form of discrimination.

Harassment can take many forms. It is generally defined as “conduct or comment which ought reasonably to be known to be objectionable or unwelcome and serves no legitimate work related purpose” and that is based on one of the prohibited grounds, and which also has one or more of the following attributes:

- it detrimentally affects an employee within their work environment; or
- it has adverse job related consequences such as reduced job security, or a negative impact on career advancement.

Harassment can be determined by one incident of serious or egregious conduct, or may be established by a series of separate incidents, i.e. some conduct may not be considered harassment unless it is repeated. It is important to stress that intention is irrelevant, i.e. whether or not an individual intends to harass another person has no bearing as to whether or not harassment occurred.

It is also important to stress that harassment does not include the exercise of authority related to safety, the provision of advice, assignment of work, work-related counselling or coaching, performance evaluation, discipline, or other similar supervisory or administrative functions undertaken for legitimate workplace purposes.

Minor verbal disagreements, personality differences, consensual workplace banter, and consensual workplace romantic relationships amongst peers do not normally constitute harassment based on a prohibited ground as defined in the Policy or at law.



### 3. Bullying

In this Policy, bullying behaviour is defined as conduct that disrupts civility and co-operation in the workplace and interferes with efficient and effective work flow.

Bullying is any inappropriate behaviour in the form of repeated and unwanted conduct or comment that a person knew or reasonably ought to have known would cause a CDSBC Individual to be intimidated or humiliated, and which affects a CDSBC Individual's dignity or psychological or physical integrity, that has no legitimate work-related purpose, and results in a harmful work environment for the individual(s). Bullying can and often occurs where there is an imbalance of power between two people.

A single serious incident of such behaviour that has a lasting harmful effect on a CDSBC Individual may also constitute bullying.

Bullying can happen between:

- a member of management and an employee;
- an employee and a manager;
- one employee and another;
- a volunteer and an employee; or
- a volunteer and another.

Bullying is illegitimate behaviour which undermines the respect, safety, dignity, or self-esteem of a CDSBC Individual or which interferes with an individual's work production and CDSBC's business interests as an employer, and which results in a harmful work environment.

Examples of conduct which may constitute discrimination, harassment, and bullying can be found in Appendix C of the Procedures for Reporting, Resolving and/or Investigating Respectful Workplace Complaints document.

### **Confidentiality**

CDSBC will endeavour to keep complaints filed under the Policy as confidential as is reasonably possible; however, disclosure of certain information or evidence may be required to investigate and/or process a complaint. In some instances, disclosure to other persons or agencies of the existence of a complaint, or of information or evidence pertaining to that complaint, may be permitted or even required by law.

All participants in any complaint brought forward under this Policy must maintain strict confidentiality respecting any information or evidence about that complaint. Accordingly, any deliberate and unnecessary breach of confidentiality will be considered a violation of the Policy, and/or a separate instance of harassment and/or retaliatory conduct.



## **Procedures**

Procedures for Reporting, Resolving and/or Investigating Respectful Workplace Complaints are outlined in a separate document and can be found by clicking [here](#).

## **Annual Review**

This Policy and the accompanying procedures will be reviewed in November each year. CDSBC individuals will be provided with an updated copy of the policy and procedures if there are any changes.

**Note:** This policy is implemented in accordance with [WorkSafe BC](#) requirement.