



**Builders
Code**

ACCEPTABLE WORKSITE POLICIES

MODEL POLICY "B"

FOR LARGER EMPLOYERS OR THOSE
INTERESTED IN MORE DEVELOPED POLICIES



British
Columbia
Construction
Association



Northwest
Territories
& Nunavut
Construction
Association

builderscode.ca

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This policy has been reviewed and determined acceptable by WorkSafeBC in British Columbia and the Workers' Safety and Compensation Commission of the Northwest Territories & Nunavut.

Builders Code

Our Code for an Acceptable Worksite

At _____, we are fully committed to creating an Acceptable Worksite where all employees have the same opportunity to do their best work and be recognized as our most valuable assets. In alignment with **Builders Code, we define an Acceptable Worksite as being safe, productive, and free from discrimination, bullying, harassment, and hazing.**

We expect all employees to comply with and contribute to *Builders Code Acceptable Worksite Culture*.

This means that every employee has both a right and an obligation to be safe and productive at work. We know that the hazards to safety are not only physical, and safety protection is not limited to Personal Protective Equipment. Unwelcome, offensive, excluding, discriminatory and/or harassing language and behaviour also create stress and distraction that puts health, safety and productivity at risk.

We are committed to having an Acceptable Worksite strengthened through a diverse and inclusive workforce where all workers feel safe, valued and motivated to meet the highest standards in effective teamwork and quality customer service.

How We Commit to an Acceptable Worksite

With the overall goals of safety, productivity, quality, innovation—as well as seeing that our employees feel welcome, supported and valued—we commit to the following practices:

RECRUITMENT & HIRING

- We work hard to eliminate any actual or potentially discriminatory barriers that may prevent someone from applying; e.g., we use non-gender specific language such as Tradesperson or Journeyperson rather than Tradesman or Journeyman
- To add more diversity of experience, talent and skills, we attempt to attract candidates from a variety of sources; e.g. job fairs, trades associations, communities, skilled trades programs, universities, schools, etc.
- We seek to ensure employment opportunities are fair and equitable and that no candidate is denied opportunities for reasons unrelated to ability and performance—we don't screen out candidates based on their sex, gender, ethnic origin, or any other prohibited ground of discrimination
- We compensate employees at fair market value, based on their skills, experience, and relevant competencies and qualifications

"It's not only the right thing to do, it's good for business. By removing the aggressive, "bro-vibe" stigma in our industry, every one of us—including our customers—benefits."

"Our customers are often families just like our own. When you show them and each other professionalism and respect, they'll welcome you in, refer you on, and ask for you back. When you don't, it hurts us all."

RETENTION

- We hold employees and management accountable for maintaining an Acceptable Worksite
- We hire with retention top of mind; we not only focus on ability to do and/or learn the job, but also character/work ethic, the ability to develop/grow with us, and alignment with our values and goals
- We onboard new employees so you feel welcome, productive and safe from the outset, and are familiar with our commitments to support your safety and success
- Our performance and compensation structure ensure fair treatment of all employees, including equal pay for equal experience, work and performance (refer to our compensation philosophy)
- We train our supervisors to provide fair, objective and supportive feedback/performance reviews
- In our performance reviews, we evaluate behaviours that contribute to an Acceptable Worksite
- We do our best to accommodate family and personal responsibilities (e.g. leave and flexible work hours where operationally possible)
- We seek to identify and address barriers to professional development and your ability to reach your potential
- We train, support, and mentor employees, providing role models where possible

WORKSITE CULTURE

- We proactively address any expression of bias, stigma, discrimination, harassment, bullying, and hazing
- We immediately work to resolve any issues resulting from unacceptable conduct and hold management accountable for effectively responding to concerns brought to their attention
- Because we understand and value that our employees are all different, and view things differently, we measure the standards for our Acceptable Worksite by the impact of behaviour, not the intent
- We provide training on Builders Code Acceptable Worksite (and what that specifically entails at _____ to all employees at all levels
- We educate employees about ongoing awareness of bias and provide a safe environment to bring concerns forward
- We clearly communicate expectations about behaviour and encourage you to lead the way by being a role model
- We encourage and expect accountability for appropriate handling of conflict, concerns, and issues
- We require that sub-contractors and others on our worksite comply with Builders Code Acceptable Worksite

“We all need to take a step back and look at how we should be treating one another, and appreciating how another’s experiences can be so different from our own. This is so much more than a company mandate but a philosophy for how we live which we all benefit from.”

