



CORPORATION OF THE CITY OF VERNON

TOURISM COMMISSION MEETING

FEBRUARY 15, 2023, AT 8:00 AM

OKANAGAN ROOM (COUNCIL CHAMBER) CITY HALL

A G E N D A

1) CALL TO ORDER

2) LAND ACKNOWLEDGEMENT

As chair of the City of Vernon's Tourism Commission, and in the spirit of this gathering, I recognize the City of Vernon is located in the traditional territory of the Syilx people of the Okanagan nation.

3) ADOPTION OF AGENDA

4) ADOPTION OF MINUTES

a) January 18, 2023 (attached)

5) NEW BUSINESS

1. Corporate Services Orientation
2. Election of Chair & Vice Chair
3. SCSNO Economic Impact Presentation – Josh Welter
4. Capital Projects Presentation – Mark Dowhaniuk
5. Manager's Update – Torrie Silverthorn

6) NEXT MEETING

The next meeting of the Tourism Commission is scheduled for **March 15, 2023** in the **Okanagan Room (Council Chambers) City Hall.**

7) ADJOURNMENT



THE CORPORATION OF THE CITY OF VERNON

MINUTES OF THE TOURISM COMMISSION MEETING HELD JANUARY 18, 2023 OKANAGAN ROOM (COUNCIL CHAMBER) CITY HALL

PRESENT: VOTING:

Bobby Bissessar, Accommodation Provider
Brad Callihoo, Okanagan Indian Band
Clara Snedden, Accommodation Provider
Dauna Kennedy, Arts & Culture (Acting Chair)
Gale Woodhouse, Arts & Culture
Ian Jenkins, Silverstar Mountain Resort
Janine Collard, Attractions
Kat Boloten, Accommodation Provider
Mayor Cumming
Michael Van Horne, Golf
Peter Kaz, Marketing & Events, Downtown Vernon Association
Richard Rolke, Greater Vernon Chamber of Commerce
Councillor Durning
Vicki Proulx, Sport & Events

GUEST:

Josh Welter, Executive Director, SCSNO

ABSENT: Claus Larsen, Accommodation Provider
Clinton Bialas, Restaurants
Troy Hudson, Ski

STAFF: Erin Gorman, Administrative Assistant
Hanna Lucich, Tourism Marketing Coordinator
Jennifer Pounder, Committee Clerk
Karen Savill, Visitor Services Coordinator
Torrie Silverthorn, Manager, Tourism

ORDER

The meeting was called to order at 8:00 a.m.

**LAND
ACKNOWLEDGEMENT**

As Chair of the City of Vernon's Tourism Commission, and in the spirit of this gathering, I recognize the City of Vernon is located in the traditional territory of the Syilx people of the Okanagan Nation.

**ADOPTION OF THE
AGENDA**

Moved by V. Proulx, seconded by R. Rolke:

THAT the agenda of the Tourism Commission meeting for January 18, 2023 be adopted:

CARRIED**ADOPTION OF THE
MINUTES**

Moved by M. Van Horne, seconded by V. Proulx:

THAT the minutes for the Tourism Commission meeting of December 21, 2022 be adopted.

CARRIED**NEW BUSINESS:****MANAGERS UPDATE**

T. Silverthorn, Manager, Tourism, presented the following update:

- A new Tourism Marketing Coordinator has been selected. Hilary Irvine from the Communications Department of the City of Vernon starts January 30, 2023. She will be attending the next Tourism Meeting.
- Save the date: April 13, 2023 - Industry Conference at Predator Ridge.

**CALL OUT FOR
TOURISM
COMMISSION
SUBCOMMITTEE
VOLUNTEERS**

T. Silverthorn provided the following overview of the subcommittee for the Coop Marketing Program:

- Tourism Vernon has a 50/50 grant program, similar to Destination BC's program, where you apply to Tourism Vernon, bring 50% of the funding and an explanation of how you plan to use the money to attract people to Vernon. If you are chosen, Tourism Vernon funds the other 50%.
- Staff is looking for 3 Tourism Commission volunteers to help sort through applications and aid in deciding which groups will get funding/less funding/no funding.
- There will be one or two meetings, and each meeting will be one to two hours.
- G. Woodhouse, V. Proulx and R. Rolke volunteered for the subcommittee.
- In response to a question, Staff confirmed that as long as the funds are used by December 31, 2023, you can apply at either intake for the grant (there are currently two intakes per year).

**ROUND TABLE
DISCUSSION**

The following questions were asked of each Commission member:

1. How is your business managing with staffing shortages?
2. Is your business setup to accept tour busses or large group bookings in 2023?
3. What is new and exciting to your business or sector for spring/summer 2023?

C. Snedden – Things are shaping up well. Pulled in some outside sources. We are still short in staff but we are doing the best we can. Looking good for the summer.

