



DISTRICT OF METCHOSIN

AGENDA

AGRICULTURAL ADVISORY SELECT COMMITTEE MEETING

June 7, 2023 at 7:00 p.m.

Council Chambers

Metchosin Municipal Hall

1. **Agenda, Additions, Approval**
2. **Presentations**
 - a) Fire Chief Stephanie Dunlop, Emergency Preparedness
3. **Public Participation**
4. **Adoption of Minutes**
 - a) Agricultural Advisory Select Committee, May 10, 2023..... 1
5. **Receipt of Minutes**
6. **Business Arising from the Minutes**
 - a) Metchosin Agricultural Plan, Next Steps
 - b) Metchosin Grown Map and Tour of Metchosin Farms
 - c) Metchosin Farm Forum 2023
 - d) Promoting Farming, Creation of positive public image for Agriculture
7. **New Business**
 - a) Proposed Rezoning Application Referral, 4409 William Head Road5
 - b) District of Metchosin Respectful Workplace Policy A-100.40 11
8. **Correspondence**
9. **Adjournment and Next Meeting Date**

District of Metchosin

Minutes

Agricultural Advisory Select Committee Meeting

Wednesday, May 10, 2023 at 7:00 p.m.

Council Chamber

Metchosin Municipal Hall

Present: Robin Tunnicliffe (Chair), Councillor Donaldson, John Buchanan, Brent Donaldson (recorder), Alex Fletcher, Andrew Penn, Peter Chettleburgh, Karen Hoffman

Regrets: None.

The meeting was called to order at 7:30 p.m.

1. Agenda, Additions and Approval

Moved and Seconded by Peter C. and Karen H. that the Committee approve the agenda as presented.

Carried

2. Presentations

Mark Atherton, Chair of Parks and Trails Advisory Select Committee (PTASC)

Mark gave a detailed overview of how he manages his advisory committee by having good meeting minutes with action statements and structure. Minutes are distributed to committee members for changes prior to submitting them to staff. Supporting the committee council liaison is very important as this is the bridge between PTASC and the Mayor and Council. The committee also follows the trails masterplan which is a guiding document for future planning. Mark noted that an Agricultural Plan (Ag plan) would also aid the agriculture committee in future planning and endeavors.

3. Public Participation

Sasha Kubicek, Sea Bluff Farm and APRM Director.

Sasha noted that he has met with Councillor Donaldson to discuss young agrions and utilizing unused farmland in Metchosin. Sasha also mentioned that it is the 50th anniversary of the establishment of the Agricultural Land Reserve (ALR) in British Columbia. There are good local examples in Metchosin, and we need to encourage more use of farmland.

Councillor Donaldson

Reported on the Community Garden plot located on old Metchosin school field. They have had one work party to date to remove blackberry vines. Next steps will be the William Head early release crew to remove the remaining blackberries. There is interest from community stakeholders in learning more about growing food. The garden plot is currently 50ft by 60ft, with possible expansion down the fence line.

4. Adoption of Minutes

The Agricultural Advisory Select Committee meeting minutes of April 6, 2023 were approved.

5. Receipt of Minutes

Moved and Seconded by Karen H. and John B. that the Committee receive the Finance Committee Minutes of April 3, 2023 and May 1, 2023 for information.

Carried

6. Business Arising from the Minutes

a) Metchosin Agricultural Plan

Alex F. appreciated that the current Council approved in this year's budget the funds required to start the process for the much-needed Ag Plan. He also spoke of the next steps which include creating a subcommittee/working group. The following members volunteered: Alex F., Andrew P., and Peter C. One of the tasks of this group will be investigating opportunities for match funding for the plan. Also, there will be the requirement for a Request for Proposal (RPF) to seek out interested parties to help formulate the Ag plan.

b) Metchosin Grown Map and Tour of Metchosin Farms

Robin T reported on the farm map in the last Metchosin Muse and other opportunities for the publication to run stories about Metchosin Farms. For example, YAM magazine as well as social media, Capital Daily, and the District of Metchosin website.

c) Metchosin Farm Forum 2023

There was open discussion by committee members on community involvement forum as it relates to the creation of the Ag Plan.

7. New Business

a) Promoting Farming, Creation of a Positive Public Image for Agriculture

Discussion took place regarding development on arable farmland and that if we can attract young people to farming in Metchosin, the positive spins would be worthwhile. A part of this will be the messaging in the Metchosin Ag Plan. There was discussion by committee members on the Property Farm Assessment thresholds.

b) Farm Land Use

Discussion on farm housing size took place including mobile homes and non-temporary larger properties.

c) Ag Plan (Metchosin Muse Article)

There was discussion regarding opportunities, the number of farms in Metchosin, how many acres of farmland exists, and the value of monies generated by farming activities.

