CO-POL-121

Respectful Workplace and Safe Participation (Discrimination, Bullying, Harassment, and Illegal Activity)

Purpose

The purpose of this policy is to establish a clear and comprehensive framework aimed at preventing bullying, harassment, and discrimination within our organization. By setting forth standards of conduct, procedures for addressing complaints, and guidelines for promoting a respectful and inclusive environment, this policy seeks to ensure all individuals—regardless of their ethnicity, gender, sex, sexual orientation, age, ability, or other protected characteristic—are treated with dignity and respect. The goal is to create safe and supportive space where everyone can thrive without fear of mistreatment, fostering both personal well-being and organizational success.

Introduction

Creative Okanagan is committed to fostering an environment conducive to open communication regarding the business practices of Creative Okanagan and to protecting board members, employees, volunteers, musicians, artists, and vendors (herein collectively referred to as stakeholders) from unlawful retaliation and discrimination for their having properly disclosed or reported illegal or unethical conduct.

To further this commitment, this Policy:

- Establishes guidance for the receipt, retention and treatment of verbal or written reports received by Creative Okanagan from stakeholders regarding actions that
    - are illegal, unethical or contrary to the organization's policies in respect of accounting, internal controls, disclosure, or business practices or

- constitute Discrimination, Harassment, Workplace Violence or Abuse against a stakeholder by any other stakeholder;
- Provides individuals who make a report with a means to make reports in a confidential and anonymous manner; and
- Demonstrates the organization's intention to discipline any person who commits an act of retaliation or reprisal against a stakeholder up to and including termination of employment for just cause, in the case of employees.

Policy Statement

Creative Okanagan has a zero-tolerance policy for discrimination, bullying, harassment, and crime.

Discrimination: occurs when a person experiences adverse treatment or adverse effects in employment, based on their protected characteristics and can include:

- Hostile or demeaning behaviour based on their protected characteristics
- Withholding work-related assistance, cooperation and/or information based solely on their protected characteristics
- Denying promotions or work assignments for which an individual is qualified based in any way on their protected characteristics.

Bullying: unwanted and /or aggressive behaviour directed at an individual or group that is aimed at intimidating, degrading, or harming an individual or group and can include:

- Verbal or physical abuse
- Intimidation
- Unfair criticism
- Sabotage
- Exclusion and Isolation

Harassment: unwanted and discriminatory behaviour directed at an individual or group based on their protected characteristics such as gender, religion, sex, sexual orientation, race, ethnicity, or ability. While it is similar in behaviours to bullying, it is specifically tied to these protected characteristics and has legal implications. Harassment includes unwanted sexual comments, advances, requests for sexual favours and other unwelcome sexualized conduct.

Crime: any action or behavior that is prohibited by law and is subject to legal penalties or sanctions.

Application

This Policy only applies to stakeholders who observe or experience incidents of wrongdoing committed by other stakeholders. Incidents committed by participants/attendees or the general public are out of scope for this policy, however Creative Okanagan will use best efforts to resolve out-of-scope incident reports.

Pledge

Creative Okanagan pledges not to dismiss, penalize, discipline, retaliate or discriminate against any stakeholder who discloses information or submits, in good faith, a report against another stakeholder under the terms of this Policy. Any stakeholder who breaks this Pledge will be subject to disciplinary action.

Partner Conduct and Accountability

As part of our ongoing commitment to maintaining a safe, inclusive, and respectful environment, this extends to all individuals and organizations with whom we collaborate. This includes, but is not limited to, contractors, vendors, consultants, partner organizations, and other external stakeholders.

Shared Commitment

We expect all partner organizations to uphold the same standards of zero tolerance for discrimination, bullying, harassment, and crime that we maintain internally.
Partner organizations are expected to:

- Treat all individuals—regardless of race, colour, ethnicity, national origin, religion, gender, sexual orientation, sex, gender identity or expression, disability, age, or any other protected characteristic—with dignity and respect.
- Conduct all interactions with our employees, clients, and community members in a professional and inclusive manner.

Conduct During Joint Activities

All representatives of partner organizations are required to adhere to this Policy when participating in meetings, events, projects, or communications involving our organization. Discriminatory, harassing, or otherwise inappropriate behaviour by partner representatives will not be tolerated.

