

**MISSISSIPPI VALLEY CONSERVATION AUTHORITY
WATERSHED PLAN**

**PUBLIC ADVISORY COMMITTEE (PAC)
TERMS OF REFERENCE**

Background

The Mississippi Valley Conservation Authority is developing a Watershed Plan over 2019-2020 that will:

- Characterize the current state of the Mississippi River watershed.
- Identify trends and stressors affecting natural resources and the services they provide.
- Provide a forum for discussion of natural resource management in the watershed.
- Establish goals, objectives and targets for the management of area natural resources.
- Recommend and prioritize actions and partnership opportunities.
- Identify the financial and other resources needed to implement the plan.
- Inform and guide local land use and infrastructure planning.
- Support public understanding of and support for natural resource management.

Community input from across the watershed and from various sectors is needed to ensure that the Plan considers the range of issues, needs, and priorities of all watershed users.

Role of the PAC

The Watershed Advisory Committee will meet at least five times over the course of the project to review, comment, and advise on the above matters. On occasion, members may be asked to support data collection from and information dissemination to their community or sector.

PAC Membership

The Watershed Advisory Committee will have up to fifteen members that reflect the range of interests in the watershed, including where possible:

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|---------------------------------|--------------------------|
| • Ratepayers | • Agricultural sector |
| • Land developers | • Aggregates sector |
| • Resource conservation groups | • Forestry sector |
| • Recreation and tourism sector | • Hydro power generators |

Engagement with First Nation and Metis rights holders will proceed in parallel and may include participation on the PAC.

Selection Process

Members will be selected based upon the following criteria:

- their experience and expertise in one or more of the subject areas identified;
- a demonstrated ability to work with others, find common ground and problem solve;
- their knowledge of the Mississippi River and the watershed; and
- a commitment to participate on the Committee for 1 year (Fall 2019-Fall 2020.)

Potential candidates shall submit an application outlining how they meet the criteria as well as relevant skills, knowledge, and affiliations.

Applications will be reviewed by a Selection Committee comprised of the General Manager, Project Manager, and Board Co-Chair. The Selection Committee may choose to interview candidates or ask for references.

Time/Location/Frequency of Meetings

The first meeting will be held in October 2019, with 3 monthly meetings to follow from November 2019 to January 2020. One or two additional meetings will be held as needed in 2020. Meetings will typically be held at the MVCA Administrative Office.

Committee Administration

The following administrative rules shall apply to the functions of the committee:

Meetings

- The Project Manager shall be responsible for ensuring adequate notice to members of upcoming meetings, and for preparing and distributing agenda and other information.
- All meetings are open to the public.
- The PAC will be co-chaired by: a) a member from the MVCA Board of Directors, and b) a member elected by the PAC Members.
- Responsibilities for chairing meetings will alternate between the Board of Director co-chair and the co-chair selected by the PAC Members.
- Either co-chair can chair a meeting where the other has a meeting conflict, or a conflict of interest.
- The General Manager will chair meetings if neither co-chair is available.
- Co-chairs shall declare any real or perceived conflicts during review and acceptance of the Agenda; and shall pass chair responsibilities to the other co-chair or the General Manager.
- A co-chair may participate in discussion and debate of matters where a conflict of interest exists so long as the conflict has been declared and the other co-chair or General Manager is chairing the meeting.
- Co-chairs that do not declare conflicts of interests may be removed and replaced by the MVCA.

Attendance

- PAC Members are expected to attend all meetings.
- The MVCA may remove and replace members that miss three consecutive meetings.
- Quorum is set at 50% plus one of the PAC Members.
- Meetings may proceed in the absence of quorum.

Transparency

- Agenda, materials distributed, and meeting notes will be made available to the public.
- The above records and any other documents associated with PAC operations are subject to the Freedom of Information and Protection of Privacy Act (FIPPA).

Decision making

- Recommendations of the PAC shall be arrived at by consensus decision-making. Where consensus is not achieved, majority and minority viewpoints will be noted.

