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THE BC WILDFIRE SERVICE

Welcome to the British Columbia Wildfire Service (BCWS)! We are one of the most advanced and respected wildfire control agencies in North America, and **as a front line fire fighter you will assume one of the most important roles in our branch.**

Our organization is dedicated and committed to training and operating the safest, most efficient and productive fire suppression crews possible. Your motivation to do the job, your skills and your abilities will have a direct impact on the continued success of the BCWS - successful wildfire control in British Columbia depends on it.

LEARNING OBJECTIVES

The purpose of this introduction is to allow you to:

- 1) Become familiar with the BCWS Fire Suppression Organization;
- 2) Introduce you to the details of fire suppression crew activities in British Columbia;
- 3) Speed up your integration into our Fire Suppression Team;
- 4) Provide you some background on operational and safety issues.



BCWS GOALS

The BCWS has five key strategic goals and priorities. These goals provide a framework to evaluate annual performance. Each goal has specific priorities which involve quarterly reporting to monitor progress and success.

GOALS AND PRIORITIES:

Goal 1: Excellent people providing high performance

Priorities

- Workforce planning
- Staff training and development
- Recognition of our workforce

Goal 2: Effective business practices

Priorities

- Provincial wildfire service business practices
- Business performance

Goal 3: Optimum organizational structure and resources

Priorities

- Organizational structure and resource allocation
- Wildfire management infrastructure investment

Goal 4: Effective partnerships and service delivery

Priorities

- Partnerships
- Service delivery
- Communication and information management

Goal 5: Leading wildland fire management practices

Priorities

- Fuel management
- Landscape fire management planning
- Wildfire management practices

As a firefighter you will have direct impact on the attainment of these organizational goals.

PROTECTING BRITISH COLUMBIA'S RESOURCES

Suppression vs. Modified Action

Forestry continues to be one of the largest industries in BC, generating up to \$14 billion to the economy each year. Without an active fire suppression program:

- Parkland, habitat, recreational areas and private land may be threatened.
- It is estimated that only half the amount of timber would be available for annual harvest.
- Extensive damage to properties and communities could result.
- Intense smoke events causing health problems may occur.



BCWS PRINCIPLES

BC Wildfire Service has five main principles:

- 1) Unsurpassed safety standards.
- 2) Deliver our service in a productive efficient manner.
- 3) Behave professionally at all times.
- 4) Train and empower our staff.
- 5) Develop a diverse and inclusive working environment.

WORK HARD, ENJOY THE ADVENTURE AND CREATE LIFE LONG MEMORIES!

GENERAL BACKGROUND INFORMATION

BRITISH COLUMBIA TOPOGRAPHY

Although British Columbia is characterized by mountainous terrain, it also includes substantial areas of lowland and plateau country. As a fire suppression crew member it is important that you familiarize yourself with local weather conditions and terrain.

The Province can easily be divided into three topographical areas: 1) Coastal, 2) Interior Plateau and Mountains and 3) The Rocky Mountains and the far North East.

Coastal System

The Coastal Mountain system extends along the entire British Columbia coast to the Alaska Panhandle. The highest elevations are found in the most southern and northern portions, but on the mainland (east of Vancouver Island) they increase again in a rugged zone which represents the topographic heart of the Coastal Mountains. The western system also includes a number of island groups which form a break against the wind and wave action of the open Pacific. Numerous fjords are also found along the mainland coast.

Interior System

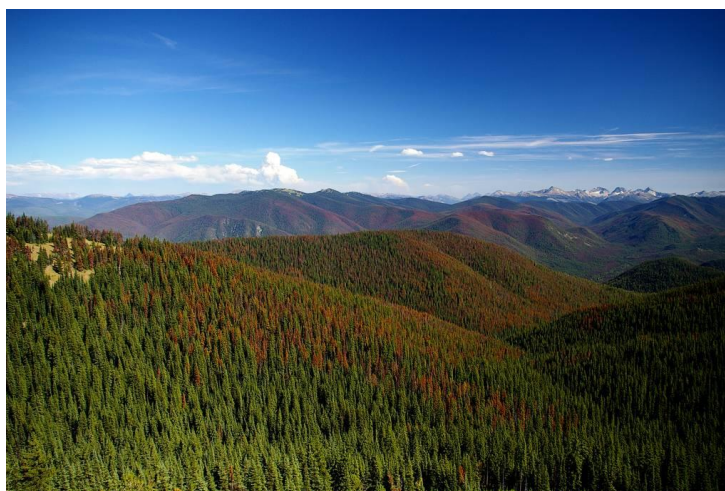
The interior of British Columbia has a series of plateaus, the largest of which is found in the central part of the province. It reaches a maximum length of about 650 km and a maximum width of 300 km consisting of rolling uplands. This plateau system also supports considerable areas of natural grasslands as well as forest.

Eastern System

The eastern system is made up of several mountain groups and includes many valleys. The northern mountains present a less formidable barrier to transportation than the higher elevations of the south. The northern mountains of the eastern system increase in elevation creating a large node of rugged terrain that forms a distinct topographic boundary with the lowland of northeastern BC. Except for the Alaska Highway, this extension of the Rocky Mountains lacks ground access, and it is a remote area much like the northern part of the Province.

