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| Subject Area: | Human Resources | Policy | 10.34 |
| Policy Title: | Anti-Racial Discrimination and Anti-Racism | | |
| Authority: | Legislative | X | Effective Date: 2022-03-15 |
| | Administrative | | Review Date: 2024-03-15 |
| Issued By: | Director of Human Resources | Issue Date: | 2022-03-16 |

1. Purpose

The purpose of this policy is to demonstrate the City of Port Coquitlam’s (the City’s) commitment to conducting its operations and governance in an anti-discriminatory and anti-racist manner and to acknowledge the existence of racial discrimination and racism in all its forms.

2. Definitions¹

- 2.1 **Barrier** – An overt or covert obstacle which must be overcome for equality and progress to be possible.
- 2.2 **Bias** – A subjective opinion, preference, prejudice, or inclination, often formed without reasonable justification, which influences the ability of an individual or group to evaluate a particular situation objectively or accurately.
- 2.3 **Complainant** - A person who makes a complaint regarding prohibited conduct.
- 2.4 **Discrimination** – The denial of equal treatment and opportunity to individuals or groups because of personal characteristics and membership in specific groups, with respect to education, accommodation, health care, employment, and access to services, goods, and facilities.

This behaviour results from distinguishing people on the basis of the above without regard to individual merit, resulting in unequal outcomes for persons who are perceived as different.

Discrimination is differential treatment that may occur on the basis of any of the protected grounds enumerated in human rights law.

¹ The Canadian Race Relations Foundation maintains a glossary with definitions of key concepts relevant to race relations, the promotion of Canadian identity, belonging and the mutuality of citizenship rights and responsibilities. <https://www.crrf-fcrr.ca/en/resources/glossary-a-terms-en-gb-1>

- 2.5 **Diversity** - A term used to encompass the acceptance and respect of various dimensions including race, gender, sexual orientation, ethnicity, socio-economic status, religious beliefs, age, physical abilities, political beliefs, or other ideologies.
- 2.6 **Inclusion** – The extent to which diverse members of a group (society/organization) feel valued and respected.
- 2.7 **Inclusive Language** - The deliberate selection of vocabulary that avoids explicit or implicit exclusion of particular groups and avoids the use of false generic terms, usually with reference to gender.
- 2.8 **Indigenous Peoples** – Indigenous is understood to mean the communities, peoples, and nations that have a historical continuity with pre-invasion, pre-settler, or pre-colonial societies that developed on their territories, as distinct from the other societies now prevailing on those territories (or parts of them).
- 2.9 **People of Colour** – A term which applies to non-White racial or ethnic groups; generally used by racialized peoples as an alternative to the term “visible minority.” The word is not used to refer to Indigenous peoples, as they are considered distinct societies under the Canadian Constitution. When including Indigenous peoples, it is correct to say “people of colour and Indigenous peoples.”
- 2.10 **British Columbia Human Rights Code (the Code)²** – The BC *Human Rights Code* protects people in BC from discrimination in certain areas. The *Code* prohibits discrimination based on certain personal characteristics including (but not limited to) race, colour, ancestry and place of origin.
- 2.11 **Racial Discrimination** – Any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin, which nullifies or impairs the recognition, enjoyment or exercise of human rights and fundamental freedoms in the political, economic, social, cultural realms or in any other field of public life.
- 2.12 **Racism** - A belief that one group is superior to others performed through any individual action, or institutional practice which treats people differently because of their colour or ethnicity. This distinction is often used to justify discrimination.
- 2.13 **Respondent** - A person who responds to a complaint of prohibited conduct.

3. Policy

3.1 Statement of Principles:

- 3.1.1 The City recognizes and celebrates the diversity of our community and believes that all members, regardless of race, colour, ancestry and place of origin, have the fundamental right to live, work, play and do business in an environment that asserts and supports their rights, personal worth and dignity.
- 3.1.2 The City is committed to breaking down barriers, deconstructing biases, fostering and promoting an inclusive, respectful, and welcoming environment for all who work, volunteer, do business and interact with the organization.

² Adapted from BC Human Rights Clinic. <https://bchrc.net/>

- 3.1.3 The City recognizes its leadership role and responsibility in creating a welcoming, diverse, and inclusive community that is free from discrimination of any kind, including racial discrimination and racism.
- 3.1.4 City Council, all City employees and persons representing or acting on behalf of the City (including but not limited to: consultants, contractors, and volunteers) have a responsibility to treat all complaints under this Policy seriously.

4. Scope

- 4.1 This policy applies to all employees of the City, City Council and persons representing or acting on behalf of the City (including but not limited to: consultants, contractors, and volunteers).
- 4.2 This Policy informs the interpretation and application of current and new bylaws, regulations, policies, procedures, contracts, and activities carried out by the City.
- 4.3 The scope of this Policy includes all aspects of the City's internal and external facing activities, including but not limited to: working environment, procurement, services and public events. In addition, this scope includes ongoing relationships with individuals, businesses, community groups and contractors as well as with other local governments and public and private bodies.
- 4.4 This policy is intended to supplement and support British Columbia's *Human Rights Code* and related City policies such as the *Respectful Workplace Policy*.