Reporting and Response

Any stakeholder who experiences or witnesses discrimination, harassment, or other concerning conduct by a representative of a partner organization is encouraged to report it through our established reporting channels. All reports will be taken seriously, handled confidentially, and reviewed in accordance with our investigation and response procedures.

Accountability and Consequences

We reserve the right to take appropriate action in response to violations of this policy by partner organizations, including:

- Raising the concern directly with the partner organization for resolution;
- Requesting corrective action or conduct remediation;
- Limiting, suspending, or terminating the partnership when necessary.

Reporting Wrongdoing

A stakeholder who believes that another stakeholder has committed an incident of wrongdoing should prepare a Report that includes the following:

- Written or verbal description of the act or actions that comprise the alleged wrongdoing including the date and time of the action(s);
- Identities and roles of other individuals or stakeholders (if any) who may be aware of, affected by, or complicit in, the wrongdoing;
- Why the act or action should be considered to be wrongdoing; and how the wrongdoing affects the stakeholder submitting the report (if applicable).

Authority

The following individuals have been appointed by the Board to receive reports made under this Policy:

- Board President
- Executive Director

After receiving the report, the recipient has the responsibility to:

- Assure the stakeholder of the Pledge
- Connect the stakeholder to an alternate authority if the individual feels that they cannot act in an unbiased or discrete manner due to the individual's role with the organization and/or the content of the report
- Determine if the report is frivolous, vexatious, or not submitted in good faith (e.g., the submission of the report is motivated by personal interests and/or the content of the report is obviously false or malicious) and, if so, inform the stakeholder that no action will be taken on the report and the reasons why the report has been considered frivolous, vexatious, or not in good faith
- Determine if the local police service should be contacted
- Determine if mediation or alternative dispute resolution can be used to resolve the issue
- Determine if the Board should or can be notified of the report
- Begin an investigation

Investigation

An investigation should generally take the following form:

- Follow-up interview with the stakeholder who submitted the report
- Identification of stakeholders or other individuals that may have been affected by the wrongdoing
- Interviews with such-affected individuals
- Interview with the stakeholder(s) against whom the Report was submitted
- Interview with the supervisor(s) of the stakeholder(s) against whom the report was submitted, if applicable

If the investigator cannot resolve the incident during the course of the investigation or if the matter is such that preventative action is merited to prevent recurrence, the

investigator will prepare a report – omitting names whenever possible and striving to ensure confidentiality – that will be submitted to the Board for review and action.

Decision

Within fourteen (14) days after receiving an investigation report, the Board will take corrective action, as required. Corrective action may include, but is not limited to including:

- Enacting and/or enforcing policies and procedures aimed at eliminating the wrongdoing or further opportunities for wrongdoing;
- Revision of job descriptions; or
- Discipline, suspension, termination, or other action as permitted by the By-laws, provincial employment legislation, applicable policies for human resources, and/or the stakeholder's Employment Agreement or Contractor Agreement.

The corrective action, if any, will be communicated to the investigator who will then inform the stakeholder who submitted the report.

Appeals

Decisions made under the terms of this Policy may be appealed provided that:

- a) If the stakeholder who submitted the initial report is appealing the decision, the stakeholder understands that their identity may be revealed if they submit an appeal, and
- b) If the stakeholder against whom the initial report was submitted is appealing the decision, the stakeholder understands that the identity of the stakeholder who submitted the report will not be revealed and that the organization will act as the Respondent.

Confidentiality

Confidentiality at all stages of the procedures outlined in this Policy – from the initial report to the final decision – is assured for all individuals (the stakeholder, the stakeholder(s) against whom the report is submitted, and the individuals interviewed during the investigation). An individual who intentionally breaches the confidentiality clause of this Policy will be subject to disciplinary action.

In all stages of the investigation, the investigator will take every precaution to protect the identity of the stakeholder who submitted the report and/or the specific nature of the report itself. However, Creative Okanagan recognizes that there are some instances where the nature of the report and/or the identity of the stakeholder who submitted the report will or may be inadvertently deduced by individuals participating in the investigation.

Privacy

The collection, use and disclosure of any personal information pursuant to this Policy is subject to Creative Okanagan's Privacy Policy. Creative Okanagan or any of its delegates pursuant to this Policy will comply with the Creative Okanagan Privacy Policy in the performance of their services under this Policy.