PAC Member Responsibilities and Conduct

- PAC Members are responsible to:
 - Review background materials provided and be prepared to discuss issues and make recommendations;
 - Work collaboratively with fellow PAC Members, the Chair, and MVCA staff; and
 - On occasion, support the collection and dissemination of information to their sector/ organization.
- PAC Members will conduct themselves in a manner that:
 - Supports the objectives of the Advisory committee;
 - Brings credibility and goodwill to the Committee;
 - Respects fair play and due process;
 - Abides by the MVCA Anti-Harassment Policy (attached);
 - Demonstrates respect for individuals in all manifestations of their cultural diversity and life circumstances; and
 - Respects and gives fair consideration to diverse and opposing viewpoints.
- PAC Members not fulfilling the above responsibilities and code of conduct may be removed and replaced by the MVCA.

Compensation

- Members will be reimbursed for reasonable out-of-pocket expenses incurred through participation on the Committee
- The mileage rates used will be the same as those approved for the MVCA Board of Directors.

5. Workplace Violence and Harassment

5.1 Policy

Mississippi Valley Conservation Authority is committed to providing a safe, healthy and supportive work environment and will be proactive in the prevention of workplace violence and harassment by ensuring employee awareness and investigating reported incidents of violence and harassment in an objective and timely manner, taking necessary action; and providing appropriate support for victims.

This policy applies to all employees, Board members or other individuals representing Mississippi Valley Conservation Authority and to any location in which you are engaged in work-related activities. This includes, but is not limited to, Mississippi Valley Conservation Authority property and vehicles, personal vehicles while used for work-related purposes, restaurants, meeting facilities and hotels that are being used for business purposes or for corporately sponsored events.

This policy addresses workplace harassment and violence from all sources such as other employees, supervisors, residents, suppliers and members of the public.

This policy ensures that:

- Individuals are aware and understand that acts of violence or harassment are considered a serious offence for which necessary action will be imposed;
- Those subjected to acts of violence or harassment are encouraged to access any assistance they may require in order to pursue a complaint; and
- Individuals are advised of available recourse if they are subjected to, or become aware of, situations involving violence or harassment.

5.2 Definitions

5.2.1 Workplace Harassment

Workplace harassment means engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome or workplace sexual harassment.

Harassment includes discrimination based on the protected grounds included in human rights legislation:

- Age
- Creed (religion)
- Sex (including pregnancy and breastfeeding)
- Sexual orientation
- Gender identity
- Gender expression
- Family status (such as being in a parent-child relationship)

- Marital status (including married, single, widowed, divorced, separated or living in a conjugal relationship outside of marriage, whether in a same-sex or opposite-sex relationship)
- Disability (including mental, physical, developmental or learning disabilities)
- Race
- Ancestry
- Place of origin
- Ethnic origin
- Citizenship
- Colour
- Record of offences (criminal conviction for a provincial offence, or for an offence for which a pardon has been received)
- Association or relationship with a person identified by one of the above grounds
- Perception that one of the above grounds applies.

Examples of discriminatory harassment include:

- Humiliating or demeaning ‘teasing’, jokes or behavior that belittle or ridicule a person’s membership in one of the protected grounds, such as race or religion
- Imitating a person’s accent, speech or mannerisms
- Persistent or inappropriate questions about whether a person is pregnant, has children, or plans to have children
- Inappropriate comments or jokes about an individual’s age, sexual orientation, personal appearance or weight (whether underweight or overweight)

The supervisor will take into consideration whether the harasser knew or should have known that the comments or conduct were not welcome in determining what appropriate action should be taken.

5.2.2 Workplace Sexual Harassment

Workplace sexual harassment means:

- a. engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
- b. making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome. The person engaging in the harassing behavior does not necessarily have to have power or authority over the victim, although that is commonly the case.

Sexual harassment includes comments and/or conduct that could reasonably be considered by you to be unwelcome or offensive. It also includes negative or inappropriate comments and conduct not necessarily sexual in nature but directed at you because of your gender.

Both men and women can be victims of harassment. Someone of the same or opposite sex can harass you.

