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## DESERT PARK EXHIBITION SOCIETY – RESPECTFUL WORKPLACE POLICY

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# Desert Park Exhibition Society Respectful Workplace Policy

## 1.0 Purpose

To ensure that all employees, society members, clients of the facility and guests are aware of their rights and obligations regarding appropriate workplace behaviour; to set standards for respectful workplace conduct; to provide a means of reporting behaviour inconsistent with the standards, including incidents of harassment, bullying, violence and discrimination; to provide the processes for investigating and responding to such incidents, and to comply with all applicable provincial and federal legislations.

## 2.0 Policy

The Desert Park Exhibition Society is committed to providing all employees, members, clients and guests with a respectful (work) environment, expressly free from harassment, bullying, violence and discrimination.

The Desert Park Exhibition Society will take steps to prevent harassment, bullying, violence and discrimination through training, regular reminders of appropriate standards of behaviour, expeditious and efficient investigations of concerns and complaints, and the imposition of effective responses to inappropriate conduct.

## 3.0 Scope

This policy applies to all employees (permanent, temporary, seasonal), all members and the Board of Directors of The Desert Park Exhibition Society, as well as any persons acting on behalf of The Desert Park Exhibition Society.

Contractors and vendors will be expected to enforce these requirements for their employees, sub-contractors and agents. Any contravention will be considered a breach of their contract.

The policy also includes all clients and guests who frequent The Desert Park Exhibition Society. All clients and guests are expected to behave in a manner that supports the respectful treatment of the employees and members of The Desert Park Exhibition Society.

## 4.0 Definitions

*Bullying and Harassment* – includes any conduct or comment by a person towards another individual that the person knows or reasonably ought to know would be unwelcome, humiliating or intimidating.

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Examples include:

- Verbal aggression, threats, intimidation;
- Spreading malicious rumours;
- Vandalizing belongings/work equipment;
- Humiliating initiation practices, hazing, name-calling, or insults;
- Written or verbal communications, gestures, actions, 'practical jokes', the natural consequence of which is to humiliate or intimidate;
- Cyber-bullying;
- Unwelcome advances, physical conduct of a sexual nature;
- Discrimination as defined below.

**Complainant** – any individual who reports an alleged instance of harassment, discrimination or bullying.

**Discrimination** – includes the refusal to employ or to continue to refuse to employ; harassment; and/or any other offensive behaviour which creates a hostile or negative environment or has adverse consequences due to or on the basis of: race, colour, ancestry, place of origin, political beliefs, religion, marital status, family status, physical or mental disability, gender, sexual orientation, age or criminal conviction or summary conviction offence that is unrelated to the employment or the intended employment of an individual.

Examples include:

- Unwanted remarks, comments, actions, jokes, innuendo or taunting based on one of the above factors;
- Displaying offensive pictures, cartoons, or other objects focused on one of the above factors;
- Unwelcome repeated invitations or requests based on gender or sexual orientation;
- Unwelcome physical contact based on one of the above factors;
- Failure to attempt to accommodate or accommodate to the point short of undue hardship.

**Investigator** – any person designated or hired by the Desert Park Exhibition Society to ensure that complaints are processed effectively and efficiently, including through alternative dispute resolution and/or investigation.

**Respectful Workplace** – a workplace environment that is characterized by courteous and considerate behaviour towards others, inclusion of all persons regardless of their backgrounds, cultures or opinions, ensures safety from inappropriate behaviour and supports the constructive resolution of disputes.

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**Respondent** – the person or persons who are accused of bullying, harassing or discriminating.

**Threats** – includes, but is not limited to, verbal prediction of harm directed towards another or their property, making threatening or menacing gestures, the utterance of threatening remarks, obsessive behaviour such as unprofessional and/or unwelcome romantic interest, any behaviour that indicates the individual is irrational or mentally ill and poses a danger to himself or others, or the escalation of unacceptable behaviour within the workplace e.g. behaviour triggered by personal circumstances.

**Unwelcome or Inappropriate Conduct or Comment** – whether behaviour is unwelcome or inappropriate is subjective. The focus, in any particular case, is to consider whether the behaviour is unwelcome or unwanted by the person to whom the conduct is directed.

**Violence** – any interaction or act of aggression or hostility between individuals that involves causing physical injury to another person, throwing objects at another person, creation of a reasonable fear of injury, subjecting another individual to emotional distress, damaging employer or employee property, possessing a firearm or dangerous weapon while on Desert Park Exhibition Society property or while conducting Desert Park Exhibition Society business, harassing surveillance such as stalking or displaying extreme stress, resentment or irrational behaviour.

