

Respectful Workplace Policy

VANCOUVER ISLAND
NORTH TEACHERS'
ASSOCIATION



Contact:
Box 5151 (6855 Market St.)
Port Hardy, BC
V0N2P0

250-949-8888 office
250-902-9500 cell
lp85@bctf.ca

Contents

Background	3
Purpose	3
Scope	4
Who.....	4
Where	4
Consequences of non-compliance.....	4
False or frivolous complaints	4
Retaliation	4
Appropriate workplace behaviours	5
Inappropriate workplace behaviour	5
Actions which are not included in this policy	7
Employee responsibilities	7
Leader responsibilities	7
VINTA responsibilities	7
Related resources	7
Acknowledgements	7
Respectful Workplace Procedures	8
Contents.....	8
Respectful Workplace Procedures	9
1. Preamble	9
2. Resources for informal resolution	9
3. Formal Review Process: Internal Process	11
4. Formal Review Process: External Process	13
Formal Review Form	14
Effects of Disrespectful Workplace on Health.....	15

Respectful Workplace POLICY

Background

- The Vancouver Island North Teachers' Association is committed to creating a workplace marked by respect, dignity, fairness and co-operation.
- All individuals within the workplace are to be treated with respect and to treat others with respect.
- Behaviour and/or situations that run contrary to such treatment will not be tolerated.
- VINTA recognizes that conflicts and misunderstandings will occur. We expect these issues to be resolved in a manner that contributes to a healthy and productive workplace.
- VINTA promises to respond quickly to complaints about inappropriate behaviour in the workplace, and to resolve issues speedily, openly, honestly and with appropriate consideration for privacy and confidentiality.

Purpose

This policy aims to foster and create a respectful workplace by:

- a) Promoting and maintaining a common understanding of the expectations and behaviours considered appropriate and inappropriate.
- b) Encouraging those behaviours which promote respect and mutual understanding.
- c) Providing the necessary support and resources to employees in conflict.

The application of this policy will help create a work environment where all are treated with respect and dignity.

Scope

Who

This policy applies to all individuals working for VINTA as follows:

VINTA staff and executive committee along with anyone with whom they have a business relationship, including contractors, consultants, members and suppliers.

Where

- The VINTA office located at Robert Scott School, 6855 Market Street, Port Hardy.
- Locations visited by employees while traveling on VINTA related business including conferences and meetings.
- Locations of work-based social gatherings.

Consequences of non-compliance

The employer (VINTA) will take appropriate action when non-compliance is identified and such behaviour will be subject to appropriate remedies and resolutions.

False or frivolous complaints

Complaints that are found to be false, frivolous or made in bad faith will not be tolerated and will be subject to appropriate remedies and resolutions.

Retaliation

Everyone has the right to report, in good faith, incidents of discrimination, harassment or inappropriate behaviour without fear of retaliation.

Retaliation by any person against anyone involved in informal or formal complaint processes will not be tolerated and will be subject to appropriate remedies and resolutions.

Appropriate workplace behaviours

A respectful workplace is an environment of mutual support and respect. Examples of some of the many characteristics of a respectful workplace include:

- Members of the workplace are polite, courteous and respectful of others.
- Individuals are acknowledged.
- Diversity is valued.
- All work is valued.
- Confidentiality is maintained.
- The health, safety and wellness of others is valued and protected.
- The ideas of others are heard in an open-minded manner.
- When others' ideas or work are reviewed, positive features are identified as well as areas needing improvement.
- Input is sought from individuals who will be affected by decisions.
- Decision-making procedures are transparent and fair.
- Disputes are resolved in a constructive manner.
- Sincere apologies are offered when conduct has caused offence.