8. Reports

None.

9. Correspondence

None.

10. Adjournment and Next Meeting Date

Moved and Seconded by Robin T. and Karen H. that the Committee adjourn the meeting at 9:15 p.m.

Carried

The next meeting will be held on June 7, 2023 at 7:00 p.m.



DISTRICT OF METCHOSIN

M E M O R A N D U M

TO: Robin Tunnicliffe, Chair

FROM: Melissa Kirk, Building/Planning Clerk

DATE: May 11, 2023

Our File: 3360-23-01

**Re: Proposed Rezoning Application Referral – 4409 William Head Road:
Lot A, Section 2, Metchosin Land District, Plan VIP54453
PID: 017-811-473**

The District of Metchosin has received a proposed Rezoning Application situated at 4409 William Head Road. The application is to rezone the northwest corner of the property, approximately 0.41ha (approximately 1 acre) from Agricultural (AG) Zone (ALR) to Commercial 2 (C2) Zone (ALR). The entire property is 1.88ha (4.65 acres). The property is located within the Metchosin Village Centre area that contains a split-Official Community Plan (OCP) designation "Village" and "Agricultural".

The proposal is in alignment with the Official Community Plan, and the portion of the property to be rezoned is designated "Village". Please find attached a copy of the subject property map, the C2 Zone (ALR) and the Village OCP designation. This application, if approved, will enable the owner to convert the existing dwelling into a commercial building.

We look forward to receiving feedback from your organization, which will be conveyed to Metchosin Council to inform decisions they may choose to make regarding the proposed amendments to the Land Use bylaw.

Comments should be directed to info@metchosin.ca and are appreciated by June 5, 2023.

Sincerely,

Sue-Lin Tarnowski
Interim Chief Administrative Officer

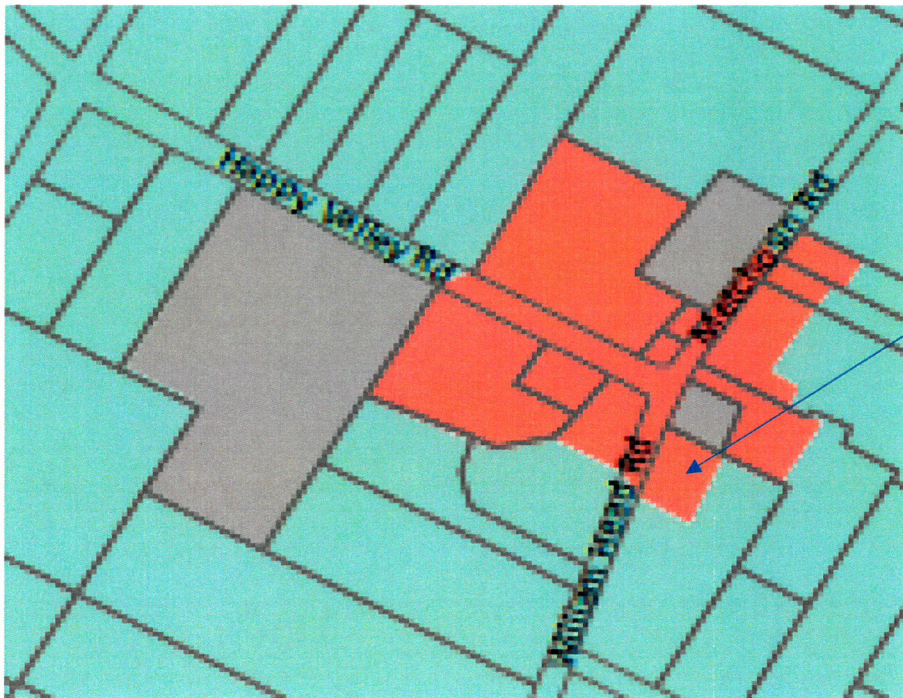
Site Plan – 4409 William Head Road

4409 William Head Road



Northwest corner of subject property. +/- 1 acre of a 4.65acre parcel

OCP Designation - Village



'Village' OCP designation

62. COMMERCIAL 2 (C2) ZONE (ALR)

(1) Subdivision Requirements

- (a) The minimum lot area that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 1,800 m² (.44 ac). For the purposes of the Bare Land Strata Regulations, the average lot size shall not be less than 1,800 m² (.44 ac), and no lot less than the average lot size shall be created by a strata plan.
- (b) The minimum highway frontage that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 10% of the perimeter of the lot.
- (c) Panhandle lots are not permitted.

