

#### **EMPLOYEE CONDUCT – HARASSMENT**

**HR C4**

##### **INTENT**

To define standards of behaviour expected by all employees of Sunshine Coast Community Services in keeping with every employee's right to a safe and healthy working environment. Bullying and harassment will not be tolerated in our workplace. 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

##### **POLICY**

Staff and Board members, as well as volunteers, contractors and clients have the right to expect a harmonious workplace environment, and are expected to treat one another with respect and dignity. They shall not engage in any form of personal, psychological or sexual harassment in the workplace. Harassment in the workplace is a serious offence, and will be subject to disciplinary action up to and including termination.

Provincial legislation (BC Human Rights Code Part 1, Section 8), WorkSafeBC, Occupational Health and Safety and the Collective Agreement Article 22, outline specific requirements that employers must meet. It is each employee's responsibility to report any incidents of harassment or violence towards themselves, other employees, clients, volunteers and contractors in a timely manner. Any form of retaliation towards a complainant will be treated as harassment.

##### **DEFINITIONS**

###### **The Society defines harassment to include:**

1. Conduct or comment which has the purpose or effect of creating an intimidating, hostile, offensive, humiliating or detrimental environment, including workplace bullying.
2. Conduct which has the purpose or effect of interfering with an individual's work performance or creating adverse job-related consequences.
3. Any unwelcome physical, visual or verbal conduct.
4. Verbal abuse or threats.
5. Condescension or paternalism which undermines self-respect.
6. Unwelcome invitations or requests, whether direct or indirect.
7. Unwelcome touching, patting, or other physical contact.
8. Unwelcome remarks, jokes, innuendo or taunting.
9. Displaying offensive or derogatory pictures:
10. Practical jokes which cause awkwardness or embarrassment.

###### **The Society defines bullying as:**

1. Physical or psychological behaviour that intimidates, offends, degrades, insults, isolates

and/or humiliates a person.

2. Behaviour that may be unintentional yet results in bullying.
3. Usually a process and rarely an isolated incident.
4. Action/tactics both obvious and subtle.

**WorkSafeBC defines bullying and harassment as:**

“Bullying and harassment includes any inappropriate conduct or comment by a person towards a worker that the person knew or ought to have known would cause that worker to be humiliated or intimidated, but excludes any reasonable action taken by an employer or supervisor relating to the management and direction of the workers or the place of employment.”

**Personal and psychological harassment** includes the above types of discriminatory behaviour based on another person’s race, colour, ancestry, place of origin, political beliefs, religion, marital status, physical or mental disability, age, family status, sexual orientation, gender, physical appearance or criminal convictions unrelated to employment.

To constitute personal and psychological harassment, behaviour may be repeated or persistent or may be a single serious incident.

Personal and psychological harassment does not include actions occasioned through the exercising in good faith of the Employer’s supervisory rights and responsibilities which includes but is not restricted to work performance feedback and expectations.

**Sexual harassment** includes the above defined conduct based on or related to another person’s gender and may further include the following elements, and which may be repeated or persistent or may be a single serious incident:

1. Unwelcome verbal or physical conduct of a sexual nature.
2. Requests for sexual favours or unwelcome sexual advances.
3. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment.
4. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting the individual.
5. Conduct is not necessarily confined to supervisor/subordinate or male/female relationships.
6. Distribution or display of sexual or offensive pictures or material.
7. Practical jokes of a sexual nature.
8. Conduct that a reasonable person ought to have known was unwelcome

Sexual harassment will often but need not be accompanied by an expressed or implied threat of reprisal or promise of reward.

#### PROCEDURES

1. The complainant will document their concerns (dates, times, places, witnesses, what was said and by whom).
2. Employees who believe they are being harassed may use the Conflict Resolution and

Complaints procedure (Human Resources HR C5) at any time.

3. Employees are also encouraged to take the following steps to prevent the recurrence of such harassment:
  - Make your disapproval known to the harasser as soon as possible, and
  - Request that the offensive behaviour cease and keep a written record of the steps taken to alleviate the problem. If the harassment continues or if the employee chooses not to approach the harasser, the Conflict Resolution and Complaints procedure (Human Resources HR C5) is to be used.
4. The name of the complainant or the circumstances of the complaint will not be discussed with any person except where disclosure is necessary for the purpose of investigating the complaint.
5. An individual who is accused of harassment is to be given the opportunity to explain himself/herself and to have those explanations properly considered. The rights of the person accused of harassment are also protected.
6. Proven allegations of personal or sexual harassment including disciplinary action taken shall be documented and form part of the employee's record. No documentation of unsubstantiated sexual or personal harassment will be maintained in individual personnel files.
7. If an employee has knowingly made a false, frivolous, vindictive or vexatious complaint, he or she is subject to disciplinary action.
8. Staff is entitled to the protection and support of the Society in the event of harassment from an outside source.
9. Staff will be informed of their rights and entitlement to redress under the Human Rights Commission of B.C.
10. All investigations will be conducted immediately and completed expeditiously.

The Society will take the following steps to minimize workplace bullying and harassment:

1. Provide training for supervisors on recognizing and responding to bullying and harassment.
2. Ensure that all supervisors are aware of the procedure for reporting and dealing with bullying.
3. Train supervisors on not engaging in bullying or harassment of their staff/colleagues.
4. Train employees on not engaging in bullying or harassment with their colleagues.

<b>EFFECTIVE:</b> December 1, 2015	<b>APPROVED BY:</b> Executive Director	
<b>REPLACES:</b> April 1, 2014	<b>MONITORING:</b> Executive Director	<b>FREQUENCY:</b> Annually