



REPORT TO THE EDMONTON POLICE COMMISSION

DATE: September 13, 2018

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SUBJECT: EPC Policies – 3.1.6 and 3.1.5

RECOMMENDATION(S):

That policies 3.1.6 (Respectful Workplace – new) and 3.1.5 (Health and Safety - revised) be approved.

BACKGROUND:

The Respectful Workplace policy is a new policy developed as per the Commission's direction given by formal motion on April 19, 2018.

This policy also incorporated the changes to the Alberta Occupational Health & Safety Act which came into effect June 1, 2018.

The Health & Safety policy is a revision of a current policy that was developed in September 2015.

A policy statement and guidelines were developed along with two additional procedures (#1 and #11) to address OH&S policies and the City of Edmonton's OH&S directives.

(Attach)

3.1.6 RESPECTFUL WORKPLACE (NEW)

The Edmonton Police Commission (the “Commission”) is committed to creating and maintaining a vibrant, healthy, safe and caring work environment for all Edmonton Police Commission employees. The Commission promotes a work environment free from discrimination or harassment, one in which everyone treats each other with respect and dignity.

Harassment in the workplace creates an intimidating and offensive climate, is a form of discrimination, affects individual’s dignity and self-esteem, and will not be tolerated by the Edmonton Police Commission.

As such, the Edmonton Police Commission upholds all laws in place including, but not limited to, the Human Rights, Citizenship and Multiculturalism Act for the Province of Alberta.

Definitions:

HARASSMENT: Harassment occurs when an employee is subjected to unwelcome verbal or physical conduct because of race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation.

The behavior need not be intentional in order to be considered harassment.

Examples of harassment that will not be tolerated at the Edmonton Police Commission include but are not limited to: verbal or physical abuse, threats, derogatory remarks, jokes, innuendo, or taunts related to any of the protected grounds listed above.

Bullying is a humiliating, offensive, and intimidating behavior and also a form of harassment. It is the impact of the behavior on others, not the intent, which determines whether or not bullying has occurred.

SEXUAL HARASSMENT: The *Alberta Rights Act* prohibits discrimination based on the ground of gender. Unwanted sexual advances, unwanted requests for sexual favours, and other unwanted verbal or physical conduct of a sexual nature constitute sexual harassment.

Sexual harassment can include such things as pinching, patting, rubbing, leering, “dirty” jokes, pornographic materials, comments, suggestions, innuendoes, requests or demands of a sexual nature.

INDEPENDENT HARASSMENT ADVISOR: An advisor contracted by the Edmonton Police Commission to provide confidential advice regarding a complaint of workplace

harassment. The advisor may assist complainants in understanding what type of conduct falls within the definition of harassment as per Edmonton Police Commission policy and advice regarding options for resolution.

INDEPENDENT HUMAN RESOURCES (HR) CONSULTANT: A sole firm held on retainer by the Edmonton Police Commission to provide advice to employees on issues of harassment or discrimination and may investigate harassment complaints on behalf of an employee.

Guidelines:

1. The Executive Director of the Commission will strive to realize a respectful workplace by setting, communicating and modeling clear expectations of employee behaviours in relation to other employees and stakeholders. The Executive Director may provide or facilitate appropriate training, education and awareness information for all employees that is congruent with a respectful workplace.
2. Any individual subjected to discrimination, harassment or sexual harassment has the right to bring their concern to the Executive Director, and/or the Chair of the Commission, and/or to an independent HR consultant, and/or to the alleged offender that the behavior and conduct is unacceptable.
3. The Executive Director and/or the Chair of the Commission are responsible for ensuring that complaints are addressed in a timely manner.
4. Complaints may be resolved through an informal verbal complaint mechanism, which may involve mediation or by submitting a formal written complaint to the Executive Director and/or Chair of the Commission and/or an independent HR consultant.
5. Individuals alleged to have violated this policy are entitled to know the name(s) of individual(s) making an informal or formal complaint. In the case of a formal complaint, the respondent shall receive a copy of the written complaint.
6. Reasonable efforts shall be made to respect the confidential nature of all complaints while recognizing that absolute confidentiality cannot be guaranteed owing to the need for investigations and the need to inform the alleged individual; and
7. Nothing in this policy affects a complainant's right from seeking a civil remedy or recourse through any administrative tribunal.