“It’s important to put ourselves in the shoes of our co-workers; e.g. if you’re concerned that one of your co-workers takes more time off or has flexible hours to take care of family responsibilities, consider how you’d feel if those options were denied to you, or to your spouse who may request flexibility from their workplace.”

“It is 100% up to all of us to make or break this. Do you want your co-workers to have your back?”

Do you have theirs?”

EDUCATION, AWARENESS & COMMUNITY

- We work with colleges, trades associations and other organizations to educate them on our trade(s) and our company, and help new entrants to the industry get a strong start
- We give back to/support the communities we work in by (**ideally highlighting an area that is specific to promoting/supporting women and/or another minority group*)

Practices/Behaviours that Do Not Comply with Builders Code Acceptable Worksite

Practices/behaviours that do not comply with Builders Code Acceptable Worksite include unsafe conduct, discrimination, harassment, bullying, hazing and/or any other practice/behaviour that causes risk to employee safety, health, well-being, and productivity. Whether a single comment/act or a continuous series of incidents, when left unaddressed, such practices/behaviours not only impact individuals but may lead to detrimental effects on our organization overall, including:

- Reduced efficiency and productivity
- Poor employee morale
- Increased stress and tension between employees
- High absenteeism rates
- Higher turnover, resulting in higher recruitment costs
- Higher levels of customer dissatisfaction
- Increased incidences of accidents/poor safety outcomes

Unacceptable Practices and Behaviours

Practices and behaviours that we do not tolerate include the following:

HAZING

Hazing is defined as any action or situation created with the intention of producing mental or physical discomfort, embarrassment, harassment, or ridicule, regardless of the person's willingness to participate. Although circumstances differ, the common factors include a power differential between senior and junior employees or new and long-term employees, as well as an intentional "rite of passage" or tradition. Examples include but aren't limited to:

- Forced activities for apprentices or new employees to prove their worth
- Requirement to carry out/endure tasks that aren't a part of the job
- Requirement to do things that long-term employees aren't required to do

In all of the inappropriate and unacceptable practices/behaviours outlined above, the standard is whether a reasonable person should have known that their behaviour would cause another person to be humiliated, intimidated, excluded or otherwise treated in an inappropriate, discriminatory or differential manner.

DISCRIMINATION

Discrimination is the practice of treating a person or group differently from other people or groups of people based on perceived or actual differences/distinctions - when those differences/distinctions are irrelevant or based on stereotypes. As legislated and further defined in the *Human Rights Code of BC* and the *Human Rights Act of the Northwest Territories and Nunavut*, all employees, customers, partners, and suppliers have a right to a work environment that is free from any discrimination or

harassment based on race, colour, ancestry, place of origin, religion, political belief, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, age, unrelated criminal conviction, or any other ground that is in violation of the law.

At _____, we extend this to include any other irrelevant or stereotypical difference or distinction. For example, treating someone differently or stating that they don't have a valid opinion because they didn't "come up through the trades". Other examples include treating someone disrespectfully and/or differently based on such things as demeanour (e.g. they're more quiet than others), lifestyle preferences (e.g. what they eat for lunch, whether they smoke or not), work ethic (e.g. they come in early, work through lunch or are more productive than others), or status (e.g. a first year apprentice).

HARASSMENT

Harassment is defined as any conduct, comment, gesture, or contact that is objectionable and unwelcome and should reasonably be known as objectionable and unwelcome. It serves no legitimate work purpose and detrimentally affects the work environment, often leading to adverse job-related consequences for the person being harassed. There are numerous forms of harassment, including but not limited to bullying and harassment, sexual harassment, and harassment based on any of the prohibited grounds of discrimination set out above.