Some examples of behavior that constitute sexual harassment include:

- Sexual advances or demands that you do not welcome or want;
- Threats, punishment or denial of a benefit for refusing a sexual advance;
- Offering a benefit in exchange for a sexual favor;
- Leering or inappropriate gestures;
- Displaying sexually offensive material, such as posters, pictures, calendars, cartoons, screen savers, pornographic or erotic web sites or other electronic material;
- Distributing sexually explicit e-mail messages or attachments such as pictures or video files;
- Sexually suggestive or obscene comments or gestures;
- Unwelcome remarks, jokes, innuendoes, propositions or taunting about your body, clothing or sex;
- Persistent, unwanted attention after a consensual relationship ends;
- Physical contact of a sexual nature, such as touching or caressing; and
- Sexual assault.

The supervisor will take into consideration whether the harasser knew or should have known that the comments or conduct were unwelcome in determining what appropriate action should be taken.

5.2.3 Workplace Violence

Workplace violence is:

- the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
- an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker; or,
- a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker.

Examples of workplace violence include:

- Any direct, veiled or conditional actions in the form of intimidation or assault, either verbal or physical such as hitting, blocking, shoving, unwanted kissing, touching, etc.
- Verbal/emotional/psychological abuse such as swearing, put-downs/name calling, labelling the victim in a derogatory way such as stupid, crazy or irrational, or other acts of humiliation leading the victim to believe they are at risk.
- Personal, public or corporate property damage.
- Bullying: repeated and persistent negative acts towards one or more individuals, which involve a perceived power imbalance and create a hostile work environment.

5.2.4 Domestic Violence

When MVCA becomes aware of, or ought reasonably to be aware of, domestic violence that would likely expose a worker to physical injury in the workplace, MVCA must take every precaution reasonable in the circumstances to protect the worker.

Some indicators that domestic violence may occur in the workplace include reported concerns from the targeted worker or other workers, threatening calls or unwelcome visits at the workplace.

It is recommended that employees report their concerns to their supervisor if they fear that domestic violence may enter the workplace. MVCA is required to take reasonable measures to protect all employees from violence.

5.2.5 Poisoned Work Environment

Even if no one is being directly targeted, harassing comments or conduct can poison the work environment, making it an uncomfortable place in which to work. This is also considered harassment.

Examples of actions that can create a poisoned work environment include:

- Displaying offensive, discriminatory materials, such as posters, pictures, calendars, web sites or screen savers;
- Distributing offensive or discriminatory e-mail messages or attachments such as pictures or video files;
- Practical jokes that embarrass or insult someone; and
- Jokes or insults that are offensive, racist or sexual in nature.

5.3 Preventing Violence and Harassment

It is our mutual responsibility to ensure that we create and maintain a harassment-free workplace.

Mississippi Valley Conservation Authority will do its part by not tolerating or condoning discriminatory or sexual harassment, violence, or a poisoned work environment. Regular training is provided to employees on how to diffuse potentially harmful situations and how to effectively and professionally communicate and deal with co-workers, clients, members of the public, etc. Mississippi Valley Conservation Authority is committed to making everyone aware of what behavior is and is not appropriate, investigating complaints, and taking suitable corrective measures.

You must do your part by ensuring that your behavior does not violate this policy and by fostering a work environment that is based on respect and is free of harassment.

5.4 Complaint Procedure – Workplace Harassment

5.4.1 Informal Procedure

1. Employees are encouraged to attempt to resolve their concerns by direct communication with the person(s) engaging in the unwanted behaviour. Where the employee feels comfortable in doing so, they should communicate their disapproval in a respectful manner with the other person(s) regarding the behavior, conduct or comments and request that the offending behavior

cease. Keep a personal written record of the date, time, details of the comments, and witnesses, if any. Although this may be difficult to do, telling the person you do not like their actions is often enough to stop the behavior.

2. Some of the things you can say that might stop the behavior include:

“I don’t want you to do that.”

“Please stop doing or saying ...”

“It makes me uncomfortable when you . . .”

“I don’t find it funny when you . . .”

3. If you believe that someone who is not an employee, for example a board member, member of the general public or a supplier, has harassed you, please report the harassment to your supervisor.

