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COMMITTEE:	Human Resources	PASSED:	27 April 2023
TOPIC:	Occupational Health and Safety	AMENDED:	
		REVIEW PERIOD:	Bi-Annual

## PURPOSE

The North Vancouver Library Public Library (“the Library”) is committed to ensuring a workplace that is free of discrimination and racism. The purpose of the Anti-Discrimination and Anti-Racism Policy (“the Policy”) is to demonstrate this commitment. This Policy is intended to supplement and support British Columbia’s *Human Rights Code* and related Library policies such as the Respectful Workplace Policy.

## SCOPE

This Policy applies to all Library trustees, employees, volunteers, students, and contractors.

This Policy applies to the interpretation and application of current and new bylaws, regulations, policies, procedures, contracts, procurements, and activities carried out by Library, all of which will be required to be compliant with the principles and particular requirements specified within this Policy.

The scope of this Policy includes all aspects of the Library’s activities, including its working environment, procurement, services, meetings, and various public events and programs. In addition, this scope will include ongoing relationships with individuals, businesses, community groups, and contractors as well as with the local government, other libraries, community partners, and public and private bodies.

## POLICY STATEMENT

The Library recognizes the racial diversity in our community and commits to respecting the fundamental rights, personal worth, and human dignity of all people in our community. This Policy is based on six (6) key guiding principles.

## GUIDING PRINCIPLES

1. The Library recognizes the diversity of our community and believes that all members of our community including, but not limited to, residents, elected officials, trustees, employees, volunteers, patrons and visitors of colour and Indigenous Peoples have the right to live, work, do business, and play in an environment that asserts and supports their fundamental rights, personal worth, and human dignity.
2. The Library acknowledges and recognizes the existence in our community of racism in all its forms, including Cultural, Environmental, Institutional, Systemic, and Individual.
3. The Library is committed to breaking down barriers, deconstructing biases, and fostering and promoting an inclusive, respectful and welcoming environment for all, one that is free from racial discrimination and racism.

4. The Library acknowledges its role and responsibility in protecting every person's right to be free from racial discrimination and racism.
5. The Library is further committed to respecting and upholding the vision and principles of British Columbia's *Human Rights Code* and the implementation of the Calls to Action of the Truth and Reconciliation Commission.
6. This Policy is intended to demonstrate the Library's commitment to conducting the day to day operations and governance in an anti-discriminatory and anti-racist manner and environment.

The implementation of this Policy is a public commitment that the Library will continue to make best efforts to ensure that all who work and interact with the Library are able to do so in an environment and manner free of racism and racial discrimination.

## **ROLES AND RESPONSIBILITIES**

### Library Trustees:

- Abide by and support this policy as referenced in/or in addition to the Board Code of Conduct;
- 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;
- Ensure that Management is trained on this Policy and is implementing it;
- Report incidents of racial discrimination or racism experienced or witnessed, immediately to the Director of Library Services (or their designate) or the Library Board Chair or Vice-Chair;
- Cooperate and participate in good faith in any investigation under this Policy;
- Maintain the confidentiality of all involved in a complaint under this Policy; and
- Ensure this Policy is reviewed at least every 2 years for effectiveness.

### Employees, Contractors, Students, and Volunteers:

- Not engage in racial discrimination or racism;
- Conduct oneself and speak in an inclusive manner;
- Report incidents of racial discrimination or racism experienced or witnessed, immediately to a supervisor, the CAO (or designate), and/or Human Resources;
- Maintain the confidentiality of all involved in a complaint under this Policy; and
- Cooperate and participate in good faith in any investigation under this Policy.

