



## PERSONNEL POLICY

<b>TITLE: Workplace Bullying and Harassment Policy</b>		<b>POLICY #: P-02-2020</b>
<b>Authority:</b> Chief Administrative Officer	<b>Effective Date: May 11, 2020</b> <b>Review Date: May 11, 2021</b>	
<b>Issued By:</b> CAO <b>Issued Date:</b> May 12, 2020	<b>Approved By: Council</b> <b>Approved Date:</b> May 11, 2020 <b>Resolution #: R-2020-131</b>	

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### 1.0 PURPOSE:

To provide a policy required by Workplace BC of employers pertaining to workplace bullying and harassment.

To provide the Village of Ashcroft employees and Council with the tools to assist in ensuring a working environment clear and free of harassment and bullying and where individuals have the confidence to complain with knowledge that their concerns will be dealt with appropriately and fairly.

### 2.0 APPLICATION:

The provisions defining the program are attached to this policy as a manual noted as **Schedule "A"**.

All staff and members of Council, new and current, will be required to provide a formally acknowledged Employee Declaration Form noted as **Schedule "B"** acknowledging:

- They have received a copy of the Village's Workplace Bullying & Harassment Policy,
- Have read, reviewed and provided any concerns or comments they may have to the appropriate Manager (supervisor) within 30 days of receiving their copy of the document, and
- That if they do not understand the policy, they will advise the appropriate Manager within thirty days of receiving their copy of the document.



Workplace Bullying and Harassment  
Policy No. P-02-2020  
Manual

**May 2020**

**TABLE OF CONTENTS**

PURPOSE ..... 3  
SCOPE ..... 3  
RESPONSIBILITIES ..... 5  
    Senior Management ..... 5  
    Managers/Supervisors/Foremen/Charge Hands ..... 5  
    Workers ..... 5  
    Investigators ..... 5  
POLICY ..... 6  
APPENDIX A ..... 9  
APPENDIX B ..... 10

## PURPOSE

The purpose of this policy is to assist in developing a working environment in which harassment and bullying are understood and acknowledged to be unacceptable and where individuals have the confidence to complain about harassment and bullying, should it arise, in the knowledge that their concerns will be dealt with appropriately and fairly by means of a clear procedure. The Policy outlines procedures to be followed by the Village of Ashcroft if a member of staff or Council feels they are being harassed or bullied in the course of their work or as a result of their employment.

## SCOPE

The Village of Ashcroft welcomes diversity and is committed to ensure that all staff and members of Council will be treated in a fair and respectful manner. Bullying and harassment are not acceptable or tolerated in the workplace. All incidents must be reported and investigated immediately.

This policy applies to all Village of Ashcroft employees and members of Council including permanent, temporary, casual, contract and student workers, managers and supervisors. It applies to face-to-face and electronic communications, such as email or social media.

## DEFINITIONS

**Bullying/Harassment** 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.

Bullying and harassing behavior **can include:**

- Verbal aggression, insults or threats
- Humiliating initiation practices or hazing
- Spreading malicious rumors
- Calling someone derogatory names
- Vandalizing personal belongings
- Isolation and/or exclusion from work-related activities

The above list is not exclusive and harassment can also take place on the grounds of a persons' age, religion, or any other characteristic protected under Human Rights.

Bullying and harassing behavior **does not include:**

- Expressing differences in opinion
- Offering constructive feedback, guidance or advice about work-related behavior
- Reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment (eg. Managing a worker's performance, taking reasonable disciplinary actions, assigning work)

<b>Complainant</b>	Someone who makes a complaint or files a formal objection
<b>Education</b>	Knowledge acquired by learning and instruction
<b>External Investigator</b>	Someone outside the organization hired to investigate an incident
<b>Internal Investigator</b>	Someone within the organization assigned or designated to investigate an incident
<b>Respondent</b>	One who responds or is in the position to defend they/them position
<b>Supervisor</b>	A person who instructs, directs and controls workers in the performance of their duties. This could be a Manager, Supervisor, Foreman, or Charge Hand.
<b>Target</b>	Person who is the focus of bullying/harassment
<b>Worker</b>	A person employed to perform a function or duty. For the purposes of this Policy, worker means any permanent, temporary, casual, contract and student workers, managers and supervisors.
<b>Workplace</b>	Workplace is not confined to the offices and buildings where business of the Village of Ashcroft is being carried out. Harassment can occur during or after working hours, on or off Village of Ashcroft property. Harassment can occur during business travel, work-related social gatherings, through internet communications, or any other locations where the prohibited conduct may have a subsequent impact on the work relationship, environment or performance of any person to whom this policy applies.

