



RESPECTFUL WORKPLACE POLICY

BC Council for International Education

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Policy Statement

- 1.1 The BC Council for International Education (BCCIE) aims to provide a workplace in which all employees are treated with dignity and respect and in which employees are proud to work. BCCIE recognizes the right of all employees to work in a safe and healthy environment that is free from discrimination, bullying and harassment. To achieve these goals, all employees of BCCIE are accountable for their actions, and must act in a manner which is free from discrimination, bullying and harassment of any kind.
- 1.2 This purpose of this policy is to support BCCIE, and its employees in fostering and preserving a respectful and harmonious work environment that is free from all forms of discrimination, bullying and harassment. This policy provides procedures to investigate and resolve any complaints and outlines the roles and responsibilities of the organization and its Employees. It is intended to promote the well-being of everyone in the workplace essential to a cohesive and safe organization.
- 1.3 The requirement to comply with this policy is a condition of employment. Employees who fail to comply may be subject to disciplinary action up to and including dismissal.

Policy Details

2.1 Scope

- (i) The prohibited conduct described in this policy and expectations for appropriate behaviour apply to all persons interacting with or attending at BCCIE worksites including employees, board members, interns, volunteers, contractors, service providers, external guests and visitors. Furthermore, this policy applies to all situations where activities are connected to work with BCCIE and could impact employment during and/or outside business hours at or away from the workplace. In accordance with WorkSafeBC, this includes:
 - Any work-related duties;
 - Any activity on BCCIE property;
 - Work assignments outside of the premises of BCCIE;
 - Any work-related training or education sessions, including but not limited to, conferences, training and seminars;
 - Work-related social functions organized and/or sponsored by BCCIE;
 - Stakeholder events;
 - All work-related travel;
 - Through electronic means such as phones, email and the internet;
 - Any social media platforms including but not limited to: Facebook, Twitter, Instagram etc.

This policy does not include management or supervisory initiatives communicated respectfully, such as;

- Expressing a difference of opinion in a calm manner;
- Assigning work duties, setting workloads and deadlines;
- Changes to work conditions;
- Work instruction, correction or supervision;
- Work performance evaluation; corrective action, imposition of discipline; termination of employment,
- Transfers, lay-offs, demotions, and reorganizations, and
- Formal or Informal investigations into behaviour, incidents of concern.

This policy also does not include Interpersonal conflict: Interpersonal conflict, disputes or animosity between persons at the workplace is not bullying or harassment unless the interpersonal conflict results in behaviour that is threatening or abusive. Conflict about work-related matters should be resolved respectfully between the persons involved or with the assistance of your supervisor or the Director of Operations & Communications. Interpersonal conflict about matters unrelated to work should not be engaged in at the workplace.

The following behaviours by any employee may not be bullying and harassment if they are approached in an appropriate and respectful manner:

- Expressing differences of opinion
 - Offering constructive feedback, guidance, or advice about work-related behaviour and performance
 - Making a legitimate complaint about someone's conduct through established procedures
- (ii) Reported incidences by persons who are not employees of BCCIE will be addressed and investigated on an individual case basis
- (iii) Employees are expected to conduct themselves in a manner that is consistent with the requirements of WorkSafeBC and other legislated requirements, which prohibits workplace bullying and harassment. Disrespectful conduct contrary to this policy will not be tolerated and will lead to discipline up to and including termination of employment and/or cancellation of contract in an impartial, timely and confidential manner. Off- duty conduct which has an impact in the workplace may be subject to the terms of this policy.
- (iv) Retaliation or reprisal against anyone who, in good faith (an honest and reasonably held belief), reports violation of this policy or participates/cooperates in a complaint investigation process will be considered a violation of this policy. Retaliation or reprisal is considered to be discriminatory and is subject to disciplinary action by BCCIE up to and including termination of employment.
- (v) Good faith investigations under this policy are not grounds for a harassment complaint. Where it is determined that a person had made a vexatious allegation or complaint, in bad faith or with the intent to harm another and/or has misrepresented what is going on in the workplace, then formal disciplinary action may be taken against the person. Conduct based on mistakes or misunderstandings shall not constitute malicious conduct.

2.2 Definitions and Examples

Definitions

“Bullying and harassment” means any inappropriate conduct or comment made by a person towards an employee that the person knew or reasonably ought to have known would cause that employee to be humiliated or intimidated, but excludes any reasonable action taken by a manager or supervisor relating to the management and direction of employees or the place of employment.

“Discrimination” is making a distinction, whether intentional or not, based on reasons noted in the applicable human rights legislation.