**Witness** – any individual who has information regarding the complaint.

**Workplace** – includes any location where an employee carries out their job duties, attends an event directly related to their employment, including training, meetings, social, or other purpose, and which has the potential for affecting the workplace or the health and safety of employees.

### 5.0 Management Functions Not Considered Bullying or Harassment

It is not harassment, bullying or discrimination for supervisors and managers to exercise management functions, in good faith and for operational reasons. These include:

- Establishing workloads and deadlines;
- Re-organizations, including lay-offs and other consequences of re-organizations (e.g. transfers, promotions);
- Work instruction, supervision, feed-back or other performance management;
- Work performance evaluations;
- Imposition of discipline, including warnings, suspensions and termination of employment.

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### 6.0 Forbidden Conduct

Any conduct that constitutes harassment, discrimination, bullying, or violence is serious and unacceptable. Such conduct is forbidden on Desert Park Exhibition Society premises and at any other work-related situations such as off-site meetings, client locations, conferences, seminars, business trips, business related social events or an employee's home if such contact stems from actual or implicit consequences related to the workplace.

Any physical, verbal or visual act, with or without a weapon, that could or actually does threaten, intimidate, create fear or interfere with an employee's work duties or work environment is forbidden.

Violations of this policy may lead to disciplinary action up to and including termination of employment or suspension of playing privileges and involvement of law authorities where appropriate.

### 7.0 Roles and Responsibilities

The Desert Park Exhibition Society is responsible for employee health and safety and a workplace free from harassment, bullying and discrimination. To that end, it will take steps to prevent such behaviour and/or to minimize it with a view towards elimination.

All employees, supervisors, managers, directors, members, clients, and guests are responsible for preventing harassment, bullying and discrimination in the workplace.

The Desert Park Exhibition Society Board is responsible for the ongoing review of this policy and the related procedures to ensure compliance with the relevant legislation in all jurisdictions and update / revise the policy and procedures as required.

Employees, supervisors, managers, directors, members, clients, and guests have a duty to take steps to protect their own health and safety and not to engage in behaviours which places the health and safety of others at risk. Obligations include:

- Not tolerating or engaging in harassment, bullying or discrimination while at the workplace which includes conduct towards other employees, the employer, persons acting on behalf of the employer, vendors, suppliers, members, clients and guests;
- Reporting harassment, bullying or discrimination if they observe same in the workplace;
- Applying and complying with this policy.

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## 8.0 Response Procedures for Workplace Violence

Employees shall promptly inform their manager or supervisor of any threats or acts of violence which they have witnessed, received or have been told that another person has witnessed or received. The supervisor or manager shall in turn report the information to the Board of Directors.

In the case of members, clients and guests, any threats or acts of violence which they have witnessed or received, shall be reported to the Board of Directors.

At all times, employees, members, clients, and guests should consider their own personal safety in an emergency situation. Whenever possible, employees should use the response procedures provided it does not create personal risk.

### Procedures for Reporting, Investigation and Resolution

#### A. Informal Resolution

- 1) An employee who believes they have been the subject of, harassment, bullying or discrimination may be able to resolve the matter informally by:
  - a) calmly speaking to the respondent about the event;
  - b) describing the affect the respondent's behaviour is having on the complainant and their workplace;
  - c) asking that the respondent refrain from the same or similar behaviour in the future.
- 2) If the employee is either unable to approach the respondent or, the issue is not resolved after such an approach; or there is a repetition of the behaviour, the Complainant may:
  - a) speak to their immediate supervisor or manager and ask that they intervene;
  - b) speak to another supervisor or manager;
  - c) speak to a member of the Board of Directors.
- 3) The Complainant should create and keep a written record of the event and of the steps taken to resolve the problem informally, including the resolution reached.

When a Complainant is unable or unwilling to resolve the issue informally or, it is inappropriate to do so, the Complainant may submit a formal complaint to their supervisor, manager or the Board of Directors. Further, should the Employer become aware of the issue, it will investigate the matter, depending on the seriousness, severity and effect on the Complainant or other employees of the behaviour.