BRITISH COLUMBIA FORESTS

The Province's total forested area is 94 million hectares, two thirds of which is crown land. Due to the Mountain Pine Beetle epidemic approximately 10 million hectares are in the red or grey attack stage.



FIRE MANAGEMENT ORGANIZATION

The BCWS has the critical task of minimizing losses from wildfires throughout the Province. To do this it directs the Provincial Forest Fire Control Organization which is responsible for fire management, preparedness and detection activities. The branch also manages the Provincial Air Tanker Centre (PATC); the Ministry's fixed wing air operations program.

BC WILDFIRE SERVICE HEADQUARTERS

The BCWS Headquarters for operations is located in Kamloops. **The Provincial Wildfire Coordination Officer (PWCO)**, in consultation with the Regional Wildfire Control Officer, sets fire control priorities within the province and manages the strategic deployment of provincial fire control resources. The PWCO is also in charge of filling any out of province resource requests.

As a general guideline, crews will be assigned to various locations within the province by the Provincial Wildfire Control Officer. Once assigned to a particular Fire Centre, crews come under the command of that Centre until they are released. Each specific fire crew will remain in contact with Fire Centre dispatch that will keep them advised of their specific duties and targets while working in the area. The Incident Commander has control over the resources assigned to a specific fire.

PROVINCIAL FIRE CENTRES

The BC Wildfire Service divides the Province into six Fire Centres: Northwest, Prince George, Cariboo, Kamloops, Coastal and Southeast. These centres may call for assistance from outside their boundaries when needed. British Columbia can also get aid from other provinces through the Canadian Interagency Forest Fire Centre in Winnipeg (CIFFC), and is prepared to assist other provinces in fire emergencies they may experience.

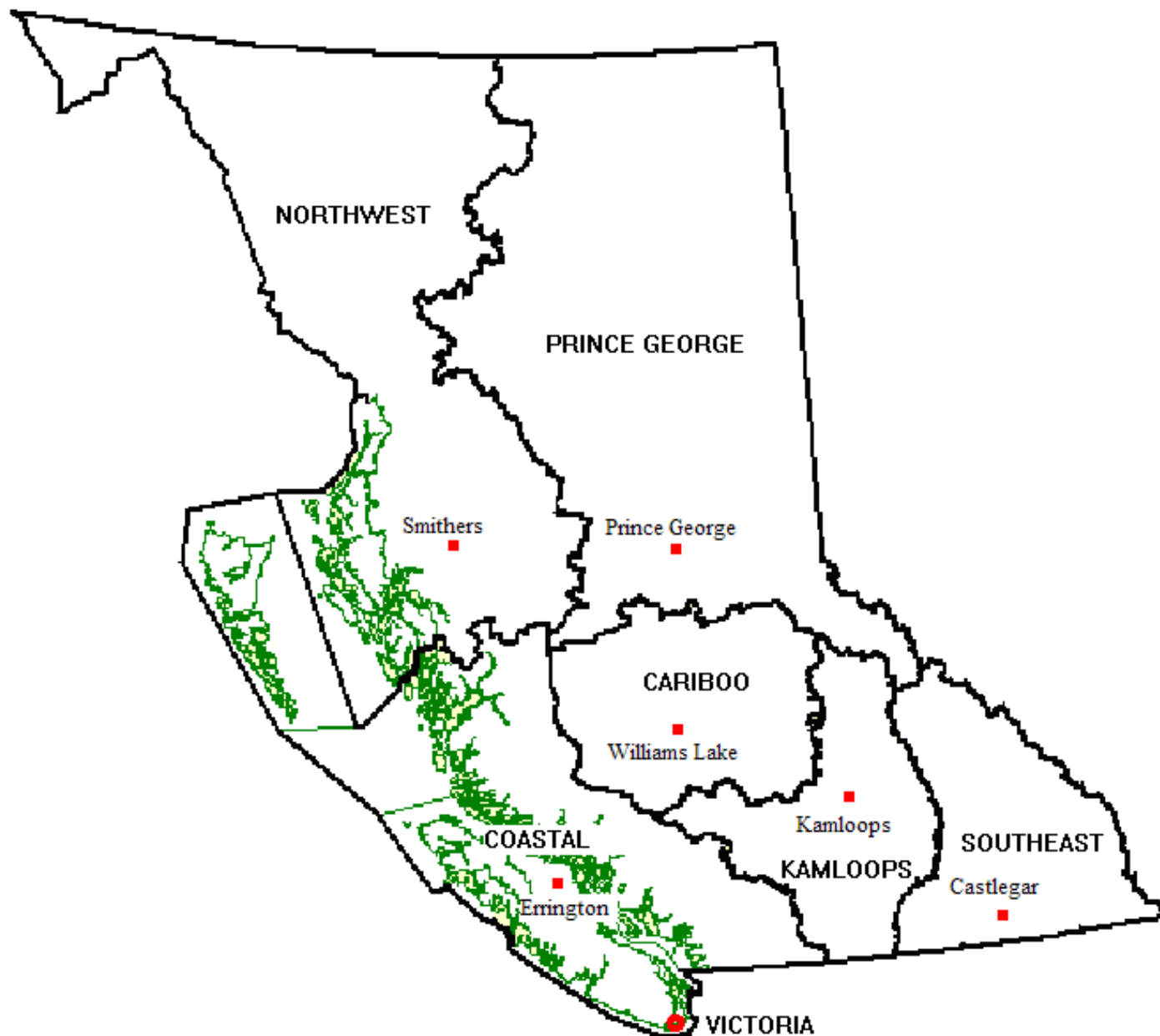
Each Fire Centre has a **Regional Wildfire Coordination Officer (RWCO)**. They are responsible for setting the fire control priorities within the Centre, controlling the tactical deployment of fire control resources to the zones, including any uncommitted resources within the Centre, and deploying IA resources on a priority basis to specific fires.

