



## Village of Chase Policy Manual

<b>Title:</b>	<b>ADM – 23 Workplace Bullying and Harassment Policy</b>
<b>Date Adopted: May 26, 2015</b>	<b>Revised:</b>
<b>Date Effective: May 26, 2015</b>	<b>Reviewed:</b>
<b>Special Notes / Cross Reference: This Policy applies to all workers at the Village of Chase regardless of position held</b>	

**POLICY:** Bullying and harassment is not acceptable and will not be tolerated. All workers, management, contractors and members of Council are expected to be treated and treat others in a fair and respectful manner.

**PURPOSE:** To promote and foster a respectful workplace environment for everyone working for the Village of Chase.

### 3 types of Harassment

#### **Discriminatory Harassment:**

- (a) Means any conduct, comment or gesture or contact that is likely to cause offence or humiliation to any person based on an individual's race; colour; ancestry; place or origin; political belief; religion; marital status; family status; physical or mental disability; sex; sexual orientation or age of that person; or because that person has been convicted of a criminal or summary conviction offence that is unrelated to the employment of that person. Intention is not a factor when considering discriminatory harassment. If the conduct, comment or gesture harms, intimidates, offends, degrades or humiliates another person, whether committed by a manager, supervisor or employee under one of the above-noted protected grounds it may be deemed to be harassment.
- (b) Harassment is unwanted and unwelcome attention from a person who knows, or ought to know, that the behaviour is unwelcome. Harassment can range from written or spoken comments to unwanted jokes, gifts, and physical threats, and may be accompanied by threats or promises regarding work opportunities.

Discrimination, whether intentional or unintentional, is unfair, differential treatment of individuals and groups based on prejudice, ignorance, fear or stereotypes. Discrimination imposes burdens on, or denies opportunities to, individuals or groups and is unfair because it is not based on actual academic or job performance, or any other form of competence. Discrimination is based on the erroneous assumption that a particular individual shares attributes, usually negative, stereotypically associated with a group to which he or she is perceived to belong.

Some examples of harassment includes; repeated derogatory comments or jokes based on one of the prohibited grounds; unwelcome staring, stalking or touching; racist, sexist or homophobic graffiti, cartoons, posters or screen-savers displayed in a common work area; mocking a person's accent to ridicule that person.

#### **Sexual Harassment:**

- (a) Means conduct of a sexual nature which is gender based,
- (b) Conduct that is unwelcome, and
- (c) Conduct that detrimentally affects the work environment or leads to adverse job-related consequences



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“Gender based” refers to behaviour that relates specifically to gender. In other words, the offensive behaviour references gender (e.g. overt sexual solicitation) or the behaviour occurs because of the gender (e.g. an offensive joke does not refer to sex, but the joke is played to embarrass the person because she is a woman).

Physical conduct such as pinching, grabbing, patting, rubbing, sexual assault (which is also a criminal matter), sexual intercourse, unnecessary physical contact, kissing. In other words, any kind of touching that has a sexual connotation.

Comments about a person’s personal life including, inviting a colleague out when it’s clear the person doesn’t want to socialize with you, making sexual propositions, spreading false rumours about a person’s sex-life or morals, referring to sexual affairs with previous employees, and questions regarding sex life.

The display of pornographic or other offensive pictures, making practical jokes that cause awkwardness or embarrassment, crude, sexual or abusive remarks, making suggestive comments, innuendoes, and sexual jokes. Derogatory comments about a person’s appearance including insulting nicknames, verbal abuse or threats.

### **Personal Harassment or Bullying**

Examples of conduct or comments that might constitute bullying and harassment include, but are not limited to, verbal aggression or insults, calling someone derogatory names, isolation practices, harmful hazing or initiation practices, vandalizing personal belongings, and spreading malicious rumours about an individual or group of individuals.

Bullying is usually targeted with an intention to intimidate, offend, degrade or humiliate. Bullying actions/tactics can be both obvious and subtle, and physical and psychological.

Some examples of bullying include aggressive or inappropriate behaviours such as swearing, shouting, and intimidation by threatening violence on a repeated basis; spreading false rumors about a person; repeated criticism, humiliation, invasion of privacy, slanderous comments, undermining, destructive rumours or gossip and making unreasonable demands. It can also include rude, belittling or sarcastic comments, such as: “You’re hopeless” or “She’s on her way out.”

### **PROCEDURES**

All individuals working on behalf of the Village of Chase must:

- Not engage in the bullying and harassment of other individuals working on behalf of the Village of Chase;
- Report if bullying and harassment is observed or experienced;
- Apply and comply with the employer’s policies and procedures on bullying and harassment.

