



1. Purpose

The purpose of the Squamish-Lillooet Regional District (“SLRD”) Respectful Workplace Policy (“Policy”) is to establish a respectful working environment where bullying, harassment, discrimination and violence are unacceptable. The Policy provides guidance for the maintenance of a respectful workplace, and establishes procedures for addressing bullying, harassment, discrimination, and violence including reporting, responding to, and investigating incidents.

This Policy is intended to comply with all relevant regulations, legislation, and WorkSafeBC Occupational Health and Safety policies. Employees maintain, at any time, the right to seek legal advice and to pursue any other available remedy to address the incident, such as filing a complaint with WorkSafeBC, the Human Rights Tribunal, or the police.

2. Policy Statement

The SLRD is committed to providing a safe, healthy, productive and inclusive workplace that promotes respect, diversity, dignity and professional conduct, without fear of bullying, harassment, discrimination, and violence. The SLRD will not tolerate bullying, harassment, discrimination, or violence by anyone and is committed to preventing these in the workplace.

All employees share the responsibility to ensure the workplace is a safe, respectful and welcoming place to work. Employees are responsible for reporting an incident of bullying, harassment, discrimination, or violence whether they were a target or a witness to the incident.

All persons in their dealings and interactions with the SLRD (including but not limited to SLRD Board/ Committee Members, volunteers, contractors, and others dealing with or interacting with the SLRD) are accountable for their own behaviour and are expected to conduct themselves in a respectful and appropriate manner at all times.

3. Scope

This Policy applies to all actions and communications (i.e. verbal, written, electronic, phone) between an employee and a person that occur in the SLRD workplace or through employment-related functions including but not limited to conferences, training sessions, travel and social functions, and can also take place in forms other than direct contact, such as through social media. It does not apply to social functions that are not sanctioned by the SLRD.

The prohibited conduct outlined in this Policy, along with expectations for appropriate behavior, applies to anyone including employees, volunteers, SLRD Board/ Committee Members, contractors, service providers, community representatives, outside agencies, partners and interested parties, and members of the public.

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Employees and volunteers found to be in breach of this policy shall be subject to appropriate disciplinary measures up to and including termination of employment (or volunteer assignment in the case of volunteers).

An SLRD Board/ Committee Member who is alleged to have engaged in disrespectful conduct shall be subject to the investigative procedures set out in the SLRD Board Code of Conduct Bylaw.

The SLRD has limited authority and control over those who are not employees or Board Members of the SLRD and as such will take reasonable steps to coordinate the appropriate corrective measures in addressing any potential violations of this policy.

4. Definitions

a person: Includes anyone an employee may come into contact with in the course of, or as a result of, their employment, including other employees and those who are not employees, such as Board/ Committee Members, members of the public, contractors, subcontractors, consultants and volunteers.

employees: Includes those who are actively employed by the SLRD under an employment agreement; and workers covered under the SLRD’s worker’s compensation insurance.

5. What Constitutes Disrespectful Conduct

5.1 Under this Policy, any form of bullying, harassment, discrimination or violence is considered disrespectful conduct under this Policy.

5.2 Bullying and Harassment includes any inappropriate conduct or comment by a person towards an employee that the person knew or reasonably ought to have known would cause that employee to be humiliated or intimidated but excludes any reasonable action taken by a supervisor relating to the management or direction of employees or the place of employment. Bullying and harassing conduct includes (but is not limited to):

- Verbal aggression, yelling, insults or threats;
- Humiliating actions or practices;
- Using derogatory names towards someone;
- Making personal attacks, based on someone’s private life or personal traits;
- Targeted social isolation;
- Hazing or initiation practices;
- Vandalizing personal belongings;

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Respectful Workplace Policy

- Sabotaging someone’s work;
- Social undermining;
- Spreading malicious gossip or rumours;
- Targeting an individual through persistent, unwarranted criticism, or public ridicule or shaming;
- Remarks, jokes, taunts, gestures, electronic communications that are offensive or cause embarrassment or discomfort;
- Microaggressions (subtle, everyday verbal and nonverbal slights, snubs, or insults that communicate hostile, derogatory, or otherwise negative prejudicial slights and insults).
- Sexual harassment involving any act, contact, gesture or comment of a sexual nature (including but not limited to sexual innuendo, suggestions, or questions, or demands for sexual favours) that is known or might reasonably be expected to be unwelcome or to cause offence, intimidation, humiliation or might reasonably be perceived as placing a condition of a sexual nature on employment or an opportunity for training or promotion.