Sexual Harassment is defined and legislated under the *Human Rights Code of BC* and the *Human Rights Act of the Northwest Territories and Nunavut* as any unwelcome conduct of a sexual nature and may include (but is not limited to) the following examples:

- Making unwelcome sexual or physical contact
- Propositions or threats in exchange for workplace rewards or favours
- Derogatory or degrading remarks of a sexual nature or regarding gender or sexual orientation
- Referring to others using sexualized language, such as "babe or stud"; whistling or catcalling
- Unwelcome sexual flirtations, advances or propositions, sexually suggestive or obscene comments or gestures, leering; giving unwanted gifts
- Displaying sexually suggestive pictures or objects on the worksite

Bullying and Harassment as defined and legislated under the *Worker's Compensation Act's OHS Policies* in BC and *OHS Regulations in the Northwest Territories and Nunavut* includes any inappropriate conduct or comment by a person towards an employee that the person knew, or reasonably ought to have known, would cause that employee to be humiliated or intimidated. It usually occurs as repeated incidents or a pattern of behaviour and is a form of exercising power through aggression that may include physical, verbal, or emotional abuse. Worksite bullying and harassment may be directed at one person or the bully may continually seek out new people to target; it can be both open and hidden and includes but is not limited to:

- Verbal aggression or insults
- Criticizing a person constantly or persistently
- Undermining or deliberately obstructing a person's work
- Derogatory comments or names to or about a person or their work
- Refusing to speak to, being condescending or patronizing, belittling opinions
- Discounting or denying accomplishments or taking credit for the work done by someone else

- Intimidating or humiliating a person – through the use of body language (e.g. eye rolling), sarcasm, ridicule and/or making someone the target of practical jokes
- Spreading malicious rumours, gossip, or false information
- Making jokes that are understandably offensive, whether verbally or via email, text, etc.
- Intruding on a person’s privacy by asking inappropriate and/or excessive questions about personal matters or teasing about personal issues
- Interfering with and/or vandalizing a person’s personal belongings or work equipment
- Repeatedly excluding someone or continuously not sharing pertinent information
- Repeatedly assigning certain tasks to a specific person based on demographic stereotypes

Acceptable Practices and Behaviours

Although the following practices may feel unpleasant, if undertaken professionally with a focus on safety, quality and/or productivity, they are considered an appropriate part of an Acceptable Worksite:

- Expressing differences of opinion
- Constructive feedback, guidance or advice given by a Manager or Supervisor about work-related behaviour and/or performance
- Making a legitimate complaint about someone’s conduct through outlined procedures
- The exercise of reasonable management authority and action
- Appropriate feedback by a manager or supervisor to help employees improve performance and/or behaviour

Employee Rights and Responsibilities

All employees, without exception, have a right to a worksite that is free from discrimination, bullying, harassment, hazing, and/or any other conduct that’s offensive, unwelcome, or illegal. In the same way that you can refuse work if it is physically unsafe, you also have the right to refuse work if it’s unsafe in the other ways outlined within this Code.

Accordingly, all employees are expected to act in alignment with Builders Code Acceptable Worksite. We expect everyone to participate in and contribute to the code, acting professionally and appropriately at all times. These practices are an integral part of our worksite culture, and behaviours that don’t align with this expectation are not acceptable and will not be tolerated. Employees found to be engaging in such behaviour towards co-workers, customers, or anyone they interact with at work and/or in the course of work may be subject to corrective action up to and including termination of employment.

If you feel subject to, or are aware of an incident that violates Builders Code Acceptable Worksite, it is important that you directly address your concerns or bring them to our immediate attention as outlined in the procedures provided as an attachment to this document. The code extends to all company and employment-related functions, on or off our premises.

Procedures for Addressing Unacceptable Behaviour (Formal & Informal)

Refer to: Appendix A (at the end of this document):
Reporting Procedures and Complaint Form.