(2) Permitted Uses

In addition to the uses permitted by Sections 17 and 18 of this Bylaw, the following uses and no others shall be permitted in the Commercial 2 (C2) Zone (ALR):

- (a) Accessory uses and buildings, subject to Section 31
- (b) Animal hospital
- (c) Appliance repair shop
- (d) Automotive Service Station
- (e) Bakery, not exceeding a total of 200 m² (2,153 ft²) of floor area
- (f) Bank
- (g) Dwelling unit.
Accessory uses and building permitted only with a dwelling unit:
 - (i) Secondary suite or detached secondary suite, subject to Section 23
- (h) Garden Centre
- (i) Office
- (j) Personal service establishment, including but without limiting the generality of the foregoing, barber shop, beauty parlour, laundromat (automatic self-service only), optical or watch repair shop, and shoe repair
- (k) Photographic studio
- (l) Post office
- (m) Premises licensed pursuant to the *Liquor Control and Licensing Act*
- (n) Printing, publishing and bookbinding
- (o) Private club and lodge
- (p) Public assembly and entertainment use, including but without limiting the generality of the foregoing, auditorium, billiard and pool hall, bowling alley
- (q) Restaurant
- (r) Retail store
- (s) Taxi office
- (t) Farm equipment sales

(3) Density

- (a) Only 1 dwelling unit is permitted per lot.
- (b) The gross floor area of an accessory building shall not exceed 200 m² (2,153 ft²).

(xix) Only 1 secondary suite or detached secondary suite is permitted per lot except that no secondary suite or detached secondary suite shall be permitted on a lot which has more than 1 dwelling unit.

(4) Lot Coverage

The maximum lot coverage shall be 50% of the first 1,800 m² (.44 ac) of lot area and 20% of the remainder of lot area.

(5) Yard Requirements

- (a) A front yard of not less than 7.5 m (24.6') shall be provided.
- (b)
 - (i) Except as otherwise provided in Subsection (5), side yards of not less than 3 m (9.8') shall be provided.
 - (ii) Where a lot abuts a lot in an Agricultural, Rural, or Rural Residential Zone, side yards of not less than 6 m (19.7') shall be provided.
 - (iii) On a corner lot, a side yard which adjoins a flanking street shall not be less than 7.5 m (24.6').
- (c) A rear yard of not less than 7.5 m (24.6') shall be provided.
- (d) An accessory building on a corner lot shall not be located closer to the front lot line or to a flanking street than the principal building on the same lot.
- (e) Notwithstanding Paragraphs (a) through (d), the general provisions in Sections 27 and 30 for the siting of buildings from highways and watercourses shall also apply.

(6) Height of Buildings

- (a) The height of a building shall not exceed 10.5 m (34.5').
- (b) Notwithstanding paragraph (a), the height of a detached secondary suite shall not exceed 8 m (26.2').

(7) Off-Street Parking and Loading

Off-street parking and loading shall be provided and maintained in accordance with the Off-Street Parking and Loading Regulations as contained in Part 9 of this Bylaw.

(8) Placement of Signs

The placement of signs shall comply with Part 8 of this Bylaw.

(9) *Agricultural Land Commission Act*

No provision of this Bylaw shall be interpreted as superseding the intent of the *Agricultural Land Commission Act* that all lands except those exempted under Section 19 of that Act or a General Order of the Agricultural Land Commission are subject to the provisions of the *Agricultural Land Commission Act*, Regulations thereto and Orders of the Commission (thereby not permitting the subdivision of land or the development of new non-farm uses unless approved by the Agricultural Land Commission).

(10) Minimum Lot Area for Specific Uses

- (a) The minimum lot area required for a detached secondary suite use is 0.8 ha (1.98 acres).

63. COMMERCIAL RECREATION 1 (CR1) ZONE

(1) Subdivision Requirements

- (a) The minimum lot area that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 2 ha (4.94 ac). For the purposes of the Bare Land Strata Regulations, the average lot size shall not be less than 2 ha (4.94 ac), and no lot less than the average lot size shall be created by a strata plan.
- (b) The minimum highway frontage that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 10% of the perimeter of the lot.
- (c) Panhandle lots are not permitted.

