

Code G: Personnel and Employee Relations

POLICY TITLE AND CODE

GENERAL PERSONNEL POLICIES - PERSONAL HARASSMENT

GBH

STATEMENT OF POLICY

Employees of Greater Saskatoon Catholic Schools shall conduct themselves in their personal interactions and relationships in a manner that is free from harassment.

RATIONALE

Greater Saskatoon Catholic Schools believes all personal interactions and relationships are to be characterized by mutual respect which acknowledges the dignity and affirms the worth of each person.

AUTHORITY

- *The Education Act, Section 85*
- Occupational Health and Safety Act 2 (1) (1)
- Saskatchewan Human Rights Code
- Policy GBG – Employee Health and Safety
- Policy GBK – Employee Safety and Violence Prevention

GUIDELINES

1. There are two main types of harassment.

The first type is harassment related to the prohibited grounds, which is defined as any inappropriate conduct, comment, display, action or gesture by a person that:

- is made on the basis of race, creed, religion, color, sex, sexual orientation, marital status, family status, disability, physical size or weight, age, nationality, ancestry or place of origin; and,
- constitutes a threat to the health or safety of the worker.

The second type relates to personal harassment, or what is sometimes referred to as "bullying". Personal harassment is defined as any inappropriate conduct that adversely affects a worker's psychological or physical well-being, and that the perpetrator knows or ought reasonably to know would cause a worker to be humiliated or intimidated.

Personal harassment typically involves repeated occurrences. A single incident may also constitute harassment, if it is serious or severe, and is shown to have a lasting harmful effect on a worker.

2. Reasonable supervisory practices shall not be construed to be personal harassment.
3. If an employee reasonably believes that s/he has been personally harassed, appropriate procedures are to be undertaken. For the purpose of these procedures, the person who feels harassed is the complainant and the alleged harasser is the respondent
4. Because allegations of personal harassment are of a sensitive nature and may have serious consequences on both the complainant and the respondent, it is strongly encouraged:
 - 4.1 That complainants, respondents, and supervisors keep an accurate record of all events, dates, and circumstances related to any alleged incident or review;
 - 4.2 That reviews be conducted so as to respect the confidentiality of all parties but recognizing the principles of fairness and natural justice;
 - 4.3 That summaries of decisions confirming complaints shall form part of the personnel file of the respondent;
 - 4.4 That in cases where harassment is found to have occurred, the supervisor may inform the complainant of the services of the Employee and Family Assistance Program;
 - 4.5 That the initiation of vexatious or malicious complaints is of itself a form of personal harassment and is subject to the provisions of this policy;
 - 4.6 That employees may, as an alternative, initiate grievance procedures as contained within collective agreements;
 - 4.7 That employees may, at any time throughout a harassment review or investigation, file a complaint with the Saskatchewan Human Rights Commission or Saskatchewan Labour, Occupational Health and Safety Branch; and
 - 4.8 That each school or workplace staff shall discuss a code of practice intended to establish common understandings as to acceptable standards of conduct so as to prevent or forestall incidents of personal harassment.
5. The Director of Education may designate from time to time persons to whom complaints may be directed

PROCEDURES

1. Complainants have three (3) recommended courses of action: personal contact, a verbal report, or a written report.
2. Because it is often best if allegations of personal harassment can be resolved closest to the source of the harassment, it is recommended that the complainant first approach the respondent to attempt to resolve the alleged harassment.
3. If the complainant believes personal contact would not satisfactorily resolve the situation, the complainant may report the incident verbally to her/his immediate supervisor or Superintendent of Education.

The immediate supervisor or Superintendent of Education shall review the complaint and report verbally her/his findings to the complainant and the respondent within two (2) weeks. Such a review shall include an interview with the respondent and may include other interviews as deemed appropriate.

4. Notwithstanding the preceding protocols, the complainant may submit a formal, written complaint to her/his immediate supervisor or Superintendent of Education. In the event the respondent is the immediate supervisor or Superintendent of Education, the written complaint shall be forwarded to the Director of Education or her/his designate.

Following receipt of the formal, written complaint, the immediate supervisor or Superintendent of Education shall investigate the complaint and provide a written response in an appropriate format to the Director of Education or her/his designate, with a copy within three (3) weeks to the complainant and to the respondent. Such a review shall include an interview with the respondent and may include other interviews and collection of evidence as deemed appropriate.

5. If the alleged harassment is determined to be true, the respondent will be subject to disciplinary procedures as determined by the Director of Education which may include any or a combination of a verbal reprimand, written reprimand, suspension, and/or dismissal.
6. The disciplinary procedures shall be communicated to the complainant who shall hold the same in confidence.
7. The complainant and respondent may appeal the disciplinary procedures to the Director of Education within two (2) weeks, such an appeal to be reviewed by the Director of Education and a report to be provided within thirty (30) days to the respondent and to the complainant.

REFERENCES

Statement of Educational Commitment of Greater Saskatoon Catholic Schools:

- To foster good human relationships
- To promote peace through equity, just laws, respect for Canada and global interdependence
- To support staff members as witnesses of their faith to students, each other, and the community
- To support staff members and their families in sadness and joy

FORMS

Written Reports

DATE APPROVED

June 19, 1996

DATE AMENDED

April 2004

December 2009