Unacceptable Behaviour

We view all allegations of discrimination, bullying, harassment and/or hazing as very serious. If you feel that you've been the target of one of these behaviours – or if you've witnessed it - we encourage you to do the following:

- Keep in mind that sometimes a person is unaware that their behaviour is offensive until it has been pointed out – and that perceptions will vary.
- If the behaviour is an isolated event and might have been unintentional - and you feel safe/comfortable doing so – immediately let the person know, politely but firmly, of your disapproval and/or discomfort with their comments, actions or behaviour, and ask them to stop or not do so again; e.g. *“I don't think that's funny; “That comment makes me uncomfortable”; “Please stop speaking to me that way”; “Please take your hand off my arm.”*
- If you don't feel safe or comfortable addressing the individual directly, or if the outcome of speaking directly with them doesn't achieve the desired result (e.g., ending the inappropriate behaviour), contact one of the following: your immediate supervisor, another supervisor with whom you feel comfortable, the Superintendent, the Foreperson, the General Manager, the Union Representative or Human Resources. We'll discuss with you options to direct your concerns and be ready to address as warranted.
- For serious and ongoing situations that have not or cannot be addressed through the direct one on one approach, write a description of the specific incidents and any steps (if applicable) you've taken to address it.
- If you've witnessed a form of inappropriate behaviour, it's important that you recognize your own responsibility to Builders Code Acceptable Worksite and our worksite culture. Staying silent can indicate that you're fine with what's happening. As above, if safe and comfortable, check in with the target (*“Is (s)he bothering you?” “Can I help?”*), indicate your disapproval or step in to stop it. If not comfortable directly responding to the incident, report it to your supervisor.
- Whether you choose to address issues on your own or need assistance, **we will support you.**

To ensure your concerns or reports are kept as confidential as possible (refer to the following section on Confidentiality), discuss details or incidents with only your immediate supervisor, another supervisor with whom you feel comfortable, the Superintendent, the Foreperson, the General Manager, the Union Representative or Human Resources. It's also important that you report the incident as soon as possible after experiencing or witnessing it, so that it can be addressed promptly and investigated if necessary.

“Sometimes when an employee feels threatened that a co-worker will do the job better than them, their fear unintentionally leads to harassment or sabotage of that co-worker's work. The Builder's Code is intended to focus on the strengths of each employee, to ensure we celebrate accomplishments, but also provide support and training to bring everyone up.”

“Working in an Acceptable Worksite isn't about not having fun, or constantly worrying that you're going to say the wrong thing. It's about appreciating that we're all different, making it okay for someone to call you on it if you do say the wrong thing—and vice versa.”

If you see a situation that raises concern for you, ask yourself:

- *What would I want someone to do for me in this situation?*
- *What would I tell my child to do?*
- *How would I feel if my spouse or partner was being treated this way?*

Any discrimination, bullying, harassment and/or hazing complaint made by or with respect to a customer/client, contractor/sub-contractors, or supplier must be immediately and confidentially addressed with your supervisor, the Foreperson, the Superintendent, or the General Manager.

(Company) Responsibilities

How We Address and Resolve Inappropriate and Unacceptable Behaviour

Refer to: Appendix B (at the end of this document): *Unacceptable Behaviour Investigation Procedures.*

We encourage direct handling of issues and will support/guide you on a one-to-one basis whenever possible and appropriate to do so – always taking into consideration your comfort, safety, and ability to act. Depending on circumstances (e.g. the nature/seriousness/safety of the issue, the impact of the behaviour, and your degree of comfort and ability to address directly), the matter will be discussed and reviewed objectively and professionally by an assigned manager/leader with both parties, and addressed accordingly.

If neither of these approaches are appropriate, or they do not achieve an acceptable outcome, an investigation may be conducted internally or externally by a legal, human resources specialist or OHS Representative. In all cases, investigations will:

- Be undertaken promptly and will be as thorough as the incident dictates
- Be fair and impartial providing all parties due process in evaluating concerns and allegations
- Be focused on finding facts and evidence through interviews of the person who brings the issue forward, the person(s) alleged to have conducted disrespectful behaviour, and any witnesses
- Provide, where appropriate, assistance to involved parties during the investigation process

If an investigation is initiated, all involved employees are expected to cooperate with the investigator and provide details of incidents they have experienced or witnessed. At the conclusion of the investigation, both the complainant and the respondent will be advised of the findings/outcome. If necessary, appropriate corrective action will be taken. All documentation and findings with regard to the incident and investigation will be kept confidential and secured in compliance with the BC Privacy and Information Act in BC and the Access to Information and Protection of Privacy Act in the Northwest Territories and Nunavut.

