

WORKPLACE BULLYING AND HARASSMENT

Background

The District recognizes that students, District workers, volunteers and parents have the right to a positive, safe and secure environment free from bullying, harassment and intimidation and accepts that it has a duty to promote tolerance and respect for the rights of all who attend its schools. This Administrative Procedure deals specifically with the bullying and harassment of District workers in the workplace. Bullying and harassment will not be tolerated in this workplace.

Workplace bullying and harassment:

- includes any inappropriate conduct or comment by a person towards a worker that the person knew or reasonably 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 workers or the place of employment.

Examples of conduct or comments that might constitute bullying and harassment include verbal aggression or insults, calling someone derogatory names, harmful hazing or initiation practices, vandalizing personal belongings, and spreading malicious rumours.

Workers must:

- not engage in the bullying and harassment of other workers
- report if bullying and harassment is observed or experienced
- apply and comply with the employer's policies and procedures on bullying and harassment.

This Administrative Procedure will be reviewed on an annual basis and all workers will be provided with a copy.

Additional resources and an explanation of legal duties can be found at www.worksafebc.com/bullying/.

Procedures

1. All observations or complaints of bullying and harassment must be reported. All complaints of bullying and harassment shall be investigated in accordance with due process.
2. Informal Resolution
 - 2.1. A worker who believes they have experienced, or has observed, bullying or harassment contrary to this Administrative Procedure is encouraged to bring the matter directly to the attention of the person who is responsible for the conduct. The worker is to inform the other person that the conduct is unwelcome and request that it

cease. The worker may wish to document the unwelcome conduct and any informal resolution for future reference but is not required to do so.

- 2.2. If the worker does not feel comfortable approaching the other person on their own, the worker may seek the assistance of their Principal/Supervisor in approaching the other person to resolve the matter informally.
- 2.3. If the conduct in question does not stop or if the worker does not wish to use the informal resolution process, the worker must file a formal complaint or witness report following the procedures below.

3. Formal Complaint/Witness Report

3.1. How to Report

A formal complaint or witness report of bullying or harassment is to be made to the Director of Instruction/Human Resources either in writing using the Report Form ([Form 409-1](#)), or verbally by calling 250-426-4201. When reporting verbally, the reporting contact, along with the complainant will fill out the Report Form ([Form 409-1](#)).

3.2. When to Report

Incidents or complaints are to be reported as soon as possible after experiencing or witnessing an incident. This allows the incident to be investigated and addressed promptly.

3.3. Reporting Contact

Incidents or complaints are to be directed to the immediate supervisor or the Director of Instruction/Human Resources. If the above-named contact(s) is the person(s) engaging in bullying and harassing behaviour, contact the Superintendent.

3.4. What to Include in a Report

Provide as much information as possible in the report, such as the names of people involved, witnesses, where the events occurred, when they occurred, and what behaviour and/or words led to the complaint. Attach any supporting documents, such as emails, electronic communications, handwritten notes, or photographs. Physical evidence, such as vandalized personal belongings, are also to be submitted.

3.5. Employee and Family Assistance Program

The program provides professional guidance in the form of counselling, information and referral with any problems that affect you, your family, or your work at no cost to the worker.

3.6. Annual Review

These reporting procedures will be reviewed on an annual basis.

4. How and When Investigations Will Be Conducted

- 4.1. Most investigations will be conducted internally. In complex or sensitive situations, an external investigator might be hired.

- 4.2. Investigations will:

- 4.2.1. be undertaken promptly and diligently, and be as thorough as necessary, given the circumstances

- 4.2.2. be fair and impartial, providing both the complainant and respondent equal treatment in evaluating the allegations
- 4.2.3. be sensitive to the interests of all parties involved, and maintain confidentiality
- 4.2.4. be focused on finding facts and evidence, including interviews of the complainant, respondent, and any witnesses
- 4.2.5. incorporate, where appropriate, any need or request from the complainant or respondent for assistance during the investigation process.

5. What Will Be Included

- 5.1. Investigations will include interviews with the complainant, the respondent, and any witnesses. If the complainant and the respondent agree on what happened, then the investigator will not investigate any further, and will submit their findings to the Superintendent who will determine what corrective action to take, if necessary.
- 5.2. The investigator will also review any evidence, such as emails, electronic communications, handwritten notes, photographs, or physical evidence like vandalized objects.

6. Roles and Responsibilities

- 6.1. The Director of Instruction/Human Resources is responsible for ensuring workplace investigation procedures are followed.
- 6.2. Workers are expected to cooperate with investigators and provide any details of incidents they have experienced or witnessed.
- 6.3. Assigned investigator(s) will conduct investigations and provide a written report with conclusions to the Superintendent.

7. Follow-up

- 7.1. The respondent and complainant will be advised of the investigation findings by the Director of Instruction/Human Resources.
- 7.2. Following an investigation, the Director of Instruction/Human Resources will review and revise workplace procedures to prevent any future bullying and harassment incidents in the workplace. Appropriate corrective actions will be taken within a reasonable time frame.
- 7.3. In appropriate circumstances, workers may be referred to the Employee and Family Assistance Program or be encouraged to seek medical advice.

8. Recordkeeping Requirements

The District expects that workers will keep written accounts of incidents to submit with any complaints. The Director of Instruction/Human Resources will keep a written record of investigations, including the findings.

9. Annual Review

These procedures will be reviewed annually. All workers will be provided with a copy as soon as they are hired, and copies will be available on the District website (www.sd5.bc.ca).

Reference: Sections 22, 65, 85 School Act
Employment Standards Act
Freedom of Information and Protection of Privacy Act
Personal Information Protection Act
Collective Agreements
Article E.2 Harassment/Sexual Harassment (CFTA)
Article XVIII, Section 3 No Discrimination/Sexual and Personal Harassment (CUPE)

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