## **RESPONSIBILITIES**

### **Senior Management**

- Support and endorse the workplace bullying and harassment Policy
- With consideration to time and resources being available the Village of Ashcroft may budget for training if deemed necessary
- Ensure investigations are well managed
- Complete all appropriate forms to document any incidents of bullying or harassment
- Assist in the investigation of any incidents of bullying or harassment where necessary or required
- Not engage in bullying or harassment of workers, supervisors or other managers

### **Managers/Supervisors/Foremen/Charge Hands**

- Apply and comply with this Policy
- Inform and train workers on this Policy as budget and capacity permits and legislation changes are required
- Ensure bullying/harassment is never endorsed or engaged in
- Take steps to prevent bullying and harassment
- Promote the process to report incidents and complaints of bullying and harassment
- Complete all appropriate forms to document any incidents of bullying or harassment
- Assist in the investigation of any incidents of bullying/harassment where necessary or required
- Not engage in bullying or harassment of workers, other supervisors or managers

### **Workers**

- Not engage in bullying or harassment of other workers, supervisors, or managers
- Report bullying and harassment observed or experienced in the workplace
- Complete all appropriate forms to document any incidents of bullying or harassment
- Apply and comply with the employer's policies and procedures on bullying and harassment

### **Investigators**

- Gather all required information to conduct a full and comprehensive investigation
- Complete investigations free of bias
- Provide follow up and recommendations to assist in eliminating reoccurrence

## **POLICY**

This Policy includes:

- A. Procedures for reporting incidents of bullying/harassment (COMPLAINANT)
- B. Procedures for investigating incidents of bullying/harassment (EMPLOYER)
- C. Appeal Procedure
- D. Training
- E. Record Keeping
- F. Annual Review

### **A. PROCEDURES FOR REPORTING INCIDENTS OF BULLYING/HARASSMENT (COMPLAINANT)**

1. All incidents of bullying/harassment must be reported immediately to a supervisor verbally and in writing. A *Workplace Bullying and Harassment Complaint Form* is to be completed. A sample is shown in Appendix A.
2. Where the supervisor is the alleged bully, the Chief Administrative Officer will assist in receiving/following up on incidents/reports.

### **B. PROCEDURES FOR INVESTIGATING INCIDENTS OF BULLYING/HARASSMENT (EMPLOYER)**

The process for investigating incidents and complaints of workplace bullying and harassment will be:

- undertaken promptly and diligently, and be as thorough as necessary, given the circumstances
- fair and impartial, providing both the complainant and respondent equal treatment in evaluating the allegations
- sensitive to the interests of all parties involved, and maintain confidentiality
- focused on finding facts and evidence, including interviews of the complainant, respondent, and any witnesses
- incorporate, where appropriate, any need or request from the complainant or respondent for assistance during the investigation process

#### **1. Investigator selection**

Most investigations at the Village of Ashcroft will be conducted internally. Depending on the situation, the supervisor designated, Human Resources personnel, union representative or other designate will be the lead investigator. A worker representative from the safety committee may also be involved. In complex or sensitive situations,

an external investigator may be hired. A Workplace Bullying and Harassment Investigation Form is shown in Appendix B.

## **2. Incident Review**

Investigations will include interviews with the alleged target, the alleged bully, and any witnesses. If the alleged target and the alleged bully agree on what happened, then the Village of Ashcroft will not investigate further, and will determine what corrective/follow up action to take, if necessary.