### Managers/Supervisors

- Ensure that the workplace and the business of the Library is 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
- Report incidents of racial discrimination or racism experienced or witnessed, immediately to a manager or the Director of Library Services
- Listen to any complaint, treating it sensitively, seriously, and confidentially;

- When appropriate and required, work with Human Resources to carry out a timely, thorough, confidential, and objective investigation of any allegation and answer any complaints in accordance with this Policy;
- If necessary or appropriate, appoint an independent third-party investigator to investigate allegations or complaints when required;
- Subject to procedures referred to in this Policy, review the findings and recommendations and determine, in consultation with Human Resources, the outcome and the appropriate action to be taken, which may include education, training, or disciplinary action, dependent upon the results;
- Maintain the confidentiality of all involved in a complaint under this Policy;
- Cooperate and participate in good faith in any investigation under this Policy; and
- Ensure this Policy is reviewed at least every 2 years for effectiveness.

#### Human Resources

- Train all new employees, volunteers, and contractors on this Policy at the commencement of their employment or services and provide refresher training annually thereafter. Training should be meaningful, interactive, and involve group work where participants can work through various case studies highlighting appropriate and inappropriate behaviour;
- Listen to any complaint, treating it sensitively, seriously, and confidentially;
- When appropriate and required, provide a timely, thorough, confidential, and objective investigation of any allegation and answer any complaints in accordance with this Policy;
- If necessary or appropriate, appoint an independent third-party investigator to investigate allegations or complaints when required;
- Subject to procedures referred to in this Policy, review the findings and recommendations and determine, in consultation with Management, legal counsel and/or the Library Board, as applicable, the outcome and the appropriate action to be taken, which may include education, training or disciplinary action, dependent upon the results;
- Maintain the confidentiality of all involved in a complaint under this Policy; and
- Cooperate and participate in good faith in any investigation under this Policy.

#### Complainants have a right to:

- Make a complaint and receive a copy of the complaint;
- Be informed of the status and progress of the investigation;
- Be informed of a summary of the results of the investigation in writing including a summary of corrective action that has or will be taken as a result of the investigation;
- Not be subject to retaliation; and
- Withdraw a complaint at any time during the procedure; however, depending upon the nature and severity of the allegations, the Director of Library Services or Board Chair may determine that an investigation is required and the process will continue despite the withdrawal.

#### Respondents have a right to:

- Be informed that a complaint has been filed;
- Be informed of the status and progress of the investigation;
- Have the allegations provided to any independent investigator;
- Be informed of the allegations against them and be provided an opportunity to respond; and

- Be informed of a summary of the results of the investigation in writing.

Bystanders have the right to:

- Not be subject to retaliation because they have participated as a witness; and
- Bystanders have a responsibility to meet with the investigator and to cooperate in good faith with all those responsible for the investigation of the complaint.

Investigator, if engaged under the process referred to in this Policy, shall:

- Have expertise regarding the matters covered under this Policy;
- Ensure the Respondent is informed of the allegations;
- Ensure all parties involved have been informed of their rights and responsibilities;
- Interview the parties concerned and any witnesses;
- Collect all pertinent information;
- Recommend a mediation process where appropriate;
- Prepare a written report;
- Ensure the investigation is completed in a timely fashion taking into account particular circumstances; and
- Maintain confidentiality.

## **PROCEDURE**

Any trustee, employee, volunteer or contractor affected by bullying, harassment, racism, and/or discrimination in the course of their employment with the Library, while volunteering for the Library, or while performing services under contract for the Corporation, should follow the procedures for reporting a complaint as per the Library's Positive Workplace Environment: Anti-bullying and Harassment Policy.

The Library's Positive Workplace Environment Policy sets out the procedures for reporting a complaint, investigation of a complaint, options for remedies, and standards for confidentiality. The Director of Library Services, working with Human Resources, will treat all complaints under this Policy seriously and will investigate all complaints of racism and racial discrimination pursuant to the complaint procedure set out in the Library's Positive Workplace Environment Policy.

## **LIMITATIONS**

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

## **RECORD KEEPING REQUIREMENT**

The Library will keep a written record of all investigations, including the findings, in the Library's Human Resources files.