(2) Permitted Uses

In addition to the uses permitted by Sections 17 and 18 of this Bylaw, the following uses and no others shall be permitted in the Commercial Recreation 1 (CR1) Zone:

- (a) Accessory uses and buildings, subject to Section 31
- (b) Campsite
- (c) Dwelling unit
Accessory uses and buildings permitted only with a dwelling unit including:
 - (i) Boarding in a dwelling unit of not more than 4 persons
 - (ii) Secondary suite or detached secondary suite, subject to Section 23
- (d) Marina
- (e) Miniature golf course
Accessory use permitted with a Miniature Golf Course only
 - (i) Concession/Souvenir Stand
- (f) Manufactured home park
- (g) Premises licensed pursuant to the *Liquor Control and Licensing Act*
- (h) Recreational cabin
- (i) Restaurant
- (j) Riding stable

(3) Density

- (a) Only 1 dwelling unit is permitted per lot.
- (b) There shall be only 1 secondary suite or detached secondary suite per lot.
- (c) The maximum density of a campsite, recreational cabin and manufactured home park use shall not exceed 1 unit per 675 m² (7,266 ft²) of lot area except where a secondary suite or a detached secondary suite is located on a lot, the permitted number of units shall be reduced by 1 unit.
- (d) Secondary suites and boarding uses are not permitted in manufactured homes located within a manufactured home park.
- (e) The gross floor area of an accessory building shall not exceed 200 m² (2,153 ft²).

(4) Lot Coverage

- (a) The maximum lot coverage shall be 30% of the lot.
- (b) Subject to Subsection (6), manufactured homes within a manufactured home park and recreational cabins on a lot shall be sited so that each recreational cabin or manufactured home, as the case may be, is

separated from all others by a minimum of 14 m (46 ft) measured from all points along the exterior walls of the recreational cabins or manufactured home or the boundary of the campsite.

(5) Condition of Use

No person shall occupy a campsite or recreational cabin for more than a total of 6 months in a calendar year.

(6) Yard Requirements

- (a) A front yard of not less than 7.5 m (24.6') shall be provided.
- (b)
 - (i) Side yards of not less than 6 m (19.7') shall be provided.
 - (ii) On a corner lot, a side yard which adjoins a flanking street shall not be less than 7.5 m (24.6').
- (c) A rear yard of not less than 10 m (32.8') shall be provided.
- (d) Notwithstanding Paragraphs (a) through (c), buildings and structures associated with a riding stable and required for sheltering horses, shall be located not less than 30 m (98.4') from a front lot line and not less than 15 m (49.2') from any other lot line.
- (e) In addition, buildings and structures referred to in Paragraph (d) shall be located to the satisfaction of the Medical Health Officer in respect of all nearby wells or watercourses which in his opinion could suffer contamination therefrom.
- (f) Notwithstanding Paragraphs (a) through (e), the general provisions in Sections 27 and 30 for the siting of buildings from highways and watercourses shall also apply.
- (g) Notwithstanding paragraphs (a) through (f) buildings and structures for a detached secondary suite, shall be located not less than 15 m (49.2') from any lot line."

(7) Height of Buildings

- (a) The height of a building shall not exceed 10.5 m (34.5').
- (b) Notwithstanding paragraph (a), the height of a detached secondary suite shall not exceed 8 m (26.2').

(8) Off-Street Parking and Loading

Off-street parking and loading shall be provided and maintained in accordance with the Off-Street Parking and Loading Regulations as contained in Part 9 of this Bylaw.

(9) Placement of Signs

The placement of signs shall comply with Part 8 of this Bylaw.

(10) Minimum Lot Area for Specific Uses

- (a) The minimum lot area required for a detached secondary suite use is 0.8 ha (1.98 acres).



POLICY MANUAL

POLICY TITLE: District of Metchosin Respectful Workplace Policy	POLICY #: A-100.40
AUTHORITY: Administrative	EFFECTIVE DATE: March 20, 2023
ISSUED BY: Interim Chief Administrative Officer	REVIEW SCHEDULE: 2 years
	APPROVED BY: Council
DATE ISSUED: March 8, 2023	DATE APPROVED: March 20, 2023

1.0 POLICY STATEMENT

The District recognizes the diversity of our community and believes that all have the right to work and do business in a workplace that is free from discrimination and, bullying and harassment. The District is committed to providing a work environment in which all individuals covered by this policy are treated with mutual respect, personal worth and human dignity.

The District is further committed to respecting and upholding the spirit and principles of British Columbia’s *Human Rights Code*, the *Workers’ Compensation Act*, WorkSafe BC’s *Occupational Health and Safety Regulations* and Policies.

The District acknowledges and accepts its role in creating a community and workplace that respects human rights and promotes accessibility, equity and inclusion. As such, bullying and harassment, and discrimination in any form are not tolerated and are strictly prohibited by the District.

Failure to comply with this policy may result in disciplinary action up to and including termination of employment for cause, or sanction and censure by Council where applicable, and severing of Agreements or Appointments.

2.0 PURPOSE

The purpose of this policy is to ensure that all who work or do business with the District are aware of the District’s standards and expectations for respectful workplace behaviour, their rights and obligations regarding appropriate workplace conduct; to provide a means of reporting behaviour inconsistent with the standards, including incidents of bullying and harassment, and discrimination; to provide the processes for investigating and responding to such incidents; and, to comply with the provisions of the *Human Rights Code* and the *Workers’ Compensation Act*.