“Employee” means all employees of BCCIE, regardless of status or position, including temporary workers, as well as contractors, consultants and their employees. The use of the term “Employee” will not create an employment relationship where an employment relationship does not already exist.

“Workplace” means any place where a worker is or is likely to be engaged in any work and includes any vessel, vehicle or mobile equipment used by a worker in work. It is the physical space where employees are conducting work or work related activities. For example: Office space, work sites, client’s spaces, lunch rooms, business trips or office parties. However, workplace bullying and harassment is not confined to the offices and buildings where the ‘business’ of an organization is being carried out. Bullying and/or Harassment can occur during or after working hours, on or off actual workplace property. If the conduct has workplace impact, or began from a workplace relationship, it may be covered under this policy. Any allegations pertaining to Bullying and /or Harassment of a work related nature will be investigated.

Examples

Examples of harassment that are not protected by human rights legislation, but which would still be prohibited under this policy are:

- Insults, abusive language, fighting or verbal aggression, such as yelling, swearing, name-calling, and intentional humiliation
- Multiple or destructive “pranks” or “practical jokes” directed towards an individual, or targeted group of individuals, including harmful hazing or initiation practices
- Vandalizing or otherwise damaging or defiling personal belongings, work area or work product
- Isolating or ignoring, or unwarranted exclusion from organized team building activities
- Spreading malicious rumours (regardless whether they are believed to be true)
- Any comment or conduct that offends, embarrasses or humiliates others

Sexual harassment is the most common form of discrimination in human rights legislation; it is a form of discrimination based on sex or sexual orientation. Examples of sexual harassment include:

- Making or threatening reprisals after a negative response to sexual advances
- Making unwelcome sexual advances, propositions, flirtations or repeated unwelcome requests for or efforts to make social contact, including asking questions about sexual conduct or sexual orientation or spreading rumours about such information
- Making comments about an individual’s body, sexual prowess, sexual orientation or sexual deficiencies or using sexually degrading or vulgar words to describe an individual or making derogatory sexual comments
- Displaying or distributing sexually suggestive or gender-based objects, pictures, posters, cartoons, letters, or e-mails

Examples of harassment on the basis of other grounds of discrimination include:

- Offensive jokes related to race or nationality
- Racial slurs or commentary
- Display of literature or materials (including electronic documents such as email, texts and social media posts) that promote the supremacy of one race or ethnic group or belittle a race or ethnic group

2.3 Responsibility and Accountability

Every employee of BCCIE is accountable for conducting herself/himself within the spirit and intent of this Policy as well as contributing towards a safe, respectful and inclusive work environment, free from discrimination, all types of harassment, and disruptive and disrespectful conduct including bullying and incivility. Every employee is also responsible for fully cooperating with investigations into potential bullying and harassment.

- (i) Manager/Supervisor Responsibility is to model respectful behaviour by:
- Proactively maintaining a workplace free from bullying & harassment;
 - Promptly responding to reported or suspected breaches of this Policy;
 - Documenting all reported or observed breaches and potential breaches of this Policy;
 - Confidentially documenting informal resolutions of complaints and investigations; and
 - Providing information, instruction, training and supervision necessary to ensure the health and safety of employees

If a manager or supervisor suspects that discrimination or harassment may be occurring, they must take the appropriate action, as per the procedures below, to deal with the concern.

- (ii) Employee Responsibility: An employee who feels subject to, or who is aware of an incident of discrimination or harassment is encouraged to promptly try and communicate directly with the other individual(s) involved and advise him/her that the behaviour is unwelcome, as long as the employee feels safe to do so. If an individual does not feel able to communicate directly with the other person involved, they have a responsibility to report any incidents and breaches of this policy by filing a complaint.
- (iii) Witness Responsibility: We all have a part to play in creating a respectful and healthy work environment. BCCIE expects that anyone who witnesses bullying, harassment or incivility as defined here intervenes where appropriate and safe (ex. Speak up and let the person know the behaviour is not acceptable) and promptly report the incident to the accountable Manager to act upon inappropriate comments or conduct in accordance with this policy.

It is the responsibility of all employees, witnesses, supervisors and managers to apply and comply with this Policy and to not engage in bullying or harassing behaviour.

2.4 Confidentiality

BCCIE recognizes the difficulty of coming forward with a complaint of workplace harassment and a complainant's interest in keeping the matter confidential. To protect the interests of the parties involved, every reasonable effort will be made to maintain confidentiality throughout the process. Information relating to the complaint will only be disclosed to the extent necessary to carry out these procedures. Individuals consulted will be cautioned not to discuss the issue or disclose that a complaint has been made and is being investigated.