I. Jenkins – We had a good holiday break. Our light up was a success. We are ramping up for the BC Winter Games. We have approximately 100 foreign workers over the winter, however summer is looking bleak for employees. The plan is to bring on year-round full-time employees. We had a lot of students last year, but our schedules don't seem to line up well.

B. Calihoo – OKIB is business as usual.

Councillor Durning – BC Games needs approximately 400 more volunteers. Winter carnival also needs more volunteers. It's easy to sign up online and someone will call you. A lot of opportunities and short time commitments available. I. Jenkins offered to add a call out in his newsletter.

M. Van Horne – The retirees we hired keep coming back to work. New group of students getting into the work force which is great for summer and after school workers. We are still in need of staff.

P. Kaz – Winter Carnival – Sip & Save sold out. There are still tickets available for the Reklawz concert, which has a capacity of 3,500 people. Downtown Vernon Association – Had a great Christmas and winter. Hot chocolate day was a success. Labor shortage – it is causing businesses to delay opening. Chili cookoff on February 11, 2023 with six restaurants participating. Free downtown parking for the Vernon Comic Con.

J. Collard – We are on pace for a repeat of 2022. 20 out of 27 rental units are available, however, they are sold out for two weekends in June. We still have a staffing shortage. We are attending 3 job fairs as an Exhibitor. We have four big events per year now.

Cassandra (Destination Silverstar) – We are struggling with staffing due to transportation and housing. We are partnering with Vernon Winter Carnival and TOTA on seven celebrations. February 3rd – 5th events: Friday night storytelling, art display. Music in all bars on Friday, Saturday and Sunday. Sunday there is an artisan market. Shuttle service will be available for this event. It will leave Vernon at 10-1030 a.m. and back in the afternoon.

J. Welter – We have three events on schedule for the spring; CTFI Taekwon-do Nationals in May 2023. Age group 14-24. 500 athletes coming to Vernon. Pickleball Provincials from May 11-13 – first ever nationals in Vernon. 500 athletes and families. Age group 19-105. Slay the Dragon trail run at Silverstar. Over 100 people signed up already with a goal of over 500 participants. D. Kennedy offered to have a night at the gallery for events.

Mayor Cumming – There are a lot of events happening. He thanked everyone for the updates.

K. Savill – We are hiring two summer students. Please send any our way.

E. Gorman – Busy planning for the Industry Conference on April 13, 2023.

C. Snedden – Our pace is better than last year. Kitchen renovation is complete. Staffing is an ongoing issue. We have changed things to accommodate housing for our foreign workers.

T. Silverthorn – We will be out and about during the Winter Carnival. Between the three of us, a Tourism team member will be at most Winter Carnival events.

G. Woodhouse – ACE, business and not for profits are looking at an annual Vernon Culture Festival on September 22, 2023 for nine days. Artsolutely had a great year. All free celebratory days were very successful. Spring round trail event and September cultural days events. Revisiting old events and redoing successes of the past. Labor shortage for us is not due to lack of interest, it is mostly due to staff not coming in when they are not feeling well. I am also losing a valued team member due to the lack of daycare in Vernon. There is currently a 200 child wait list; a two-year waitlist. As a small organization, the doors get closed due to low staff. A documentary was just released about the Vernon Art Gallery on Telus.

T. Silverthorn – Mayor Cumming has suggested a presentation to this Commission. Mark Dowhaniuk, Manager, Infrastructure will be here to do a presentation during our February meeting.

V. Proulx – People are signing up for the Winter Carnival late, mostly due to Covid-19. Waiting until closer to make sure they are healthy to attend. There have been 1,700 tickets sold. There has been \$135,000.00 invested by us for the Recklawz concert which is a big risk for us. We get a lot of feedback from organizations and holders and I will bring an update. People are excited to have something to look forward to and see big things happening. A lot of youth engagement; we have over 300 youth volunteers signed up so far. We do need more volunteers. Vernon Recreation Services is looking for a few bartenders for one night. This is a paid job.

B. Bissessar – We are on par for last year. 2022 was a record-breaking year. Things are looking good for the summer.

R. Rolke – The number one issue is we hear from members is labor shortage and lack of housing. We are looking for ways to support members. We are hosting our 3rd Community Expo on April 2, 2023 at Kal Tire Place North; more information coming soon.

B. Woods – We are moving our AGM to January 26 this year. New president this year. July 15, 2023 is the date for the Bombshell Enduro at Silverstar. It will be open for registration on February 1, 2023. This is a members only event. They are hoping for 150 participants and 75 volunteers. Thursday night Toonie Rides will be happening again this year. We have been working with Jeff Black on the Trails Committee and reevaluating our trails master plan. It will take a couple of years to work on it. We are also pulling together our Becker Park Phase 2 Plan. It will be designed in 2023 and built in 2024 and has a \$500,000.00 budget. Excited to have trail crew maintenance contract, but we are still way off budget in being able to maintain. 150 trees need to come down at Silverstar. T. Silverthorn added that Tourism Vernon has been working with the project and we received a letter of support and have been invited to the 2nd round of the grant process.