Inappropriate workplace behaviour

Inappropriate behaviour is that which is objectionable and/or unwelcome to an individual. Such behaviour serves no valid work-related purpose and can create a poisoned work environment. There are three (3) categories of inappropriate behaviour addressed in the policy. They are:

- a. Bullying and Personal Harassment**
- b. Discriminatory Harassment**
- c. Sexual Harassment**

a. Bullying and Personal Harassment

Bullying and personal harassment is defined as behaviours that would be understood by a reasonable person to be contrary to the development and maintenance of a respectful relationship. These behaviours include but are not limited to incidents that are:

- Vexatious; (conduct, comments, actions or gestures which are humiliating, offensive, hurtful or belittling.)
- Repeated; (conduct, comments, actions, or gestures when taken in isolation seem minor but when repeated can lead to a conclusion of harassment.)
- A single incident of sufficient seriousness to have a significant impact on the recipient or the work environment.
- Hostile or unwanted.
- Affecting the individual's dignity, wellbeing, or physical integrity.
- Resulting in a harmful or poisoned work environment.

Examples of bullying and personal harassment include, but are not limited to:

- Written or verbal comments, actions, gestures or other behaviours or 'jokes' which are humiliating, offensive, hurtful or belittling.
- Intimidation.
- Abusing authority.
- Yelling or shouting (except where intended to alert another to danger).
- Excluding an employee from relevant work activities or decision making.
- Decision-making which is influenced by factors which have no work-related purpose.

- Attempting to discredit an employee by spreading false information about her/him.

b. Discriminatory Harassment

Discriminatory harassing behaviours include comments or actions which are unwelcome, that are based on a prohibited ground of discrimination as outlined by the BC Human Rights Code (age, ancestry, colour, family status, marital status, mental or physical disability, place of origin, political belief, race, religion, sex, sexual orientation, criminal conviction) and result in a negative or poisoned work environment.

Examples include:

- Any previously described inappropriate behaviour or actions that are based on a prohibited ground.
- Discriminatory practices, policies, or systems including:
 - denial of equitable treatment in hiring or in the terms, conditions, or benefits of employment.
 - failing to accommodate an individual(s) protected under BC's Human Rights Code.

c. Sexual Harassment

Sexual harassment includes comments or conduct such as:

- Unwelcome advances, requests, comments, physical contact (unnecessary touching, pinching or jostling) or gestures (suggestive or persistent staring) that are of a sexual nature.
- Implied or expressed threats of reprisal for refusal to comply with a request of a sexual nature or implied or expressed promises of reward for agreeing to comply with a request of a sexual nature.
- Unwelcome remarks, jokes, taunts, suggestions or speculations about a person's body, attire, sex life, etc.
- Displays of pornographic or other sexual materials in the form of pictures, electronic mail, graffiti, cartoons or sayings.

Actions which are not included in this policy

Nothing in this policy restricts the legitimate exercise of supervisory or managerial responsibilities, including giving advice, assigning work, performance appraisal, performance or behaviour correction and discipline for cause; or respectful discussion of different points of view; or the freedom of individuals to choose with whom they socialize in activities not related to the workplace.

Employee responsibilities

Every employee has the right to be treated in a fair, reasonable and respectful manner. For this to be a normal part of our environment, we must find strategies which prevent our differences from escalating and resolve them quickly when they do occur.

As an employee of VINTA, you are responsible for creating a respectful workplace environment by:

- Ensuring your behaviour is respectful and appropriate at all times.
- Accepting responsibility for your own actions, reactions, and behaviours and your impact on others.
- Making your concerns known promptly if something is troubling you.

- Being a part of the solution.
- Immediately informing the President if there is an imminent threat or risk of violence that could compromise an individual's safety.

Leader responsibilities

As a leader (executive staff, president, union representatives and executive committee members) at VINTA you have additional responsibilities to create and sustain a respectful workplace environment. They include:

- Being a role model for respectful behaviour.
- Ensuring awareness of and compliance with the Respectful Workplace Policy in your area of responsibility.
- Taking appropriate action in a prompt, impartial and confidential manner when Respectful Workplace Policy issues come to your attention.
- Supporting all parties involved in resolving issues under the Respectful Workplace Policy, Making sure no person suffers reprisal as a result of making a complaint, or for providing information.

