


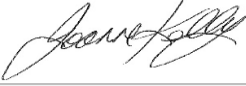


RESPECT POLICY

&

CONFLICT RESOLUTION PROCESS

Our Commitment to Respect, Civility, Anti-Harassment and Anti-Discrimination

Approved & Endorsed by CAO:	
Date:	January 10, 2025
Oversight & Implementation by Director of Human Resources:	
Date:	January 10, 2025
Yearly Annual Required by Law.	

Important for all readers:

The following Respect Policy and Conflict Resolution Process was created in 2024 as part of a collaborative process. Through the efforts of a working committee and a series of opportunities for staff across the organization to provide insights and feedback, our new approach is about building and being a culture of respect.

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1. Purpose (What Is this)

The Respect Policy ensures that our individual and collective rights, roles, and responsibilities are clearly understood and upheld, enabling our organization to create and maintain a culture of respect.

This encompasses the commitment to uphold human rights and harassment laws, particularly the Ontario [Human Rights Code](#) and the Ontario [Occupational Health and Safety Act](#). Furthermore, the Respect Policy establishes an expectation for respectful and civil behavior that aligns with our corporate values.

2. Our Values Commitment (What We Stand For)

Our [six values](#) form the anchors of what we strive to be within CGS and for our communities. Specifically, our value of RESPECT and expectation that “we show deep respect for everyone—employees, residents, and visitors—and for the communities in which they live” solidify CGS’s commitment.

To fulfill our commitment, leaders must model and management guide. It’s also crucial that employees engage and the public participate. Our Respect Policy and the accompanying Conflict Resolution Process (Part B) establish our respective rights and responsibilities and outline processes, resources, and people that can help at any stage to ensure we are living our values and reaping their benefits.

3. Policy Jurisdiction (Who This Applies To)

This Policy (and the accompanying Conflict Resolution Process) applies to all groups that interact with CGS staff. This includes elected officials, all employees, volunteers, service recipients, clients, residents, members of the public, suppliers, and service providers.



It is not necessary for someone to have an awareness of this Policy (i.e., a member of the public) to be bound by its expectations of engagement with CGS employees.

Further, the Scope of this Policy covers activities that are both work-related and can also extend to non-work-related activities (i.e., social media) that impact the reputation and/or professional relationships of those who work or with CGS. See the “Glossary of Terms” section for the definition of “the workplace”.

4. Key Principles (What’s Important to Say Upfront)

We provide the following information so everyone has similar context and awareness regarding CGS’s legal expectations.

a. Legal Landscape Overview

Both the Ontario [Human Rights Code](#) (the Code) and the [Occupational Health and Safety Act](#) (OHSA) are laws that aim to address systemic mistreatment and set an expectation of the employer’s responsibilities. Reference to these laws are found throughout the Policy and Procedure as they create the legislative expectations of a workplace being free from discrimination and harassment.

Specifically, the Ontario [Human Rights Code](#) addresses the demographics that have been historically marginalized in the categories of 1) employment (including job applications), 2) services and facilities, 3) accommodations, and 4) contracts. Further, the *Code* protects individuals or groups specifically based on a number of prohibited grounds (i.e., race, sex, disability). The *Code* has primacy over all other Ontario laws and contracts.

[OHSA](#) applies only to workplaces. It establishes that “harassment,” “sexual harassment,” and “violence” are hazards and create expectations of employer engagement, oversight, and resolution.

Both laws protect against reprisal.

b. Protection Against Reprisal

Reprisal is illegal under both the [Code](#) and [OHSA](#). As such, CGS strictly prohibits any retaliation, either direct or indirect, against an individual for exercising their rights under this Policy, initiating a complaint in good faith, investigating a complaint, being a decision maker in a complaint, participating as a witness in an investigation, being a respondent to a complaint, having been associated with, or representing a complainant, witness or respondent. If reprisal is substantiated, disciplinary action will be taken against the individual(s) who engaged in the reprisal.

It is important to differentiate appropriate discipline that occurs as a result of a Policy violation is not a form of reprisal.



Fear of reprisal can be one of the greatest barriers to coming forward when someone is experiencing less than respectful conduct, or worse.

5. Roles & Responsibilities (Our Shared Accountabilities)

Below is a list of the primary responsibilities associated with key roles in CGS. There are both proactive, and reactive expectations and many roles overlap and/or hand-off to each other to ensure a robust approach to building and maintaining a culture of respect.

a. Elected Officials (Mayor and members of council)

- I. Model respectful behaviours and proactively build positive work-based relationships;
- II. Address issues and conflict as they arise by utilizing appropriate systems (i.e., Respect Policy (where applicable), and/or Integrity Commissioner, etc.).

b. All Employees

- I. Model respectful behaviours and proactively build positive work-based relationships;
- II. Actively participate in proactive measures to build respect-based relationships;
- III. Address issues and conflict as they arise by utilizing internal systems and support systems;
- IV. Be alert and open to when each of us contributes to a conflict and be committed to contributing to rectifying and repairing the harmed relationship; and,
- V. Fully participate in any conflict resolution processes initiated under [Part B: Conflict Resolution Process](#).