Mayor Cumming – There has been \$35,000.00 set aside so the bathroom beside the playground at Marshall Field will be open this year.

D. Kennedy – Regarding the Greater Vernon Cultural facility, some branding was approved at a recent IT meeting. For the new Cultural facility, Revery Architecture has been hired. Excited to work with them. They have built cultural centers all over the world. Due to Covid-19 they want to keep their work in Canada - we lucked out. Revery has been meeting with various stake holders to evaluate everyone's needs. Mayor Cumming confirmed the new Cultural Center will be located across the street from Eatology in the empty parking lot.

INFORMATION ITEMS:

NEXT MEETING

The next meeting for the Tourism Commission is set for **February 15, 2023** at **8:00 a.m.**

ADJOURNMENT

The meeting of the Tourism Commission adjourned at 9:00 am by call of the Chair.

CERTIFIED CORRECT:

_____ Chair



City of Vernon

***TOURISM
COMMISSION
BYLAW***

#5683

BYLAW NUMBER 5683

BYLAW NO.	DATE OF ADOPTION	AMENDMENT
5683	May 14, 2014	ORIGINAL BYLAW
5799	February 10, 2020	ADD non-voting Silver Star Representative

THE CORPORATION OF THE CITY OF VERNON

BYLAW NO. 5683

A bylaw to establish a Tourism Commission

WHEREAS the Council of the Corporation of the City of Vernon, pursuant to Section 143 of the *Community Charter*, is empowered to establish a Tourism Commission and set out the composition and powers of the Commission;

THEREFORE BE IT RESOLVED that the Council of the Corporation of the City of Vernon, in Open Meeting assembled, HEREBY ENACTS AS FOLLOWS:

1. This bylaw may be cited as the **“City of Vernon Tourism Commission Bylaw Number 5683, 2018”**.

2. **Definitions**

“Commission” means the City of Vernon Tourism Commission

“Council” means the Council of the Corporation of the City of Vernon

“Member” means a member of the City of Vernon Tourism Commission

3. **The Purpose of the Commission**

- 3.1. Work to develop Vernon as a tourism destination through collaboration between Tourism stakeholders, Council and Administration.
- 3.2. Assist with increasing Vernon’s market share of travelers to and within British Columbia.
- 3.3. Increase Tourism-driven economic benefits to Vernon.
- 3.4. Identify and provide recommendations on programs and services that will enhance the Tourism sector in Vernon.

4. **Duties**

- 4.1. Support the implementation of the Tourism Vernon Strategic Business Plan.
- 4.2. Provide input and recommendations into the annual City of Vernon Tourism Operating Budget, Marketing Plan and other Tourism related strategic plans and documents for Council’s approval.

- 4.3. Review and approve marketing and tourism initiatives, including the budget and expenditure approval that are within the Council approved annual Marketing Plan and Council authorized annual budget.
- 4.4. Provide advice and recommendations to Council on matters and policies that support the Tourism industry and the delivery of Tourism services.

5. **Membership**

- 5.1. Members shall have terms of appointment of two (2) years, unless otherwise directed by Council.
- 5.2. Should a member change employment during their term, but remain employed in the Tourism industry in the Vernon area, they may choose to complete their term on the Tourism Commission.
- 5.3. The Commission will be comprised of sixteen (16) voting members and one (1) non-voting member, each appointed by Council, as follows (one representative per industry sector, organization or agency unless otherwise noted):

Industry Members:

- a) Accommodation Provider (4 members)*
- b) Arts & Culture Sector (2 members)
- c) Attractions
- d) Biking Sector
- e) Golf Sector
- f) Restaurant Sector
- g) Ski Sector
- h) Sport & Events

Organization & Government Representatives:

- a) Greater Vernon Chamber of Commerce
- b) Downtown Vernon Association
- c) Okanagan Indian Band
- d) Silver Star Mountain Resort (non-voting)
- e) Mayor or Council Designate

**Whenever possible, Council will attempt to split the four Accommodation Providers between large (over 80 rooms) and small (under 80 rooms) properties.*

Non-Voting Members:

- (a) Manager, Economic Development and Tourism
- (b) Manager, Tourism
- (c) Additional staff, as required

- 5.4. A Chair and alternate shall be appointed annually by a majority vote of the Commission at their first meeting in each calendar year.
- 5.5. An assigned Committee Clerk is the secretary to the Commission.
- 5.6. The Manager, Economic Development and Tourism or delegate shall be the Staff Liaison to the Commission

6. Operation of the Commission

The Tourism Commission is required to operate in accordance with the City of Vernon Corporate Policy – Council Committee Structure with the exception of the following:

