

**Bullying and Harassment**

**Policy No. 402.17R**

**REGULATIONS**

**FORM: Harassment Complaint Process Flowchart**

The Board recognizes the right of members of the school community to work and learn in an environment free from bullying, harassment and discrimination. All members of the school community are expected to adhere to the following regulations:

**1. Definitions**

1.1. Members of the School Community are defined as:

- a) All SD91 employees and contractors; and,
- b) Parents/guardians, students, extended family, and others having contact with the school district.

1.2. Bullying and Harassment means:

*WorkSafeBC Policy P2-23-2:*

**Definition**

*"bullying and harassment"*

*(a) 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*

*(b) excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment.*

*A supervisor's obligation to ensure health and safety of workers includes:*

*(a) not engaging in bullying and harassment of workers, other supervisors, the employer or persons acting on behalf of the employer; and*

*(b) applying and complying with the employer's policies and procedures on bullying and harassment.*

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1.3. Bullying and Harassment can be made in many forms, including: on the basis of race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, or age of that person or member, or because that person or

member has been convicted of a criminal or summary conviction offence that is unrelated to the membership or intended membership.

- 1.4. (Source: [www.gov.bc.ca](http://www.gov.bc.ca)) Bullying and Harassment may be verbal, non-verbal, physical, deliberate or unintended, unsolicited or unwelcome, as determined by a reasonable person. It may be one incident or a series of incidents, depending on the context. Harassment refers to upsetting behaviour or comments that ought to reasonably be known as offensive or unwelcome.

Harassment includes, but is not limited to:

- a) Actions or comments that are directed at no person in particular but that create an intimidating, demeaning or offensive work environment; and,
- b) Any objectionable comment, act or display that demeans, belittles, compromises or causes personal humiliation or embarrassment and any act of intimidation or threat; and,
- c) Offensive behaviour.

## **2. Unacceptable Conduct of Members of the School Community**

- 2.1. Members of the school community shall not participate in activities (including on-line) that could constitute a form of bullying or harassment as defined by Policy, Regulations, BC Legislations and Human Rights Codes.
- 2.2. It is considered a breach of these regulations to take retaliatory action against a person who raises a concern or files a complaint.
- 2.3. As per *WorksafeBC Policy P2-23-2 (b)* "Bullying and Harassment excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment."

## **3. Expected Conduct of Members of the School Community**

- 3.1. Expected Conduct:
  - a) Persons authorized by the Board, employees, students and wider school community shall treat members of the school community with respect, dignity and consideration that is free from bullying, harassment and discrimination;
  - b) Members of the school community shall ensure that their verbal, non-verbal and written communication with other members is respectful and supportive of a productive and safe work environment;
  - c) Members of the school community shall assist and cooperate with other members in ensuring that work is performed in a productive, efficient and safe fashion;

- d) Differences arising between individuals and parties shall be resolved in a respectful manner following policies, regulations and established procedures; and,
- e) Members of the school community shall adhere to the Board policies, legislation and collective agreement(s), where applicable.

#### **4. Consequences of Unacceptable Conduct**

- 4.1. Complaints arising from bullying and harassment, as defined in Section 1, will be investigated. The investigation process is outlined in the Harassment Complaint Process flowchart; applicable Collective Agreements, policies and/or legislation will also be followed.
- 4.2. If unacceptable behaviour is substantiated on the part of an employee, the employee will be subject to the appropriate consequences. Consequences may include (but not limited to) training, counseling, a letter of direction, formal discipline, restorative practices, worksite transfers or other appropriate measure under the Collective Agreements, legislation or applicable policies.
- 4.3. Consequences for members outside the workforce could include exclusion from the school or district property, civil or criminal proceedings, and/or other appropriate interventions to ensure a safe and respectful working and learning environment.
- 4.4. Further, if unacceptable behaviour is substantiated on the part of an employee who is a member of a professional association, a report will be filed in accordance with their bylaws and policies.