



## CATHOLIC INDEPENDENT SCHOOLS OF KAMLOOPS DIOCESE

### HUMAN RESOURCES BULLYING AND HARRASMENT PREVENTION EMPLOYEES - 412A

#### **Rationale**

The CISKD Board recognizes that every person has a right to be in a school environment free from discrimination, harassment, abuse, and violence: Bullying and harassment are not acceptable or tolerated in our workplaces. All workers will be treated in a fair and respectful manner in which the dignity of every individual is upheld.

#### **Policy**

The CISKD Board prohibits and will not condone any form of violence, abuse, bullying or harassment towards any employee of the CISKD.

Bullying and harassment, as defined in this Policy, is not acceptable or tolerated in the workplace. All employees must be treated in a fair and respectful manner. The Board is committed to providing an environment that is supportive of the dignity and respect of every person. Each individual in his or her role within the school community is responsible for conducting herself or himself within the spirit and intent of this policy and for contributing towards an environment free from bullying and harassment.

This policy statement applies to all workers, including permanent, temporary, casual, contract, and student workers. It applies to interpersonal and electronic communications.

This policy will be reviewed on a regular basis by the CISKD Board of Directors. All workers will be provided with an up-to-date copy.

#### **Bullying and harassment**

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.

The employer considers harassment in any form to be totally unacceptable and will not tolerate its occurrence. Proven harassers shall be subject to discipline and/or corrective actions. Such actions may include counselling, courses that develop an awareness of harassment, verbal warning, written warning, suspension, or dismissal.

Examples of conduct or comments that might constitute bullying and harassment include verbal aggression or insults, calling someone derogatory names, harmful hazing or initiation practices, vandalizing personal belongings, and spreading malicious rumours.

#### **Workers must:**

- Not engage in the bullying and harassment of other workers.
- Report if bullying and harassment is observed or experienced.
- Apply and comply with the employer's policies and procedures on bullying and harassment.



## CATHOLIC INDEPENDENT SCHOOLS OF KAMLOOPS DIOCESE

### HUMAN RESOURCES BULLYING AND HARRASMENT PREVENTION EMPLOYEES - 412A

For the purposes of this policy, retaliation against an individual for having invoked this policy, or for having participated or cooperated in any investigation under this policy, or for having been associated with a person who has invoked this policy or participated in these procedures, will be treated as harassment.

All parties involved in a complaint agree to deal with the complaint expeditiously and to respect confidentiality.

The complainant and the alleged offender may, at their choice, be accompanied by an advisor at all meetings in this procedure.

These resolution procedures do not negate the complainant's right to legal recourse including assistance from the BC Human Rights Commission.

#### Procedure

##### 1. Definitions

- a. For the purpose of this Policy bullying/harassment shall be defined as including:
  - i) Sexual harassment; or
  - ii) Any improper behaviour that is directed at or offensive to any person, is unwelcome, and which the person knows or ought reasonably to know would be unwelcome; or
  - iii) Objectionable conduct, comment, materials, or display made on either a one-time or continuous basis that demeans, belittles, intimidates, or humiliates another person; or
  - iv) The exercise of power or authority in a manner which serves no legitimate work purpose and which a person ought reasonably to know is inappropriate; or
  - v) Such misuses of power or authority as intimidation, threats, coercion, and blackmail.
- b. The definition of "sexual harassment" shall include but not be limited to the following:
  - i) Any comment, look, suggestion, physical contact, or real or implied action of a sexual nature which creates an uncomfortable working environment for the recipient, made by a person who knows or ought reasonably to know such behaviour is unwelcome; or
  - ii) Any circulation or display of visual material of a sexual nature that has the effect of creating an uncomfortable working environment; or
  - iii) An implied promise of reward for complying with a request of a sexual nature; or
  - iv) A sexual advance made by a person in authority over the recipient that includes or implies a threat or an expressed or implied denial of an opportunity which would otherwise be granted or available and may include a reprisal or a threat of reprisal made after a sexual advance is rejected.

The above conduct in (a) and (b) can be verbal, physical, or written including electronic media.

- c. Allegation – a statement or accusation of misconduct that is yet to be proven.



## CATHOLIC INDEPENDENT SCHOOLS OF KAMLOOPS DIOCESE

### HUMAN RESOURCES

#### BULLYING AND HARRASMENT PREVENTION EMPLOYEES - 412A

- d. Professional Relationship – A relationship, the purpose of which is to meet the student's or staff member's needs for professional assistance or service.
- e. Bullying, Harassment and Sexual Harassment are outside Policy 307 Dealing with Major Complaints

### 2. Resolution Procedure

#### a. Step 1

The complainant will speak to or correspond directly with the alleged harasser to express his/her feelings about the situation.