VINTA responsibilities

The Vancouver Island North Teachers' Association is charged with the following responsibilities:

- To ensure that all individuals governed by this policy are aware of it and understand it.
- To provide ongoing training for all staff on strategies for creating and maintaining a respectful workplace.
- To support leaders with specific training that addresses their particular responsibilities.

Related resources

BCTF Workplace Policies
WCB

Acknowledgements

In preparing this policy and its accompanying procedures, VINTA referenced many policies from other organizations including The BCTF Respectful Workplace Policy and the Surrey Teachers' Association's Policy and Procedures manual - Respectful Workplace.

Respectful Workplace Procedures

Contents

(1) Preamble

(2) Resources for Informal Resolution

a. Internal Resources

b. External Resources

i. How to Contact an Advisor

ii. The Role of the Initiator

iii. The Role of the Advisor

iv. Informal Resolution Process

(3) Formal Review Process: Internal Process

a. Complaint

b. Investigation

c. Decision

d. Remedies and Resolution

e. Process

f. Appeals

g. Record of the Complaint

(4) Formal Review Process: External Process

Respectful Workplace Procedures

1. Preamble

If you are concerned about a problem at work or feel you are being disrespected or targeted by unacceptable behaviour, consider the following suggestions:

- Act - don't ignore it. If you are concerned, don't wait until the next time or assume the problem will go away by itself.
- Speak directly with someone if their actions or comments have made you uncomfortable and let them know how you are feeling.
- Tell the person to stop if their behaviour is unacceptable. Ask someone else to be present if you need support.
- Keep a record of important incidents, depending on the severity. Record all relevant facts: what happened, when, where, how you responded, witnesses, and the impact on you.
- Access one of the resources listed below for assistance or guidance

2. Resources for informal resolution

a) Internal Resources

- i. VINTA Executive Member
- ii. Union Staff Representative

The above resource people can inform you of your rights and options. The Health & Safety Committee Chair, in consultation with the VINTA President (unless the allegation is involving the President,) will decide whether external resources are required.

b) External Resources

- i. BCTF Mediation Services or
(on the advice of the VINTA President)
- ii. An outside provider

VINTA can engage an outside provider to provide external confidential advice regarding conflict, disrespect, or harassment in the workplace. This confidential service is available to all individuals working for the Vancouver Island North Teachers' Association governed by this policy as a resource for unresolved workplace conflicts or harassment concerns.

An outside provider will provide numerical records of confidential inquiries and complaints to the VINTA President. These records will include the following information only: number of complaints, type of harassment (discrimination, sexual, or personal), the nature of the process or resolution (support only, informal resolution process or formal review process), and whether the case is closed or ongoing. The anonymity of the individuals involved will be assured as the data will be in aggregate form only, to be used solely for statistical purposes.

i. How to Contact an Advisor

Individuals concerned about a VINTA workplace problem or conflict are encouraged to speak with the VINTA Health & Safety Committee Chair.

If an external resource is required, the VINTA Health & Safety Committee Chair will consult with the President and decide on the advisor. If the Health & Safety Chair is involved with the complaint, the individual will advise the President and the President

will take this role. If the President is involved with the complaint, the Health and Safety Chair will consult with the VINTA Vice-President.

Directions for Health & Safety Committee Chair or President:

a. When advising the initiator to call an outside provider

- Arrange an outside provider.
- Provide the contact number
- The initiator shall self-identify as a VINTA employee.
- The initiator may choose to be accompanied by a support person at any point in the process.

b. When advising the member to contact the BCTF mediation committee, the chairperson of the BCTF mediation committee will be given the information by the VINTA Health & Safety Chair or President and the BCTF will make the contact with the initiator.

ii. The Role of the Initiator

The initiator always maintains complete control over the process; the advisor will not take control of the resolution process. The initiator may choose to access the advisor simply as a confidential sounding board or as a resource for skill building. The initiator may request that the advisor explore a joint resolution process or the initiator may decide to take no further action. In all cases it is the initiator who is in control.

