



RATIONALE:

School District No. 27 (Cariboo-Chilcotin) is committed to ensuring a respectful work and learning environment where all individuals are treated with respect and in a manner that is free from discrimination, harassment, bullying and retaliation. Every employee has the right to work in an atmosphere that promotes equal opportunities, and that is free from discrimination, bullying and harassment.

PROCESS:

1. Definitions

1.1 **Bullying and Harassment:** 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. 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 may constitute Bullying and Harassment include, but are not limited to:

- Unwelcome comments, jokes, innuendo or teasing, practical jokes, the nature of which is to humiliate, ridicule insult or degrade.
- Threats or intimidation
- Cyber bullying
- Verbal or Physical abuse
- Spreading malicious gossip, rumors

1.2 **Discrimination:** defined by the BC Human Rights Code, and is based on, or related to, race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, age, or criminal or summary conviction that is unrelated to employment.

1.3 **Sexual Harassment:** any conduct, comments, gesture or contact of a sexual nature that is unwelcome, likely to cause offence or humiliation to an employee, detrimentally affects the work environment or a condition has been placed on employment or opportunity for training or promotion.

1.4 **Person:** includes any individual, whether or not employed by the district. A 'person' could be a parent, student, contractor or member of the public that employees have contact with in the workplace.

1.5 **Complainant:** an employee who believes they have been subjected to or observed discrimination or bullying and harassment in the workplace.



- 1.6 **Respondent:** a person in the workplace against whom a complaint or discrimination and/or bullying and harassment has been made.

2. Responsibilities

Everyone in the District plays an important role in maintaining a respectful workplace.

2.1 All employees must:

- 2.1.1 Refrain from engaging in discrimination or bullying and harassment.
- 2.1.2 Report any discrimination or bullying and harassment that is observed or experienced using the district's reporting procedures.
- 2.1.3 Enforce and Comply with the policy and procedures.

2.2. Supervisors/Managers/Principals are expected to:

- 2.2.1 Take all reasonable steps to ensure the health and safety of workers under their supervision, including by taking reasonable action to prevent where possible, or otherwise minimize workplace bullying and harassment and discrimination.
- 2.2.2 Enforce and comply with the policy and procedures.
- 2.2.3 Ensure staff at their school/site have received the Respectful Workplace Training and are aware of the requirements to comply with these policies and procedures.
- 2.2.4 Liaise with Human Resources to undertake and participate in investigations.

2.3 School District No. 27 (Cariboo-Chilcotin) will take all reasonable steps to prevent where possible, otherwise minimize workplace discrimination and bullying and harassment by:

- 2.3.1 Apply and enforce the policy and procedures and ensure that all employees are informed about the policy and procedures.
- 2.3.2 Provide appropriate training to supervisors/managers/principals and employees in respect of standards of acceptable workplace conduct and the concepts of discrimination, bullying and harassment.

3. Reporting Discrimination and Bullying or Harassment

- 3.1. **Informal Resolution:** An employee who feels they have been subject to or has observed discrimination or bullying and harassment in the workplace (the "complainant") is encouraged to begin by approaching the alleged



bully/harasser (the “respondent”), informing the respondent of their discomfort with the behaviour, and ask the respondent to stop.

This is often the simplest and most effective way to end the discrimination or bullying and harassment. However, the complainant is not obligated to confront the respondent. If the discrimination or bullying and harassment does not stop, or if the complainant is not comfortable in approaching the respondent directly, the complainant must proceed to file a formal complainant.

- 3.2 Formal Complaint:** A formal complaint may be made either verbally or in writing, but it should be made as soon as possible to facilitate early investigation or resolution.

When submitting a written complaint, employees are encouraged to use the school district Workplace Report Form (*AFP_420 Respectful Workplace Complaint Form*). When reporting verbally, the reporting contact, with the complainant, will complete the district form.

Employees should report any incidents or complaints to their principal/supervisor/manager. The principal/supervisor/manager will contact the Manager of Human Resources for assistance and to initiate an investigation.

If the complainants’ supervisor is the person engaging in the bullying and harassing behaviour, the complainant will contact the Manager of Human Resources.

Employees are encouraged to provide as much information as possible in the report, such as the names of people involved, witnesses, location of events, dates, and what behaviour and/or words that led to the complainant. Any supporting documents should be included. Supporting documents may include, but are not limited to emails, handwritten notes, photographs, text messages, vandalized belongings.

4. Investigations

Complaints that fall within the scope of the definitions of discrimination or bullying and harassment will be investigated. The investigation will be approached in an unbiased manner.

The investigator will be appointed by the Manager of Human Resources. Investigations may be conducted internally. The school district may determine in appropriate circumstances to engage an external investigator.

When a complaint of bullying and harassment under the policy and these procedures is the subject of an applicable collective agreement, the investigation and resolution process will be carried out in accordance with the collective agreement.



Investigations under this policy and procedure shall be fair, impartial and shall be undertaken promptly. Reasonable efforts will be made to ensure investigations are sensitive to the interests of all parties involved.

Both the complainant and the respondent are entitled to a fair hearing. The investigator will interview the complainant, the respondent and any other witnesses the investigator believes may have information relevant to the complaint. The respondent will be given the details of the complaint and will be provided with a reasonable opportunity to respond.

5. Remedial Steps and Consequences

If a complaint is found to have merit, then appropriate remedial or disciplinary action will be taken. This action may include education, training, and formal disciplinary action up to and including dismissal of the offending person(s).

6. Confidentiality

Complaints and reports of discrimination or bullying and harassment involve confidential and sensitive matters. Confidentiality is required so those who may have experienced or observe discrimination or bullying and harassment will be free to come forward and the reputations and interests of those accused are protected.

All employees involved in a discrimination or bullying, and harassment complaint must maintain the confidentiality of any information they receive during the course of the investigation process. Any employee breaching confidentiality may be subject to disciplinary action, up to and including dismissal.

7. Retaliation

Retaliation of any kind against any employee who, in good faith, files a complaint of discrimination or bullying and harassment will not be tolerated.

8. Frivolous, Vexatious and Bad Faith Complaints

Complaints of discrimination or bullying and harassment are serious matters. Employees who are found to have made frivolous, vexatious, or malicious complaints of discrimination or bullying and harassment may be subject to disciplinary action, up to and including dismissal.

9. Training

Employees will be trained on an annual basis.

10. Storage of Reports

All documentation related to the harassment investigation will be stored in a secure confidential file.

Link to form:

[APF 420 Respectful Workplaces Complaint Form](#)