c. CAO and General Managers

- I. Hold a strong understanding of the purpose of the Policy, the connection to our values, and the shared responsibility of fostering respect and civility with each other;
- II. Model respectful behaviour, set and enforce standards of appropriate workplace conduct;
- III. Provide leadership in creating and maintaining a culture of respect and civility through modelling positive behaviours and holding all others accountable for their respective expectations;
- IV. Actively promote and connect the expectations of this Policy with CGS's overall strategic priorities;
- V. Provide those with leadership responsibilities the tools, professional development, and skills development to fulfil their expectations; and,
- VI. Ensure a consistent approach to conflict resolution by implementing established practices outlined in [Part B: Conflict Resolution Process](#).

d. Directors, Managers and Supervisors

- I. Model respectful behaviour, set and enforce standards of appropriate workplace conduct;
- II. Have thorough knowledge of the Policy and Procedure;
- III. Seek opportunities to provide staff with education (informal and formal) regarding respect, civility, harassment, and discrimination;
- IV. Actively address incivility to help prevent escalation to incidents or complaints of harassment and discrimination;
- V. Immediately seek guidance and/or assistance from your Human Resources Business Partner (HRBP) when assessing the application of this Policy to incidents/complaints to determine the course of action and ensure a consistent approach;
- VI. Address complaints/incidents of harassment/discrimination/reprisal involving anyone who is required to abide by this Policy;
- VII. If assuming an investigation role, follow protocols as established in [Part B: Conflict Resolution Procedure](#);
- VIII. Cooperate with investigations being conducted by internal or external investigators;
- IX. Where the Policy has been breached, actively oversee action plan to ensure inappropriate behaviours have ceased and resolution achieved and maintained; and,
- X. Contact your Health and Safety Business Partner (HSBP) if the Ministry of Labour, Immigration, Training and Skills Development (MLITSD) is engaged or onsite for an inspection related to workplace harassment allegations.

e. Human Resources

- I. Model respectful behaviour, set and enforce standards of appropriate workplace conduct;
- II. Create, oversee, implement, and advise on policies, procedures, and related resources to help guide the organization in creating and maintaining a culture of respect and the prevention of incivility/harassment/discrimination;
- III. Design and support education and professional development opportunities for all employees to help ensure their respective roles and responsibilities can be fulfilled consistently and objectively;
- IV. Provide unbiased advice and support to those with supervisory authority and staff;
- V. Advise and assist those with supervisory authority to ensure approaches to addressing incivility/harassment/discrimination are consistent with this Policy and established procedures;
- VI. Offer and provide mediation and/or coaching at appropriate stages;
- VII. Undertake investigations when it is assessed Human Resources should be the lead;
- VIII. Retain and provide oversight to external consultants and/or investigators when deemed necessary and ensure consultants and/or investigators follow the CGS's expected investigation processes and practices;
- IX. Share appropriate details of investigation results with the parties to the complaint;
- X. Work with those with supervisory authority to determine, where necessary, appropriate corrective actions to address Policy breaches and ensure appropriate follow through on remedial actions;
- XI. Review this Policy, at least annually, in consultation with the Joint Health and Safety Committees;
- XII. Ensure current version of this Policy and Procedure is posted in all work locations; and,
- XIII. Prepare and provide periodic reports and statistics regarding the use of the Policy to be reviewed by senior leadership as requested, or required by law.

f. Joint Health and Safety Committee

- I. Model respectful behaviour and have a thorough knowledge of this Policy and Procedure;
- II. Make recommendations to the employer to assist in addressing any trends identified in the number of investigations completed; and
- III. Be consulted on annual review of Respect Policy and Conflict Resolution Process.

g. Union/Association

- I. Model respectful behaviour and have a thorough knowledge of this Policy and Procedure;
- II. To provide advice and guidance to members regarding respective entitlements under collective agreements; and
- III. To act as a support person in investigations, when the member requests.

h. Other Categories (suppliers, volunteers, visitors, clients, residents, members of the public)

- I. Model respectful behaviours.
- II. Actively participate in proactive measures to build respect-based relationships;
- III. Address issues and conflict as they arise by utilizing internal systems and support systems;
- IV. Be alert and open to when each of us contributes to a conflict and be committed to contributing to rectifying and repairing the harmed relationship; and,
- V. Fully participate in any conflict resolution processes initiated under [Part B: Conflict Resolution Process](#).

6. Glossary of Terms (Shared Language to Help Us)

Shared understanding of the language used in the **Respect Policy**, or related terms is essential. Below are the key definitions related to CGS's legislative obligations and wider Policy commitments.

We have intentionally expanded the definitions to include key terminology related to broader language regarding human rights, equity, diversity, and inclusion. Please also see the link to the Ontario Human Rights Commission Glossary of Terms in the Additional Resource section.

