

RESPECTFUL WORKPLACE

- POLICY -

The Board of Education recognizes and is committed to supporting the right of all employees to work in an environment free from bullying, personal harassment and sexual harassment. Bullying, personal harassment and sexual harassment are unacceptable and will not be tolerated. It is the intention of the Board that the provisions of this policy shall apply to:

- All persons while on Board of Education premises or while working for the Board or in Board-sponsored programs or activities. This includes, but is not limited to, such persons as employees, parents, volunteers, lessees, contractors and staff from other agencies;
- Males and females equally, since either may be vulnerable to bullying or harassment;
- Anyone interacting with another person regardless of the relationship, whether supervisor, subordinate, peer; client, or an external source.
- Interactions in person or through technology (telephone, email, social networking, etc.).

- REGULATIONS -

The following are definitions of bullying or personal harassment:

- Any improper behavior that is directed at or offensive to any person, is unwelcome, and which the perpetrator knows or ought to reasonably know would be unwelcome
- Objectionable conduct, comment, materials or display made on either a one-time or continuous basis that demeans, belittles, intimidates, or humiliates another person
- Exercise of power or authority in a manner which serves no legitimate work purpose and which a perpetrator ought reasonably to know is inappropriate
- Misuses of power or authority such as intimidation, threats, coercion, and blackmail
- Expressions of bias in any form such as derogatory comments made on the basis of sex or sexual orientation, religious practice, cultural practice or custom, or personal or physical characteristics.

The following are definitions of sexual harassment:

- Any comment, look, suggestion, physical contact, or real or implied action of a sexual nature which creates an uncomfortable working environment for the person and which the perpetrator knows or ought reasonably to know is unwelcome

- Any circulation or display of visual material of a sexual nature that has the effect of creating an uncomfortable working environment
- An implied promise of reward for complying with a request of a sexual nature
- A sexual advance made by a person in authority over the recipient that includes or implies a threat or an expressed or implied denial of an opportunity which would otherwise be granted or available and may include a reprisal or a threat of reprisal made after a sexual advance is rejected.

The following are examples of bullying and harassment:

- Verbal aggression or name-calling
- Vandalizing personal belongings
- Sabotaging work
- Spreading malicious rumours
- Humiliating initiation practices / hazing
- Personal attacks
- Aggressive / threatening gestures
- Cyber-bullying
- Remarks or correspondence with sexual overtones
- Jokes that cause awkwardness or embarrassment (e.g., obscene, ethnic, or religious jokes)
- Innuendoes, taunts or intimidation
- Gender-based or homophobic remarks of a derogatory or sexual nature
- Proposals of intimacy of a sexual nature
- Repeated unwelcome invitations, requests for dates or sexual favours
- Leering, patting, pinching, touching, hugging or brushing against
- Displays of materials, pictures, cartoons or sayings of a derogatory, sexist, ethnic, pornographic, or otherwise demeaning nature.

These are not bullying and harassment:

- An occasional compliment
- Mutually acceptable interactions between or among peers or friends
- Expressing differences of opinions
- Making a legitimate complaint about another worker's conduct
- Reasonable management action, including decisions about:
 - Job duties and work to be performed
 - Workloads and deadlines
 - Layoffs, transfers, promotions, and reorganizations
 - Work instruction, supervision, or feedback
 - Work evaluation
 - Performance management
 - Discipline, suspensions, or terminations

The Board will support appropriate and necessary training for employees and supervisors to increase awareness of what bullying and harassment is and is not. All employees have a responsibility to promote, provide, and maintain a working environment that is free from all forms of bullying, personal harassment and sexual harassment. All employees have a responsibility to take seriously any incident or allegation of bullying, personal harassment or sexual harassment.

Every effort should be made to informally resolve incidents involving bullying and harassment between the parties concerned. The following are avenues available to individuals who wish to pursue a complaint regarding alleged harassment:

- Speak or correspond directly with the alleged harasser
- File a complaint with a supervisor under *Policy 1-12/R - Complaints*
- Unionized employees may file a complaint under the relevant collective agreement
- Excluded staff may file a complaint to the Superintendent, or the Board Chair if the complaint involves the Superintendent.
- File a complaint under the *BC Human Rights Code* (to the BC Human Rights Tribunal)
- File a complaint with the RCMP should there be a possibility of criminal charges

The following are procedures for managing complaints regarding alleged bullying and harassment:

- Any employee involved in a bullying, sexual harassment or personal harassment complaint shall hold in the strictest confidence all information of which he or she becomes aware
- Complaints of bullying and harassment will be investigated in a fair, unbiased, and timely manner
- A written report must be prepared by the person conducting the investigation
- All persons have the right to representation at any meeting related to a complaint
- Individuals are encouraged to report incidents of bullying or harassment without fear of reprisal or retaliation
- When an investigation determines that bullying or harassment has taken place, the complainant has the right to redress
- Making complaints that a reasonable person would consider malicious, vindictive, vexatious or frivolous may lead to disciplinary action against the complainant.

Complainants must read the document “Reporting Incidents of Bullying and Harassment” prior to completing the Workplace Bullying and Harassment Report Form available on the School District No. 85 website at www.sd85.bc.ca.

A Worker Checklist and a form for documenting incidents of workplace bullying and harassment are also available at www.sd85.bc.ca.