

HARASSMENT

Purpose:

To foster an organizational culture which allows all employees and volunteers to work and students to study in a school environment that is free of harassment and discrimination

Scope:

All employees, Trustees, and volunteers

Definitions:

“Harassment” - For the purposes of this policy, harassment means “sexual harassment” or “harassment of a nature prohibited under human rights legislation”.

“Sexual Harassment” - Sexual harassment means unwelcome conduct of a sexual nature which detrimentally affects the work or study environment or leads to adverse job or study related consequences for the victim(s) of the harassment.

“Harassment Prohibited by Human Rights Legislation” - Harassment prohibited by human rights legislation is any harassment or discrimination which is related to a person’s race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical, mental disability, gender, sexual orientation, or age (of 19 years or more).

Examples of Harassment:

- Unwelcome sexual suggestions, requests or comments
- Unwelcome touching or physical contact
- Staring at or making unwelcome comments about someone’s body
- Comments or jokes that make fun of or belittle or insult people because of their gender, sexual orientation, gender identity, race, pregnancy, physical or mental ability
- Racist, sexist, publications or graffiti displayed in the workplace
- Any unwelcome behaviour, such as starting rumors in the workplace that is engaged in, in whole or in part, because of a person’s race, sexual orientation, or other similar personal characteristic

“Sexual Assault” - An allegation of sexual assault or sexual abuse which may contravene provisions of the Criminal Code of Canada.

“Complainant” - The individual who believes that he/she is being harassed or discriminated against

“Respondent” - The individual against whom a harassment complaint is alleged.

Policy:

- 1) The school is committed to providing a working and learning environment in which all students and employees are treated with respect and dignity. The school acknowledges the right of all individuals in the school community to work or learn without discrimination or harassment.
- 2) This policy applies to all employees, Trustees, and volunteers of the school. This policy covers conduct occurring:
 - a) at the school
 - b) at school-related social functions
 - c) in the course of work or study assignments outside the school
 - d) at work-related conferences or training sessions
 - e) during work or study-related travel, field trips
- 3) Employees who are being harassed because of race, colour, ancestry, place of origin, religion, marital or family status, gender, sexual orientation, gender identity, disability or age may make a complaint to their manager/supervisor. If the manager is the subject of the complaint, employees are to make their complaint to any member of the administration or to the Board of Trustees directly.
- 4) All complaints will be treated in a confidential manner. Information about a complaint will not be disclosed except as necessary for conducting an investigation or as required by law.
- 5) A complaint must be filed within 6 months of the alleged contravention. If a continuing contravention is alleged, the complaint must be filed within 6 months of the last alleged instance of the contravention.
- 6) Nothing in this policy prevents or prohibits a complainant from submitting a complaint with the B.C. Human Rights Tribunal. However, if an external complaint is filed, the school may, at its discretion, discontinue proceedings initiated under this policy.
- 7) Nothing in this policy prohibits an internal investigation from proceeding if criminal allegations have also been raised. However, if police investigations are being conducted, the school may, at its discretion, suspend proceedings initiated under this policy.

Procedures:

If an employee feels he/she is being harassed because of race, colour, ancestry, place of origin, religion, marital or family status, gender, sexual orientation, disability or age:

- 1) Tell the offending individual the actions, comments and/or behaviour are unacceptable and unwelcome and ask respondent to stop conduct.
- 2) Keep a written record of specific actions of what happened and what was said (dates, time, etc.)

- 3) If a complainant is not comfortable approaching the respondent directly, the complainant should contact their manager or a member of the administration team.
- 4) If the matter is resolved to the complainant's satisfaction, the matter is deemed to be resolved.
- 5) If no resolution is reached, a complainant may file a complaint in writing to the Board of Trustees. A complainant who is a student may file the complaint with their academic vice principal.
- 6) In complaints involving students, in the event the academic vice principal is involved either as the complainant or respondent, the complaint shall be referred to the Principal of the school. In the event the Principal is involved as the respondent, the complaint shall be referred the Board of Trustees.
- 7) Upon receipt of a written complaint, the manager will notify the respondent of the complaint. If the respondent is a student, the student's parents will also be notified of the complaint. If the complaint involves allegations of sexual assault, the complaint may be directed to refer the matter to the police.
- 8) The manager/administrator will investigate the complaint along with an appointed investigator. The investigator may be a staff member or an external investigator.
- 9) After reviewing the complaint, the manager and investigator will meet with the complainant and respondent to determine resolution. If a resolution is reached, the matter is deemed to be resolved.
- 10) If the matter is not resolved at this time, the manager will submit a report to the Principal. The report will determine whether harassment has occurred and is substantiated.
- 11) After reviewing the investigation report, the manager and Principal will determine the appropriate remedy and disciplinary action, as necessary.
- 12) The manager will meet separately with the complainant and respondent to disclose the findings of the report. If the complainant or respondent is a student, the student's parents will also be invited to attend.
- 13) Proven allegations of harassment involving employees may result in disciplinary action up to and including termination. Action taken shall be documented and form part of the employee's permanent record, and, if the employee is a teacher, it will be reported to the Teacher Regulation Branch.
- 14) Proven allegations of harassment involving students as the harasser may result in disciplinary action including suspension or expulsion from the school.
- 15) Retaliation because of a harassment complaint will be treated seriously and may lead to disciplinary action.

Confidentiality:

All complaints will be treated in a confidential manner. Information about a complaint will not be disclosed except as necessary for conducting an investigation or as required by law. The student and employee files will contain no documentation of unsubstantiated harassment or discrimination.

1.6 WORKPLACE BULLYING

Purpose:

To foster an organizational culture which allows all employees to work and students to study in a school environment that is free of bullying.

Scope:

All employees, Trustees, and volunteers

The school considers workplace bullying unacceptable and will not tolerate it, in any circumstances.

Workplace bullying is behaviour that harms, intimidates, offends, degrades or humiliates an employee, possibly in front of other employees, clients or customers. Workplace bullying may cause the loss of trained and talented employees, reduce productivity and morale and create legal risks.

The school believes all employees should be able to work in an environment free of bullying. Managers and supervisors must ensure employees are not bullied.

Any reports of workplace bullying will be treated seriously and investigated promptly, confidentially and impartially. The school encourages all employees to report workplace bullying.

Administrators will ensure employees who make complaints, or witnesses, are not victimized.

Disciplinary action will be taken against anyone who bullies a co-employee. Discipline may involve a warning, transfer, counseling, demotion or dismissal, depending on the circumstances.

The contact person for bullying at this workplace is the senior administrator at each campus.

If the senior administrator, is the individual who is being a bully – the employee should contact the Director of Education. If the Director of Education is the individual who is being a bully – the employee should contact the Board of Trustee chairperson directly at board@khalsaschool.ca