ZONES

Each Fire Centre is broken into zones. The **Zone Wildfire Coordination Officer (ZWCO)** is responsible for setting the fire control priorities within the zone, managing fire control personnel, and providing support to the Fire Centre and provincial needs.

Each zone staffs a contingent of seasonal fire fighters.

Fire Centre Boundaries and Locations



CREW TYPES AND CONFIGURATIONS

INITIAL ATTACK CREWS

Helitack Crews: highly trained, mobile, physically fit crews used primarily to suppress fires which require (non-rappel) helicopter access. These crews are prepared to be self-sufficient on fires for up to 24 hours. A Helitack crew consists of one crew leader and two crew members. All personnel must weigh less than 200 lbs.

Rapattack Crews: highly trained, mobile, physically fit crews used primarily to fight difficult to access lightning fires. Rapattack crews specialize in rappelling from helicopters into steep, remote terrain. They are capable of being self-sufficient on fires for up to 48 hours. A Rapattack crew consists of one crew leader and two crew members, and is always supported by a **Helicopter Operations Technician**. All personnel must weigh less than 170 lbs.



Parattack Crews: highly trained, mobile, physically fit crews used to access multiple fire starts with the deployment of one airplane. These crews will vary in size depending on the fire needs and are self-sufficient for 72 hours. Cargo can be included in the initial drop. All personnel must weigh less than 200 lbs.



EXPANDED ATTACK CREWS

Unit Crews: highly trained, mobile, physically fit, very productive 20 person crews consisting of one Crew Supervisor, three or four Crew Leaders and 15 crew members. Unit Crews are equipped to construct fireline and carry out associated fire fighting tasks on larger project fires. They are 72 hour self sufficient (food, water, and equipment). Unit Crews can also be configured as an IA resource. There are no weight restrictions for Unit Crew personnel.

Other expanded attack resources include contract crews, emergency fire fighters (EFF's) and the military.



CREW ROLES AND RESPONSIBILITIES



INITIAL ATTACK

Initial Attack is the action taken to halt the spread of a fire between the time a fire is reported and the next burning period. British Columbia has a strong commitment to controlling forest fires at their earliest stage, and more than 92 % of all fires are successfully put out using IA resources. Crews are organized and stationed throughout the province specifically for this purpose.

In all cases IA crews must be fully trained and equipped with suitable communications, transportation and resources. Furthermore, the initial attack status of these crews must be strictly preserved. Their purpose is initial attack only, not sustained fire control action.

UNIT CREW

Unit Crews are primarily involved in **expanded attack** operations. This means any fires that fall outside of IA capabilities. They vary in size from small single day events, to large project fires taking weeks or months to extinguish (e.g. The Okanagan Mountain Park Fire, 2003).



FIRE LINE OPERATIONS

The primary objective of BCWS Fire Suppression Crews is to respond quickly, efficiently and safely to initial attack and expanded attack wildfires by providing the following services:

- fire line construction (hand guard/fuel free)
- burning off and backfiring
- helipad construction
- water delivery and hose lays
- danger tree assessment (DTA)
- tree removal
- mop-up
- patrol
- demobilization (demob)
- rehabilitation (rehab)

The type of fire crew you are assigned to, IA or Unit Crew, will determine how much of each task you will be most involved with, but all fire fighters are trained and capable to perform these skills. The size of fire will determine the scale to which these skills are applied.

IA Crew members are accountable to their Crew Leader. Unit Crew members are accountable to their Unit Crew Leader. Unit Crew Leaders are accountable to their Unit Crew Supervisor. On small fires both IA Crew Leaders and Unit Crew Supervisors may be the Incident Commander (IC). However, on larger fires a separate IC will oversee operations. When there are larger fires the Crew Leader or Supervisor is accountable to the IC. A strict chain of command is imperative for crew safety and operational success. This chain of command is fully described within the **Incident Command System**, and will be demonstrated throughout New Recruit Boot Camp.