Term		Definition
1.	<i>Allegation</i>	An allegation is an unproven assertion or statement based on a person's perspective that the policy has been violated.
2.	<i>Complaint</i>	A written or verbal report by an individual (complainant) alleging that they have experienced or witnessed conduct that would be a violation of this Policy. Depending on the nature of the complaint, CGS will determine the appropriate approach (i.e., coaching, mediation, staff meetings, investigation).
3.	<i>Complainant</i>	The person alleging that discrimination or harassment occurred. There can be more than one complainant making the same or similar allegations.
4.	<i>Conflict</i>	In the context of human interaction, it is the experience between two or more people where the interactions create, or result in, a difficult or challenging experience where at least one individual feels negatively (disrespected, not heard, undervalued, frustrated). Conflict is normal and to be expected, especially as it can be caused unintentionally. However, it is the skills and commitment to resolve that will ensure it does not escalate and cause greater harm.
5.	<i>Discrimination</i>	Discrimination is any practice or behaviour, whether intentional or not, which has a negative impact on an individual or group protected in the Ontario Human Rights Code (e.g., disability, sex, race, sexual orientation, etc.) by excluding, denying benefits, or imposing burdens upon them. Discrimination may arise as a result of direct differential treatment, or it may result from the unequal effect of treating individuals and groups in the same way. Either way, if the effect on the individual is to withhold or limit full, equal and meaningful access to goods, services, facilities, employment, housing accommodation or contracts available to other members of society and their membership in a prohibited ground was a factor, it is discrimination.
6.	<i>Duty to Accommodate</i>	The legal obligation to take steps to eliminate disadvantage caused by systemic, attitudinal, or physical barriers that unfairly exclude individuals or groups protected under the Ontario Human Rights Code. Failure to accommodate a person short of undue hardship is a form of discrimination.

7.	<i>Employee</i>	For the purpose of this Policy, the term employee includes: employees (part-time, full-time, temporary, casual), volunteer firefighters, students (both paid and unpaid), or those on contract for services with CGS.
8.	<i>Employment</i>	Covers every aspect of the workplace environment and employment relationship, including job applications, recruitment, training, transfers, promotions, apprenticeship terms, dismissal and layoffs. Thus, the right to “equal treatment with respect to employment” under the Ontario Human Rights Code includes all of the stages above.
9.	<i>Equal Treatment</i>	Equal treatment is treatment that brings about an equality of results and that may, in some instances, require different treatment. For example, to give all employees equal treatment in entering a building, it may be necessary to provide a ramp for an employee who requires the use of a wheelchair.
10.	<i>Equity</i>	Fairness, impartiality, even-handedness. A distinct process of recognizing differences within groups of individuals and using this understanding to achieve substantive equality in all aspects of a person’s life. (source: Ontario Human Rights Commission, Glossary of terms)
11.	<i>Gender Identity & Gender Expression</i>	<p><u>Gender Identity</u>: is each person's internal and individual experiences of gender. It is their sense of being a woman, a man, both, neither, or anywhere along the gender spectrum. A person's gender may be the same as or different from their birth-assigned sex.</p> <p><u>Gender Expression</u>: is how a person publicly presents their gender. This can include behaviour and outward appearance such as dress, hair, make-up, body language and voice. A person's chosen name and pronoun are also common ways of expressing gender.</p>
12.	<i>Incident</i>	<p>Incident is not legally defined, however crucial to the obligations under the Occupational Health and Safety Act. CGS adopts the City of Toronto’s definition:</p> <p>An incident is an event or occurrence in which discriminatory and/or harassing behaviour is exhibited in the workplace. An incident includes situations where an individual knows or ought to have reasonably known that the behaviour is contrary to this policy. An incident may not have to be raised to management directly by a complainant (e.g., a member vents to a manager about being mistreated by another member. Although the member is not formally “complaining”, there may be sufficient information to create an obligation on the manager to inquire and address the situation.)</p>
13.	<i>Incivility</i>	<p>Incivility is not harassment and not defined by law. However, it is the first level of conduct that impacts a respectful environment. It is subtle or overt, deviant behaviour where intent can be ambiguous. It is characterized by rude, discourteous interactions that display a lack of regard for others.</p> <p>Examples of incivility include:</p> <ul style="list-style-type: none"> • eye rolling • skipping basic greetings • belittling of opinions, experience, skills • disrespectful sounds • interrupting • use of negative language