- 6.1. The Commission shall meet once per month, except August. Special meetings may be called as required or as determined by the Chair pursuant to the Council Committee Structure Policy.
- 6.2. The Commission may accept delegations upon approval from the Chair. Delegations will be coordinated by the Staff Liaison.
- 6.3. All decisions of the Commission shall be by majority vote. Recommendations that are in accordance with the Council approved annual Tourism Operating Budget and Marketing Plan can be approved by the Commission.
- 6.4. Recommendations that are outside of the Council approved annual Tourism Operating Budget and Marketing Plan must be brought forward to Council for consideration. In those cases, a memorandum to Council shall be prepared by the Staff Liaison or delegate, outlining the recommendations of the Commission, including the background information and/or reports that have been provided to the Commission.

7. Administration and Financial Reporting of the Commission

- 7.1. Day to day operations and administration of Tourism programs, projects, activities and support to the Commission will be undertaken by City of Vernon Administration. The Commission does not have authority to hire, fire or discipline staff.
- 7.2. Any Tourism marketing efforts undertaken by the Commission will be done in accordance with the City of Vernon Corporate Policy - Visual Identity Standards Policy and the City Logo and Tagline Policy.
- 7.3. Any expenditures authorized by the Commission will be undertaken by City of Vernon Administration and are required to be done in accordance with the City of Vernon Corporate Policy – Purchasing Policy.

- 7.4. The Commission will report to Council at least once per calendar year to update Council on projects and initiatives. As the City of Vernon is responsible for all funds expended by the Commission, the agenda, minutes and expenditures will be made available to the municipal auditors.

PART II - APPEAL

8. Any decision of the City of Vernon Tourism Commission made pursuant to this Bylaw may be appealed to the Council.
9. Notice of such appeal setting out the grounds thereof shall be given to the Corporate Officer within seven (7) days of the decision complained of. The Corporate Officer shall place such appeal on the next agenda of the Regular Council meeting of the City of Vernon, following receipt of such notice; or the appeal may be heard at a special meeting of Council called for such purpose.

READ A FIRST TIME this 23rd day of April, 2018

READ A SECOND TIME this 23rd day of April, 2018

READ A THIRD TIME this 23rd day of April, 2018

ADOPTED this 14th day of May, 2018.

'Akbal Mund'

Mayor:

'Susan Blakely'

Acting Corporate Officer:



THE CORPORATION OF THE CITY OF VERNON

3400 – 30th Street, Vernon, B.C. V1T 5E6
Telephone: (250) 545-1361 Fax: (250) 545-4048

website: www.vernon.ca

Corporate Policy

Section:	Human Resources	
Sub-Section:		
Title:	Bullying and Harassment	

RELATED POLICIES

Number	Title
	Replaced Harassment Policy

APPROVALS

POLICY APPROVAL:	AMENDMENT APPROVAL:	SECTION AMENDED
Approved by: Mayor: "Akbal Mund" Date: December 14, 2015	Amendment Approved by: Mayor: "Akbal Mund" Date: December 18, 2015	Amended due to compliance Workers Compensation Bill 14

POLICY

The policy of the City of Vernon is to provide and maintain a workplace that is free from discrimination, bullying and harassment, not only in relation to the specific conduct prohibited by the British Columbia (BC) Human Rights Code, but regarding any form of personal bullying harassment which may reasonably cause embarrassment, insecurity, discomfort, offence or humiliation to another person or group.

The City of Vernon is committed to a professional working environment where employees, contractors, elected officials, committee volunteers, and students working on behalf of the City or present within the City's facilities and programs, are treated with respect and dignity.

This Policy will apply to the resolution of all internal informal or formal complaints brought forward or filed pursuant to this Policy.

The procedures set out within this Policy will also apply to any and all City of Vernon investigations conducted in response to external discrimination/harassment/bullying complaints filed with WorkSafe BC, the Human Rights Tribunal or otherwise.

DEFINITIONS

Parties

Parties are the Complainant(s) and Respondent(s) directly involved in a Complaint and may include: employees (unionized and excluded), contractors, elected officials, committee volunteers, and students.

Complainant(s)

Complainant(s) are those individuals making a Complaint and seeking recourse in relation to this Policy.

Respondent(s)

Respondent(s) are those individuals alleged to have violated this Policy.

Bystanders

Bystanders are third parties who have witnessed behaviour that, in their view, potentially constitutes a violation of this Policy. Bystanders should report their concerns in accordance with Step 2 of the informal processes set out below.

Bystanders are not Parties to a Complaint. However, they may be interviewed as witnesses in the event there is a formal investigation into their concerns.

Witnesses

Witnesses are individuals who have direct knowledge of or involvement in any matter or incident that potentially relates to a Complaint brought forward or filed pursuant to this Policy.