OTHER OPERATIONS

Fire Crews are not limited to the above functions. When fire conditions permit and crews are at their base they have other duties. Some of these duties include:

- Training
 - Courses/Proficiency Training
 - Fitness
 - Fire related field exercises
- Project Work
 - Fuels Management
 - Trail Maintenance
 - Silviculture
 - Helispots
- Base/Equipment Maintenance
 - Fire tools
 - Landscaping
- Public Awareness/School Presentations



Although crews may be used for any type of project work training proficiencies must also be undertaken on a regular basis to preserve certifications (e.g. chainsaw training). Normally, crews devote one hour each day to physical fitness training. Project work that involves hard physical labour may occasionally be considered as a productive substitute for the required physical training activity.

STANDBY REQUIREMENTS

Ministry fire fighters have a responsibility to remain available throughout the fire season. This will involve extended durations including weekends where crews are required to be close to their bases in the anticipation of fire activity.

Level of Alert: posted alerts indicate the maximum acceptable time period for crew mobilization, whether it is for fire dispatch or base change.

RED ALERT - crews must be ready to depart from a pre-determined staging point immediately upon receiving a fire call (Rappel and Initial Attack crews should be en-route to their target in a maximum of five minutes).

Response Time: Provincially, when on standby the response time for IA Crews is 30 minutes and Unit Crews is one hour, although this may vary as some crews may strive for a faster response time.

Minimum Standby (Mins.) - Crews are on standby for a 12 hour period and will need to respond within the allotted time.

Moderate Standby (Mods.) - Crews are on standby from 0600 - 0000 and will need to respond within the allotted time.

Maximum Standby (Maxs.) - Crews are on standby for a 24 hour period and will be required to respond within the allotted time. It is not common for crews to be placed on maximum standby.

Levels of alert and standby requirements are included in daily briefings. When crews are working out of a specific Fire Centre the Fire Centre will inform the zone and the zone will inform the crew of the alerts or standby.

A fire crew's first responsibility is to the protection of their assigned zone. However, all fire crews can be expected to move anywhere within the Province as needed; therefore they must be prepared to move at a moment's notice.

There are three types of deployments:

FIRE CREW DEPLOYMENT

IN ZONE DISPATCH

Crews and crew personnel are expected to be ready for fire duty every day. When at base it is expected crews can respond immediately and are fully equipped. Each fire fighter has the personal responsibility for their own preparedness (i.e. personal protective equipment, fire equipment, food and water). When deployed locally crews will likely return home each night. IA crews may overnight on fires if necessary. This process can continue for up to 14 days as work permits before mandatory rest is required.

OUT OF ZONE DISPATCH

Each crew is considered a provincial resource. If fire hazard or fire load is greater than zone staff can handle a request for outside resources is made. If your zone's hazard is low there is potential for crews to reposition to higher priority areas. IA crews may move solely in expectation of fire starts where Unit Crews tend to be deployed once larger incidents (fires) occur. Base changes (IA) or deployments (UC/IA) may last up to 14 days.

OUT OF PROVINCE DISPATCH

When other provinces or states are experiencing personnel shortages a resource request is put in through CIFFC. If BC's fire hazard and personnel requirements are low opportunities may arise for crews to leave the province. This deployment is no different than any out of zone dispatch except you are no longer just representing your zone but the entire province.



EQUIPMENT

CREW GEAR

IA and Unit Crew equipment will vary greatly. IA crews are limited by weight when flying by helicopter. A common example of an IA kit is one small pump kit, one chainsaw kit and 3 hand tools. When traveling by ground, their truck offers a greater capacity for gear. A typical IA truck would contain a water tank, a larger pump kit, a healthy supply of hose, and a wider variety of tools and accessories.



A Unit Crew typically travels by ground and has the ability to carry a much larger compliment of fire equipment. Typically crews outfit themselves with enough saw kits, hand tools, fuel, and water delivery equipment to keep 20 people productive for 72 hours. Each crew member will be issued a line pack for carrying their day-to-day needs.



OVERNIGHT / 72 HR PACKS

Each crew and crew member will be equipped with overnight gear and rations for upwards of 72 hours. IA crews will carry a modest overnight kit due to weight restrictions and enough food and water for 24 hours. This may consist of one 3-person tent, 3 sleeping bags and some canned goods. There is variance based on personal crew preference as long as weight requirements are met.

Unit Crew personnel’s overnight gear will be more suited to accommodate longer stays on the line. As stated before, Unit Crews are 72 hour self sufficient before any re-supply is necessary. Each individual will carry personal sleeping gear and food to satisfy this time frame. The UC member can also expect to be living out of their tents for their entire deployment and simply be re-stocked with resources as needed.

PERSONAL

Each crew person, in addition to her/her working gear should maintain a base change bag containing the necessary personal items to sustain herself/himself away from the main base for extended periods of time. Suggested items to include are:

- | | | |
|-------------------------------|-------------|------------|
| Plenty of socks and underwear | Spare shoes | Towel |
| Spare t-shirts | Toiletries | Wallet |
| Warm clothing | Book | Sewing kit |

There is a lot of flexibility in packing this bag. It is generally done to suit each individual's specific needs (i.e. medication, cameras).