		<ul style="list-style-type: none"> • dismissiveness or repeated sarcasm • taking credit for other people's work • repeatedly arriving late to meetings • Disparaging comments
14.	<i>Mediation</i>	A confidential dispute resolution process, during which a neutral third party assists two or more parties to resolve conflict. It is a voluntary process where parties in dispute consent to meet with a trained mediator to determine whether the dispute can be resolved in a mutually satisfactory manner. Mediation discussions between parties are treated as private and confidential to the full extent permitted by law.
15.	<i>Microaggressions</i>	<p>Microaggressions are commonplace, daily, subtle messages, slights and insults that are verbal, non-verbal and/or visual. They are often carried out automatically or unconsciously, and take a psychological and physiological toll on the target person or group.</p> <p>Microaggressions can lead to a poisoned work environment (protected under the Ontario <i>Human Rights Code</i>) or other Code-related forms of harassment.</p>
16.	<i>Poisoned Work Environment</i>	This is a form of indirect Code-based harassment/discrimination. It occurs when comments or actions ridicule or demean a person or group creating real or perceived inequalities in the workplace. Pornography, pin-ups, offensive cartoons, insulting slurs or jokes, and malicious gossip (even when they are not directed towards a specific employee or group of employees) creating intolerable work conditions, have been found to “poison the work environment” for employees.
17.	<i>Racial Discrimination</i>	<p>Harassment on the ground of race. It may also be associated with the grounds of colour, ancestry, where a person was born, a person's religious belief, ethnic background, citizenship or even a person's language. Racial harassment/discrimination can include:</p> <ul style="list-style-type: none"> • racial slurs or jokes • ridicule, insults or different treatment because of your racial identity • posting/e-mailing cartoons or pictures that degrade persons of a particular racial group • name-calling because of a person's race, colour, citizenship, place of origin, ancestry, ethnicity or creed
18.	<i>Reprisal</i>	<p>Reprisal is illegal under both the <i>Code</i> and <i>OHSA</i>. It includes any retaliation, either direct or indirect, against an individual for: exercising their rights under this Policy, initiating a complaint in good faith, investigating a complaint, being a decision maker in a complaint, participating as a witness in an investigation, being a respondent to a complaint, having been associated with, or representing a complainant, witness or respondent.</p> <p>Appropriate discipline that occurs as a result of a Policy violation is not a form of reprisal.</p>
19.	<i>Respect</i>	<p>Respect is caring about the impact of words and actions on others.</p> <p>To be respected, is the subjective experience of conduct/behaviours by others that upholds our sense of dignity and aligns with our personal values.</p>
20.	<i>Prohibited Grounds</i>	Refers to the list of grounds for which a person or group is protected under the Ontario Human Rights Code. The grounds include:

		<ul style="list-style-type: none"> • Race • Colour • Creed • Gender identity • Gender expression • Marital status • Ancestry • Ethnic origin • Sex (including pregnancy) • Age • Record of offences • Receipt of public assistance (accommodation only) • Place of origin • Citizenship • Sexual orientation • Disability • Family status <p>Under legislation, case law and this Policy, there are protections where there is a perception that one of the prohibited grounds applies or where someone is treated differently because of an association or relationship with a person identified by one of the above grounds.</p>
<p>21.</p>	<p><i>Reasonable Person Test</i></p>	<p>This is an objective standard to measure whether a comment or conduct is discrimination or harassment. It considers what a reasonable person's reaction would have been under similar circumstances and in a similar environment. It considers the recipient's perspective and not stereotyped notions of acceptable behaviour. This standard is used to assess human rights complaints under this policy.</p>
<p>22.</p>	<p><i>Respondent</i></p>	<p>The person who is alleged to be responsible for the discrimination or harassment. There can be more than one respondent in a complaint.</p>
<p>23.</p>	<p><i>Sexual Harassment</i></p>	<p>Sexual harassment is a form of discrimination based on the prohibited ground of sex under the Code. It is also prohibited under the Occupational Health and Safety Act. Workplace sexual harassment means engaging in a course of vexatious comment or conduct against a worker in the workplace because of sex/sexual orientation/gender identity/gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome. It also includes making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.</p> <p>Examples of harassment related to the ground of sex, sexual orientation, gender expression and/or gender identity include but are not limited to:</p> <ul style="list-style-type: none"> • sexually suggestive or obscene remarks or gestures • use of homophobic or transphobic epithets, slurs or jokes • insults, comments that ridicule, humiliate or demean people because of their sex, sexual orientation, gender identity or expression. • behaviour that polices and/or reinforces traditional heterosexual gender norms • intrusive comments, questions or insults about a person's body, physical characteristics, gender-related medical procedures, clothing, mannerisms or other forms of gender expression. • negative stereotypical comments about an individual's physical characteristics or mannerisms and/or behaviours that reinforce traditional heterosexual gender norms

		<ul style="list-style-type: none"> • circulation or posting of homophobic, transphobic, sexist, derogatory or offensive signs, caricatures, graffiti, pictures, jokes or cartoons, display of pin-up calendars, objectifying images or other materials • leering (suggestive staring) at a person’s body, • unwelcome physical contact, • having to work in a sexualized environment (bragging about sexual prowess, or discussions about sexual activities), • exercising power over another person, making them feel unwelcome or putting them ‘in their place’ – regardless of whether the behaviour is motivated by sexual interest • spreading rumours about, “outing”, or threatening to “out” someone • refusing to refer to a person by their self-identified name and personal proper pronoun • other threats, unwelcome touching, violence and physical assault.
24.	<i>Sexual Orientation</i>	Refers to the sex/gender of those to whom one is sexually and romantically attracted. Categories of sexual orientation typically have included attraction to members of one's own sex/gender, attraction to members of another sex/gender, and attraction to people of more than one sex/gender.
25.	<i>Systemic Barriers</i>	<p>A barrier embedded in the social or administrative structures of an organization, including the physical accessibility of an organization, organizational policies, practices and decision-making processes, or the culture of an organization. These may appear neutral on the surface but exclude members of groups protected by the <i>Human Rights Code</i>.</p> <p>(Source: Ontario Human Rights Commission, Glossary of Terms)</p>
26.	<i>Systemic Discrimination</i>	<p>A pattern of behaviour, policies or practices that are part of the social or administrative structures of an organization, and which create or perpetuate a position of relative disadvantage for groups identified under the <i>Human Rights Code</i>.</p> <p>(Source: Ontario Human Rights Commission, Glossary of Terms)</p>
27.	<i>Witness</i>	An individual who may be able to provide information about workplace comments/conduct alleged to have violated this policy. Witnesses are not entitled to investigation results or complaint details unless disclosure is necessary to investigate allegations.
28.	<i>Workplace</i>	Includes all locations where business or social activities of CGS are conducted, including when employees are working from home and on the premises of other locations. This policy may apply to incidents that happen away from work (e.g., inappropriate social media posts, phone calls, e-mails or visits to an employee's home, incidents at luncheons, after-work socials). Please refer to the Code of Conduct and Employee Handbook for the appropriate policies.
29.	<i>Workplace Harassment</i>	Defined by the <i>Occupational Health and Safety Act</i> as engaging in a course of vexatious comment or conduct <i>against a worker in a workplace</i> that is known or ought reasonably to be known to be unwelcome. Under this definition there is no requirement for a prohibited ground to be identified.