Examples of conduct that *do not* constitute bullying and harassment include (but are not limited to):

- Expressing differences of opinion, misunderstandings or day-to-day disagreements provided they are discussed in a reasonable and respectful manner.
- One-off instances of incivility or plain rudeness, provided that it does not create an inappropriate or offensive workplace atmosphere.
- Social invitations that do not involve inappropriate or offensive conduct, intimidation, explicit or implicit threat of retaliation, or misuse of power.
- Exercise of the SLRD’s right to direct the workforce, including all aspects of supervising and managing employees, such as giving constructive performance feedback, setting expectations, managing employee attendance, coaching, discipline, and related matters, provided such direction and management is communicated and delivered in a respectful manner and do not involve explicit or implicit misuse of power.
- Conflicts or quarrels between coworkers unless they include egregious conduct of a threatening or abusive nature.

To determine whether certain actions or conducts constitute bullying or harassment, the standard to apply is what a reasonable person knew or ought to have known would cause humiliation and intimidation.

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5.3 Discrimination includes conduct, based on or motivated wholly or in part by any of the grounds covered under the Human Rights Code, which is offensive or could reasonably be expected to be offensive and/or have adverse consequences. The grounds include:

- Age
- Ancestry
- Colour
- Criminal conviction
- Family status
- Gender identity or expression
- Indigenous identity
- Marital status
- Physical or mental disability
- Place of origin
- Political belief
- Race
- Religion
- Sex
- Sexual orientation

Examples of conduct that constitute discrimination include (but are not limited to):

- Jokes or unwelcome remarks based on one or more of the prohibited grounds.
- Racial or ethnic slurs including racial “nicknames”.
- Unwelcome sexual orientation remarks, invitations, jokes or requests that are indirect or explicit.
- A prohibited ground as a reason for adverse treatment (e.g., denying a work-related opportunity due to a disability).
- Displaying materials which are sexually explicit, degrading, racist, or displaying material in a degrading or derogatory manner.
- Patronizing conduct, language or terminology which reinforces stereotypes and prejudices and undermines self-respect or adversely affects work performance and working conditions.

5.4 Violence includes any act or threat of physical force intended to cause bodily harm or trauma.

6. Responsibilities

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6.1 Employees and volunteers are responsible for:

- not engaging in bullying, harassment, discrimination or violence in the workplace and conducting themselves in a manner that demonstrates professional and respectful conduct;
- reporting if bullying and harassment is observed or experienced in the workplace; and
- being aware of, and complying with this Policy.

6.2 Supervisors, managers and the SLRD Board as a supervisor of the CAO are responsible for:

- modelling professional, inclusive and respectful behaviour and not engaging in bullying, harassment, discrimination or violence in the workplace;
- being aware of, and complying with this Policy, and ensuring that those under their supervision are aware of and follow the Policy; and
- promptly taking action, in accordance with this Policy, when they become aware of or personally observe bullying, harassment, discrimination or violence.

6.3 The SLRD is responsible for:

- taking steps to minimize or prevent disrespectful conduct in the workplace;
- providing procedures for reporting, investigating, and resolving complaints and ensuring that complaints are promptly addressed and investigated; and
- ensuring that employees and volunteers are aware of the Policy, and providing education and training to support this Policy which includes: the procedures set out in this Policy; how to recognize and respond to bullying and harassment; and how the SLRD will deal with incidents or complaints.

7. Annual Review

This Policy will be reviewed by the Board every year or sooner at the initiative of the Chief Administrative Officer.