All workers will be provided with a copy of the Policy when they are hired, and a copy will be available on the Library intranet.

## **REVIEW**

The Board's Human Resources Committee will conduct periodic review of this Policy every 2 years and make any necessary amendments in accordance with law.

If you have any additional questions about this Policy, please contact your Manager, the Director of Library Services, and/or the Library's HR Advisor.

## **EDUCATION AND TRAINING**

All persons to whom this Policy applies will be provided with training on this Policy, and on bullying and harassment.

All individuals charged with implementing and applying this Policy will be properly trained, and fully versed in the specifics of this Policy, interviewing techniques, and information gathering, and on bullying, harassment, discrimination, and racism.

## Appendix A DEFINITIONS

**Barrier** – An overt or covert obstacle which must be overcome for equality and progress to be possible.

**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.

**Bullying/Harassment:** Any inappropriate conduct or comment by a person towards a worker that the person knew or reasonably ought to have known would cause that worker to be humiliated or intimidated, but excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment.

Bullying and harassment may take many forms. It may be one incident or a series of incidents. It may take place in different ways, including one-to-one in person, in a group setting or through other channels including social media and email.

**Cultural Racism** - The full adoption by an individual or group of the culture, values, and patterns of a different social, religious, linguistic, or national ethos, resulting in the diminution or elimination of attitudinal and behavioural characteristics of the original individual or group. It can be voluntary or forced.

**Discriminatory Conduct:** Discrimination is the act of differentiation among employees on the basis of any characteristic protected by the *BC Human Rights Code*, including race, colour, ancestry, place of origin (birthplace), political belief, religion, marital status, family status, conviction for an offence unrelated to employment, physical disability, mental disability, sex, age, sexual orientation, and gender expression. The Library prohibits discrimination, including bullying/harassment, based on any characteristic protected by the *BC Human Rights Code*. Discrimination may be intentional or unintentional, conscious or unconscious. Discrimination can result in one individual or group having an advantage over another and can cause an individual or group to be excluded from activities which they ought to have the right to be included in.

**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.

**Environmental Racism** - A systemic form of racism in which toxic wastes and dangerous and toxic facilities are located into or near marginalized communities, such as People of Colour, Indigenous Peoples, working class, and poor communities, often causing chronic illness and change in their lifestyle due to pollution of lands, air, and waterways.

**Inclusive Language/Inclusion** - The deliberate selection of vocabulary that avoids explicit or implicit exclusion of particular groups and that avoids the use of false generic terms, usually with reference to gender. Making diverse members of society or an organization feel valued and respected.

**Indigenous Peoples** – 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). The original inhabitants of Canada who lived here for millennia before explorers arrived from Europe.

**Individual Racism** - Racist assumptions, beliefs, and behaviours that stem from conscious and unconscious personal prejudice.

**Institutional Racism (Systemic Discrimination)** - The institutionalization of discrimination through policies and practices which may appear neutral on the surface but which have an exclusionary impact on particular groups. This occurs in institutions and organizations, including government, where the policies, practices, and procedures (e.g. employment systems – job requirements, hiring practices, promotion procedures, etc.) exclude and/or act as barriers to racialized groups.

**People of Colour** - 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.”

**Prohibited Grounds of Discrimination [BC]**- Race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity, gender expression, age of a person, or class of persons.

**Racial Discrimination** – Means 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, or any other field of public life.

**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. There are many types of racism: Institutional, Systemic, and Individual.

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>

## RELATED POLICIES AND GUIDELINES

- B-OHS-03 POSITIVE WORKPLACE ENVIRONMENT: ANTI-BULLYING AND HARASSMENT
- MG-OHS-03 POSITIVE WORKPLACE ENVIRONMENT
- B-HR-01 FOSTERING A SUPPORTED AND EMPOWERED STAFF
- MG-HR-01.0 EMPLOYEE CODE OF CONDUCT
- CODE OF CONDUCT FOR BOARD MEMBERS