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### B. Formal Investigation, Review and Resolution

- 1) The Complainant can request a formal investigation at any time in the process; or when the informal approach has not resolved the issue.
- 2) The Complainant requesting a formal investigation must make the request, in writing, to their supervisor, manager, or the Board of Directors within ten (10) days of the most recent incident. The written request must provide a detailed account of the circumstances of the complaint, including:
  - a) name, title and department of the Complainant and the Respondent;
  - b) description of the behaviour, conduct, events, context and circumstances of the complaint;
  - c) times and dates of the incident(s), if available;
  - d) name of any witnesses;
  - e) previous attempts to resolve the complaint, if any; and,
  - f) the remedy sought by the Complainant.
- 3) Within three (3) working days of the receipt of a request for an investigation, the Employer will notify the Respondent that a formal complaint has been initiated; the nature of the complaint; and, that he/she will be invited to respond to the complaint at the appropriate time.
- 4) The Employer will investigate the complaint or will hire an appropriate external investigator to investigate.
- 5) The Investigator will conduct interviews with both the Complainant and the Respondent to obtain information and clarify the details of the reported incident. Both the Complainant and the Respondent will have an opportunity to identify witnesses or others to be interviewed. The Investigator may interview other individuals as is needed in the circumstances.
- 6) The Investigator will document the results and conclusions of the investigation after interviewing the Complainant, the Respondent and any relevant witnesses. Every effort will be made to complete the investigation and document the findings as quickly as possible.
- 7) At the conclusion of the investigation, the Employer will discuss the findings with the Complainant and the Respondent. Where the results of the investigation find the Respondent has engaged in behaviour contrary to the Policy, the Employer will make a final decision on the appropriate corrective action(s).

Corrective action may include but is not limited to:

- a) education and training for the Respondent and/or other individuals;
- b) review and modification of policies, procedures, and practices;
- c) continuous monitoring of the Respondent; and,
- d) disciplinary action for those engaged in a breach of this Policy up to and including termination of employment.

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In keeping with the commitment by the Desert Park Exhibition Society to the prevention and eradication of harassment, bullying and discrimination in the workplace, corrective action is intended to be appropriate to the situation. When determining appropriate corrective action, the following factors will be considered:

- a) nature and seriousness of the breach;
- b) whether the harassment was a single or a repeated act;
- c) the relationship of the Complainant and the Respondent;
- d) the impact of the harassment on the Complainant;
- e) the employment history of the Respondent; and,
- f) any other relevant factors.

### 9.0 Record Keeping

The Desert Park Exhibition Society will maintain a complete written record of the investigation, including the names of the parties involved (e.g. the complainant, respondent and witnesses); the details of the complaint; notes or other documentation of interview or other fact-finding exercises; any evidence considered; the investigator's findings; any corrective action recommended and/or taken; and the investigation report.

If the complaint is substantiated, a record of the incident(s) and outcome(s), including any corrective action taken, will be kept in the respondent's employment file. If the complaint is unsubstantiated, there will be no record of the complaint kept in the respondent's employment file.

### 10.0 False Allegations

The Desert Park Exhibition Society recognizes that not every incident giving rise to a complaint will constitute harassment, bullying or discrimination. Determining whether a particular action or incident occurred and/or constitutes harassment or discrimination will depend on an evaluation of all the facts, surrounding circumstances and applicable legal principles. A Complainant reporting an event in good faith and reporting truthfully will not be subject to negative consequences if the behaviour complained of does not amount to bullying, harassment or discrimination.

However, The Desert Park Exhibition Society recognizes that false allegations can have serious detrimental effects on innocent parties. Where, as a result of a formal investigation, it is determined that a complaint was malicious, frivolous, vexatious or deliberately misleading, disciplinary action will be taken against the Complainant.

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### 11.0 Retaliation

This policy and its procedures seek to prevent and remedy workplace harassment, bullying and discrimination. Any act of retaliation against a person who raises a concern under this policy is expressly forbidden and may result in interim measures such as suspension or may result in progressive discipline up to and including termination of employment.

### 12.0 Confidentiality

The Desert Park Exhibition Society will not disclose any information about a harassment, bullying or discrimination complaint, except as necessary to investigate the complaint or to take disciplinary action, or as required by law. The participants (the Complainant, the Respondent, and any witnesses) will also be expected to keep all matters relating to the complaint and the investigation strictly confidential.

### 13.0 Other Avenues of Recourse

If the British Columbia Human Rights Tribunal or other legal body becomes involved in a complaint or dispute, the Board of Directors must be contacted immediately.

### 14.0 Annual Review

The Desert Park Exhibition Society will review this Policy at least once a year to ensure that it is up-to-date with the various occupational and health workplace standards as well as all applicable provincial and federal legislations.

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