Complaint

A concern or Complaint regarding any of the potential behaviour as defined below that requires a solution that is brought forward for the purposes of obtaining a resolution.

Prohibited Grounds

Conduct or commentary that is based, in whole or part, on any of the following 13 grounds: race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, age or unrelated criminal conviction.

Respectful Conduct

Respectful workplace conduct incorporates courtesy, civility, consideration, and compassion. It is an approach which actively respects individuals by avoiding unnecessary behaviours which would reasonably be considered to have a negative impact on others. It involves taking responsibility for one's behaviour/conduct in the workplace.

A workplace disagreement or difference of opinion is not by definition disrespectful. The manner in which a disagreement is described, discussed or resolved will determine whether or not the conduct is respectful.

Examples of Respectful vs. Disrespectful Behavior

Violations of this Policy will be determined on an objective and case-by-case basis, having regard to the overall circumstances of each Complaint, including the particular timing and context of the event(s) in question. This commonly will be determined after receiving information from the Parties and Witnesses. However, for illustrative purposes only, some examples of respectful versus disrespectful behaviour could include the following:

- Quiet and calm communication which focuses on the issues rather than personal characteristics of the individuals involved vs. loud, profane, name-calling, and abusive language that may also focus on personal characteristics.
- Expressing and resolving disagreement in a calm and professional manner vs. insulting or belittling others through personal attacks, sarcasm or through non-verbal behaviour that may include repetitive eye-rolling, loud sighing, disrespectful

facial expressions, shunning, stone walling discussions, walking out of discussions prematurely, or making physical or psychological threats.

- Addressing issues and concerns regarding work performance or misconduct in a confidential, discreet manner through responsible managers vs. engaging in gossip, rumours, speculation or criticism of an individual to others or discussing issues in front of individuals who do not need to be a part of the discussion.
- Sharing information required to deliver services effectively vs. repeatedly ignoring questions or requests for information or deliberately failing to provide necessary/helpful information.
- Responding to on-call pages in a timely fashion vs. not being accessible or responding to pages when on-call.
- Written communication made in a respectful professional manner vs. unprofessional comments made about colleagues or co-workers.

Discrimination

Discrimination is adverse differential treatment of an individual or group, whether intended or not, on the basis of race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, age or unrelated criminal conviction. Discrimination of this nature imposes burdens or obligations on an individual or group that serves no work-related function. It is important to note that such conduct is not only a breach of this Policy; it may also be a breach of the BC Human Rights Code.

Discriminatory Harassment

Discriminatory harassment is a form of discrimination and is also contrary to the BC Human Rights Code. Discriminatory harassment is abusive, unfair, offensive, or demeaning treatment of or disrespectful/disruptive conduct towards a person or group of persons related to their race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, age or unrelated criminal conviction that a reasonable person would know or ought to know or would:

- have the effect of interfering with an individual's work or participation in work related activities; or
- create an intimidating, hostile or offensive environment for work or participation in a work-related activity.

Examples of Discriminatory Harassment:

- Teasing, joking, taunting, insulting or criticizing a person, directly or indirectly, verbally or in writing, based on his or her prohibited grounds (e.g. race, gender, age). This may include commentary regarding their ability to communicate clearly, physical appearance, work style, and level of intelligence.

Sexual Harassment

Sexual harassment is disrespectful/disruptive conduct of a sexual nature made by a person who knows or ought to reasonably know that such conduct or comment is unwanted or unwelcome; or an expressed or implied promise of a reward for complying with a request of a sexual nature; or an expressed or implied threat of reprisal for refusal to comply with such a request; or disrespectful/disruptive conduct of a sexual nature which is intended or reasonably would be known to create an intimidating, hostile or offensive environment.

Examples of Sexual Harassment include:

- verbal abuse or threats of a sexual nature;
- unwelcome remarks, jokes, innuendoes or taunting of a sexual nature;
- displaying of pornographic or other offensive pictures;
- unwelcome and/or repeated sexual invitations or requests;
- leering or other inappropriate sexually oriented gestures;
- unnecessary physical contact such as: touching, patting or pinching;
- sexual assault (this may also be a criminal matter);
- negative comments that are gender-based, and
- repeated behavior that a person has objections to and is known or should reasonably be known to the offender as being unwelcome.

Personal Harassment

Personal harassment is any behavior, including disrespectful/disruptive conduct by a person directed against another person that a reasonable person would know or ought to know would cause offence, humiliation or intimidation, where the conduct is not carried out in good faith and serves no legitimate work-related purpose.

Examples of Personal Harassment:

- swearing, yelling, or making derogatory gestures or comments to or about another individual;
- engaging in embarrassing practical jokes, ridicule, or malicious gossip;
- verbal or physical threats or physical assault.

