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## HARASSMENT AND BULLYING - STAFF

### Background

The District affirms the right of all members of the school community, including employees, students, parents, and volunteers to work, learn, and consult in environments free from harassment and bullying in accordance with WorkSafeBC Occupational Health and Safety Regulations. To this end, the District is committed to minimizing the risk associated with harassment and bullying, by providing healthful school environments in which fairness and respect are both taught and modeled.

Harassment and Bullying includes:

- Any inappropriate conduct or comment directed toward a person that the person knew or reasonably ought to have known would cause that person to be humiliated or intimidated.
- A course of conduct directed at a specific person that causes substantial emotional distress in such person and serves no legitimate purpose.
- Any unwelcome sexual comment, suggestion, gesture, or physical contact causing an uncomfortable working or learning environment for the recipient.
- Any sexual advance made by a person in authority that includes or implies a threat, or includes a reprisal made after the sexual advance is rejected.

Harassment and Bullying is aberrant behavior, which does not include:

- Routine supervision or performance evaluation.
- Requests or directives reasonably related to job function.
- Apparent lack of friendliness or grumpy responses.
- Legitimate denial of requests.
- Normal social interaction including the standard give-and-take inherent in such interactions between employees or between the employer and employees.
- Discussions which become heated even if they cause embarrassment to one of the parties.
- Other routine day-to-day interactions.

Pursuant to this Administrative Procedure, the District requires employees and encourages other members of the school community to be proactive in maintaining a harassment and bullying-free environment.

It is the responsibility of any employee or other member of the school community who believes herself or himself to be the object of harassment or bullying, or who is aware of the harassment or bullying of others, to take steps to report the perceived problem.

No employee or other member of the school community shall be subject to reprisal or threat of reprisal, because of acting appropriately in accordance with the provisions of this Administrative Procedure.

Employees have a duty to not engage in harassment or bullying.

The preceding notwithstanding, false, or malicious complaints, accusations, or actions, are in themselves forms of harassment or bullying and, as such, will not be tolerated by the District. Employees causing or contributing to this or any other form of harassment or bullying, may be subject to disciplinary and/or legal proceedings.

### Definitions

**Bullying Behaviour:** A pattern of repeated aggressive behaviour, with negative intent, directed from one person to another, where there is a power imbalance. Bullying behaviour is a type of harassment and intimidation. This aggressive behaviour includes physical or verbal behaviour and is an intentional and purposeful act meant to inflict injury or discomfort on the other person.

**Cyberbullying:** Refers to bullying behaviour, which is carried out through the use of computers, smartphones or other connected devices to embarrass, hurt, mock, threaten or be mean to someone online. Cyberbullying is constantly evolving and changing with new technology and social media sites.

**Discrimination:** Refers to publishing, issuing, or displaying – or causing to be published, issued, or displayed – any statement, publication, notice, sign, symbol, emblem, or other representation that indicate discrimination or an intention to discriminate against a person or a group or class of persons, or is likely to expose a person or group or class of persons to hatred or contempt because of any of the grounds listed above. It also refers to behaviour that denies a person a service customarily available to the public or to discriminate against a person or class of persons regarding a service customarily available to the public.

**Harassment:** Any unwelcome or unwanted act or comment that is hurtful, degrading, humiliating, or offensive to another person is an act of harassment. Of particular concern is such behaviour that persists after the aggressor has been asked to stop.

Intimidation: The act of instilling fear in someone as a means of controlling that person.

For example, any of the following behaviours could be considered intimidation:

- Verbal threats; threatening phone calls, threats of violence against a person or property.
- Physical threats; showing a weapon, jostling, threatening to punch, stalking or following.
- Defacing or stealing victim's property.
- Daring or coercing victim to do something dangerous or illegal.
- Extortion (demanding payment or goods for a victim's safety).
- Inciting hatred toward a victim.
- Setting up a victim to take the blame for an offence.

Sexual Violence: Any non-consensual, unwanted actual, attempted, or threatened act or behaviour, that is carried out through sexual means or by targeting a person's sex, sexuality, gender identity, or gender expression. This act or behaviour may or may not involve physical contact. Sexualized violence includes all forms of sexual misconduct, including but not limited to sexual assault, sexual harassment, stalking, indecent exposure, voyeurism, sexual exploitation, and the distribution of sexually explicit photographs or video of a person without the consent of the person in the photograph or video.

### Procedures

1. Complaints involving harassment or bullying will be dealt with as follows. The complainant will:
  - 1.1. If they are a Union member employee, consider, throughout this Administrative Procedure, seeking counsel through the Union, through the Employee and Family Assistance Plan, or both.
  - 1.2. If they consider the issue to be minor in nature, or one that may be easily addressed, attempt to resolve the issue informally, quickly, and discreetly before involving a third party.
  - 1.3. If the issue is not considered minor in nature, or the employee is uncomfortable addressing the person who they believe is harassing or bullying, then they will report the incident or complaint, either verbally or in writing. When submitting a written complaint, please use the Workplace Bullying and Harassment Reporting Form 170-1. When reporting verbally, the reporting contact, along with the complainant, will fill out the Workplace Bullying and Harassment Reporting Form 170-1.
  - 1.4. Identification of harassment or bullying is the responsibility of all District employees. Once the complaint is reported, the site Supervisor/Principal will investigate the situation following the workplace bullying and harassment investigation procedures and fill out the Bullying & Harassment Investigation Form 170-2.
  - 1.5. Upon identification of harassment or bullying, the District will ensure that an investigation into the allegations is completed.
  - 1.6. The results of the investigation will be reported to the Director of Human Resources as well as to the Supervisor/Principal.

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- 1.7. 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.
- 1.8. Report any incidents or complaints to the Supervisor, Director of Human Resources, or other person assigned to handle complaints.
- 1.9. If the employer, the complainant's Supervisor, or the reporting contact is the person engaging in bullying and harassing behavior, contact the Superintendent.
- 1.10. Attach any supporting documents, such as emails, handwritten notes, or photographs. Physical evidence, such as vandalized personal belongings, can also be submitted.
- 1.11. If a satisfactory resolution cannot be reached, an employee may file a grievance or appeal the matter to the Board.

Reference: Sections 20, 22, 65, 85 *School Act*

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