## WORKPLACE PREVENTION OF HARASSMENT AND BULLYING

[Organization Name] believes all employees have a right to work in an environment that respects the dignity, worth, and basic human rights of every individual. We are committed to ensuring a workplace free of harassment and bullying. In pursuit of this, [Organization Name] will not tolerate any harassment or bullying within the workplace.

[Organization Name] is further committed to investigating any complaints regarding workplace harassment and bullying, using the method of corrective action, up to and including the point of termination of employment for the perpetrator(s).

Canada’s Criminal Code specifically lays out matters such as violent acts, sexual assault, threats, and behaviours such as stalking. In the event of any of the above, [Organization Name] will immediately contact the police.

DEFINITIONS

According to the *Occupational Health & Safety Regulation*:

“Harassment” means “any conduct, comment, display, action, or gesture that a) adversely affects a worker’s psychological or physical well-being, or b) the actor knew or reasonably ought to have known would cause a worker to be humiliated or intimidated; harassment includes the act of intentionally causing harm through verbal harassment, intimidation or other more subtle methods of coercion, such as manipulation, including ignoring and isolating a person. For great certainty, harassment may occur in the absence of any intent to harm, humiliate, intimidate or otherwise harass a worker.”

“Sexual harassment” means “unwelcome conduct of a sexual nature that detrimentally affects the work environment or leads to adverse job-related consequences for the victims of the harassment”

POLICY

[Organization Name] will take all reasonable steps to eliminate bullying and harassment in the workplace, according to the *Workers Compensation Act*, to ensure the health and safety of every employee. Bullying and harassing behaviours include but are not limited to “verbal aggression or insults, calling someone derogatory names, harmful hazing or initiation practices, vandalizing personal belongings, and spreading malicious rumours” (WorkSafeBC).

[Organization Name] encourages any of its employees who witness or who are victim to harassment or bullying to bring forward the information as soon as possible so that an investigation may immediately commence.

In pursuit of a harassment-free environment, [Organization Name] is committed to fully preventing and/or addressing any instances of harassment, including sexual harassment, by:

* Providing education and training in order to ensure that all employees understand their rights and responsibilities regarding harassment;
* Ensuring that supervisors understand how to respond to incidents of harassment, including how to collect information, how to act, how to deal with confidentiality, how to document, and how to keep records;
* Reviewing their Anti-Harassment program with the Joint Occupational Health and Safety Committee (JOHSC) or Occupational Health and Safety Representative.
* Providing a procedure for complaints (outlined below) that is fair, timely, and effective; and
* Promoting appropriate standards of conduct.

This policy also prohibits any person at [Organization Name] who is in a position to be able to grant or deny a benefit to another employee from sexually soliciting or making advances on that person. This could include co-worker to co-worker, or supervisors and managers to employees. Further, any reprisals for the rejection of these advances are not permitted.

[Organization Name] will also not permit the creation of a poisoned work environment, as created by comments or any forms of conduct that are known to be unwelcome. [Organization Name] will investigate all complaints to prevent this poisoned environment.

In addition, any employees who experience harassment while in the course of work for [Organization Name] have the right to file a complaint without any fear of reprisal. [Organization Name] will ensure that an investigation is conducted into any incidents or complaints of workplace harassment, as appropriate.

Employee and Supervisor Responsibilities

All [Organization Name] employees have the responsibility to adhere to the contents of this policy and refrain from enacting or condoning any form(s) of harassment. Further, all employees have the responsibility of fully cooperating in any investigations into complaints of harassment.

All [Organization Name] supervisors or managers have an additional responsibility of acting immediately upon either receiving a complaint of harassment or witnessing it themselves. Supervisors and managers are responsible for the creation and maintenance of a harassment-free workplace and must immediately investigate as soon as any forms of harassment become known in the workplace.

COMPLAINT PROCEDURE

At [Organization Name], complaints regarding harassment, bullying, or discrimination may be brought forward to:

* (Insert Title) **or** (Insert Title).
* An alternate report may be made to (Insert Title) if either of the above are the alleged harasser(s).
* [Organization Name] will take appropriate measures to ensure that employees and/or witnesses involved in filing the complaint are protected, as necessary. This may include temporary reassignments or shift changes.  [Organization Name] will ensure that these changes do not penalize any employee who brought forward a complaint, or any witness to the complaint.
* [Organization Name] will not disclose any information regarding a complaint of harassment (including any identifying personal information of any of the individuals involved), unless the disclosure, if necessary. The disclosure may become necessary for the purposes of investigating the complaint, taking disciplinary action, or as required by law;
* The employee who disclosed the complaint, as well as the alleged harasser (provided they are both employees of [Organization Name]), will be kept up to date on the investigation and will be notified of the results of the investigation and any subsequent actions to be taken.

Investigation Procedure

Immediately upon receipt of a complaint, an investigation will be initiated, and additional information and context will be sought. [Organization Name] will ensure that investigations are conducted promptly after an incident or upon receipt of a complaint and are concluded in a timely manner to minimize any potential impact on involved parties and maintain the integrity of the process.

The investigation procedure is as follows:

* + 1. All provided details of the incident will be reviewed. Any immediate steps that must be taken to ensure the health and safety of any parties will be taken;
    2. Separate interview(s) with the parties involved and any witnesses will be conducted and all information will be documented;
    3. An examination of any relevant documents, emails, notes, photographs, video, or other evidence will be conducted to gather additional information;
    4. If required, secondary interviews will be conducted with any relevant parties or witnesses;
    5. A decision about whether the complaint constitutes workplace harassment will be made by [Insert Title] in consultation with [Insert Title]and [Insert Title];
    6. A report which summarizes the incident, the steps of the investigation, the evidence collected, any additional findings, and all steps taken to resolve and conclude the investigation will be prepared and made available for review.

External Investigation

[Organization Name] will ensure that all individuals responsible for conducting investigation maintain impartiality at all times to maintain a fair and effective investigation process. However, if additional impartiality is required, the individual(s) responsible for conducting investigation are involved in the complaint/investigation, or internal resources are insufficient, an independent external investigation may be initiated to ensure fairness and transparency.

Record Keeping

[Organization Name] will maintain records of all complaints and investigations as required by WorkSafeBC and applicable legislation. Records will be securely stored, kept confidential, and retained in accordance with applicable legislation. In the event that [Organization Name] is required to submit reports of an incident or investigation, the report will be completed and submitted to WorkSafeBC within 30 days of the incident.

Policy Review

[Organization Name] will ensure this policy is reviewed and updated at least annually. The current policy was last reviewed and updated on [Insert Date].