Reporting Procedures

3.1 Complaint Procedure

All reports of discrimination, sexual harassment, and disruptive and disrespectful conduct will be taken seriously. Employees should report any behaviour which they believe constitutes a violation of this policy. Reported complaints are measured against this Respectful Workplace Policy. If an investigation is warranted, the investigator appointed must determine a fair and unbiased process to follow, which may require the implementation of interim workplace measures. For example, it may be necessary to place the complainant and/or alleged harasser on investigative leave with pay, or to arrange temporary transfer or reassignment, if possible. Ideally, investigators shall have independence from the area or department in which the complainant works.

Complaint Procedure Steps:

Step 1, Have a conversation

Complainants are encouraged to make known to the alleged harasser(s) directly that their conduct is unwelcome and that it should cease immediately. If this is not successful in stopping the behaviour or if the complainant is uncomfortable doing this, or if the Complainants feels unsafe in doing so, then the employee may proceed with the following steps.

Step 2, Informal Complaint

This process is an avenue to obtain information, voice a concern and develop a means to deal with the problem with the help of the organization. Employees who consider that they have been subjected to a violation of this policy may initially choose an advisor who should include an immediate supervisor or the Director of Operations & Communications

Discussions regarding the employee's concerns will be treated confidentially and informally. The policy and procedures will be outlined and various choices discussed to assist the employee in deciding which course of action is most appropriate. Some actions are:

- a) direct discussion with alleged harasser, with or without advisor's support;
- b) mediation between the parties;
- c) begin a formal investigation;
- d) further consideration of course of action; and
- e) stop the process.

If a resolution is reached informally then the resolution will be recorded in writing which will be signed by the persons involved and a copy placed in a confidential harassment file in human resources.

The Director/Supervisor is duty-bound to ensure harassment stops and therefore they cannot just 'do nothing' about what a complainant tells them. At the very minimum, they must follow up with the complainant to make sure the complaint has been resolved.

Step 3, Formal Complaint

Formal complaints may be the initial step of the process if employees are not receptive to an informal approach.

- A formal complaint can be made when informal approaches have not resolved the problem and/or the concerned employee requests a formal investigation to be conducted.
- The initial complaint can be verbal or written (a complaint form can be found at the end of this policy and can be used if the complainant so chooses, but is not required to be used in order to file a formal complaint).
- The initial contact for a formal complaint (supervisor or Director) is responsible to ensure that the Executive Director is informed. It is the responsibility of the ED to initiate an investigation and to designate an investigator. The formal complaint process shall be modified if the complainant names the ED. In that case, the Director of Operations & Communications, shall replace the ED in this process in any corrective action or discipline. Every effort shall be made to remain within all designated timelines. However, it should be recognized that additional time may be required, in this circumstance.

Employer Procedure for Handling Complaints

The named investigator shall:

- Step 1: Ensure the complainant has prepared a written complaint that includes as much detail as possible about the circumstances including dates, times, persons involved, witnesses and the specific conduct that is the source of the complaint
- Step 2: Review the workplace policy statement and procedures on bullying and harassment and determine whether the alleged behaviour meets the definition of workplace bullying and harassment as outlined in this Policy. If there is a sufficient basis in the written complaint or BCCIE otherwise deems it necessary to do so, BCCIE will carry out a formal investigation. The investigation may be carried out by BCCIE personnel or an external investigator who will prepare a confidential written report for the ED or the Director of Operations & Communications in situations where the ED is named as respondent. All persons involved must maintain the confidentiality of the investigation except that BCCIE will disclose information about the investigation as necessary to carry out a full and fair investigation, to address the findings from the investigation, to protect the health and safety of any person and/or to comply with applicable laws.
- Step 3: Meet with each party separately to explain the investigation process and inform both the complainant and respondent about the following:
 - expected timetable
 - overall process (interviews, review of documented evidence)
 - roles and responsibilities of anyone involved in the investigation (employers, supervisors, workers, investigators, others)
 - confidentiality of the investigation (who will receive the investigation report)
 - interim measures to limit the potential for bullying and harassment, if required (such as implementing a process to screen calls from aggressive clients, if the bullying and harassment is coming from an outside source)
- Step 4: Gather evidence by speaking separately with both the complainant and respondent. If the parties agree on the details of what happened, proceed to Step 6.
- Step 5: If the parties do not agree, interview witnesses or other involved parties. Ensure understanding of what happened and collect evidence from any parties involved, including email, handwritten notes, or other records that can help inform the investigation.
- Step 6: Review the evidence and make a decision based on the available evidence, determine whether bullying and/or harassment occurred by carefully considering whether the behaviour meets the definition of bullying and harassment as defined in this Policy.
- Step 7: Discuss the findings: The investigator, employer, manager, or supervisor could meet separately with both the complainant and respondent, confidentially, to explain the investigation's findings.
- Step 8: Take corrective action. The employer must aim to fully address the incident and ensure that future bullying and harassment is prevented or minimized at the workplace. Corrective actions the employer might take include:
 - Warning (written or verbal,) or Discipline, up to and including termination
 - Updating the workplace policy statement
 - Putting new preventive steps in place