#### b. Step 2

If the complainant is not satisfied with the response/resolution with the harasser, they should complete a CISKD Workplace Bullying and Harassment Complaint Form and share it with the Principal to discuss potential means of resolving the complaint and to request assistance in resolving the matter. If the matter is resolved to the complainant's satisfaction the matter is deemed to be resolved.

#### c. Step 3

If a complainant cannot meet with the alleged harasser, or no agreement for resolution of the complaint has been reached, or an agreement for resolution has been breached by the alleged harasser, a complaint will be filed by submitting the completed CISKD Workplace Bullying and Harassment Complaint Form to the Superintendent.

The employer shall notify in writing the alleged harasser of the complaint and provide notice of investigation.

In the event the Superintendent is involved either as the complainant or alleged harasser, the complaint shall refer the complaint to the President of CISKD Board of Directors.

#### d. Step 4

The employer shall investigate the complaint. The investigation shall be conducted by a person who shall have training and/or experience in investigating complaints of harassment. The complainant may request that the investigator be of the same gender as the complainant and where practicable the request will not be denied.

The investigation shall be conducted as soon as is reasonably possible and shall be completed in ten (10) working days unless otherwise agreed to by the parties, such agreement not to be unreasonably withheld.

### 3. Remedies

- a. Where the investigation determines harassment has taken place, the complainant shall, when appropriate, be entitled to but not limited to:
  - i. Reinstatement of sick leave used as a result of the harassment;
  - ii. Any necessary counselling services to deal with the negative effects of the harassment;
  - iii. Redress of any career advancement or success denied due to the negative effects of the harassment;
  - iv. Recovery of other losses and/or remedies which are directly related to the harassment.

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## CATHOLIC INDEPENDENT SCHOOLS OF KAMLOOPS DIOCESE

### HUMAN RESOURCES

#### BULLYING AND HARRASMENT PREVENTION EMPLOYEES - 412A

- b. Where the investigator has concluded that bullying, harassment, or sexual harassment has occurred, the harasser shall be subject to discipline.
- c. The complainant shall be informed in writing that disciplinary action was or was not taken.
- d. If the complainant is not satisfied with the remedy, the complainant may initiate an appeal to the CIS Board of Directors. In the event the alleged harasser is the Superintendent, the parties agree to refer the complaint directly to expedited arbitration.

#### 4. Training

- a. The employer shall be responsible for developing and implementing an ongoing bullying and harassment awareness program for all employees.

Where a program exists and meets the criteria listed below in (b), it shall be deemed to satisfy this article's provisions. This awareness program shall initially be for all employees and shall be scheduled at least once annually for all new employees to attend.

- b. The training program shall include but not be limited to:
  - i) The definitions of bullying and harassment as outlined in this Policy;
  - ii) Understanding situations that are not bullying or harassment including the exercise of an employer's managerial and/or supervisory rights and responsibilities;
  - iii) Developing an awareness of behaviour that is illegal and/or inappropriate;
  - iv) Outlining strategies to prevent bullying, harassment, and sexual harassment;
  - v) A review of the resolution of bullying and harassment as outlined in this Policy;
  - vi) Understanding malicious complaints and the consequences of such;
  - vii) Outlining any Board Policy for dealing with bullying and harassment;
  - viii) Outlining laws dealing with bullying and harassment which apply to employees within CISKD

#### Reference

*The Diocese of Kamloops Safe Environment Policy*  
*Workplace BC - Bullying and Harassment Policy Statement*  
*Independent Schools Act*  
*Policy 108 – Code of Ethics for Catholic School Educators*  
*Policy 307 – Major Complaints and Appeals - Employees*  
*Policy 415 – Personal and Professional Boundaries*

Date Approved: IP June 2023
Date(s) Revised:



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### HUMAN RESOURCES BULLYING AND HARRASMENT PREVENTION EMPLOYEES - 412A

#### Appendix A - CISKD Workplace Bullying and Harassment Complaint Form

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<b>Name and contact information of complainant</b>
<b>Name of alleged bully or bullies</b>

#### Personal statement

Please describe in as much detail as possible the bullying and harassment incident(s), including:



## CATHOLIC INDEPENDENT SCHOOLS OF KAMLOOPS DIOCESE

### HUMAN RESOURCES

#### BULLYING AND HARRASMENT PREVENTION EMPLOYEES - 412A

- the names of the parties involved
- any witnesses to the incident(s)
- the location, date, and time of the incident(s)
- details about the incident(s) (behaviour and/or words used)
- any additional details that would help with an investigation

Attach any supporting documents, such as emails, handwritten notes, or photographs. Physical evidence, such as vandalized personal belongings, can also be submitted.

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<b>Signature</b>	<b>Date</b>
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