In addition to traveling by vehicle base changes may be via helicopter or small fixed wing aircraft; therefore, personal base change bags are also limited by weight.

There are situations where the receiving agency (e.g. another fire centre or another province) will make specific equipment requests. This type of request will supersede structured crew equipment configurations. As an example Ontario may put in a resource request for 100 BC fire fighters. They may also request we only bring our overnight gear as they will supply us with everything else upon arrival. We will then configure our manifest accordingly.



MEALS AND ACCOMMODATION

On larger project fires and IA base changes meals and accommodation are generally provided as soon as possible. This may come in the form of your tent and some additional canned goods. Quite often a **fire camp** will be established much like the one you are living in now; meals will be prepared, you will have access to showers and have reasonably warm and dry living quarters.



PERSONAL CODE OF CONDUCT

It is the responsibility of each crew member to conduct themselves in an exemplary manner while on base changes, in fire camps and at base. As a fire suppression crew member you represent the BC Wildfire Management branch at all times, both on and off the job. Your behaviour and attitude is expected to be professional at all times. Failure to do so may result in disciplinary action and/or dismissal.

General

- carry out duties of your position conscientiously, safely, efficiently and with integrity
- use initiative to achieve your set goals
- always be courteous and professional
- maintain a professional appearance at all times

Daily Attendance

- abide by the your scheduled work hours- arrive on time and prepared to work
- report to work fit for the demands of your position

Use of Facilities and Equipment

- you are responsible for the maintenance and care of any equipment you are issued
- maintain your crew facilities to a standard that will pass public scrutiny
- you will respect and recognize the rights of other individuals
- Ministry property will not be borrowed loaned or otherwise used for personal use

Use of Ministry Vehicles

- Ministry vehicles will be operated by authorized drivers in a professional manner
- Ministry vehicles will only be used for official business
- vehicles must be kept clean and tidy at all times, and receive scheduled inspection and maintenance

Harassment

- Harassment, discrimination, verbal or physical abuse will not be tolerated within the workplace
- This topic is covered in further detail below

* A more formal **Code of Conduct** will be read and signed by every fire fighter once they reach their base.

EXPECTATIONS

There is an expectation when hired as a BC Wildfire Service fire fighter you will:

- Challenge yourself to reach your full potential
- Display a work ethic of the highest standard
- Produce quality
- Maintain a positive attitude

JOB REQUIREMENTS

Before the commencement of work, each fire crew member will:

- Submit a Par Q medical exam (every year pre-season only)
 - * Every new recruit will have a full medical before being hired.
- Be without any impairment (everyday)
 - * This includes, but not confined to, drugs, alcohol, certain medications and fatigue (lack of sleep).
- Meet minimum physical fitness standards (every year pre-season).

* The BCWS currently uses the WFX Fitness Test: a mandatory annual test that requires a minimum time completion of 14 minutes and 30 seconds.

ZERO TOLERANCE

The Ministry has a zero tolerance policy for:

1. The use of drugs and alcohol during work hours.
2. Violence of any kind.
3. Physical, emotional or sexual harassment.
4. Major safety infractions.

If you are found to be guilty of any of these things, disciplinary action will be taken immediately and you will likely lose your job!

DISCIPLINE

It is the responsibility of each crew member to obey and carry out his/her supervisor's instructions as quickly and efficiently as possible. In addition to this, each individual crew member is explicitly responsible for his/her performance, conduct and safety. Failure to comply with this and other regulations and requirements may result in crew member's decertification, suspension or dismissal.



EVALUATIONS

Each fire fighter is being constantly evaluated based on all of the things expected of them, most of which have been outlined in the previous pages. Your direct supervisor is responsible for this. The evaluations come in three forms:

1. **Pre-Season Employee Performance and Development Plan (EPDP)**
Used to outline expectations and set tangible goals for each crew person for the coming year.
2. **Mid-Season EPDP review**
This is used to identify poor work performance and problems that might be developing in order that improvement may be implemented. It is also used to reinforce positive qualities and skills an individual is displaying.
3. **End of Season EPDP review**
This is used to summarize the performance for the entire season for each fire fighter.

Evaluation forms and styles will vary from crew to crew. The actual plan becomes part of your permanent record with the Ministry and is the first building block to promotional opportunities. They are also what will lead an individual to disciplinary action if efforts are determined unsatisfactory.

CREW EVALUATIONS

Not only does each individual get assessed but also each crew. The crew evaluation is based on crew performance and professionalism on and off the fire line when on deployment in or out of your zone. It is important to remember your actions represent your crew, and unacceptable behavior will always overshadow any hard work and respect a crew may have achieved. Each crew is building a reputation within the province, which is important but fragile. **Remember - IT IS NOT JUST ABOUT YOU!**

GENERAL SAFETY

It is very important to understand that safety must be the “watchword” of all phases of the operation. Separate and specific courses will be given on the following:

- Helicopter safety
- Fire line safety
- Safe use of power saws (at local zone)
- Worksafe requirements
- Wilderness survival
- Use and care of hand tools
- Air tanker operations

REPORTING FIRE BEHAVIOUR-RELATED SAFETY INCIDENTS

In 1994 the Wildfire program established a Safety Review Team to investigate specific fire behavior related safety incidents. Any fire crew personnel who experience a serious fire behavior related safety incident should immediately report that incident to their supervisor.