- Updating and providing training, education, and information for all workers
- Reminding supervisors and workers of their duties regarding bullying and harassment

Step 9: Keep a record of the following:

- Complaint details
- Names of all parties, including who made the complaint and who received the complaint
- When the report was made
- Details of the specific behaviours (including dates and names)
- A summary of interviews with the affected parties
- Any supporting documents reviewed during the investigation
- Outcomes and findings
- The employer should keep a record of actions taken to respond to the complaint and to deal with any adverse symptoms resulting from a bullying and harassment incident.

In the event that a complainant does not proceed with a formal complaint, BCCIE may still initiate a formal investigation if deemed necessary to ensure the health and safety of persons at the workplace and comply with any applicable legal obligations.

The above procedure and any investigation carried out are intended to be flexible in order to respond to the specific circumstances at issue. BCCIE reserves the right to engage in a different procedure as deemed appropriate in any given circumstance.

All concerns related to behaviour of supervisors or managers should be reported to the ED or the Director of Operations & Communications.

4.1 General Timelines

- The ED or Director of Operations & Communications shall confirm receipt of, and advise the respondent of, any complaint, in writing, within five (5) working days
- The respondent shall then have five (5) working days to respond to the complaint in writing.
- The ED or Director of Operations & Communications shall decide if a formal investigation, or any other action, is required within thirteen (13) working days of the receipt of a formal complaint. The complainant, and the respondent, shall then be advised of the steps to be taken.

4.2 Appeal Process and Other Resolution

If the employee submitting the complaint is dissatisfied or otherwise disagrees with the results of an investigation conducted pursuant of this policy, the employee is not precluded from advancing complaints through relevant professional bodies, WorkSafe BC or the BC Human Rights Tribunal. If the complainant chooses to go outside BCCIE for a second complaint, BCCIE reserves the right not to proceed with another investigation under this policy.

Ongoing Record of Education and Training

A record will be maintained by BCCIE as to any and all education and training provided to their employees that is based on or related to this policy. The documentation will confirm the content and purpose of the information provided, who was in attendance, and the time and date that the educational information and/or training session(s) were provided.

Annual Review

BCCIE will review, at minimum, annually this policy and its accompanying documents, and enclosed procedures. A record will be maintained by BCCIE as to any and all changes or revisions and those changes or revisions will be shared with all employees.

Respectful Workplace Complaint Form

THIS FORM CAN TO BE USED TO REPORT A COMPLAINT UNDER THE RESPECTFUL WORKPLACE POLICY.

When should this form be used: This form should be used to report a complaint under BCCIE's Respectful Workplace Policy. The form should be completed as soon as possible after an incident of harassment, bullying or discrimination has occurred.

Who should complete this form: Any employee who believes they are being subjected to or who witnesses harassment, bullying or discrimination should complete this form.

Where does the form go: The form should be provided to the Supervisor, the Director of Operations & Communications or the Executive Director. If it is not appropriate to report through a particular avenue (e.g. the person is involved with or would reasonably be believed to have a bias in the harassment), the employee should submit the form to someone listed above who is not involved or believed to have a bias in the harassment.

To whom will the form be disclosed: The form will be treated in accordance with BCCIE Respectful Workplace Policy. BCCIE will not disclose information on this form to any person except where disclosure is necessary for the purposes of investigating the complaint or taking responsive measures in relation to the Respectful Workplace Policy. Note that in almost all complaints, BCCIE will have to disclose to the party being accused of harassment or bullying and potential witnesses enough information about the complaint to allow them to give meaningful evidence. This may involve or result in the disclosure of information in this form.

Information about the parties

Name of employee who is completing this form:

Name of the person(s) who is being harassed, bullied or discriminated against:

Name of the person(s) who is doing the harassing, bullying or discriminating:

I confirm that the following information is true to the best of my knowledge and belief and confirm that I understand that making a false, vexatious or unsubstantiated allegation about discrimination, bullying or harassment is a breach of the Respectful Workplace Policy and grounds for discipline, up to and including termination:

Signature: _____

Date: _____

Information about the incident: (Please describe each incident in a separate row)

Date of Incident	Time of Incident	Location of Incident	Names of all persons involved, including witnesses to the incident.	Description of incident (please use as much detail as possible).

You may use additional pages.