



Policy #	
Issued	April 29, 2022
Amended	

ANTI-RACIAL DISCRIMINATION AND ANTI-RACISM POLICY

INTRODUCTION

The Fraser Valley Regional District recognizes the diversity in our communities and believes that all members of our communities, including, but not limited to, residents, elected officials, employees, volunteers and visitors of colour and Indigenous Peoples have the right to live, work, do business and play in an environment that supports and asserts their fundamental rights, personal worth and human dignity.

PURPOSE

This policy is intended to demonstrate the Fraser Valley Regional District'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 FVRD will continue to make best efforts to ensure that all who work and interact with the FVRD are able to do so in an environment and manner free of racism and racial discrimination.

The FVRD 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.

PRINCIPLES

The Fraser Valley Regional District:

- » acknowledges and recognizes the existence in our community of racism in all its forms;
- » 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; and,
- » acknowledges its role and responsibility in protecting every person's right to be free from racial discrimination and racism.

SCOPE

This policy applies to all employees, elected officials, contractors, volunteers, and students working or volunteering for the Fraser Valley Regional District or providing professional services to it. This policy applies to the interpretation and application of current and new bylaws, regulations, policies, procedures, contracts, procurements and activities carried out by the FVRD, all of which will be required to comply with the principles and particular requirements specified within this policy. The scope of this policy includes all aspects of the FVRD's activities, including its working environment, procurement, services, meetings and various public events. In addition, this scope will include

ongoing relationships with individuals, businesses, community groups and contractors as well as with other local governments and public and private bodies.

The FVRD 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.

ROLES AND RESPONSIBILITIES

BOARD OF DIRECTORS:

FVRD Board Members will take leadership to model inclusive behaviour and language and not participate in racist or racially discriminatory conduct. They will support, promote and foster the principles of this policy in all their work and interactions and report any incidents of racial discrimination to the Chief Administrative Officer ("CAO") or the Chair of the Board. Board Members will cooperate and participate in good faith in any investigation under this policy and maintain the confidentiality of all involved in a complaint under this policy.

MANAGEMENT:

FVRD Management will ensure the principles of this policy are reflected in the execution of their duties, operational policies and practices. Management will model inclusive behaviour and language and not participate in racist or racially discriminatory conduct.

FVRD's Administration will include this policy in the training of FVRD board members at the beginning of each term of office and provide refresher training annually thereafter. All employees, volunteers, and contractors will be provided with this policy at the commencement of their work with the Regional District.

Management will report incidents of racial discrimination or racism experienced or witnessed immediately to a supervisor, the Chief Administrative Officer ("CAO") or the Chair of the Board. Management will listen to any complaint, treating it sensitively, seriously and confidentially. Management will ensure this policy is reviewed at least every two years for effectiveness. When appropriate and required, management will provide an investigation of any allegation or appoint a third party to investigate when appropriate. The outcome of such an investigation may include education, training, or disciplinary action, depending on the findings.

The Chief Administrative Officer ("CAO") is responsible for the implementation and administration of this policy.

EMPLOYEES, VOLUNTEERS AND CONTRACTORS:

Employees, officers, volunteers, and contractors must not engage in racial discrimination or racism and must behave in an inclusive manner. They will report incidents of racial discrimination or racism experienced or witnessed immediately to a supervisor or the CAO. They will 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.

COMPLAINT PROCESS

All members of the Board, management, employees, volunteers and contractors of the Fraser Valley Regional District have a responsibility to treat all complaints under this policy seriously and to investigate all complaints of racism and racial discrimination pursuant to the complaint procedure set out in the FVRD's Code of Conduct.

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 CAO or Chair of the Board may determine that an investigation is required, and the process will continue despite the withdrawal.
- »

Respondents have the 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
- » a responsibility to meet with the investigator and to cooperate in good faith with all those responsible for the investigation of the complaint

The Investigator shall:

- » be someone with expertise regarding investigations;
- » ensure the Respondent is informed of the allegations and all parties involved have been informed of their rights and responsibilities;
- » interview the parties concerned and any witnesses and collect all pertinent information; and
- » recommend a mediation process where appropriate, prepare a written report and ensure the investigation is completed in a timely and confidential matter

REMEDIES

Any individual covered by this policy who is found to have engaged in, or known about and took no action to report or stop racial discrimination or racist behaviour contrary to this policy may be subject to appropriate action depending upon the severity of the misconduct. The range of appropriate remedy may include, but is not limited to, the following:

IN THE CASE OF AN OFFICER OR EMPLOYEE:

- » Oral and/or written apology from the Respondent and/or the Fraser Valley Regional District
- » Any administrative change that is appropriate (changes to reporting structure or work assignments, job site or position transfer, no contact requirement)
- » Coaching, Counselling, Training or education

- » Re-orientation to this Policy and its purpose
- » Discipline up to and including termination of employment for just cause

Termination of contract for service or of a volunteer opportunity

In the case of an elected official, sanction by Council (including but not limited to censure, removal from appointments, referral to policy or legal action).

If the Respondent is not covered by this policy, the Fraser Valley Regional District will take any and all steps reasonable and necessary to remedy the substantiated complaint to protect the Complainant from future harm.

UNSUSTAINED COMPLAINTS

If an investigator finds insufficient evidence to support the Complainant's allegation, the investigator will submit that finding. There will be no records of the complaint on the Respondent's file, and there will be no sanction to anyone concerning the incident. A finding of no evidence is a simple reflection of the absence of evidence and nothing more.

NO REPRISALS OR RETALIATION

Any reprisal or retaliatory action that is related, in any way, to the circumstances noted above against a Complainant (or person closely related to or associated with the Complainant), Bystander, Respondent, elected official, or employee responsible for implementing this policy will not be tolerated.

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. This action may include termination of employment for just cause, termination of a contract for service, or of a volunteer opportunity, or legal action.

Any elected official covered by this policy who is found to have engaged in any reprisal or retaliation in violation of this policy will be subject to Council consideration of appropriate sanctions, which may include censure, removal from appointments, referral to police, or legal action.

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 the appropriate action which may include termination of employment for just cause, termination of a contract for service or of a volunteer opportunity, or legal action.

LIMITATIONS

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

ACKNOWLEDGMENT

I ACKNOWLEDGE that I have received a copy of the Fraser Valley Regional District's Anti-Racial Discrimination and Anti-Racism Policy, that I have read and received training on it and fully understand the rights, duties and procedures contained in it.

I UNDERSTAND that the FVRD may change, withdraw or add, rules, duties or practices described in the Anti-Racial Discrimination and Anti-Racism Policy from time to time in its sole discretion without prior notice to me, provided that the FVRD advises me within a reasonable period of time.

I ACKNOWLEDGE that I have had an opportunity to discuss the content of the Anti-Racial Discrimination and Anti-Racism Policy with my immediate supervisor, Human Resources representative or the CAO.

I AGREE to abide by the FVRD's Anti-Racial Discrimination and Anti-Racism Policy and I understand that such compliance is a condition of my duties, responsibilities and obligations. I also understand that non-adherence to the FVRD's Anti-Racial Discrimination and Anti-Racism Policy or other rules may result in disciplinary action up to and including termination of employment or the consideration of appropriate sanctions, which may include censure, removal from appointments, referral to police or legal action

X

SIGNATURE OF INDIVIDUAL

PRINTED NAME

DATE

APPENDIX A GLOSSARY OF TERMS¹

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.

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. Can be voluntary or forced.

Discrimination - Means the differential treatment of an individual or group, on the basis of prejudice, stereotypes or the Prohibited Grounds of Discrimination set out in provincial human rights legislation. 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 – Means 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 - 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>