The District will take steps to ensure all employees, Council Members, volunteers and contractors are trained on this policy and are encouraged to include aspects of respectful conduct in their recommendations and decision making.

The District will take steps to prevent discrimination and, bullying and harassment, including: through training; regular reminders of appropriate standards of behaviour; expeditious and efficient investigations of concerns and complaints; and the imposition of effective responses to breaches of this policy.

3.0 SCOPE

The scope of this policy extends to all employees, contractors, volunteers (paid or unpaid) and Council Members and prohibits any forms of bullying and harassing, or discriminatory conduct or communication (verbal, non-verbal, electronic, or written etc.) whether while on-duty or off-duty, while performing work for the District and/or attending work-related functions or meetings whether or not the function, meeting or conduct occurs at or on District facilities, property and worksites.

The application of this policy is also triggered when a complaint is received by a person covered by the policy where discrimination or bullying and harassment is allegedly perpetrated by a member of the public. While complaints under the policy may and should be made where an individual covered by this policy feels discriminated against, bullied or harassed by a member of the public, the rights, obligations, protections and complaint resolution process described in section 8.0 below does not apply to members of the public.

This policy does not limit the rights of the District to appropriately and in good faith manage the workforce as described in section 5.0 below. The District has the responsibility to investigate incidents, with or without the person's consent, where there are concerns of alleged discrimination, bullying or harassment, and the potential impact of such conduct on a respectful workplace.

4.0 DEFINITIONS

Bullying and Harassment includes any conduct or comment by a person towards a worker that the person knows or reasonably ought to know would be unwelcome, humiliating or intimidating.

Bullying and harassment can consist of a single incident or several or repeated incidents over a period of time which are insulting, intimidating, humiliating, hurtful, malicious, degrading or otherwise offensive to an individual or group of individuals. It can also consist of incidents that create an uncomfortable environment or which

might reasonably be expected to cause insult, embarrassment, intimidation, humiliation, insecurity, discomfort, or offence to a person or group.

Examples include but are not limited to:

- i. practical jokes which cause or which should reasonably be known to cause awkwardness or embarrassment, endanger a person's safety, well-being or negatively affect performance;
- ii. Unjustified, persistent and/or excessive criticizing of another person or their work;
- iii. vandalizing belongings/work equipment;
- iv. unwelcome remarks, jokes, innuendoes, criticisms or taunting about a person's body, sexual orientation, gender identity, gender expression, attire, age, marital status, ethnic or racial origin, religion, or family members etc.;
- v. written or verbal abuse, intimidation, teasing, undermining, bullying or threats, including swearing, shouting or making derogatory gestures or comment to or about an individual;
- vi. cyber-bullying, harassment, intimidation, discrimination;
- vii. isolation practices, shunning, ignoring, hazing or initiation rites;
- viii. condescension, paternalism, or patronizing behavior which undermines self-respect or adversely affects performance or working conditions;
- ix. rude, belittling, sarcastic or slanderous comments or malicious gossip;
- x. false accusations of harassment, motivated by malice or mischief, meant to cause others harm;
- xi. physical assault;
- xii. Sexual Harassment or Discrimination as defined below.

Complainant means an individual who believes that they have been subject to or witness to bullying and harassment, or discrimination and brings forward a complaint under this policy.

Council Members means the District of Metchosin Mayor and Councillors.

Discrimination is the adverse differential treatment of an individual or group, whether intentional or unintentional, based on Indigenous identity, race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression,

age, or a criminal conviction unrelated to employment or to the intended employment of that person (“Prohibited Ground”).

Discrimination includes any conduct, comment, gesture or contact which likely harms, intimidates, offends, degrades or humiliates any person, whether intentionally or unintentionally, based on a Prohibited Ground. It also includes erroneous assumptions that a particular individual shares attributes, usually negative, stereotypically associated with a group to which they are perceived to belong, imposes burdens on, or denies opportunities to, individuals or groups and is unfair because it is not based on actual academic or job performance, or any other form of competence.

Adverse differential treatment has the effect of imposing burdens, obligations or disadvantages on an individual or group that are not imposed on others. Adverse differential treatment may also withhold or limit access to opportunities, benefits and advantages available to other individuals or groups. It is important to note that discriminatory conduct is not only a breach of this policy, it may also be a breach of the BC *Human Rights Code*.

Employee includes full-time, part-time, temporary, casual, seasonal, probationary, student, or volunteer firefighter whether in a union or exempt from one.

Employer means the District of Metchosin.

Investigator means the person tasked with investigating a complaint.

Respondent means an individual against whom an allegation of discrimination, bullying or harassment has been made and to which they are responding. Does not include members of the public.