8. Informal Resolution Procedures

8.1 The SLRD encourages parties to take steps to resolve concerns as early and as informally as possible in the circumstances. Informal resolution options may include, but are not limited to discussing concerns directly with those involved if it is reasonable and safe to do so. Often the easiest way to stop disrespectful behaviour, is to let those involved know that such conduct is disrespectful, unwelcome, and inconsistent with SLRD policy and allow them an opportunity to reflect and correct their behaviour.

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8.2 If an employee identifies a situation with another person that is negatively impacting their work through disrespectful conduct, the employee may, if they feel comfortable in doing so, attempt to deal with the concern directly by engaging in an informal conversation with the individual who is engaging in disrespectful conduct. They should inform the other person that the conduct is unwanted and request that it cease. They may wish to document the unwanted conduct and any informal resolution for future reference but are not required to do so.

8.3 If the individual does not feel comfortable approaching the individual who is engaging in disrespectful conduct, they may seek support from their direct manager or Human Resources in resolving the matter informally. The CAO, department heads, managers, supervisors and Human Resources are expected to take action to prohibit or stop any conduct that is contrary to this Policy once they have been made aware of such conduct.

9. Formal Resolution – Reporting Procedures

9.1 How to Report

An employee should report an incident or complaint of workplace disrespectful conduct either:

- In writing by filling out the Complaint Form, attached as Appendix 1; or
- By speaking to the reporting contact, in which case the reporting contact along with the employee will fill out the Complaint Form.

9.2 When to Report

A formal complaint should be brought forward and reported as soon as possible after experiencing or witnessing an incident. This allows the incident to be investigated and addressed promptly.

A complaint regarding discrimination must be made within (twelve) 12 months of the alleged contravention. This is consistent with the time limits noted in the Human Rights Code. Time limits may be extended at the discretion of Human Resources when:

- circumstances warrant an extension of the deadline;
- the delay in filing the complaint was incurred in good faith; and
- no substantial prejudice will result to any person because of the delay.

Historical incidents older than (twelve) 12 months may form part of an investigation at the discretion of the Investigator for the purpose of determining a more timely incident.

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10. Formal Resolution – Investigative Procedures

10.1 General

All employees are expected to cooperate with the investigator in carrying out the investigation and provide any details of incidents they have experienced or witnessed.

The SLRD does not tolerate any retaliation or reprisal against anyone involved in a resolution process under this Policy. Protection extends to the complainant, target, respondent, witnesses, supervisors and management responsible for decision-making functions within this process acting in accordance with this Policy. The SLRD may take disciplinary action (up to and including termination of employment) against any employees involved in retaliation or reprisal. For clarity, disciplinary action regarding an employee bully is not considered to be retaliation or reprisal.

If the investigator finds that a complainant fabricated a complaint or made a complaint frivolously, maliciously or in bad faith, the SLRD may take corrective or disciplinary action against the complainant (up to and including termination of employment).

The investigator may use the Investigation Form attached as Appendix 2.

Once the investigator has concluded the investigation:

- a copy of the completed Investigation Form will be provided to the CAO.

a copy of the completed Investigation Form will not be provided to the complainant or respondent, however the complainant and the respondent will be advised in writing (e.g., via email) of any relevant findings, recommendations/remedies and timelines for implementation, if any, to resolve the complaint.

10.2 Where the Person Engaging in Disrespectful Conduct is an Employee

Under this heading:

The complainant is the employee who has made a complaint about another employee whom they believe has engaged in disrespectful conduct in the workplace. The complainant may be either the target of, or a witness to, the incident.

The target is the employee who is the focus of the disrespectful conduct and may or may not be the complainant.

The respondent is the employee that is being accused of engaging in workplace disrespectful conduct.

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The investigator is the Human Resources Manager, subject to the following:

- if the Human Resources Manager is the target or the respondent, the investigator is the CAO;
- if the CAO is the target or the respondent, the Board Chair is the investigator;

If in the sole discretion of the person who is the investigator in respect of a specific complaint (i.e., the Human Resources Manager, the CAO, or the Board Chair as set out in the previous paragraph) determines the situation to be complex or sensitive, this person may instead recommend to retain an external investigator to conduct the investigation.