It is critical that all suppression crew members come forward with the details regarding fire behavior related safety incidents so that all BCWS staff may benefit from this information. The intent of reviewing incidents is to create greater awareness among all personnel of the dangers associated with potentially extreme fire behavior. Follow the chain of command to report the incidents.

REPORTING ACCIDENTS

Each and every accident must be reported to a first aid attendant as soon as possible. Minor cuts, bruises, or abrasions may be reported through a simple entry into the First Aid Record book. Supervisory personnel must ensure that even very minor injuries receive treatment and recording.

Every accident, regardless of severity, must be reported to a Fire Crew person's immediate supervisor within 12 hours of its occurrence and then to the Incident Commander immediately after its occurrence (when applicable).

When an accident of a more serious nature occurs, and especially when there is the possibility of later complications, the injured person must complete the appropriate Worksafe BC Forms and forward them to Headquarters as soon as possible.

FIRST AID

All Fire Crew members must be trained in Level 1 Occupational First Aid and have a Transportation Endorsement as a minimum requirement. In addition all Crews must have a designated First Aid attendant who possesses an Occupational First Aid Level 3 ticket or better.

Fire Crews shall be equipped with the appropriate first aid kits as per Worksafe regulations. In addition to the above, a standard belt first aid kit shall also be carried on the fire line as well as all appropriate Worksafe accident reporting forms.

For Unit Crews, when a main base is established and the entire crew works from that base the following equipment shall be maintained at the base:

- Suitable oxygen therapy equipment
- Basket stretcher
- An Emergency First Aid Kit (see pg. 49 of Industrial First Aid Regulations).

DISCRIMINATION AND HARASSMENT IN THE WORKPLACE (HUMAN RESOURCES POLICY 11)

Any time there appears to be a genuine conflict between any operational requirement and safety the operation will be abandoned until safety can be guaranteed.

WHEN IN DOUBT, BACK OUT!

This policy statement applies to all employees appointed under the Public Service Act and applies to incidents that occur at or away from the workplace during or outside working hours if a connection exists to the employment relationship. This policy statement supports the core policy objective of “promoting a safe and healthy workplace that supports the well-being of employees” and the objective that “public service employees exhibit the highest standards of conduct.”

As an employer, the Government of British Columbia in cooperation with its unions and associations will promote a work environment that is free from discrimination and harassment where all employees are treated with respect and dignity. Discrimination and harassment as related to any of the prohibited grounds contained in the Human Rights Code violate the fundamental rights, dignity and integrity of an individual. Where discrimination or harassment is found to have occurred, the Employer may implement remedial action.

This policy statement promotes the prevention of discrimination and harassment and focuses on the prompt resolution of complaints. This policy statement does not prevent an employee from filing a complaint under Section 13 of the Human Rights Code; however, employees are not entitled to duplication of process. Where an employee directs a complaint of discrimination or sexual harassment to the British Columbia Human Rights Tribunal or where they are included as an element of a grievance, the complaint will not be pursued through the formal process specified in this policy or the applicable collective agreement. All information regarding a complaint is to be treated in the strictest confidence. Information that must be shared will be disclosed on a “need to know” basis.

This policy statement covers:

- the adjudication process for bargaining unit employees (e.g. fire fighters)

A provision regarding discrimination and harassment, including the complaint procedures for bargaining unit employees, is contained in each of the applicable collective agreements. If there is a conflict the collective agreement will take precedence over this policy statement. An employee who files a written complaint that would be seen by a reasonable person to be frivolous, vindictive or vexatious may be subject to disciplinary action.

DEFINITIONS

Discrimination

Discrimination relates to any of the prohibited grounds contained in the Human Rights Code. Prohibited conduct may be verbal, non-verbal, physical, deliberate or unintended, unsolicited or unwelcome, as determined by a reasonable person. It may be one incident or a series of incidents depending on the context. Employees have the right to employment without discrimination. Discrimination includes incidences of harassment because of race, colour, ancestry, place of origin, religion, family status, marital status, physical disability, mental disability, sex, age, sexual orientation, political belief or conviction of a criminal or summary conviction offence unrelated to their employment.

Sexual Harassment

Sexual harassment is a form of discrimination and is defined as any unwelcome comment or conduct of a sexual nature that may detrimentally affect the work environment or lead to adverse job related consequences for the victim of the harassment. Examples of sexual harassment include, but are not limited to:

- A person in authority asking an employee for sexual favours in return for being hired or receiving promotions or other employment benefits;
- Sexual advances with actual or implied work related consequences;
- Unwelcome remarks, questions, jokes or innuendo of a sexual nature including sexist comments or sexual invitations;
- Verbal abuse, intimidation or threats of a sexual nature;
- Leering, staring or making sexual gestures;
- Display of pornographic or other sexual materials;
- Offensive pictures, graffiti, cartoons or sayings;
- Unwanted physical contact such as touching, patting, pinching or hugging; and
- Physical assault of a sexual nature.