		<p>Examples of workplace harassment include a pattern of:</p> <ul style="list-style-type: none"> • frequent angry shouting/yelling or blow-ups • regular use of profanity and abusive language • verbal or e-mail threats (not including threats to exercise physical force which are covered by the workplace violence policy) • intimidating behaviours - slamming doors, throwing objects • targeting individual(s) in humiliating practical jokes, • excluding, shunning, impeding work performance • spreading gossip, rumours, negative blogging, cyber-bullying • retaliation, bullying, sabotaging • unsubstantiated criticism, unreasonable demands • frequent insults and/or name calling • public humiliation • communication that is demeaning, insulting, humiliating, mocking • intent to harm • a single, serious incident that has a lasting, harmful impact <p>Workplace harassment does not include:</p> <ul style="list-style-type: none"> • incivility • a disagreement or misunderstanding • conflict between co-workers • legitimate performance/probation management • rudeness unless it is extreme and repetitive • appropriate exercise and delegation of managerial authority • operational directives/direction of workers or the workplace • other reasonable action(s) taken by management • work related change of location, co-workers, job assignment • conditions in the workplace that generate stress (technological change, impending layoff, a new boss, friction with other employees, workload, etc.) • appropriate discipline <p>This policy is not intended to interfere with constructive feedback regarding performance or operational directives provided to employees with supervisory authority.</p>
<p>30.</p>	<p><i>Workplace Violence</i></p>	<p>The Ontario <i>Occupational Health and Safety Act</i> defines workplace violence as,</p> <ol style="list-style-type: none"> 1. the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker, 2. an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker, 3. a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

		Please review CGS's Workplace Violence Policy for information regarding rights and responsibilities.
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7. Resources and Professional Development (How We Build Knowledge and Skills)

We will undertake the responsibility of ensuring this **Respect Policy (Part A)** and accompanying **Conflict Resolution Process (Part B)** is known, understood and respected.

CGS works to provide robust training programs dedicated to our organization's various demographics to ensure direct relevancy and value.

Various training and education opportunities will be provided through different means and will evolve to meet the expectations of legislation and our identified learning and growth needs.

8. Additional Resources (A Chance to Learn More)

It is incumbent that everyone seek ways to deepen their own learning, understanding, and appreciation of the Respect Policy's goals. Below are links to internal and external resources.

Internal Resources:

CGS has several internal resources that provide additional information on rights, responsibilities, and support. These include:

- [Code of Conduct](#)
- [Employee Handbook](#)
- [Employee Assistance Program](#)

External Resources:

- Ontario Human Rights Commission (<http://www.ohrc.on.ca/en>)
- Ontario Human Rights Commission, Glossary of Terms (<http://www.ohrc.on.ca/en/teaching-human-rights-ontario-guide-ontario-schools/appendix-1-glossary-human-rights-terms>)
- Ontario Human Rights Tribunal (<http://www.sjto.gov.on.ca/hrto>)
- Ontario Human Rights Legal Resource Center (<http://www.hrlsc.on.ca/en/welcome>)
- Ministry of Labour: Understanding Workplace Harassment (www.labour.gov.on.ca)
- Ministry of Labour: Code of Practice (www.labour.gov.on.ca)



Being treated with respect and dignity is critical to thriving in a workplace, and in a community. Our goal is to be a leader in exemplifying what this looks like – everyday.

PART B: Conflict Resolution Process (Finding a way through)

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1. PURPOSE

CGS is committed to fostering a positive environment where open communication and mutual respect are key to maintaining strong working relationships.

Diverse perspectives are encouraged. Where disagreements arise, solutions are sought through collaboration and understanding. This Conflict Resolution Procedure offers a pathway to resolving issues through both informal and formal processes.

2. JURISDICTION

CGS has a legal obligation to maintain a harassment and discrimination-free workplace.

As such, this process can be triggered by complaints brought by those covered by this Policy. Disclosure may be written and/or verbal and through the person(s) who have experienced and/or witnessed the situation(s) giving rise to concern. In addition, CGS is responsible for inquiring into incidents that come to management's attention, **regardless of whether a complaint has been formally made.**

A complaint of discrimination or harassment under this Process does not limit or interfere with an individual's ability to access other complaint avenues, including:

- application to the Human Rights Tribunal of Ontario,
- a complaint to the Ministry of Labour, Immigration, Training and Skills Development (MLITSD)
- an application to the Ontario Labour Relations Board,
- a civil suit or a criminal complaint, or
- a grievance pursuant to the terms of an applicable collective agreement.