Bullying

Bullying is any repeated or systematic physical, verbal or psychological behaviour including disrespectful/disruptive behavior, which would be seen by a reasonable person as intending to belittle, intimidate, coerce or isolate another person.

Note: Personal harassment and/or bullying does not include social banter in the workplace that is objectively viewed as acceptable in tone and content. Nor does it include actions occasioned through the good faith management of the employment relationship, including decisions related to hiring, selection, performance evaluations, and progressive corrective discipline, provided that such decisions are made and implemented in a manner that is respectful of those involved.

<https://www.worksafebc.com/en/health-safety/hazards-exposures/bullying-harassment>

Methods of Communication

Inappropriate communication that may violate this Policy may be transmitted in person, on the phone, and in writing, through email, texts, Facebook, Twitter and other social media messaging, and otherwise. Potential violations may consist of inappropriate communication made to a person and/or communication made about a person to others.

Fairness

Parties, Bystanders, and Witnesses have a right to fair treatment in the consideration and adjudication of complaints and concerns under this policy. Fair treatment includes the right to:

- bring forward their concerns pursuant to processes within the Policy within a timely manner;
- being informed in a timely manner of Complaints made against them;
- an impartial and objective consideration and evaluation of the circumstances, through informal or formal intervention;
- confidentiality to the extent possible in the circumstances, including the avoidance of gossip, rumours and speculation by Party(ies), Witness(es) or others within the City;
- protection to any Party(ies) or Witness(es) from retaliation for participation in processes under this Policy
- being effectively informed of the outcome of any formal intervention;
- union representation for unionized staff; and
- other representation, for excluded staff.

Confidentiality

All Bystanders, Witnesses, and Parties involved in a Complaint or in the informal/formal resolution of a Complaint, are expected to keep matters related to a Complaint confidential. This includes managers and supervisors who are privy to the Complaint or Complaint resolution process.

An established breach of confidentiality regarding a Complaint or Complaint resolution process shall be considered an independent violation of the Policy (regardless of the merits or conclusions regarding the Complaint) and may result in discipline.

Any allegation or Complaint under this Policy will be considered personal information supplied in confidence for the purpose of Section 22(2) (f) of the *Freedom of Information and Protection Privacy Act*. The names of those involved in the Complaint shall not be disclosed to any person except where necessary for the purpose of fairly investigating and determining the outcome of the complaint.

The substance of investigative reports and the substance of meetings held by those in authority to make decisions in relation to a Complaint, regardless of whether it is substantiated, will be protected from disclosure to third parties in accordance with Section 19 of the *Freedom of Information and Protection Privacy Act*.

Complaint Resolution

Complainants are encouraged to resolve Complaints/concerns with others as soon as they arise using the informal process set out below, unless it is clearly inappropriate in all of the circumstances.

Without limiting its application, the informal resolution process is commonly used in circumstances where the alleged concern/conduct appears to be: (a) non-repetitive (a 'one-off' discussion/interaction); and (b) relatively minor in severity or seriousness, considering its content, potential impact on the individual and/or the safety/health of the overall organization.

Although the Complainant(s) may indicate that he/she prefers the informal process, the City of Vernon may at any time exercise its discretion to initiate a formal process based upon its overall review of the circumstances.

PROCEDURES

Informal Processes

Step 1 – Resolution (Informal Conversation)

Wherever reasonable, the Complainant(s) should address the person with whom he/she is having difficulty (the Respondent(s)) in a direct and discreet (confidential) manner as soon as possible following the incident.

If the Complainant(s) is not comfortable taking this step, or if the Complainant(s) has done so without success, then the Complainant(s) should proceed to the next step.

Step 2 – Resolution (Manager/Designate Involvement)

The Complainant(s) or Bystander(s) should approach his/her manager or director with his/her concerns including particular examples of inappropriate statements or verbal or non-verbal behaviours by the Respondent(s), dates, times, witnesses, and as much detail as possible. This should be done as soon as reasonably possible following the incident/behaviours. The manager or director should contact Human Resources.

If the Complainant(s) or Bystander(s) is uncomfortable approaching any of these individuals, or if the individuals are the Respondent(s) or if the individuals are perceived by the Complainant(s) to be part of the problem, then the Complainant(s) or Bystander(s) can speak to Human Resources.

Human Resources will review the concern and where appropriate should directly or indirectly facilitate a resolution in a manner that it considers most effective and reasonable considering all of the circumstances.

Interventions by managers or directors, Human Resources in Step 2 may include one or more of the following possibilities (or other similar interventions):

- meeting separately with each person involved in the concern to discuss and investigate the situation;
- meeting together with the persons involved to facilitate a discussion aimed at understanding and resolving the issue in a practical, non-punitive manner or mediating a solution that works for all Parties;
- coaching one or more of the Parties (verbally or in writing) on workplace expectations regarding appropriate workplace behavior or performance;
- recommending or applying progressive discipline when warranted i.e. based on the findings and severity of the misconduct found;
- engaging the support of Human Resources to assist with Step 2 processes, or
- engaging an external third party facilitator or mediator to work with the Parties and others involved to achieve a confidential, practical and mutually agreeable

resolution to outstanding concerns without making findings against any Parties (Mediation).