Procedures:

1) INFORMAL COMPLAINT:

- a) The complainant may convey objections to the individual directly or through the Executive Director and/or Chair of the Commission.
- b) If the complaint is about the Executive Director and the Chair of the Commission then the complainant may contact the independent HR consultant.
- c) The complainant should keep written records regarding the incident(s) and of any attempts to inform the respondent directly.
- d) If either the Executive Director or Chair of the Commission receives an informal complaint he/she shall take action to resolve the complaint expediently.
- e) The Chair or the Executive Director shall take the following actions:
 - 1) Provide the complainant and respondent with information regarding discrimination, harassment or sexual harassment, including this policy and advise them where assistance is available.
 - 2) Assist the complainant in speaking to the respondent directly, or speak to the respondent on the complainant's behalf to outline the allegations and attempt to resolve the complaint informally.
 - 3) Monitor the status of the complaint to see that it is satisfactorily resolved with a reasonable time limit.
 - 4) If the Chair or Executive Director is unable to resolve the complaint, the complainant and respondent will be asked whether they are willing to enter into voluntary mediation through a neutral third party selected by the Chair or Executive Director.
 - 5) If the informal complaint is not resolved through mediation then a formal complaint can be filed.
 - 6) If the behavior of the respondent appears to be in violation of this policy then a warning may be issued that such behavior is unacceptable. Failure to discontinue the behavior may result in a formal complaint.

2) FORMAL COMPLAINT:

- a) A formal complaint consists of a signed written statement outlining the allegations, describing the specific incident(s), the dates (if available) and any witness(es).
- b) The written statement can be delivered to either the Executive Director or Chair of the Commission. In the case the formal complaint is against both of these individuals then the statement can be submitted to the independent HR consultant.
- c) The complainant is responsible for notifying the Executive Director or Chair of the Commission if a complaint is filed with the Alberta Human Rights Commission, police, or if any court action is initiated while the allegations are still under review by the Commission. The Commission may, after consultation with legal counsel, elect to process the complaint in order to finalize its internal investigation procedure.

- d) The Executive Director or Chair of the Commission shall provide a copy of the complaint to the respondent.
- e) The Executive Director or Chair of the Commission may retain an independent harassment advisor to conduct an investigation regarding the complaint.
- f) The investigator's findings shall be detailed in a report back to the Executive Director or the Chair of the Commission.
- g) If the results of the investigation support the allegations in the letter of complaint, a range of sanctions may be imposed on the respondent by the Executive Director or Chair of the Commission. The sanctions depend upon the nature and seriousness of the offence and include a verbal warning, written reprimand with a copy retained in the respondent's file, suspension and termination of employment.
- h) If the results of the investigation do not support the allegations, the complaint will be deemed unfounded and a letter will be issued indicating that the respondent has been cleared of all allegations.
- i) If the evidence indicates that the complainant knowingly and willfully made false allegations in an attempt to cause harm to the respondent, a range of sanctions may be imposed as outlined in 2(f).
- j) Either party has the right to seek civil or criminal redress through the courts or to file a complaint with the Alberta Human Rights Commission.
- k) No employee shall take retaliatory action with the intent of dissuading or punishing an individual for participating in the complaint resolution process. Sanctions may be imposed for retaliation.

(CURRENT)

Effective: September 17, 2015

Revised:

Repealed:

3.1.5 HEALTH AND SAFETY

The Edmonton Police Commission adopts the Edmonton Police Service Health and Safety Policy Statement and participates in the Edmonton Police Service Occupational Health and Safety Program.

The following are specific health and safety procedures of the Edmonton Police Commission.

1. One staff member will be assigned the responsibility of Fire Warden. One staff member will be the Deputy Fire Warden. Assignment will be reviewed every two years.
2. Emergency Response Procedures: The Fire Warden and Deputy Fire Warden shall, annually, attend the Emergency Response Procedures training provided by the lessor. After receiving the training, the procedures will be reviewed with all staff.
3. Annual Facility Inspection: The Fire Warden will conduct an annual facility inspection by March 31. The results of the facility inspection will be brought forward to the Executive Director for review and action, as necessary.
4. First Aid Supplies: The office shall have a first aid kit located in an area which is accessible by all employees. The Fire Warden will assess and replenish the supplies of the first aid kit annually as part of the annual facility inspection.
5. Hazard Assessment: The Executive Director, in collaboration with all staff, will annually review the hazard assessment.
6. Check In and Check Out Procedures: Where a staff member is working alone after 1900hrs, that staff member will advise the Executive Director or another staff member that they are working, and will also advise when they are leaving work, and when they have safely reached their vehicle or have arrived home on public transit or via taxi. This applies to both weekdays and weekends.
7. Attendance of Unknown Persons at EPC Office: Where an unknown member of the public attends at the EPC offices, they will not be invited into the interview room but instead sent down to the area beside the lessor's security desk. The PCD will attend at the couches. If comfortable, the PCD will meet with the individual in the food court. If not comfortable, the PCD will meet with the individual at the couches (close to security) or another location deemed suitable to the PCD.