This policy statement applies to all individuals working on behalf of the Village including permanent, temporary, casual, student and contract workers, volunteers and members of Council. This policy applies to all forms of communication (verbal, non-verbal, electronic, written, etc.).

### **ANNUAL REVIEW**

This policy statement will be reviewed on an annual basis. All individuals working on behalf of the Village of Chase will be provided with a copy.



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<b>Date Adopted:</b>	<b>Revised:</b>
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<b>Special Notes / Cross Reference: Adopted Policy will be provided to all individuals to which the policy applies</b>	

### REPORTING PROCEDURES

#### (a) How to report

Workers can report incidents or complaints of workplace bullying and harassment verbally or in writing. When submitting a written complaint, please use the workplace bullying and harassment complaint form. When reporting verbally, the reporting contact, along with the complainant, will fill out the complaint form.

#### (b) When to report

Incidents or complaints should be reported as soon as possible after experiencing or witnessing an incident. This allows the incident to be investigated and addressed promptly. The time limit for making a formal complaint is six (6) months from the date of the last incident. This is consistent with the time limits allowed in the BC Human Rights Code

#### (c) Reporting contact

Report complaints to the Deputy Corporate Officer and / or, if applicable, a union representative.

#### (d) Alternate reporting contact

If the employer, the complainant's supervisor, or the reporting contact named in (c) is the person engaging in bullying and harassing behaviour, contact the Chief Administrative Officer.

#### (e) 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, along with anyone who may have been witness to incidents. Attach any supporting documents, such as emails, handwritten notes, or photographs. Physical evidence, such as vandalized personal belongings, can also be submitted.

#### (f) Informal Process

Ideally, individuals should attempt to resolve differences directly addressing the person to whom they are having difficulties as early and as informally as possible. The Deputy Corporate Officer or your union representative may assist you in how to have the discussion with the person on your own.

If an individual does not feel comfortable addressing another person directly or has been unsuccessful in doing so, he/she is expected to approach report to the Deputy Corporate Officer and / or, if applicable, a union representative who may assist in facilitating a meeting in an attempt to resolve the issues between the parties involved, or a mediator may be brought in to assist.

#### (g) Formal Process

The Corporate Officer will review the complaint to determine whether a formal investigation is



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necessary or whether alternate measures may be available to address the situation. This is particularly relevant in circumstances where informal measures have not been attempted.

### **(h) Investigation**

An investigation will be conducted to determine the facts of the situation. Interviews will be conducted with the complainant, the respondent and any witnesses that may have relevant information. The investigator will review all relevant documents and conduct in-person interviews with the complainant, the respondent, and all necessary witnesses. The investigation will normally commence within two weeks of the filing of the complaint and be completed within 30 working days of commencement. Completion time may be reasonably extended beyond those timelines in order to ensure a thorough investigation has been conducted.

Depending on the severity of the allegations, changes in scheduling or reporting may occur; or the employer may suspend individuals with pay pending the outcome of the investigation if deemed appropriate.

### **(i) Remedies**

The range of remedies for the complainant, if the complaint is upheld, may include, but are not limited to, the following:

- Oral and/or written apology from the respondent and/or Village; and
- Any administrative change that is appropriate
- Coaching
- Counselling
- Education
- Re-orientation to this policy and its purpose
- Discipline up to and including termination of employment

### **(j) Retaliation**

Any direct or indirect retaliation against any party, bystander, or witness involved in a complaint or a complaint-resolution process will not be tolerated and may in itself result in disciplinary action by the Village.

### **(k) Unsubstantiated Complaints**

If the investigator finds insufficient evidence to support the complainant's allegations, the investigator will submit that finding. There will be no record of the complaint on the complainant's or respondent's file and there will be no penalty to anyone concerning the incident.

A finding of no evidence is a simple reflection of an absence of evidence to support the claim and nothing more. It is important to differentiate between a finding of no evidence and one that has been made in "bad faith; was vexatious, or frivolous."

In circumstances where the complaint was found by the investigator to have been made in bad faith or to be vexatious or frivolous, appropriate action will be taken, which could include discipline for the complainant up to and including dismissal.

### **(l) Annual review**

These reporting procedures will be reviewed on an annual basis. All individuals working on behalf of the Village of Chase will be provided with a copy.



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### Workplace bullying and harassment complaint form

<b>Name of complainant</b>	
<b>Name of respondent/alleged bully</b>	
<b>Date</b>	<b>Location</b>
<b>Name of investigator</b>	

<b>Person interviewed</b>	<b>Other people involved (e.g., alleged bully, witnesses)</b>	<b>Description of the situation (dates, words, actions, etc.) and impact (e.g., humiliated, intimidated)</b>

Based on the investigation, did workplace bullying and harassment occur?

Yes  No

Reason(s) for this conclusion