Documents to be reviewed may include:

- Workplace Bullying and Harassment Complaint Form
- Emails or social media evidence
- Notes
- Photographs
- Physical evidence like vandalized objects

## **3. Follow up**

All investigations of alleged bullying and harassment will be followed up and documented. Follow up will include a description of corrective actions, a time frame, and a means for dealing with adverse symptoms. The complainant(s) will be advised of the outcomes and options available. These could include assistance Policy's, training and discipline.

Documents to be completed:

- Workplace Bullying and Harassment Complaint Form

## **C. APPEAL PROCESS**

Should either complainant or respondent wish to appeal any outcome of the investigation, they are free to do so.

- An appeal must be made in writing without unreasonable delay, no later than 30 days after the decision.
- Full details on the reason for appealing the decision must be provided, clearly explaining why there is a disagreement on the decision.
- Reasonable effort must be made to follow the current corrective actions while the appeal is reviewed.
- An appeal meeting will be arranged to discuss the appeal and, where possible, other participants may be included in the discussion (different senior manager, unbiased 3rd party, union etc.).
- A final decision will be provided in writing within one week of the appeal meeting.



#### **D. TRAINING**

Training, as required and within capacity and budget, for supervisors and workers will include the following:

- How to recognize bullying and harassment
- How staff or members of Council who experience or witness bullying and harassment should respond
- Procedures for reporting, and how the employer follows up with incidents or complaints of bullying and harassment
- Documents/form review

Training will occur as required and will be included in orientation.

#### **E. RECORD KEEPING**

The Village of Ashcroft expects that staff or members of Council experiencing or witnessing suspected/alleged bullying and harassment to complete the Workplace Bullying and Harassment Complaint Form. (Appendix A). The Village of Ashcroft will keep all records pertaining to investigations and findings in a secure and confidential manner.

#### **F. REVIEW**

This Policy and these procedures will be reviewed, as required. All workers will be advised and educated on this policy when they are hired.

#### **G. EMPLOYMENT**

As a matter of course Staff or members of Council will be required to sign an employee/Council declaration form (Schedule "B") upon commencement of employment confirming they have received a copy of the policy and will contact a manager or supervisor if they have any questions, concerns, or comments in regards to the policy and training considerations. Current employees/Council members, once the policy is adopted, will also be required to sign and declare as noted above.

**IMPLEMENTATION DATE:**

**REVIEW DATE:**



## APPENDIX B

<b>WORKPLACE BULLYING AND HARASSMENT INVESTIGATION FORM</b>	
COMPLETED BY THE INVESTIGATOR	
INVESTIGATOR INFORMATION	
NAME(S):	POSITION(S):
DEPT:	DATE:
DOCUMENT REVIEW	
List all documentation reviewed (emails, notes, photographs, physical evidence etc.)	
INTERVIEWS	
PERSON INTERVIEWED (Name, position)	
SITUATION DESCRIPTION (include dates, words actions) and impact (humiliated, intimidated etc.)	
PERSON INTERVIEWED (Name, position)	
SITUATION DESCRIPTION (include dates, words actions) and impact (humiliated, intimidated etc.)	
PERSON INTERVIEWED (Name, position)	
SITUATION DESCRIPTION (include dates, words actions) and impact (humiliated, intimidated etc.)	
OUTCOMES	
Based on the investigation, did workplace bullying and harassment occur?      Yes    No	
Reason(s) for this conclusion:	
Follow up with complainant/respondent.    Include corrective actions, time frame, training opportunities etc.	



**EMPLOYEE/COUNCIL DECLARATION**  
**Workplace Bullying and Harassment Policy No. P-02-2020**

I, \_\_\_\_\_ declare that:  
*(Print Full Name)*

*\*Please confirm by signing your Initials in the box*

*	I have received a copy of the Village of Ashcroft's: Workplace Bullying and Harassment Policy No. P-02-2020
*	That I have read, understood and will adhere to the Village of Ashcroft's Workplace Bullying and Harassment Policy No. P-02-2020

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Print Employee/Council Name

\_\_\_\_\_  
Signature

Certified By:

\_\_\_\_\_  
Chief Administrative Officer

Dated at \_\_\_\_\_, British Columbia

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.