The above noted intervention/preliminary investigation should be completed on or before 30 days after the final interview. The time-lines will be reasonably extended at the request of the lead investigator based on a number of factors, including extenuating circumstances or complexities surrounding a particular investigation/intervention.

If, at the outset of or at any time during the Step 2 process, the individual who receives the reported Complaint/concern concludes that, given the severity of the behaviours alleged in the Complaint, including their potential physical or psychological impact on the Complainant(s) or other employees at the City of Vernon, a formal investigation is warranted, then the matter should be immediately referred to Step 3 of the Policy for investigation and resolution.

Formal Processes

Step 3 – Investigation

The formal process involves an objective investigation of a written Complaint/concern that has been brought forward to Human Resources, the Complaint.

Once the Complaint has been received by the immediate supervisor, manager, or Human Resources representative; the Complainant(s) will be asked to complete a formal Complaint form. This form seeks the following details:

- Complainant(s) name and position;
- name and position(s) of the Respondent(s);
- address or location where the incident occurred;
- detailed summary of all of the specific incidents or examples of behavior that have led to the filing of the Complaint;
- date(s) and time of each incident;
- names of the individual(s) alleged to have engaged in the unacceptable conduct;
- details of the Complaint(s) – that is, the specifics of what was said or done to the Complainant(s) to have triggered the Complaint;
- identity of any potential witnesses;
- impact of the behaviour on the Complainant(s); and
- steps taken, though Steps 1 or 2 of the Policy, to address the Complaint and the outcome of those processes.

The Complainant(s) must sign and date the Complaint and send to the designated individuals set out above by either:

- envelope marked **Confidential**; or

- scanning the signed complaint and sending it via email indicating **Confidential**.

The filing of a formal Complaint does not mean that a formal investigation will automatically be conducted. The manner in which a Complaint is resolved will be determined by the City, following consultation with the Parties, and will depend on a number of factors, including the nature, extent and severity of allegations brought forward by the Complainant(s) and the history of circumstances leading up to the filing of the formal Complaint.

Following this review, the individual(s) who receives the Complaint may take one of the following steps:

- refer the matter back to Step 2 to resolve the matter through informal processes; or
- assign an internal or external Investigator to conduct a formal investigation of the Complaint.

Appointment of Investigator

Factors that the City will consider in determining whether to retain an internal or external investigator may include: the overall complexity of the facts/law related to the Complaint; the Parties to the Complaint, the anticipated length of time necessary to conduct the investigation; the potential severity of the outcome(s) of the investigation in relation to the Respondent(s) should the Complaint be substantiated; and any other relevant circumstances.

Internal investigators shall have sufficient prior experience and/or training in conducting workplace investigations and shall have no previous involvement in the facts/circumstances giving rise to the Complaint.

External investigators shall be appointed by the Director, Human Resources, in consultation with the Chief Administrative Officer (CAO) and at his/her discretion.

Time Limits

The time limit for making a formal complaint is within six (6) months from the date of the last incident. This is consistent with the time limits noted in the BC Human Rights Code.

Interim Measures

It may be necessary to take interim measures, such as transfers/leaves/restrictions on contact or communication while a Complaint is being investigated. Such measures will be precautionary, not disciplinary.

Mediation during the Formal Process

Where appropriate, mediation is available to Parties to try to resolve the Complaint at any point during the process. Any ongoing investigation will be suspended during mediation and will resume if mediation is unsuccessful.

Unless explicitly agreed to by the Parties in writing, the investigator shall not act as the mediator and shall have no communication with the mediator regarding the Complaint at any time.

Withdrawal of a Formal Complaint

At any time during the course of an investigation of a formal Complaint, the Complainant(s) may choose to withdraw his or her Complaint without penalty so long as the Complaint was filed in good faith. In such circumstances, there should be no indication of the complaint in the personnel files of the Complainant(s) or Respondent(s).

The Investigation Process and Role of the Investigator

The investigator will take a reasonable amount of time to conduct the investigation to interview the Parties and relevant Witnesses and obtain and review any potentially relevant documents.

The investigator will prepare a report of investigation outlining his/her findings and conclusions and submit the report to the relevant Human Resources Representative.

The findings and conclusions may relate to both the conduct at issue and the medical/emotional/financial impact of the conduct on those involved.

The investigator may include recommendations in the report of investigation, where applicable and if requested by the City.

