

## HARASSMENT PREVENTION POLICY

### **School Division Commitment**

At Beautiful Plains School Division, we are committed to providing a safe and respectful work environment for all staff. No one, whether an administrator, teacher, support staff employee, or a member of the public, has to put up with harassment for any reason, at any time. Also, no one has the right to harass anyone at work or in any employment situation. This policy is one way to ensure our workplace within Beautiful Plains is a comfortable place for all our employees.

### **Harassment is Against the Law**

The Workplace Safety and Health Regulation, M. R. 217/2006, and The Human Rights Code require Beautiful Plains to ensure our workplace is free from harassment. All employees have a right to live and work without being harassed. IF you are harassed, you can do something about it. This policy outlines what to do if you are harassed at work or if you as an administrator or employee, become aware of any harassment.

### **What Constitutes Harassment**

“Harassment means any objectionable conduct, comment or display directed at an employee, made on the basis of race, creed, religion, colour, sex, sexual orientation, marital status, family status, disability, physical size or weight, age, nationality, ancestry or place of origin, and creates a risk to the health of the employee.

Harassment is any behavior that degrades, demeans, humiliates, or embarrasses a person, and that a reasonable person should have known would be unwelcome. It include actions (ex: touching, pushing), comments (ex: jokes, name calling) or displays (ex: posters, cartoons).

Harassment can take place in the workplace or outside of it in a situation connected to work, such as during trips, off-site meetings, or any type of extra curricular activity. Harassment will not be tolerated in the work place or at any work related event.

“Sexual harassment” includes offensive or humiliating behavior based on a person’s sex; behaviour of a sexual nature that creates an intimidating, hostile or poisoned work environment; or behaviour that could reasonably be thought to put sexual conditions on a person’s job or job opportunities. A few examples are: questions and discussions about a person’s sexual life; persisting in asking for a date after having been refused; or writing sexually suggestive letters or notes. Sexual harassment often occurs where there is unequal power between the people involved.

### **What Does Not Constitute Harassment**

Consensual banter or romantic relationships where the people involved consent to what is happening, is not harassment. Appropriate performance reviews, counseling or discipline by a supervisor or manager, is not harassment.

### **Employees’ Rights and Responsibilities**

Employees are entitled to work free of harassment at Beautiful Plains School Division.

Employees have the responsibility to treat each other with respect, and to speak up if they, or others are being harassed. All employees have a responsibility to report harassment to the appropriate person at Beautiful Plains.

Employees also have the responsibility to co-operate in the investigation of a harassment complaint. Anyone who gives evidence in an investigation or who is otherwise involved in the process must keep this information confidential, except when it is necessary to deal effectively with the complaint.

Employees have the right to file a complaint with the Manitoba Human Rights Commission.

## **Employers' Responsibilities**

Administration at Beautiful Plains School Division must ensure, as much as is reasonably practical, that no employee is subjected to harassment in the workplace.

Administrators will take corrective action with anyone under their direction who subjects, an employee to harassment.

Administrators will not disclose the name of a complainant or an alleged harasser or the circumstances of the complaint to anyone except where disclosure is:

- a) necessary to investigate the complaint or take corrective action
- b) required by law

The harassment prevention policy at Beautiful Plains is not intended to discourage or prevent complainants from exercising other legal rights under any other law.

Beautiful Plains, its administration and supervisors are responsible for creating a safe work environment, free of harassment. All employees at Beautiful Plains are responsible for stopping harassment. If you become aware of harassment in your work area, or elsewhere in the division, you must do everything you can to stop it, whether or not a complaint has been made. Courts may impose penalties on employers and managers, even if they aren't actually involved in or aware of the harassment but should have known about it. Administrators who ignore harassment may face legal consequences, and will be disciplined by Beautiful Plains.

## **Procedures Applying to complaints of Harassment**

- If you are being harassed, the first thing to do is tell the person harassing you to stop, if you feel comfortable doing that. You can do this in person or in writing.
- If you feel unable to deal with him/her directly, you can speak to your supervisor or principal.
- There may be informal ways to address your complaint. You may have the supervisor help you speak to the harasser. You may also ask the supervisor to arrange for mediation.
- If the informal route does not succeed or is not appropriate. Beautiful Plains supports its employees in filing a formal complaint. The complaint will be investigated in a fair, thorough and prompt manner.
- Once the investigation is complete, the investigator will prepare a written report. The superintendent or secretary-treasurer will then inform the person who filed the complaint and the harasser of the findings.

## **Corrective Action for Harassers**

Employees who harass another person will be subject to one or more of the following forms of discipline, depending on the severity of the harassment:

- A written reprimand
- A requirement to attend sensitivity training
- A suspension, with or without pay
- A transfer, if it is not reasonable for the people involved to continue working together
- A demotion
- Dismissal

If the investigation does not find evidence to support the complaint, there will be no documentation about it in the file of the alleged harasser. When the investigation reveals harassment occurred, the incident and the corrective action will be recorded in the harasser's personnel file.

### **Confidentiality**

Beautiful Plains School Division will not disclose a complainant's or alleged harasser's name or any circumstances about a complaint, to anyone except where necessary to investigate the complaint; take disciplinary action; or where required by law. Administrators involved in a complaint are reminded to keep all information confidential, except in the above circumstances.

### **Retaliation**

Anyone who retaliates in any way against a person who has complained of harassment, given evidence in a harassment investigation, or been found guilty of harassment, will be considered to have committed harassment and be penalized accordingly. The possible penalties are the same as those previously noted.

### **Education**

Beautiful Plains School Division is committed to keeping of all its employees and administrators aware of this policy and harassment in general.

### **Monitoring**

Beautiful Plains School Division will monitor this policy and make adjustments where necessary

Approved May 1, 2007