Confidentiality - We know it can be difficult to come forward with a concern or complaint of disrespectful behaviour. While we protect the privacy of everyone involved, a complaint cannot remain anonymous for it to be addressed as the person/people accused must be given a fair opportunity to respond and it may be necessary to involve witnesses in the process. Confidentiality will always be maintained to only the required persons involved in the investigation process.

Intentionally False Accusations & Retaliation - Allegations that a complaint has been made in bad faith, or that retaliation has occurred against a person who has brought forward a concern/complaint or participated in an investigation, may be investigated using the same procedure as for other investigations. Anyone found to have retaliated or made deliberately false accusations will be subject to disciplinary action up to and including termination.

Annual review

This policy will be reviewed annually and as needed and may be amended as needed. All workers will be provided with updates accordingly.



Acknowledgement & Agreement

This policy statement applies to all workers, including permanent, temporary, casual, contract, and student workers. It also applies to interpersonal and electronic communications, such as email and social media.

I acknowledge that as an employee of _____, I am responsible for my knowledge of the information and practices contained within Builders Code Acceptable Worksite Policy. If I have questions about the contents of this policy/program I will ask my Supervisor, Manager, the Superintendent, the Foreperson, the General Manager, or Human Resources for clarification. As an employee of _____, I understand that the contents of this policy/program as amended from time to time, form part of the terms and conditions of my employment and agree to respect and follow them.

Employee Name (Print)

Signature

Date

Equitable Compensation Philosophy & Structure

Our compensation philosophy and structure is based on the following principles:

- We are committed to structuring our total compensation to be not only fair, reasonable, consistently applied and externally competitive in our industry market, but also internally balanced and equitable
- Employees are compensated fairly for their contribution, effort, and skillset – with equal pay for equal work/performance
- We ensure dedication to going the extra mile is appropriately compensated

We determine starting wages and increases based on the following:

- Fair market value for each role, based on compensation research, which we conduct regularly
- Ensuring fair and standard wages in line with skill level, tickets (e.g. Journeyperson or apprentice)
- Following the wage standards set out by the () and Collective Agreement (if applicable)
- Annual across-the-board cost of living allowances (COLA)
- Promotions and/or permanently taking on more responsibility within a given role, in line with our organizational structure
- Individual performance and continuously striving for professional development
- Our revenue and alignment with our business targets and goals

Although increases may be implemented based on the factors listed above, this shouldn't be considered a guarantee. We expect all of our employees to do a great job and be willing to grow in their duties and responsibilities. Additionally, we expect compliance with and contribution to Builders Code Acceptable Worksite and take both into significant consideration when determining increases. With these expectations, we also commit to fair and consistent compensation processes for everyone.



APPENDIX A Template: Builders Code Reporting Procedures and Complaint Form for Unacceptable Behaviour

The following procedures allow workers to report incidents/complaints of unacceptable behaviour (such as, but not limited to hazing, bullying, harassment, discrimination) to their employer. Additional resources and an explanation of legal duties can be found at www.worksafebc.com/bullying/ in BC or at <https://nwthumanrights.ca/resources/> in the Northwest Territories and <http://www.nhrt.ca/english/resources> in Nunavut.

1. How to report

Workers at < _____ > can report incidents or complaints of unacceptable behaviour verbally or in writing. When submitting a written complaint, please use the workplace Unacceptable Behaviour Complaint Form. When reporting verbally, the reporting contact, along with the complainant, will fill out the complaint form.

2. When to report

Incidents or complaints should be reported as soon as possible after experiencing or witnessing an incident. This allows the incident to be investigated and addressed promptly.

3. Reporting contact

Report any incidents or complaints to

4. Alternate reporting contact

If the employer, the complainant’s supervisor, or the reporting contact named in Step 3 is the person engaging in unacceptable behaviour, contact

5. What to include in a report

Provide as much information as possible in the report, such as the names of people involved, witnesses, where the events occurred, when they occurred, and what behaviour and/or words led to the complaint. Attach any supporting documents such as emails, handwritten notes, or photographs. Physical evidence, such as vandalized personal belongings, can also be submitted.

