

AP 418-2 Guidelines – Staff Complaints of Harassment and Bullying

Definition

WorkSafe BC's definition of bullying and harassment states:

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.

General Roles and Responsibilities

The School District, supervisors, and workers must all take reasonable steps to prevent where possible, workplace bullying and harassment.

Employer duties include:

- Developing a policy regarding bullying and harassment and implementing procedures for dealing with incidents or complaints
- Taking steps to prevent or minimize bullying and harassment
- Providing information and training to workers and supervisors
- Not engaging in bullying and harassment of workers or supervisors

Supervisor duties include:

- Not engaging in bullying and harassment of other workers, supervisors, or the employer
- Applying and complying with the employer's policies and procedures on bullying and harassment

Worker duties include:

- Not engaging in bullying and harassment of other workers, supervisors, or the employer
- Reporting bullying and harassment observed or experienced in the work place
- Applying and complying with the employer's policies and procedures on bullying and harassment

Complaint Procedures – Staff

Staff who believe they are being harassed and/or bullied should take the following steps to stop the bullying and harassment and prevent re-occurrences.

1. Whenever possible make your disapproval or unease known to the alleged harasser immediately.
2. If there is more than one incident, keep a written record of dates, times, the nature of the behaviour, and witnesses, if any.
3. If an employee feels uneasy about approaching the alleged harasser, OR if the incidents do not stop after you have spoken to the alleged harasser, speak to your manager or supervisor. If your manager or supervisor is the alleged harasser, speak immediately to the Associate Superintendent, Human Resources. If you are comfortable, communicate the process taken to the alleged harasser.

4. The manager will take steps to bring the parties together to resolve the issue. If, after meeting with the manager and the alleged harasser, the issue has not been resolved, provide a written statement of the alleged bullying and harassment to either your manager or the Associate Superintendent, Human Resources.
5. Employees may seek the help of an authorized representative of the union when reporting the complaint to the above district representative.

While it is important to report all incidents of bullying or harassment, false allegations are a serious matter, can damage a person's reputation, and are not acceptable in any way.

How and When Investigations Will Be Conducted

Investigations at the School District may be conducted by an internal or external investigator.

Investigations will:

- be undertaken promptly and diligently, and be as thorough as necessary, given the circumstances
- be fair and impartial, providing both the complainant and respondent equal treatment in evaluating the allegations
- be sensitive to the interests of all parties involved, and maintain confidentiality
- be focused on finding facts and evidence, including interviews of the complainant, respondent, and any witnesses
- incorporate, where appropriate, any need or request from the complainant or respondent for assistance during the investigation process
- comply with processes outlined in the collective agreement (where applicable).

What Will Be Included

Investigations will include interviews with the individuals involved including any witnesses. The investigator will also review any evidence, such as emails, handwritten notes, photographs, or any other physical evidence.

Investigations: Roles and Responsibilities

The Associate Superintendent, Human Resources is responsible for ensuring workplace investigation procedures are followed.

Workers are expected to cooperate with investigators and provide any details of incidents they have experienced or witnessed.

The Human Resources Department will coordinate and/or conduct investigations and provide a written report with conclusions to the Secretary Treasurer or the Assistant Superintendent.

Follow-Up

The employee who has made a complaint of bullying and harassment will be advised of the investigation outcome by the Associate Superintendent, Human Resources or designate.

Following an investigation, the Senior Manager, Organizational Health and Safety may 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.

In appropriate circumstances, workers may be referred to the employee assistance program or be encouraged to seek medical advice.

Record-Keeping Requirements

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

Annual Review

These procedures will be reviewed annually. New workers will be provided with this Administrative Procedure as part of orientation and this document will be available at <https://www.abbyschools.ca/>

Training and Education

The School District will ensure workers are informed of these procedures and of proactive steps to help prevent the occurrence of workplace harassment and bullying. Formal respectful workplace training will be provided to supervisors and workers to recognize, respond to, and report incidents or complaints of harassment and bullying.