Investigations will:

- Be undertaken promptly and diligently, and be as thorough as necessary in the circumstances;
- Be fair and impartial and provide the complainant and the respondent equal treatment in evaluating the allegations;
- Be sensitive to the interests of all parties involved, and maintain confidentiality to the extent possible;
- Be focused on finding facts and evidence, including interviews of the complainant, the respondent, and any witnesses as well as requesting and reviewing any relevant documents;
- Incorporate, where necessary, any need or request from the complainant, the target or the respondent for assistance or support during the investigative process.

Upon receipt of a complaint, the investigator will investigate the complaint by following this process:

Step 1: Review the Policy and determine whether the alleged conduct meets the definition of prohibited conduct as outlined in this Policy and other relevant regulation, legislation and WorkSafeBC Occupational Health Safety Policies.

Step 2: Meet with the target and the respondent separately to explain the investigative process and to inform them of the expected timeline, overall process, roles and responsibilities of anyone involved; confidentiality of investigation, and interim measures to limit the potential for bullying and harassment, discrimination or violence if required. If the complainant is a witness (and not the target), their in the investigative process is limited to that as a witness.

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Step 3: Gather evidence by speaking separately with the target, the respondent and the complainant. If the target and the respondent agree on the details of what happened, proceed to Step 5.

Step 4: If they do not agree, interview witnesses or other involved parties and collect any evidence from any parties involved.

Step 5: Review the evidence and make a decision.

Step 6: Discuss the findings by meeting separately with the target and the respondent. A manager or supervisor may also be asked to attend the meetings.

Step 7: Take action(s) to fully address the incident and ensure that future bullying and harassment, discrimination or violence is prevented or minimized at the workplace. The actions taken in respect of the bully may be remedial, corrective and/or disciplinary (up to and including termination of employment) and should be proportional to the seriousness or repetitiveness of the offense. The employer will follow-up with the target to ensure the conduct has stopped and the CAO may make recommendations to update the Policy, put new preventative steps in place, update, and provide training and education for all employees.

Step 8: Provide the employer with a written record of the investigation, including complaint details, summary of interviews conducted, documents reviewed, outcomes, and findings. The employer should record actions taken to respond to the complaint and how adverse symptoms resulting from the incident were addressed.

10.3 Where the Person Engaging in Disrespectful Conduct is not an Employee

Under this heading:

The complainant is the employee who has made a complaint about a person who is not an employee whom they believe has engaged in bullying and harassment, discrimination or violence. The complainant may be either the target of, or a witness to, the incident.

The target is the employee who is the focus of bullying and harassment, discrimination or violence and may or may not be the complainant.

There is no respondent under this heading and the investigator is the person listed on page 8 of this Policy. Where a complaint is made against an SLRD Board/ Committee

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Member, the appointment of an investigator shall follow the procedures set out in the SLRD Board Code of Conduct Bylaw.

Investigations will:

- Be undertaken promptly and diligently, and be as thorough as necessary in the circumstances;
- Be fair and impartial to the extent possible;
- Be sensitive to the interests of all parties involved, and maintain confidentiality to the extent possible;
- Be focused on finding facts and evidence, including interviews of the complainant and any witnesses as well as requesting and reviewing any relevant documents;
- Incorporate, where necessary, any need or request from the complainant or the target for assistance or support during the investigation process.

Upon receipt of a complaint, the investigator will investigate the complaint by following this process:

Step 1: Review the Policy and determine whether the alleged conduct meets the definition of prohibited conduct as outlined in this Policy and other relevant regulation, legislation and WorkSafeBC Occupational Health Safety Policies.

Step 2: Meet with the target to explain the investigative process and to inform of the expected timeline, overall process, roles and responsibilities of anyone involved; confidentiality of investigation, and interim measures to limit the potential for disrespectful conduct, if required. If the complainant is a witness (and not the target), their involvement in the investigative process is limited to that as a witness.