6. Annual review

These procedures will be reviewed annually and as needed and may be amended as needed. All workers will be provided with updates accordingly.

Date created	Annual review date
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APPENDIX A Template: Builders Code Complaint Form for Unacceptable Behaviour

Employers can provide workers with this form to report their complaint in writing or in person, and submit to the employer, immediate Supervisor, Superintendent, Foreperson, General Manager, Union Representative, or Human Resources. Employers might also use other reporting procedures. Additional resources are available at www.worksafefbc.com/bullying/ in BC, or at <https://nwthumanrights.ca/resources/> in the Northwest Territories and <http://www.nhrt.ca/english/resources> in Nunavut.

Name and Contact Information of Complainant
Name of Individual(s) of Alleged Unacceptable Behaviour

Personal statement

Please describe in as much detail as possible the bullying and harassment incident(s), including:

- the names of the parties involved
- any witnesses to the incident(s)
- the location, date, and time of the incident(s)
- details about the incident(s) (behaviour and/or words used)
- any additional details that would help with an investigation

Attach any supporting documents, such as emails, handwritten notes, or photographs. Physical evidence, such as vandalized personal belongings, can also be submitted.

Signature	Date
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Appendix B (Template): Builders Code Investigation Procedures for Complaints of Unacceptable Behaviour

The following procedures serve as a sample for dealing with incidents and complaints of unacceptable behaviour. Investigation procedures can vary from one workplace to another. Employers are not required to use this template if they have reasonable procedures in place which meet legal requirements. Additional resources and an explanation of legal duties can be found at www.worksafebc.com/bullying/ in BC, or at <https://nwthumanrights.ca/resources/> in the Northwest Territories and <http://www.nhrt.ca/english/resources> in Nunavut.

1. How and when investigations will be conducted

Most investigations at _____ will be conducted internally. In complex or sensitive situations, an external investigator might be hired.

Investigations will:

- be undertaken promptly and diligently, and be as thorough as necessary, given the circumstances
- be fair and impartial, providing both the complainant and respondent equal treatment in evaluating the allegations
- be sensitive to the interests of all parties involved, and maintain confidentiality
- be focused on finding facts and evidence, including interviews of the complainant, respondent, and any witnesses
- incorporate, where appropriate, any need or request from the complainant or respondent for assistance during the investigation process

2. What will be included

Investigations will include interviews with the complainant, the respondent, and any witnesses. If the alleged target and the alleged offender agree on what happened, then _____ will not investigate any further, and will determine what corrective action to take, if necessary.

The investigator will also review any evidence, such as emails, handwritten notes, photographs, or physical evidence.

3. Roles and responsibilities

_____ is responsible for ensuring workplace investigation procedures are followed.

Workers are expected to cooperate with investigators and provide any details of incidents they have experienced or witnessed.

Workers are expected to avoid unnecessary conversation surrounding the incident beyond that pertinent to the investigation itself.

_____ will conduct investigations and provide a written report with conclusions to _____

If external investigators are hired, they will conduct investigations and provide a written report with conclusions to _____

4. Follow-up

The complainant and the respondent will be advised of the result of the investigation by _____

Following an investigation, _____ will review and revise workplace procedures to prevent any future incidents of unacceptable behaviour in the workplace. Appropriate corrective actions will be taken within a reasonable time frame.

In appropriate circumstances, workers may be referred to the Employee Assistance Program or be encouraged to seek professional/medical advice.

5. Record-keeping requirements

_____ expects that workers will keep written accounts of incidents to submit with any complaints. _____ will confidentially and securely keep a written record of investigations, including findings for as long as deemed required.

6. Annual review

These procedures will be reviewed annually and as needed. All workers will be provided with a copy as soon as they are hired, and copies will be available at _____

7. Intentionally False Accusations and Retaliation

Allegations that a complaint has been made in bad faith, or that retaliation has occurred against a person who has brought forward a concern/complaint or participated in an investigation, may be investigated using the same procedure as for other investigations. Anyone found to have retaliated or made deliberately false accusations will be subject to disciplinary action up to and including termination.

Date created	Annual review date
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