Incivility is **not** considered workplace harassment, nor is it covered by legislation. However, under this Policy, CGS has established a similar responsibility to address and resolve issues of incivility.

3. Key Principles

CGS understands that coming forward can be difficult, regardless of whether you are experiencing or witnessing inappropriate and harmful behaviours or conduct. We outline the following key principles to affirm CGS's commitment to providing pathways through difficult situations and building our collective capacity to address and resolve conflict.

a. *Intent vs. Impact*

Intent versus impact is a critical distinction.

For behaviours that amount to incivility, harassment and/or discrimination, the focus is on the impact of the behaviour, not the intent behind the behaviour.

Specifically, when those with supervisory authority/human resource responsibilities assess whether an incident or pattern of conduct/behaviour breaches the Respect Policy, it is necessary to determine what happened based on a balance of probabilities. However, the intent behind the conduct/behaviour is irrelevant

in determining whether a breach occurred (i.e., the finding of incivility, harassment, or discrimination). The focus is whether the behaviour or conduct had an adverse impact on the individuals and/or organization.

It is important to note that unintentional behaviour where there is remorse and a willingness to change behaviour may provide non-punitive options for resolution as compared to intentional behaviour.

b. Confidentiality

Confidentiality is central to creating a safe environment for individuals to come forward with their concerns. As such, suspected breaches of confidentiality may be investigated and, if substantiated, will result in disciplinary actions.

Therefore, all persons involved in an incivility/harassment/discrimination incident and/or complaint, including complainants, respondents, support persons, witnesses, those with supervisory authority, union/association representatives, and investigators, are expected to treat the matter as confidential.

This includes communicating with others within or associated with CGS or external sources that could intentionally or inadvertently share details. This expectation extends to any time before, during, or after an investigation or resolution of a harassment/discrimination complaint. The expectations of confidentiality do not impede the ability for an involved party to speak to their union, health care providers, family or consult with legal representation (at their own expense).

Confidentiality is particularly key in formal investigations, and additional information is provided below under “Investigation.”

Under the Ontario [Occupational Health and Safety Act \(OHSA\)](#), complaint details, investigations, and results/reports produced under this Policy are not considered to be occupational health and safety reports that are shared with joint health and safety committees. Therefore, these documents are not to be shared with joint health and safety committees (JHSC) to protect confidentiality.

CGS may need to disclose information where required by law.

c. Protection Against Reprisal

Fear of reprisal can be one of the greatest barriers to coming forward. CGS understands that reprisal can be experienced both overtly (i.e. denial of an opportunity by a manager) or covertly (i.e. isolation by co-workers).

Reprisal is illegal under both the Ontario [Human Rights Code](#) and the Ontario [Occupational Health and Safety Act](#). As such, CGS strictly prohibits any retaliation, either direct or indirect, against an individual for: exercising their rights under the **Respect Policy**, initiating a complaint in good faith, investigating a complaint, being a decision maker in a complaint, participating as a witness in an investigation, being a respondent to a complaint, having been associated with, or representing a complainant, witness, or respondent. If reprisal is substantiated, disciplinary action will be taken against the individual(s) who engaged in the reprisal.

Appropriate discipline for a Policy violation is not considered reprisal.

4. OPTIONS TO RESOLVE CONFLICT

Several options to resolve concerns of incivility, harassment, and discrimination are available to individuals protected under this Policy/Procedure. Informal approaches can foster early resolution and prevent escalation, particularly when concerns are raised promptly. However, formal approaches may be required where the allegations are of a serious nature and/or involve someone with supervisory authority.

All persons who believe that they have experienced and/or witnessed behaviours that could amount to incivility, harassment and/or discrimination should keep detailed notes about the issue(s) and preserve all relevant documentary or electronic records.

a. Informal options

When are informal options available?

When the alleged conduct does not meet the threshold of being illegal (harassment, sexual harassment, discrimination), informal options are available to assess the situation, assist the individuals, and offer a pathway to resolution.

I. Consider seeking support and addressing concerns directly

If an employee is experiencing conduct that may amount to incivility, they are empowered to consider ways to intervene early and seek resolution. CGS acknowledges that doing so requires a level of knowledge and confidence in our organization's commitments. As such, everyone is encouraged to seek support (management, Human Resources, union/association etc.) when considering the options to engage to help facilitate resolution is encouraged. The triaging at this stage includes:

- the employee considering if they can professionally, and in good faith, address the conduct or comments which have negatively impacted them directly with the person(s), involved and ask them to stop;
- employees (including those with supervisory authority) who are advised that their comments or conduct are unwanted and harmful are expected to cease such behaviour immediately and consider ways to repair the relationship (i.e., seek to understand, apology);
- if the conduct does not stop, seek the assistance from those with supervisory authority and/or human resources; and
- if the conduct does not stop, keep a written record of the date, times and details of the conduct and your efforts to stop it and seek support from someone with supervisory authority and/or human resources. (see: II below)

There are occasions when addressing the person responsible for the conduct may not be appropriate and individuals should seek the intervention of someone with supervisory authority and/or human resources. (i.e., allegations against someone in a more senior position). Unionized employees may also consult with their respective union/association for additional support/guidance, where applicable.

