

Policy: HR 5.30
Bullying and Harassment

Person Responsible:

Date Created: March 2019

Reviewed: October 2020

Policy:

This Policy covers all employees, managers, medical staff, students, volunteers and contractors.

The Prince George Hospice Society (the "Society") is committed to providing a work and service environment that is characterized by respect and freedom from discrimination and harassment.

The Society recognizes the right of all people to be treated with dignity and respect and will foster an environment that:

- promotes an understanding of diversity
- fosters courteous and respectful interactions
- prohibits bullying and harassment
- is free from discrimination as set out in the *Human Rights Code* of British Columbia

The Society promotes and requires from all individuals subject to this Policy, civil behavior, professionalism and mutual respect in the workplace. The Society is also committed to preventing discrimination and to responding effectively should such occur.

The Society will consider any incident in which bullying/harassment or uncivil behavior is alleged and will determine which process, in accordance with this Policy, will be followed. The Society will also respond to and address any allegation of discrimination and take steps necessary to ensure the existence of a respectful, discrimination and harassment free workplace.

The Society strongly supports education and conflict resolution as the means to achieve these goals and will provide staff with information, training and support in resolving workplace issues.

In furtherance of the above objectives, the Society may initiate an investigation into events even in the absence of a complaint from any person covered by this Policy.

Definitions

What is "Respect at Work"?

Respectful workplace behaviour is courteous, considerate and compassionate. It supports and recognizes the value of all people and affirms personal worth. As a result, this Policy is intended not only to prohibit bullying, harassment and discrimination but to foster and encourage positive, professional, civil and respectful interactions in the workplace.

What is Bullying/Harassment?

Bullying and harassing behaviour includes any inappropriate conduct or comment by a person towards another person, that the person knew or reasonably ought to have known would cause that individual to feel humiliated, intimidated or demeaned.

Some examples of bullying/harassment include:

- words, gestures, actions or practical jokes, the natural consequence of which is to humiliate, ridicule, insult or degrade, including through use of social media;
- unwelcome remarks, slurs, jokes, taunts
- threats of or actual intimidation;
- physical assault;
- participating in gossip or rumors which undermine a person in the workplace;
- unwelcome physical contact such as hitting, pinching, or pushing;
- patronizing or condescending behaviour;
- vandalism of personal property;
- practical jokes that embarrass or insult;
- abusive language, including swearing at or about a person;

- displays of anger towards a person;
- Abuse/misuse of management/supervisory authority such as humiliating an employee or communicating criticism or correction in an unduly harsh or demeaning manner.

The carrying out of legitimate supervisory responsibilities including performance reviews, the communication of critical comments, the imposition of discipline or other properly communicated information about an employee's unsatisfactory behaviour or work performance does not constitute a violation of this Policy unless there is evidence that these responsibilities are being carried out in an abusive fashion.

What is Discrimination?

Discrimination means making decisions about employment matters relating to an employee, on the basis of race, color, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or gender expression, age, or a criminal conviction unrelated to the person's position.

Related to employment, no person may discriminate based on the prohibited grounds by:

- Refusing to employ, or refuse to continue to employ,
- Discriminate against any person regarding employment or any term or condition of employment, including wages;
- Engage in harassing behaviour or speech about or towards a person on the basis of one of the protected factors, as set out above.

What is Discriminatory Harassment

Discriminatory harassment is abusive, offensive or demeaning treatment of a person or group of persons related to their race, color, ancestry, place of origin, religion, age, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, political belief, or criminal or summary offense (unrelated to employment), that a reasonable person should have known to be unwelcome.

Examples:

- unwelcome remarks, slurs, jokes, taunts, or suggestions
- participating in gossip or rumor mongering that undermines a person in the workplace
- display of sexually explicit, racist, homophobic or other derogatory material
- written or verbal abuse or threats
- practical jokes that embarrass or insult
- unwelcome physical contact, such as petting, touching, pinching, hitting
- patronizing or condescending behaviour
- vandalism of personal property

Discriminatory Harassment includes Sexual Harassment.

Examples of Sexual Harassment are:

- Requests for sexual favors, or other verbal or physical conduct of a sexual nature when submission to or rejection of such conduct becomes explicitly or implicitly a term or condition of employment or promotion.
- Unwelcome sexual remarks, invitations, or requests including persistent, unwanted contact after the end of an intimate relationship.
- Conduct or comments of a sexual nature that a reasonable person knows or ought to have known is unwanted and unwelcome or has the purpose or effect of interfering with work or performance.
- Comments or conduct of a sexual nature when such comments or conduct creates an intimidating, hostile or offensive working environment.
- Unwelcome or intimidating invitations or requests with sexual overtones, whether explicit or indirect.
- Actual reprisal or an expressed or implied threat of reprisal for refusal to comply with a request for sexual favors.

Complainant

Any person or persons who seek recourse under this Policy on the basis they believe they have been subjected to bullying/harassment or, discrimination.

Respondent

A person or persons against whom an allegation of disrespectful behaviour, discrimination or harassment has been made in relation to the Policy.

Responsibilities Under This Policy

The Executive Director has overall responsibility for the Policy's effectiveness.

Employee, Volunteers and student Responsibilities:

- treat one another professionally, with civility and with respect;
- intervene, if appropriate, if any observations made of conduct which does not comply with this Policy;
- Report behaviours which do not comply with this Policy.

Management staff Responsibilities

- set an example, through their behaviour and conduct;
- responsible for ensuring that the provisions of this Policy are followed by actively intervening in any behaviours which are not consistent with the requirements and objectives of this Policy; and,
- Report by using the procedures provided for in this Policy.

Complaint/Report and Investigation Procedure:

Informal Resolution

1. A person covered by this Policy who believes s/he has been subject to or who has observed Bullying/Harassment and/or Discrimination is encouraged to approach the Respondent, informing them of their discomfort with the behaviours and asking the Respondent to stop such behaviours.

2. If the Bullying/Harassment or Discrimination does not stop or the Complainant is not comfortable speaking with the Respondent directly, the Complainant must complete a written complaint or verbally report the matter to the Executive Director. Where the issue is with the Executive Director, the report/complaint should be made to the Chair of the Board of the Society.

Formal Complaint or Report

3. A formal complaint or report may be made either orally or in writing but should be made as soon as possible as outlined below, and no later than six (6) months following the last incident of bullying/harassment or discrimination.

4. The Executive Director may decide to investigate the complaint, delegate it to another senior staff to investigate or, depending on the nature of the complaint, retain the services of an external investigator.

5. The Investigator shall keep a record of all their interviews and produce a report setting out the nature of the complaint, the investigation process, the conclusions about facts, and, a statement as to whether the facts, as found by the investigator, amount to a violation of this Policy.

6. If the complaint is found to be established, appropriate remedial, corrective and/or disciplinary action will be taken. The remedial actions may include education, training or formal corrective or disciplinary action.

Retaliation

Retaliation of any kind against any person, covered by this Policy, who, in good faith, makes or files a report or complaint of bullying/harassment or discrimination will not be tolerated.

Frivolous or Malicious Complaints

Complaints or reports of bullying/harassment and/or discrimination are serious matters. Persons who are found to have made frivolous, vexatious, or malicious complaints of bullying/harassment and/or discrimination, may be subject to disciplinary or corrective action.