



Delta School District

Workplace Bullying and Harassment Protocol

November 2019

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PURPOSE

The purpose of this protocol is to assist in developing a working environment in which harassment and bullying are known 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. The Protocol outlines procedures to be followed by Delta School District if a member of staff feels they are being harassed or bullied in the course of their work or as a result of their employment.

COMMITMENT

The Delta School District welcomes diversity and is committed to ensuring that all staff 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.

SCOPE

This program applies to all Delta School District employees including permanent, temporary, casual, contract and student workers, managers and supervisors. It applies to face-to-face and electronic communications including 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 workers performance, taking reasonable disciplinary actions, assigning work).

Complainant Someone who makes a complaint or files a formal objection.

Education Knowledge acquired by learning and instruction.

External Investigator Someone outside the organization hired to investigate an incident.

Internal Investigator Someone within the organization assigned or designated to investigate an incident.

Respondent One who responds or is in the position to defend his/her position.

Supervisor	A person who instructs, directs and controls workers in the performance of their duties. This could be a Manager, Supervisor, Foreman, or Leadhand.
Target	Person who is the focus of bullying/harassment.
Worker	A person employed to perform a function or duty. For the purposes of this Program, worker means any permanent, temporary, casual, contract and student workers, managers and supervisors.
Workplace	Workplace is not confined to the offices and buildings where business of the Delta School District is being carried out. Harassment can occur during or after working hours, on or off Delta School District 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 protocol.
- Ensure time and resources are available to conduct training, investigations etc.
- 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/Leadhands

- Apply and comply with this protocol.
- Inform and train workers on this protocol.
- 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.

PROTOCOL

This protocol 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)

All incidents of bullying/harassment must be reported immediately to a supervisor verbally and in writing. A *Workplace Bullying and Harassment Report Form* is to be completed (see Appendix A). Specific procedures referenced in Article E.2 Harassment/Sexual Harassment in the Collective Agreement between the Delta School District and the Delta Teachers' Association and provisions in the Collective Agreement between the Delta School District and the Canadian Union of Public Employees Local 1091 will apply where appropriate.

Where the allegations are about a supervisor, the incident is to be reported directly to the Director of Human Resources.

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

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

- prompt, diligent, and as thorough as necessary, given the circumstances
- provide each party with an anticipated timeline and sequence of events
- fair and impartial, providing both the complainant and respondent equal treatment in evaluating the allegations
- sensitive to the interests of all parties involved
- confidential
- focused on finding facts and evidence, including interviews of the complainant, respondent, and any witnesses
- responsive to any need or request from the complainant or respondent for assistance during the investigation process.

1. Investigator selection

Most investigations at the Delta School District will be conducted internally. Depending on the situation, the supervisor, Human Resources, or other designate will be the lead investigator. In complex or sensitive situations, the District may hire an external investigator.

2. Incident Review

Investigations will include interviews with the complainant, the respondent, and any witnesses. If the complainant and the alleged respondent agree on what happened, then Delta School District 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 Report 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 programs, training and discipline.

C. TRAINING

Training for supervisors and workers will include the following:

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

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

E. RECORD KEEPING

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

F. ANNUAL REVIEW

This program and these procedures will be reviewed annually. All workers will be advised and educated on this policy and program when they are hired, through the new employee orientation process.

IMPLEMENTATION DATE: November 2019

REVIEW DATE: November 2020

APPENDIX A

WORKPLACE BULLYING AND HARASSMENT FORM	
Employee submitting the form	
NAME:	POSITION:
SITE:	DATE:
Subject of the complaint	
NAME(S):	
POSITION/RELATIONSHIP:	
PERSONAL STATEMENT	
<p>Please provide details on the bullying and harassment incident(s), including:</p> <ul style="list-style-type: none"> - Names of all parties involved - Any witnesses to the incident(s) - Location, date and time of the incident(s) - Details about the incident(s) (behavior and/or words used) - All other relevant information <p>Attach any supporting documents, such as emails, handwritten notes, or photographs. Physical evidence, such as vandalized personal belongings, can also be submitted. Attach additional pages, as necessary.</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	
Form received by: (Name and Position)	
Date:	

APPENDIX B

WORKPLACE BULLYING AND HARASSMENT INVESTIGATION FORM COMPLETED BY THE INVESTIGATOR	
INVESTIGATOR INFORMATION	
NAME(S):	POSITION(S):
SITE:	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.	