Sexual Harassment means to engage in a course of vexatious comment or conduct against a person in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of conduct is known or reasonably ought to be known to be unwelcome or unwanted.

This includes the making of unwanted and offensive sexual advances, solicitations, offensive remarks, gestures or acts where the individual making them is in a position to confer, grant or deny a benefit or advancement to a person. and the individual knows or ought to reasonably know that such behaviour or conduct is unwelcome.

Sexual harassment may include, but is not limited to:

- a. unwanted or inappropriate physical contact, including but not limited to, touching, pinching, grabbing, patting, rubbing, or purposefully brushing up against another person;
- b. unwanted verbal abuse or advances, invitations or propositions of a sexual nature or repeated invitations after previous requests have been refused;

- c. displaying, sending or sharing sexually inappropriate images or videos, such as pornography, or suggestive letters, notes, photos, videos, text messages or e-mails with co-workers;
- d. telling lewd jokes, sharing sexual anecdotes or asking sexual questions, such as questions about someone's sexual history or their sexual orientation;
- e. leering, staring in a sexually suggestive or offensive manner, or whistling;
- f. making sexual comments about appearance, clothing, body parts, personal life; or
- g. making offensive comments about someone's sexual orientation, gender identity or gender expression;

Workplace includes any location where an Employee or Council Member carries out their job duties, attends an event directly related to their employment or provision of services including training, meetings, social, or other purpose, and which has the potential for affecting the workplace or the health and safety of others in the workplace.

5.0 MANAGEMENT NOT BULLYING OR HARASSMENT

It is not harassment, bullying or discrimination for supervisors and managers to exercise reasonable management functions, in good faith and for operational reasons. These include:

- (a) Establishing workloads and deadlines;
- (b) Re-organizations, including transfers, promotions, lay-offs and other consequences of re-organizations;
- (c) Work instruction, supervision, correction, feed-back or other performance management;
- (d) Work performance evaluations;
- (e) Imposition of discipline, including warnings, suspensions and termination of employment.

6.0 ROLES AND RESPONSIBILITIES

All Employees, Council Members, volunteers and contractors have a responsibility to ensure that the workplace is free from bullying and harassment and discrimination.

Council Members are expected to:

- Support, promote and foster the principles of this policy in the exercise of their duties.
- Model inclusive, respectful and professional behaviour and not participate in bullying and harassing, or discriminatory behaviour.
- Report incidents of bullying and harassment, or discrimination witnessed or experienced to the CAO (or their designate) or the Mayor (or their delegate).
- Cooperate and participate in good faith in any investigation under this policy.
- Maintain the confidentiality of all involved in a complaint under this policy.

Management, which includes the CAO, other statutory officers and managers/directors, is expected to:

- Implement and administer this policy.
- Ensure that the workplace is free from discrimination and bullying and harassment.
- Model inclusive, respectful and professional behaviour and ensure that the principles of this policy are reflected in the execution of their duties.
- Ensure that Members of Council and Employees are trained in accordance with this policy.
- Report incidents of bullying and harassment, or discrimination experienced or witnessed immediately to the CAO or the Mayor, as appropriate.
- Listen to complaints and treat them sensitively, seriously and with confidentiality.
- Cooperate and participate in good faith in any investigation under this policy.

Employees, including, contractors and volunteers:

- Must not engage in discrimination, bullying or harassment and must report incidents of discrimination, bullying and harassment experienced or witnessed.
- Work to resolve personal differences in the Workplace in a respectful manner.
- Maintain the confidentiality of all involved in a complaint under this policy.
- Cooperate and participate in good faith in any investigation under this policy.
- Read and abide by this policy and discuss with their direct supervisor if they are uncertain about any aspect of this policy.

7.0 ANNUAL REVIEW AND TRAINING

All Employees, supervisors and managers, Council Members, volunteers and Council select and advisory committee members will receive and must complete meaningful and interactive training on this policy at the commencement of employment, their term of office or their term of appointment including but not limited to,

- (a) working through various case studies or examples highlighting appropriate and inappropriate workplace behaviour and examples of conduct or comments that might constitute bullying, harassment or discrimination;
- (b) when and how to make a complaint and to who;
- (c) how the District will address, investigate, and respond to incidents or complaints of bullying and harassment, or discrimination

All Employees, supervisors and managers, Council Members, volunteers and Council select and advisory committee members will review and be provided refresher training on this policy annually and confirm their understanding and agreement to comply by executing the Annual Respectful Workplace Policy Declaration (see Appendix B).

Contractors will be provided this policy upon execution of agreements when conducting business with the District.

This policy will be reviewed on an as needed basis but no less than every two (2) years.