8. Attendance of Known Persons at EPC Office: only individuals known to EPC staff will meet in the interview room and ONLY if EPC staff agree that it is safe to do so. In most cases, all meetings will be conducted with two EPC staff present. Only if an EPC staff member is confident that it is safe to do so as the individual is known to them and that they have sufficient experience with the individual to assess risk will an EPC staff member meet with a member of the public alone.
9. Panic Alarm Response: In the event that the panic alarm is activated, lights and sirens in the EPC space are engaged. The Executive Director and Communications Director will attend immediately to the interview room if in use prior to the alarm. The Executive Assistant or Administrative Assistant will call 911 and the Scotia Place security desk.
10. Getting Home Safely: If working late, and fatigued or using public transit, if a supervisor is not available to offer a ride home, staff may take a taxi and seek reimbursement.

Effective: September 17/15	Revised:
Repealed:	

3.1.5 HEALTH AND SAFETY

The Edmonton Police Commission (“Commission”) promotes a safe and healthy workplace for all employees.

The Commission is committed to protecting the health and safety of all our staff members and, as such, the Executive Director fully supports a health and safety management system that protects our staff and any general public that may enter onto our property.

Definitions:

HAZARD ASSESSMENT: Hazard assessment is a formal process for identifying existing and potential hazards and determining the degree of danger or risk the hazards pose to employees.

IMMINENT DANGER: A danger that is not normal for that occupation or a situation under which a person is at immediate risk of serious physical harm or death.

SAFETY MANAGEMENT SYSTEM: A process used to effectively manage hazards. It includes the identification of hazards, ranking of hazards, and the control of identified hazards.

Guidelines:

1. All Commission staff members have a responsibility for ensuring healthy and safe workplace practices.
2. The Executive Director will provide leadership in promoting a healthy and productive work environment and will support specific safety procedures including providing related health and safety training for staff members.
3. The Executive Director is responsible for assuring all health and safety processes implemented adhere to the Occupational Health and Safety regulations and any other relevant legislation.

Procedures:

1. All new staff members will be given an Occupational Health and Safety orientation within the first week of working in the new position.
2. One staff member will be assigned the responsibility of Fire Warden. One staff member will be the Deputy Fire Warden. Assignment will be reviewed every two years.
3. Emergency Response Procedures: The Fire Warden and Deputy Fire Warden shall, annually, attend the Emergency Response Procedures training provided by the lessor. After receiving the training, the procedures will be reviewed with all staff.
4. Annual Facility Inspection: The Fire Warden will conduct an annual facility inspection by March 31. The results of the facility inspection will be brought forward to the Executive Director for review and action, as necessary.
5. First Aid Supplies: The office shall have a first aid kit located in an area which is accessible by all employees. The Fire Warden will assess and replenish the supplies of the first aid kit annually as part of the annual facility inspection.
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8. Attendance of Unknown Persons at EPC Office: Where an unknown member of the public attends at the EPC offices, they will not be invited into the interview room but instead sent down to the area beside the lessor's security desk. The PCD will attend at the couches. If comfortable, the PCD will meet with the individual in the food court. If not comfortable, the PCD will meet with the individual at the couches (close to security) or another location deemed suitable to the PCD.
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if an EPC staff member is confident that it is safe to do so as the individual is known to them and that they have sufficient experience with the individual to assess risk will an EPC staff member meet with a member of the public alone.

10. Panic Alarm Response: In the event that the panic alarm is activated, lights and sirens in the EPC space are engaged. The Executive Director will attend immediately to the interview room if in use prior to the alarm. The Executive Assistant or Administrative Assistant will call 911 and the Scotia Place security desk.
11. No staff member shall carry out any work if, on reasonable and probable grounds, the employee believes that there exists an imminent danger to the health and safety of that employee.

References:

1. *Alberta Occupational Health & Safety Act, Legislation, Regulation and Code*
2. *Edmonton Police Commission Security System Procedural Manual*