The City will advise both the Complainant(s) and Respondent(s) of the findings and conclusions of the investigation and any recommendations related to their conduct, through a written summary of the report. Other Parties involved in the complaint (Witnesses and others) will be advised that the investigation has been concluded (without being provided any further information).

Appeals

Within 15 days of receiving a summary of the report of investigation, either Party(ies) may file an appeal with the City.

The appeal shall be based upon and restricted to, specific concerns related to the investigative process. The appeal shall not constitute an avenue in which to re-investigate the Complaint.

The CAO shall review the report of investigation to evaluate the fairness of the process and has sole discretion to take further action based upon his/her review.

The decision of the CAO is final.

Complaints involving City's Chief Administrative Officer, the Mayor or Members of City Council

External Investigator

Complaints brought under this policy against the Chief Administrative Officer, the Mayor or Members of City Council shall be presented to an external investigator with expertise regarding matters covered under this policy.

The external investigator will be retained by and will report directly to the Mayor and Chief Administrative Officer in cases involving the Members of Council. In cases involving the Mayor, the external investigator will be retained by and will report directly to the Chief Administrative Officer. In cases involving the Chief Administrative Officer, the external investigator will be retained by and will report directly to the Mayor.

Outcomes

General Outcomes

Once the appeal period has expired or the appeal has been concluded, the City will inform the Complainant(s) and Respondent(s) of its final implementation plan based upon the report of investigation.

Part of the implementation plan may include processes similar to those set out in Step 2, in order to help rebuild/repair the relationships.

Outcomes that may be included in the implementation plans include one or more of the following:

- oral and/or written apology from the parties;
- adjustments to the workplace environment;
- coaching of expectations – verbal or in writing;
- medical assessment referrals;
- training;
- transfers to a different department; and/or

- institution of formal discipline and disciplinary processes, up to and including suspension/removal from premises for contractors, visitors and volunteers; and
- mediation.

Discipline in accordance with Corporate Policy may arise if such action is warranted based on the severity of the findings/conclusions of the investigation.

The Complainant(s) and Respondent(s) will only receive information relevant to their role in the final implementation plan; they will not be privy to recommendations related to the other Party(ies).

Outcomes

City management will determine and implement specific consequences and remedies that are reflective of and relevant to the investigative findings/conclusions within a reasonable period of time after receipt of the report of investigation.

Any Party(ies) who disagrees with the nature/extent of action or disciplinary action imposed by the City as a result of the investigation should access the usual grievance/appeal process set out in the relevant collective agreements and City of Vernon policies.

Other Important Points

Malicious/Vexatious/Frivolous Complaints of Misuse of the Policy

In circumstances where a Complaint is found to have been made in bad faith or determined to be vexatious, frivolous or a general misuse of the Policy, the Complainant(s) may face similar outcomes as a Respondent(s) as set out above (ie. Interventions ranging from coaching to formal disciplinary intervention).

This section of the Policy may apply to filed Complaints as well as any circumstances in which individuals repeatedly threaten to file Complaints against others in order to achieve similar ends.

A Complaint, or threatened Complaint, will be deemed to have been made in bad faith when, considering all of the circumstances surrounding the complaint including its timing and context, the Complaint was found to have been made solely in an attempt to:

- influence or overturn decisions related to the Complainant's employment;
- intimidate, threaten or cause trouble to the Respondent(s);
- create a hostile or intimidating workplace environment for others, including the Respondent(s); or

- create a potential personal benefit or entitlement to the Complainant(s).

Misuse of the Policy may include unreasonable, repetitive filing of Complaints or concerns that are consistently found to be unsubstantiated.

In circumstances where a Complaint has been found to be malicious, vexatious or a misuse of the Policy, the Respondent(s) may be awarded the same remedies as those available to Complainant(s) as set out above (interventions ranging from an apology to compensation for established losses).

Unsubstantiated Complaints

If the investigator finds insufficient evidence to support the Complainant's allegations and finds that there has been no misuse of the Policy or bad faith in filing the Complaint, no action will be taken in relation to the complaint. There will be no record of the Complaint on the Respondent's file.

Consequences of Retaliation

Any established retaliation against any Party(ies), Bystander(s) or Witness(es) involved in an informal or formal resolution process shall be considered an independent violation of the Policy (regardless of the merits or outcome of the initial concern or Complaint) and shall result in discipline commensurate with the severity of the conduct.

Multiple Proceedings

This Policy is in addition to and not in substitution for any rights an individual may have to pursue action, whether under collective agreements, policies including any applicable legislation, including human rights legislation.

If at any time a staff member elects to initiate other legal proceedings or if the staff member takes any steps outside of those contemplated in this policy, the City may discontinue any procedures taken under this policy as a result of the Complaint (depending on a consideration of all of the circumstances).

Potentially criminal behaviour such as an assault, significant threats, or attempts at extortion shall be directly referred to the RCMP by the City upon receipt of a Complaint of this nature.