8.0 PROCEDURES FOR COMPLAINT INVESTIGATION AND RESOLUTION

Informal Process

Complainants are encouraged to resolve complaints and concerns about discrimination and, bullying or harassment with others as soon as they arise, first using individual conversation unless it is clearly inappropriate in the circumstances.

Wherever reasonable and safe to do so, the Complainant should address the person with whom they are having difficulty (the Respondent) in a direct and confidential manner as soon as possible following the incident.

If the Complainant is not comfortable taking this step, or if the Complainant has done so without success, then the Complaint should report their concerns to their manager, including particular examples of inappropriate statements or behaviour by the Respondent (the "Complaint"). Wherever possible the Complainant should use the Respectful Workplace Complaint Form (see Appendix A) when making a Complaint. The Complainant should provide as much detail as possible, in writing,

including dates, times, and witnesses to the alleged conduct. This should be done as soon as reasonably possible following the incident(s).

If the Complainant is uncomfortable approaching their manager, the Complainant should approach the CAO. If the Respondent is the CAO, the Complainant should approach the Mayor (or their designate). If the Respondent is a Council Member, the Complainant should approach the CAO.

If the Complainant is a Council Member, the Complainant should approach the CAO. If the Complainant is the CAO, the CAO should approach the Mayor, unless the Respondent is the Mayor. In such case, the CAO should approach the Acting Mayor.

Procedure for Investigating Incidents

Before beginning a formal investigation, the District will consider options to address the Complaint through alternative means, such as coaching, mediation or other measures.

If a Complaint cannot be resolved informally, a formal investigation will be initiated. The purpose of the investigation is to determine the facts related to the Complaint, and assess whether there has been bullying and harassment, or discrimination and if a violation of this policy has occurred.

a. Appointment of Investigator

The CAO will be advised of the Complaint and appoint an appropriate investigator. When determining whether to appoint an internal or external investigator the CAO may consider: 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 of the outcome of the investigation in relation to the Respondent should the Complaint be substantiated; and any other relevant circumstances.

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

For Complaints brought against the Mayor, Councillors or the CAO, an external investigator with expertise regarding matters covered under this policy will be retained by the District or legal counsel.

In cases involving the Mayor as Respondent, the investigator will be retained by, and report directly to, the CAO or legal counsel. In cases involving other Councillors as Respondents, the investigator will be retained by, and will report directly to, the Mayor and CAO and or/legal counsel. In cases involving the CAO as Respondent, the investigator will be retained and report directly to the Mayor, or legal Counsel.

b. Investigation

An investigation will be conducted as quickly as possible to determine the facts of the situation. The Investigator will review all relevant documents and conduct interviews with the Complainant, the Respondent and any witness(s) that the Investigator determines necessary.

- a. Each party has the right to be accompanied or represented by a person of their choosing (union representative, another employee, legal representative). All participants will be asked to maintain confidentiality and sign off accordingly.
- b. The Respondent will be provided with the Complainant's name, information on the particulars of the Complaint and offered an opportunity to respond.
- c. The investigation will normally commence within two (2) weeks of the filing of the Complaint and be completed within thirty (30) business days following such time. Completion time may be reasonably extended beyond those timelines to ensure a thorough investigation has been conducted and depending on parties' availability.
- d. During the investigation, depending on the severity of the allegations, changes in scheduling or reporting may be implemented; or the District may suspend individuals with pay pending the outcome of the investigation if deemed appropriate.
- e. Following the completion of the investigation, the investigator will file a written report with the instructing officer of the District (CAO, or their designate, or Mayor, or legal counsel).
- f. The CAO (or their designate) or Mayor will review the report to determine if the investigation reveals evidence to support the allegation(s) made in the Complaint. They will then inform the Complainant and Respondent, in writing, of the findings and conclusions of the investigation, as appropriate, by way of a written summary.
- g. Determining culpability and discipline will be the sole responsibility of the CAO (or designate), Mayor or Council depending on the circumstances.

9.0 REMEDIAL ACTION

Any individual covered by this policy, who is found to have engaged in, or known about and took no action to report or stop discrimination, or bullying or harassing behaviour in the workplace found to be contrary to this policy may be subject to appropriate disciplinary action, up to and including termination of employment for just cause or legal action, depending up on the severity of the misconduct. The

range of appropriate disciplinary action may include, but is not limited to, the following:

- Any administrative change that is appropriate (i.e.: job site or position transfer; no contact for a period of time, temporary or permanent changes to reporting structures or work assignments)
- Coaching and more continuous monitoring;
- Counselling;
- Training or education;
- Re-orientation to this policy and its purpose;
- Discipline up to and including termination of employment for just cause.
- Sanction or censure by Council (for Council Members only)
- Where the Respondent is not covered by this policy, the District will take any and all steps necessary to remedy the substantiated complaint to protect the Complainant(s) from future harm.