The definition of sexual harassment is not meant to inhibit interactions or relationships based on mutual consent or normal social contact between employees.



ADJUDICATION PROCESS FOR BARGAINING UNIT EMPLOYEES

The adjudication process is set out the BCGEU Collective Agreement (Article 1.9)

Discrimination and Sexual Harassment Complaint Procedures

- (a) All persons involved in the handling of a discrimination or sexual harassment complaint under Clause 1.7 or 1.8 shall hold in the strictest confidence all information of which they become aware; however, it is recognized that various officials of the constituent group(s) and the Employer will be made aware of all or part of the proceedings on a "need to know" basis.
 - (b) Before proceeding to the formal complaint mechanism an employee who believes he or she has a complaint of harassment or discrimination may approach their supervisory personnel, union steward, or other contact person to discuss potential means of resolving a complaint and to request assistance in resolving the matter. If the matter is resolved to the complainant's satisfaction the matter is deemed to be resolved.
 - (c) If the matter is not resolved to the employee's satisfaction, then the employee will approach the first excluded level of management not involved in the matter, for assistance in resolving the issue within six months of the alleged occurrence. The manager will investigate the allegation and take steps to resolve the concern as appropriate within 30 days of the issue being raised by the employee. The manager will discuss the proposed resolution with the employee. The employee may have a union representative present during these discussions. Where the first excluded level of management is the respondent, the employee shall approach the respondent's supervisor.
 - (d) If the proposed resolution is not acceptable, the employee may refer the matter through the Union in writing to the Deputy Minister or their designate within 30 days of receiving the manager's response or when the response was due.
- A written complaint shall specify the details of the allegation(s) including:
- name, title and ministry of the respondent;
 - a description of the action(s), conduct, events or circumstances involved in the complaint;
 - the specific remedy sought to satisfy the complaint;
 - date(s) of incidents;
 - name(s) of witnesses (if any);
 - prior attempts to resolve (if any).
- (e) The Deputy Minister or their designate will acknowledge, in writing, receipt of the Union's notice and will have the matter investigated and will take such steps as may be required to resolve the matter. The Union and the employees involved shall be advised in writing of the proposed resolution within 30 days of providing notice to the Deputy Minister or such later date as may be mutually agreed by the ministry and the Union.
 - (g) Any action taken by the Employer, including discipline, which is consistent with the findings of fact of the Adjudicator shall be considered by all parties to be determinative of the complaint and shall not form the basis of a grievance.

- (h) If the Adjudicator determines that discrimination and/or harassment has occurred, the Employer must document the personnel file of the respondent accordingly.
- (i) Pending the determination of the complaint, the Deputy Minister(s) may take interim measures to separate the employees concerned, if deemed necessary. Any such action taken under this section will not be deemed disciplinary in nature, or seen as presumption of guilt or innocence.
- (j) The complainant will not be relocated without their agreement.

Referral for Adjudication

When a complaint of discrimination or sexual harassment has not been resolved using the process set out in the collective agreement, the Bargaining Agent may refer the matter to the Employer for adjudication.

The written notice of referral for adjudication must be received by the Employer within 30 days of receipt of the proposal from the Deputy Minister to resolve the complaint made under the formal process for resolving discrimination and sexual harassment complaints. The 30-day period may be extended with the agreement of both the Bargaining Agent and the Employer.

Appointment of Adjudicator

The Employer will appoint an Adjudicator within 10 working days of receiving the written notice of referral for adjudication. The Adjudicator will either be appointed from a mutually agreed upon list, or will be someone who is agreeable to both the Employer and the Bargaining Agent.

Conduct of Adjudication

Adjudication will be conducted in a manner that ensures that those involved receive a fair hearing. The adjudication will be conducted in private, but the Employer has the right to full representation at the hearing.

All information about a complaint is to be treated in strictest confidence and is not to be disclosed to anyone except on a 'need-to-know' basis. The Adjudicator will determine the adjudication process consistent with the principles of natural justice, and may admit any evidence that the Adjudicator feels is necessary or appropriate. The Adjudicator may:

- Make findings of fact;
- Decide if, based on the facts, discrimination or sexual harassment has occurred;
- Attempt to mediate a resolution to the complaint; and
- Make recommendations regarding resolution of the complaint, which may include discipline.

The Adjudicator's written findings and recommendations will be forwarded as expeditiously as possible to the:

- Complainant,
- Respondent,
- Deputy Minister, and
- Bargaining Agent.

The Adjudicator's decision about whether discrimination or sexual harassment has occurred is binding on all parties.

Implementation of Recommendations

Pending the outcome of the adjudication process, the deputy minister may take interim measures to separate the employees involved. Any actions taken should not be seen as disciplinary or passing judgment on the validity of the complaint. Complainants will not be relocated without their consent.