II. Intervention by Supervisory Authority/Human Resources

If an individual is unable to resolve the issue themselves or inappropriate behaviour continues after an informal intervention, the individual should seek assistance from anyone with supervisory authority and/or human

resources to assist to determine the appropriate process. Depending on the issues, the following informal processes may be available to assist in addressing the concerns and facilitating resolution:

- ✓ Facilitated conversations
- ✓ Coaching (one-on-one and/or team-based coaching)
- ✓ Training or refresher training
- ✓ Team interventions with sustained support by HR and/or additional resources
- ✓ Group and/or personal wellness planning and support
- ✓ Utilization of mentorship opportunities
- ✓ Utilization of EAP and/or peer support networks
- ✓ Connection with community resources

When determining the appropriate course of action, the individuals involved will be solicited for their insights on what form of intervention would best serve the situation. The selected approach will be done through consultation with the individuals involved, management and where necessary the HR Business Partner.

Depending on the circumstances, participation will be expected to avoid escalation to formal interventions and provide the opportunity for early resolution.



When informal resolution options are available, it is a powerful opportunity to invest in individuals, teams, and groups to learn and grow through conflict and strengthen relationships.

b. Formal options

I. Mediation

When is mediation appropriate?

Mediation may be appropriate in some circumstances, specifically where the alleged conduct would not amount to workplace harassment/workplace sexual harassment.

Who mediates?

Mediations may be conducted by Human Resources, or external professionals. The selection of who will lead the mediation will be done with care and consideration of the issues and the individuals involved.

What does a mediation consist of?

If mediation is recommended, participation in mediation is voluntary and each party to the mediation is entitled to have a “support person” (as defined in Step 5 below) attend the mediation. Where the mediator assesses that the presence of the support person selected is inappropriate or may hinder the mediation process, the mediator will advise the relevant party who shall be entitled to select another support person provided that doing so does not hinder or unduly delay the mediation.

All mediation discussions will be held on a confidential, without prejudice basis and involve the use of breakout rooms, where necessary. Any settlement would have to be satisfactory to both parties and approved by the supervisor and/or Human Resource Business Partner, where appropriate. Parties may be required to sign confidential Minutes of Settlement.



Mediation cannot substitute for investigating workplace harassment or sexual harassment incidents and/or complaints. However, it may be a valuable tool in post-investigation resolution efforts.

II. Workplace Investigations

When is an investigation required?

A formal workplace investigation may be required in the following circumstances:

- a. It is required by provincial legislation, specifically:
 - Allegations that could amount to workplace harassment (including sexual harassment) must be investigated as per the Ontario [Occupational Health and Safety Act](#).
- b. Other options of informal resolution have been attempted and were unsuccessful.
- c. The issues are of a serious or/and systemic nature.

Who decides if there will be a workplace investigation?

It is the responsibility of Human Resources to determine if a workplace investigation is required. This may involve consultation with senior leadership, management and external legal support, when necessary.

What are the steps in a workplace investigation?

Once Human Resources determines a workplace investigation is required/warranted, it will follow a series of steps as generally outlined below and either lead, or overseen by Human Resources. Investigations are expected to be fair and timely. CGS understands that investigations can be difficult and thus care is taken to ensure all those involved in an investigation understand what is happening, why, and their expected participation.

Further, CGS believes investigations, when needed, help provide a path forward that can resolve, restore and reset an environment. Thus, the investigation steps specifically outline key aspects of the post-investigation commitments.

Step	Focus	Details
1	Issue Disclosure	Obtain full details of the complaint from the person(s) bringing the allegations forward (“complainant(s)” and/or “witness(s)”) and who those allegations are against.
2	Investigation Scope	Determine the scope of the investigation based on the applicable laws (specifically the Ontario Human Rights Code and the Ontario Occupational Health and Safety Act) and Policy.
3	Environmental Scan	Determine and implement any interim measure, for example, leave of absence, or temporary transfer. Such determinations will be made by the appropriate supervisor and in consultation with Human Resources.
4	Onboarding	Communicate to the parties (complainant(s) and respondent(s)) the scope of the investigation and share the general investigation process and their rights/responsibilities during an investigation. After Step 5 for parties, confirm witnesses and communicate participation, general investigation process and their rights/responsibilities during an investigation. Notification to Union if formal

		investigation is conducted in accordance with provisions within the appropriate collective agreement.
5	Information Collection	Collect information through 1) conducting confidential, one-on-one interviews with the parties and witnesses (if any) and 2) obtaining/reviewing documentation. Interviews may be conducted in-person and/or online, when appropriate. All interviewees may bring a support person (this may be a union/association representative, colleague, family member) as deemed appropriate by the investigator. (i.e. not involved in the investigation)
6	Findings and Results	Based on the information collected, determine: a) the likely facts, and b) whether those facts amount to a breach of Policy expectations based on a balance of probabilities (i.e., if the allegations are substantiated / partially substantiated / not substantiated).
7	Resolution & Restoration Plan	Based on the investigation outcomes, determination of the appropriate resolution and restoration plan through consultation with HR/senior leadership and/or legal or others as required. Recommendations from external investigators may be included in the investigation scope.
8	Communication of Resolution & Restoration Plan	Human Resources and/or management will share the outcome of the investigation and appropriate details of the resolution and restoration plan (verbally and in writing) to the parties within 10 days of the investigation being finalized and accepted by CGS.
9	Resolution & Restoration Activation	Resolution & restoration plan has commenced with designated responsibilities and milestones.
10	Investigation Close	Human Resources to close investigation file and ensure all documentation is secured in a confidential setting.



