

UNION OF BC MUNICIPALITIES CONVENTION CODE OF CONDUCT

WHEREAS delegates at the Union of BC Municipalities (UBCM) 2016 Convention endorsed Resolution B103 which requested UBCM to implement a Code of Conduct that addresses safety, harassment, discrimination; and provides a safe mechanism for reporting breaches in conduct; and includes consequences for breaches including potentially expelling from the conference without a refund.

AND WHEREAS in 2017 the UBCM has acted in the implementation of Resolution B103 by issuing a Statement of Expectations for delegates and conference participants as follows:

1. All delegates and conference participants have the right to a safe, fun and enjoyable experience. UBCM will not tolerate any communication or behaviour that demeans, threatens, or harasses anyone at its events.
2. All delegates regardless of their employer, their position, their perspectives or priorities will treat others, and be treated, in a respectful, understanding and cooperative manner.
3. The primary purpose of the annual UBCM Convention is to provide the membership with an opportunity to set the association's policy direction for the year ahead.
4. The Convention also provides delegates with an opportunity to learn, share and meet with other local, provincial and federal government officials in addition to other associations that are interested in engaging with local governments.
5. Only local elected officials who are UBCM members are entitled to speak and vote on matters put forward to the membership. However, the annual Convention is open to the public. Anyone may attend the conference so long as they register.
6. All UBCM members are viewed as equal regardless of their population, location, or their ability to attend the annual convention.

AND WHEREAS in 2018 the UBCM established a formal Code of Conduct and process for the investigation and handling of all complaints in an expeditious manner that required all Convention participants to read, understand and agree to the Code of Conduct; the latter process being embedded into the on line convention registration process in 2019.

AND WHEREAS the UBCM has confirmed that the Code of Conduct and process for the investigation and handling of all complaints in an expeditious manner will continue to be embedded within the Convention registration process whether the Annual Convention is held in person or through a virtual online platform.

THEREFORE be it resolved that the following Code of Conduct shall apply to all delegates and participants attending the annual UBCM Convention.

CODE OF CONDUCT

1. This Code of Conduct is intended to deal with complaints of inappropriate behaviour by participants in the UBCM Convention; and sets out standards of behaviour for all delegates, participants, and event sponsors (collectively referred to as “participants”) during the UBCM Convention and related events.

2. Participants shall abide by this Code of Conduct during their attendance at UBCM organized, and UBCM sanctioned, events during the week of Convention; and are expected to adhere to the Code of Conduct at other non-UBCM organized events associated with the conference. Participants will be required to indicate that they have read, understood, and agree to this Code of Conduct at time of registration.

3. All participants at the Convention, regardless of their employer, their position, their perspectives or priorities will treat others, and be treated, in a respectful, understanding and cooperative manner and behave in a manner that is respectful to other participants and their guests, and will not do anything that threatens the health, safety, security, or dignity of other participants or their guests, and agree:

- a. To abide by the provisions of this Code of Conduct, including the complaint process set out in this document for the duration of the Convention.
- b. To respect the views of others, even when one disagrees.
- c. To recognize and value individual differences.
- d. To communicate openly.
- e. To support and encourage each other.
- f. To refrain from conduct that is prohibited under the British Columbia Human Rights Code, including discrimination toward another person or group of persons based on their race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age of that person or that group or class of persons.

• **Discrimination** is behaviour that involves words, conduct, or other behaviour toward others that is based on race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age of that person or that group or class of persons.

- g. To refrain from harassment, bullying, and intimidation.

• **Harassment** includes sexual harassment and is objectionable behaviour which may include actions, language, gestures, and/or written or photographic material, and which the harasser knows or ought to know is abusive and/or unwelcome.

• **Bullying** is a form of harassment which is serious behaviour that targets an individual or group and which threatens the mental or physical well-being of that person or persons.

• **Intimidation** is the use of threats or behaviour that induces fear in another person.

- h. To refrain from offensive behaviour or language.
- i. To refrain from abuse of a position of authority or trust in all interactions with others.
- j. That consumption of alcohol or drugs is not an excuse for breaching this Code of Conduct.
- k. That this Code of Conduct is not to replace applicable human rights and other legislation and is to enhance the rights and obligations of participants in the Convention.

COMPLAINT & ENFORCEMENT PROCESS

4. To provide enforcement of this Code of Conduct, and to ensure procedural fairness, complaints relating to this Code of Conduct will be handled as follows during the Convention and, should a complaint process continue after the Convention, until resolution or until the mediator signs off:

- a. a mediator or mediators (the “mediator(s)”) shall be appointed and vested with authority by UBCM to handle such complaints as may arise during the Convention, and the mediator(s) will be on site at the venue, or available electronically for the purpose of dealing with complaints in an expeditious manner;
- b. a participant with a complaint (the “complainant”) may choose to deal directly with the person alleged to have engaged in the impugned behaviour (the “respondent”) in an attempt to resolve the issue, but shall be at liberty to bring forward a complaint under this process regardless of whether direct dealings have been attempted;
- c. all complaints alleging a breach of this Code of Conduct shall be initiated by submitting a written complaint to the mediator(s);
- d. all initial responses to a complaint under this procedure shall be submitted by written response to the mediator(s);
- e. except as otherwise provided all complaints and responses and related communications to the mediator are confidential;
- f. the participants who are the parties to a complaint are entitled to a written copy of the complaint and of the initial response, and are entitled to know of any subsequent communications to the mediator in relation to the matter of the complaint, whether by the parties to the complaint or by witnesses;
- g. if the mediator(s) determines, in his or her sole discretion, that the alleged conduct might be construed as falling within the Criminal Code of Canada, the mediator(s) shall so notify the parties and the matter is excluded from this procedure;
- h. the mediator(s) shall provide a written report of any complaints arising during the Convention, but shall maintain confidentiality except as required for the purpose of resolving the complaint or for the purpose of reporting to the UBCM President and Convention Committee Chair;

i. upon receipt of a complaint the mediator(s) shall work to seek resolution by mutual agreement of the parties to the complaint;

j. the mediator shall report in writing to the Presidents Committee of the UBCM Executive a summary of all complaints and their outcome within 14 days following conclusion of the Convention.

REMEDIES

5. If the complaint is not resolved consensually, the mediator(s) will report in writing to the UBCM President and Convention Committee Chair sharing, in confidence all written materials received, along with the mediator's summary of the outcome to that point. The UBCM President and Convention Committee Chair may:

a. determine that the complaint is not justified or is beyond the scope of this Code of Conduct, in which case the complaint must be dismissed.

b. determine that the complaint is justified the UBCM President and Convention Committee Chair may sanction the respondent by any or all of the following:

- expulsion of the respondent from the Convention with or without refund of registration and other fees;
- prohibition of the respondent from attendance at subsequent UBCM functions for a fixed period of time or permanently;
- report in writing to the respondent's employer or sponsor organization.

The President and Convention Committee Chair shall maintain confidentiality throughout the process except as required for the purpose of resolving the complaint. Upon completion of their deliberations, the President and Convention Committee Chair will follow similar reporting out processes employed by local governments when dealing with "in camera" matters.

6. Nothing in this Code of Conduct shall be construed as limiting a person's right to seek legal redress under applicable common law, criminal law, human rights, workers' compensation or other legislation.

Approved by Executive - July 2018

Amended – November 2018

Amended – July 2020