Step 3: Gather evidence by interviewing the target, any witnesses or other involved parties and collect any evidence from any parties involved. The investigator has the discretion to discuss the complaint with the alleged bully. The investigator may, to the extent and on any conditions the investigator considers appropriate, permit the alleged person to voluntarily opt into the investigative process.

Step 4: Review the evidence and make a decision.

Step 5: Discuss the findings by meeting with the target. A manager or supervisor may also attend the meetings.

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Step 6: Take action(s) to fully address the incident and ensure that future disrespectful conduct is prevented or minimized at the workplace. The CAO may make recommendations to update the Policy, put new preventative steps in place, update, and provide training and education for all employees.

Step 7: Provide the employer with a written record of the investigation, including complaint details, summary of interviews conducted, documents reviewed, outcomes, and findings. The employer should record actions taken to respond to the complaint and how adverse symptoms resulting from the incident were addressed.

11. Malicious Complaints

If the investigator of a complaint finds that a complainant fabricated a complaint or made a complaint frivolously, maliciously or in bad faith, the SLRD may take corrective or disciplinary action against the complainant (up to and including termination of employment).

12. No Retaliation or Reprisal

The SLRD does not tolerate any retaliation or reprisal against anyone involved in a resolution process under this Policy. Protection extends to the complainant, target, respondent, witnesses, supervisors and management responsible for decision-making functions within this process acting in accordance with this Policy. The SLRD may take disciplinary action (up to and including termination of employment) against any employees involved in retaliation or reprisal.

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APPENDIX 1

SLRD RESPECTFUL WORKPLACE POLICY

REPORTING PROCEDURES – COMPLAINT FORM

(To be completed by the Complainant)

Name and Contact Information of Complainant:
Name of the Respondent (Person who is alleged to have engaged in disrespectful conduct):

Personal statement

Please describe in as much detail as possible (attaching additional pages if necessary) each alleged incident, including:

- the names of the parties involved in each incident
- any witnesses to each incident
- the location, date, and time of each incident
- details about each incident (i.e. conduct and/or words used)
- any additional details that would help with an investigation

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

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[To be completed if the employee reporting the complaint is the target of the incident:]

I am filing this complaint because I honestly believe that the person identified on the previous page has engaged in disrespectful conduct against me. I hereby certify that to the best of my knowledge the above information is true, accurate and complete.

I am aware that making false or frivolous allegations is in violation of the Respectful Workplace Policy and subject to disciplinary sanctions by my employer.

I am aware that an investigation will be initiated once this complaint is reported.

Signature	Date
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OR

[To be completed if the employee reporting the complaint is a witness to the incident:]

I am filing this complaint because I honestly believe that the person identified on the previous page has engaged in disrespectful conduct against _____ (insert name of target). I hereby certify that to the best of my knowledge the above information is true, accurate and complete.

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I am aware that making false or frivolous allegations is in violation of the Respectful Workplace Policy and subject to disciplinary sanctions by my employer.

I am aware that an investigation will be initiated once this complaint is reported.

Signature	Date
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APPENDIX 2

SLRD RESPECTFUL WORKPLACE POLICY

INVESTIGATION PROCEDURES – INVESTIGATION FORM

(To be completed by the investigator)

Name of Investigator

Is the Alleged Person an Employee? Yes or No

If the alleged person is an employee, follow the investigation process for employees.

If the alleged person is not an employee, follow the investigative process for those who are not employees.

Document Review

List all documents reviewed (i.e. Complaint Form, emails, social media, photographs, notes, letters, physical evidence, etc.)

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Interviews

List all person interviewed and description of incident (including dates, words used or actions taken, impact of words/ actions):

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Outcomes

Based on the investigation, did bullying, harassment, discrimination, or violence occur? **Yes or No.**

Reasons for this conclusion:

Follow-up with respondent and target, including remedial, corrective or disciplinary actions, time frame for addressing the conduct, awareness training or assistance opportunities, arrangements for addressing adverse symptoms, implementing preventative measures, etc.

Signature	Date
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