The [MLTSD's Code of Practice](#) indicates investigations should be completed within 90 days (*Note: please see exceptions*). This applies to investigations related to workplace harassment/workplace sexual harassment as per the Occupational Health and Safety Act.

Additional Confidentiality Expectations During Investigations:

Confidentiality is crucial in investigations, which includes:

1. During an investigation, identifying information about any individual should not be disclosed unless the disclosure is necessary for the purpose of investigating, taking corrective action or is otherwise required by law.
2. All those involved in the investigation are not to advise anyone in the workplace or otherwise connected to the workplace or those who have any involvement in the investigation and/or the contents of an investigation interview and/or report.
3. All those involved in the investigation are not to ask individuals if they have participated in an investigation process or discuss any details about any investigation interviews.



The expectations of confidentiality do not impede the ability for an involved party to speak to their union, health care providers, family or consult with legal representation (at their own expense).

c. Addition Process Information

I. Reasons to refuse to intervene/investigate

CGS may refuse to intervene/investigate anonymous complaints and/or when a complaint is deemed frivolous, vexatious or an abuse of process has occurred. These terms are defined as:

Anonymous complaints	Anonymous complaints (or complaints with insufficient details) may not trigger an investigation under this Policy. Please note this may be the case for submissions through our anonymous reporting hotline. However, other efforts may be available to address concerns where feasible.
Frivolous	A complaint that contains allegations that, even if true, are not a breach of this Policy.
Vexatious	When the complaint has been the subject of a decision by an alternate complaint process that considered the same allegations, a reasonable offer to remedy was rejected and/or the complaint was filed to annoy, embarrass or harass the respondent.
Abuse of Process	When an adequate remedy already exists or the complaints is engaging in improper action (fraud, deception, intentional misrepresentation) or is motivated to file out of malice or vindictiveness.

In some circumstances of a finding of frivolous, vexatious, and/or abuse of process may result in disciplinary measures.



Incidents/complaints of incivility **will not** be investigated unless other informal options have been attempted and unsuccessful and it is deemed the only remaining process that can assist.

II.

III. Complaints/incidents Involving members of Council

Complaints or incidents involving members of Council should be directed to the Integrity Commissioner either directly or individuals can share the concerns with the CAO, City Clerk or Director of Human Resources and Organizational Development.

IV. Complaints/incidents Involving the CAO

Complaints or incidents involving the CAO should be directed to the Director of Human Resources and Organizational Development. Any investigation will be completed by an external investigator.

V. Complaints/incidents Involving General Managers

Complaints or incidents involving a General Manager should be directed to the CAO or Director, Human Resources and Organization Development. Any investigation will be completed by an external investigator.

VI. Complaints/incidents Involving Human Resources

Complaints or incidents involving human resources should be directed to the General Manager, Corporate Services or CAO who may consult with external legal for assistance.

5. RESOLUTION OUTCOMES

As covered in the [Key Principles](#), it is important to understand that both **intentional and unintentional** behaviours/comments/practices can lead to a breach of this Policy.

Thus, the objective of any resolution is to invest in a culture of respect where everyone can enjoy a healthy, professional and rewarding career. Thus, the focus is to foster change behaviour through addressing and eliminating incivility, harassment, discrimination, or reprisal. Often there are opportunities for individuals to learn and grow from these experiences.

For breaches by employees, resolution can be non-punitive, such as apologies, educational initiatives, coaching and counseling, or resolution may result in disciplinary action, including suspensions or terminations. Depending on the circumstances the appropriate resolution will be determined by either the appropriate level of supervision and may be in consultation with human resources.

For breaches by non-employees (i.e., suppliers/vendors/suppliers/community partners, etc.) remedial actions can include letters of expectation (cease and desist), restrictions on accessing premises, or impact to current or future business opportunities or ending a contractual relationship. Similarly, such decisions will be determined by the appropriate level of supervision and may be in consultation with human resources and include Purchasing where the breach involves a supplier.

When there are no breaches of the Policy found, there are still opportunities to repair relationships and seek to understand the conditions that created the conflict which can include the individuals involved, or organizational systems or practices. As such, there is no disciplinary action taken when individuals come forward in good faith.

6. TIME LIMITS

CGS strongly encourages and supports individuals who are coming forward as soon as possible.

However, the time limit for bringing a complaint under this Policy is one year from the date of the last incident of alleged incivility, discrimination, or harassment. There can be extenuating circumstances where this timeline is extended. This approach is consistent with the time limits for filing applications with the [Ontario Human Rights Tribunal](#).

7. ADDITIONAL RESOURCES

CGS utilizes the Respect Loop™ as a tool to assess and triage issues and help empower all members of CGS to nurture positive relationships and address concerns quickly and effectively.