In keeping with the commitment of the District to prevent bullying and harassment, and discrimination in the workplace, corrective action is intended to be proportionate to the situation. When determining appropriate corrective action, the following factors may be considered:

- Nature and seriousness of the breach;
- Whether the harassment was a single or a repeated act;
- The relationship of the Complainant and the Respondent;
- The impact of the harassment on the Complainant;
- The employment history of the Respondent; and,
- Any other relevant factors.

10.0 WITHDRAWAL OF A COMPLAINT

The District has ultimate discretion to determine whether to proceed in investigating a complaint, including in instances where a Complainant has indicated they would like to withdraw a complaint.

11.0 RECORD KEEPING

The Investigator and/or the District will maintain a complete and confidential written record of the investigation, including the names of the parties involved (f. ex, the complainant, respondent and witnesses); the details of the complaint; notes or other documentation of interview or other fact finding exercises; any evidence considered; the investigator's findings; any corrective action recommended and/or taken; and the investigation report.

12.0 FAIRNESS

All parties, including Complainants and Respondents, have a right to fair treatment in the investigation of complaints made under this policy. Fair treatment includes the following:

- The right to bring forward concerns and have them addressed in a timely manner;
- The right to be informed in a timely manner of complaints made against them and an opportunity to respond;
- An impartial and objective consideration and evaluation of each complaint, through formal or informal resolution processes;
- Confidentiality to the extent possible in the circumstances;
- Protection from retaliation;
- Being informed of the conclusion of any formal investigation or intervention (Complainants and Respondents only).

13.0 UNSUBSTANTIATED COMPLAINTS

The District recognizes that not every incident complained of will constitute bullying and harassment, or discrimination. Determining whether a particular action or incident occurred and/or constitutes bullying and harassment, or discrimination will depend on an evaluation of all the facts, circumstances, and applicable legal principles.

If the Investigator finds that a complaint is substantiated, a record of the incident(s) and outcome(s), including any corrective action taken, will be kept in the Respondent's personnel file. If the Investigator finds insufficient evidence to support the Complainant's allegations, they will submit that finding. There will be no record of the complaint on the Complainant's or Respondent's file and there will be no penalty to anyone concerning the incident. A finding of no evidence is a simple reflection of an absence of evidence to support the claim and nothing more.

14.0 NO REPRISAL OR RETALIATION

Any individual covered by this policy who is found to have engaged in any reprisal

or retaliation in violation of this policy will be subject to appropriate disciplinary action, which action may include the termination of employment for just cause or sanction by Council (when applicable).

Reprisal or retaliation that is related, in any way, to a Complainant (or person closely related to or associated with the Complainant), Bystander, Respondent or employee responsible for implementing this policy will not be tolerated if in good faith they:

- Make a complaint alleging workplace discrimination, bullying or harassment;
- Identify or oppose a practice that they reasonably believe to constitute workplace discrimination, bullying or harassment; or
- participate in an investigation or proceeding under this policy or pursuant to any applicable statutory complaint process.

15.0 VEXATIOUS ALLEGATIONS AND COMPLAINTS

Any individual covered by this policy who makes an allegation or complaint under this policy that is subsequently found to have been made in a deliberately vexatious or malicious manner, or otherwise to have been made in bad faith, will be subject to appropriate disciplinary action, which action may include the termination of employment for just cause, or sanction or censure by Council (when applicable).

16.0 CONFIDENTIALITY AND ACCESS TO INFORMATION

The District will not disclose any information about a bullying and harassment, or discrimination complaint, except as necessary to investigate the complaint or to take disciplinary action, or as required by law. The participants to an investigation will also be expected to keep the existence of the complaint and investigation and all matters relating to them strictly confidential.

17.0 RESPONSIBILITY

Please contact the CAO for further information.

Appendix A

Respectful Workplace Complaint Form

Name and position of Complainant
Name and position of Respondent
Address or location where the incident(s) occurred
Date(s) and time of each incident
Detailed summary of all the specific incidents or examples of behaviour that have led to the filing of the complaint (continue on separate page if needed)
Name(s) of potential witness(es)
Impact of the behaviour / incident complained of
Any steps that have already been taken under this Policy to resolve the complaint and the outcome of those processes.

Appendix B

Annual Respectful Workplace Policy Declaration

I hereby confirm that I have read and understood Metchosin's *Respectful Workplace Policy* and agree to comply fully with it.

I will be accountable for adhering to this declaration.

Declaration of Understanding:

Council member, Employee or Contractor
name (print)

Council member, Employee or Contractor
name (signature)

Title

Date