5. Roles and Responsibilities

5.1 Council will:

- Lead by modeling inclusive behaviour and language, and not participate in racist or racially discriminatory conduct;
- Support, promote and foster the principles of this Policy in their work and interactions;
- Participate in awareness training as needed to ensure understanding of the policy, including roles and responsibilities
- Direct staff to implement the policy;
- Report incidents of racial discrimination or racism experienced or witnessed immediately to the Chief Administrative Officer (or their designate) or the Mayor (or their delegate);
- Ensure an investigation is conducted when breaches of this Policy by a member of Council are reported;
- Participate in good faith in any investigation under this Policy; and
- Maintain the confidentiality of all involved in a complaint under this Policy.

5.2 Management will:

- Implement and administer this policy through the office of the Chief Administrative Officer (CAO) or their designate;
- Ensure that the workplace and the services provided by the City are free from racial discrimination and racism and ensure the principles of this Policy are

reflected in the execution of their duties, operational policies and practices within their area of responsibility;

- Model inclusive behaviour and language, and not participate in racist or racially discriminatory conduct;
- Support, promote and foster the principles of this Policy in all their work and interactions;
- Provide awareness training to Council members on this Policy;
- Orient all new and existing employees on this Policy, and provide regular refresher training;
- Inform all existing and new contractors and volunteers of this Policy;
- Promptly respond to any allegations or potential breaches under this Policy;
- Participate in good faith in any investigation under this Policy.

5.3 Employees and Volunteers will:

- Not engage in racial discrimination or racism;
- Be responsible for their own behaviour and conduct themselves in a respectful and inclusive manner;
- Immediately report any incidents of racial discrimination or racism either experienced or witnessed in accordance with the City's *Respectful Workplace Policy*;
- Participate in good faith in any investigation under this Policy;
- Maintain the confidentiality of all involved in a complaint under this Policy;
- Participate in training and become familiar with this Policy.

5.4 Unions will:

- Take an active role as partners in supporting, promoting and fostering the principles of this Policy in all their work and interactions with their members, Management and Council.

6. Complaints Process

- 6.1 The City will take all reasonable steps to ensure that complaints are reviewed and investigated, within and up to the limits of the City's jurisdiction and authority.
- 6.2 When complaints of racism and racial discrimination involve City employees, and both the Complainant and Respondent are employees of the City, the City will investigate the complaint in accordance with the Complaint Resolution Process outlined in the City's *Respectful Workplace Policy*.
- 6.3 Non-employee complainants can register their concern in writing to the Department Head responsible for that area. The Department Head will follow up directly with the complainant in consultation with Human Resources. If the Department Head is the focus of the complaint, the complainant can contact Human Resources for follow up and assistance.

7. Remedy

- 7.1 The City will take all reasonable and necessary steps to remedy substantiated complaints to protect the complainant and others from future harm.
- 7.2 Where a complaint is substantiated, an appropriate remedy will be assessed on a case-by-case basis. This may include corrective action such as education, training, mediation, temporary or permanent changes to reporting structures, or work assignments and discipline up to and including termination of employment or loss of volunteer opportunity.

8. No Reprisals or Retaliation

Adverse or retaliatory action, behaviour, or conduct against an individual because of their involvement in a matter related to the policy will not be tolerated.

9. Vexatious and Bad Faith Allegations and Complaints

The City recognizes that not every complaint will reveal prohibited conduct under this Policy. At the same time, abuses of this Policy will be taken very seriously. Any individual covered by this Policy who makes an allegation or complaint under this Policy that is found to be unreasonable, vexatious, frivolous, or made in bad faith or with a reckless disregard for truth, may result in disciplinary action, up to and including dismissal, revocation of privileges, and/or cancellation of contract.

10. Confidentiality

The *Freedom of Information and Protection of Privacy Act* governs rights to privacy and access to information with respect to complaints under this policy. The investigation of complaints will be conducted with discretion and the identities of witnesses will be kept confidential as much as possible; further inappropriate breaches of confidentiality may be subject to discipline. However, the identity of the complainant will be given to the respondent, and the identity of witnesses may be given to the respondent if required for a fair process.

11. Records Keeping

The City expects any individual captured under the Scope of the Policy who is experiencing or witnessing suspected or alleged bullying, discrimination, and/or harassment to complete the Workplace Bullying, Discrimination, and Harassment Complaint Form (*Respectful Workplace Policy* "Appendix A") or any other document that captures the essence of the Form. The City will keep all records pertaining to investigations and findings in a secure and confidential manner.

12. Limitations

This Policy articulates the position of the City and demonstrates its support and commitment to an environment that is free of racial discrimination and racism. It is not intended to supersede or supplant the other processes available to individuals or groups wishing to pursue avenues of formal complaint or redress under other City policies.

13.Related Policies, Procedures, Agreements and/ or Bylaws

- [BC Human Rights Code](#)
- [Workers Compensation Act](#)
- Respectful Workplace Policy (# 9.35.01)
- Investigative and Corrective Action Policy (# 9.28.03)

END OF POLICY

Record of Amendments

| Policy | Issue date | Reviewed | Replaced | Re-issue Date |
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