Once the Adjudicator's report is received, the deputy minister will consider the findings and recommendations and determine what action should be taken. All parties will be notified of the action being taken within five working days of receiving the Adjudicator's written report.

Any action taken by the Employer, including discipline, that is consistent with the Adjudicator's findings of fact must be accepted by all parties and is not to be used as the basis for a grievance for bargaining unit staff.

If the Adjudicator determines that discrimination or sexual harassment has occurred, the Employer will document the personnel file of the respondent accordingly.

RESPONSIBILITIES

Agency Head

- Provide timely advice to managers and employees respecting the application of this policy statement including direction that complaints and investigations be treated in confidence;
- Coordinate the development of awareness, training, and communication programs in support of this policy statement;
- Appoint an adjudicator to hear complaints of discrimination or harassment not resolved following a formal investigation;
- Establish a dispute resolution panel, when required; and
- Conduct formal investigations, when required.

Deputy Ministers

- Promote a work environment that is free of discrimination and harassment;
- Provide for employees attendance at discrimination and harassment awareness sessions;
- Provide employees information of the complaint process established by this policy statement;
- Ensure that complaints raised by ministry employees are investigated and addressed within the time frames established by the policy statement;
- Develop a system that enables all employees to be aware of their responsibilities relevant to this policy statement;
- Ensure that complaints are treated in confidence;
- Ensure that the number and grounds of complaints handled under the policy statement are tracked and reported as required;
- Ensure that resolutions are implemented; and
- Delegate authority and responsibility, where applicable, to apply this policy statement within their organization.

Excluded Managers

- Develop workplaces, for which they are responsible, free from discrimination and harassment;
- Inform all employees, for which they are responsible, of this policy statement;
- Investigate and resolve complaints within the time frames established by this policy statement;
- Report complaints that are investigated to the Deputy Minister;
- Treat complaints and investigations in confidence as appropriate; and
- Follow up on resolutions to ensure that they have been implemented and are working.

Employees

- **Treat fellow employees with respect and dignity;**
- **Refrain from discrimination and harassment as defined by the policy statement;**
- **Ensure that complaints are treated in confidence; and**
- **Meet the time frames specified in this policy statement.**

FREQUENTLY ASKED QUESTIONS

Does this policy also apply to gender and gender identity?

Yes. The policy embraces the jurisprudence of the Charter of Rights and Freedoms as well as the BC Human Rights Code rulings on gender and gender identity, including those who identify as lesbian, gay, bisexual, transgender or transsexual.

What should I do if I witness, or feel I am the victim of, harassment or discrimination?

The following are guidelines. Please refer to the formal procedures for excluded employees and bargaining unit employees.

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If you think you have witnessed, or have been the victim of, discrimination or harassment by a peer (someone with whom you are not in a reporting relationship), try speaking with the person and explain how you perceive their actions. If this is not possible, talk to your supervisor immediately. Supervisors are responsible for taking swift and appropriate action to investigate and remedy substantiated complaints.

If the conduct you are uncomfortable with has been carried out by a person to whom you report, depending on the extremity of the situation, consider using any or all of these options:

- Request a meeting with your supervisor to discuss your discomfort and how you feel you are being bullied. You may wish to call Homewood Human Solutions (1-800-655-5004) for advice and counselling to help you prepare for the discussion. Bargaining unit members can also consult with their local union representative.
- If a meeting with your supervisor is out of the question, go to another excluded manager whom you trust and believe could help resolve the situation.
- If the situation cannot be addressed at the first or second levels, it should be referred to the BC Public Service Agency or your union representative.

What is 'consent'?

Consent refers to the provision of approval or agreement, particularly and especially after thoughtful consideration.

The following are described by the Canadian Criminal Code as situations in which consent cannot be obtained:

- Force is applied.
- Force is threatened to be applied to the victim or to another person.
- The accused is in a position of authority over the victim.
- Consent cannot be based on the words or conduct of someone other than the victim, nor can consent be obtained when:
 - The victim is incapable of consenting (due to mental incapacity, for example);
 - The accused is in a position of trust, power or authority over the victim;
 - The victim expresses a lack of consent; or
 - The victim, having initially consented, expresses a change of mind.

What's an example of something that might be perceived as harassment, but is not?

Feedback on performance is not considered harassment if it:

- Is delivered in a respectful and professional manner;
- Serves a legitimate purpose; and
- Is meant to improve performance.

What is 'indirect' discrimination?

In the absence of a bona fide occupational requirement 'indirect' or adverse effect discrimination exists where an employer for genuine business reasons adopts a rule or standard which is on its face neutral and which applies equally to all employees, but which has a discriminatory effect on a prohibited ground on one employee or group of employees. For example:

- Establishing a schedule where employees are required to work on Saturdays may conflict with the religious beliefs of an employee who is an observant Jew.
- Adopting a standard work uniform which includes specified headgear may conflict with the rights of an employee of the Sikh faith whose religious practice includes the wearing of a turban.
- Enforcing a work rule which requires employees to stand for extended periods of time may indirectly discriminate against physically disabled employees.