5.4.2 Formal Procedure

1. If you are unable to resolve the matter by dealing directly with the person, or if you feel uncomfortable about approaching him or her, speak to your supervisor. To the extent possible, your supervisor will attempt to address this issue.
2. In the event the harasser is your immediate supervisor or manager and you have been unable to resolve the matter by dealing directly with him or her, you should address the issue with the General Manager. If it is inappropriate or not possible to address the issue with the General Manager, the issue should be addressed with the Chairman and subsequently with the Board of Directors of the Authority if required.
3. Once your supervisor has resolved the issue, he or she will advise the General Manager about the complaint and its resolution. This will enable us to be aware of and respond to any pattern of harassment by a particular individual.
4. If your supervisor cannot resolve your complaint or if it is too serious to handle at that level, he or she will refer you to the General Manager. If you are not comfortable approaching your supervisor about your concerns, you may address the issue directly with General Manager.
5. The General Manager will explore your options with you. These options may include counseling you on how to resolve the problem with the individual, educating the person with whom you are having difficulty, or assisting you in making a formal complaint.
6. If you decide to initiate a formal complaint, we will need as much written information as possible, including the name of the person you believe is harassing you, the place, date and time of the harassment, specific words or actions as well as the frequency of occurrences and the name of any possible witnesses. A copy of the “Harassment Complaint” form is attached

to this policy.

7. Harassment is a serious matter. Therefore, if you decide not to make a formal complaint, we may still need to look into the matter and take steps to prevent further harassment. We may need to do this if the allegations are particularly serious or there have been previous complaints or incidents involving the alleged harasser. An employee has the right to approach the Human Rights Commission if they are not satisfied with the result of the formal procedure undertaken by the Authority.

5.5 Procedure – Workplace Violence

5.5.1 Risk Assessment for Workplace Violence

The potential risk of violence in all workplaces is assessed. Workplace Violence Risk Assessments are conducted as necessary to ensure compliance with the Act, and the results are reported to the Joint Health and Safety Committee.

Measures will be taken to control risks and will include procedures for specific situations which may include but are not limited to:

- Working alone or after hours
- Working with unstable or volatile residents/members of the public
- Office reception area
- Interior and exterior lighting
- Driving a vehicle to provide service at various sites
- Handling cash

5.5.2 Reporting Emergencies

For acts of violence, assault, or other violent incidents, CALL 911 immediately. Critical information must be provided including the nature of the incident, whether emergency services are required, whether the perpetrator(s) are still present or whether weapons are involved.

After the proper control of the emergency, notify supervisor and complete a Harassment or Violent Incident Report Form.

5.5.3 Reporting Non-Emergencies

These include verbal threats or actions that may lead to emergency situations in the future. Violence-related incidents or hazards should be reported to your supervisor and a Harassment or Violent Incident Report form. The report may be made confidentially; however, information may need to be released to investigate and respond to the complaint.

5.6 Investigation

Mississippi Valley Conservation Authority recognizes the sensitive nature of workplace violence and harassment. Information about a complaint or incident will not be disclosed except to the

extent necessary to protect workers, to investigate the complaint or incident, to take corrective action or as otherwise required by law.

Mississippi Valley Conservation Authority will commence an investigation as quickly as possible. We may choose to use either an internal or external investigator, depending on the nature of the complaint.

The investigation will include giving the respondent an opportunity to respond to the allegations. It will also include speaking to witnesses and reviewing any related documentation.

Mississippi Valley Conservation Authority will not tolerate retaliations, taunts or threats against anyone who complains about harassment or takes part in an investigation. Any person who taunts, retaliates against or threatens anyone in relation to a complaint may be disciplined or terminated.

It is our goal to complete any investigation and communicate the results in a fair and timely manner, ideally within 30 days after we receive the complaint.

5.6 Corrective Action

If you have engaged in sexual or discriminatory harassment, been violent in the workplace, or have created a poisoned work environment, you will be subject to disciplinary action, up to and including dismissal for cause.

If you taunt, retaliate against or threaten anyone for exercising his or her rights under this policy, you may be subject to disciplinary action, up to and including dismissal for cause.

If you make a complaint in good faith and without malice, you will not be subject to any form of discipline, regardless of the outcome of the investigation. We will discipline or terminate anyone who brings a complaint in bad faith or a malicious complaint.

Other resources available to provide support and help to address workplace harassment or violence include the Joint Health and Safety Committee, and Employee Assistance Program.