

Human Rights Policy:

A Checklist for Developing Workplace Policy

B.C. Human Rights Clinic

Checklist for a Human Rights Policy

Developing a Policy

- Management support confirmed
- Clarification of goals of the policy, types of discrimination to be included and who is covered by the policy
- Consultation with individuals and groups affected by the policy about:
 - content of policy,
 - penalties and remedies,
 - identification of human rights advisors

Content of the Policy

- Policy statement—management supports a discrimination-free workplace
- The law (e.g. *Human Rights Code*, Criminal Code)
- Definitions of discrimination and harassment and examples of discriminating behaviour
- Employees' responsibilities and rights
 - the right to a discrimination-free workplace
 - the responsibility to treat other employees with respect
 - the responsibility to speak up when discrimination occurs
 - the responsibility to report discrimination to the appropriate person
 - the provisions and limitations of confidentiality
- Supervisors', managers', and employers' responsibilities
 - treat all employees, clients, suppliers, contractors with respect
 - report or investigate all complaints
 - set a good example
 - refuse to tolerate discrimination
- An undertaking that allegations of discrimination will be dealt with seriously, speedily and confidentially

Procedures

- practical guidelines for employees and management
- informal and formal ways of proceeding
- encourage employees to choose the informal approach first
- mediation options and limitations
- detailed steps to be taken in complaints
- time frames
- who is responsible for decisions
- is there an appeal process
- information about other agencies that deal with discrimination

Remedies, corrective action, and safeguards

- possible remedies for people affected by discrimination
- the range of penalties for offenders
- options for group intervention
- whether information about the complaint will be included in an offender's file
- information confirming that the complaint will not be put in the complainant's personnel file, when complaint is in good faith

Protection against retribution or retaliation for employees who complain of discrimination, who report discrimination that they witnessed or who support a complainant

Selection of Advisors and Investigators

- The following questions should be considered when developing the policy and selecting human rights advisors, mediators and investigators
 - are they trusted by employees?
 - are they outside chain-of-command or line management?
 - are they employees or outside contractors?
 - do they have appropriate experience and training?
 - will they ensure confidentiality?

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Selection of Advisors and Investigators - continued

- can they be reached easily by employees?
- will their role be to deal with informal or formal complaints, to mediate or to investigate?
- to whom they will report?
- are they to advise management about policies and practices relating to discrimination?
- will they also have a role in educating employees?
- what is their role in advising management about specific cases of discrimination?
- does the policy ensure that no one is required to fulfill double roles, e.g. the same person cannot do both mediation and investigation; an advisor for individuals involved in discrimination cannot represent the organization at a human rights hearing?

Education

- Communication and circulation of the policy to all employees and managers, current and new, through:
 - orientation or information session
 - staff meetings
 - memos, e-mail or pay slip notices
 - films or videos
 - posters and brochures
 - during hiring process
- Education of all staff
 - training managers to react appropriately, respond to cases of discrimination quickly and effectively, help establish a discrimination-free atmosphere
 - training employees in human rights and the dynamics and impact of discrimination in order to support a climate of mutual respect
 - training human rights advisors and investigators to perform their respective roles
 - make ongoing anti-discrimination or human rights training part of other training sessions, such as: management training, orientation for new employees, courses for union-management committees, social skills training for employees, personal development courses offered to employees, etc.

Monitoring

- A commitment to periodic review of the policy
 - openness to employee comments
 - solicitation of feedback from human rights advisors, managers, employees and others covered by the policy
 - exit interviews with personnel leaving the organization
 - make necessary adjustments to policy and procedures

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