iii. The Role of the Advisor

Advisors treat all inquiries with strict confidence. The role of the advisor is to facilitate the resolution process. Advisors are trained to assist individuals in developing skills and approaches for resolving many situations on their own. The extent of the advisor's involvement is determined by the initiator and may include:

- Consultation only.
- Support and guidance in preparing for difficult conversations.
- Development of new skills or approaches to resolving the problem.
- Identification and elimination of self-defeating behaviour patterns.
- Assessment of the problem and clarification of the issues.
- Exploration of options for resolution.
- Facilitation of joint problem-solving meeting.

iv. Informal Resolution Process

If the initiator requests to enter into an informal resolution, the advisor would request a confidential meeting with the responder to gain an understanding of their perspective and to help them assess potential avenues for resolution. Misunderstandings often become apparent during this discussion and can then be addressed with both parties. Sometimes the advisor may suggest meeting together with both parties to help talk things through. All advisors are trained and experienced in conflict resolution and mediation. The responder may choose to be accompanied by a support person at any point in the process. Prior to any joint meeting, the advisor would meet with each party separately to help prepare for the meeting.

The advisor's role is not to advocate a position or impose a decision; it is to help the initiator and responder come to an agreement. Prior to a joint meeting, the advisor

would meet with the parties separately to explore their perspectives, needs and concerns. If the parties prefer, the advisor could meet privately with each party and communicate between them without bringing them together. Each situation is different and a range of options is available. If the resolution is achieved through the Informal Resolution Process, any written record of the agreement is given only to the initiator and the responder. Numerical records, based on aggregate data only will be kept for statistical purposes.

3. Formal Review Process: Internal Process

i. Complaint

(1) If the Informal Resolution Process is not successful or appropriate, the Initiator may request a Formal Review. The Formal Review process involves an investigator (investigator would be from BCTF mediation committee,) or a person who has no prior knowledge of the complaint. The investigation shall be conducted by a person who shall have training and/or experience in investigating complaints of harassment. The initiator may request that the investigator shall be of the same gender as the initiator and where practicable the request will not be denied.

(2) When requesting a Formal Review, (see Formal Review Form, page 18) the individual must also submit to the VINTA President a signed and dated written complaint (a copy of which will be provided to the respondent) which provides:

- The names of the Initiator and the Responder; and
- details of the incident(s) that led to the complaint, including dates, places, names of individuals involved or witnesses to the incident(s), and any other relevant information.

(3) The initiator may choose to consult with an advisor when forming the written statement.

(4) If the complaint is against the VINTA President the entire process would be referred to an outside provider.

(5) Requesting a Formal Review does not preclude the filing of a complaint with the BC Human Rights Tribunal or pursuing other available avenues.

ii. Investigation

(1) Immediately upon receiving the request for a Formal Review the VINTA President will:

- Confirm receipt of the complaint with the Initiator in writing.
- Notify the Responder in writing that a Formal Review will commence, with an attached copy of the Initiator's written request for a Formal Review.
- Provide the Responder with a copy of these policies and procedures and inform them of the availability of an advisor.
- Advise the Initiator of this notification.

(2) The investigation shall be conducted as soon as is reasonably possible and shall be completed within ten (10) working days unless otherwise agreed to by the parties; such agreement is not to be unreasonably withheld.

(3) At any time during the investigation, or upon completion of the investigation, either the initiator or responder may request the commencement or re-commencement of the Informal Resolution Process. If both parties agree to engage in the Informal Resolution Process, the investigation will be placed on hold until the Informal Resolution Process is completed or terminated.

(4) In the course of the investigation, the Investigator will explore the allegations by interviewing the Initiator and Responder, and any witnesses the Investigator believes to be relevant to the investigation.

(5) The parties will be advised of their respective right to representation. Initiators and Respondents may bring a support person to any and all related meetings or interviews.

iii. Decision

(1) Upon completion of the investigation, the Investigator will send a report listing findings and recommendations to the VINTA President, the Initiator and Responder.

(2) The investigation shall determine if the allegation of harassing behaviour as defined by the VINTA Respectful Workplace Policy has occurred.

(3) Regardless of whether or not the investigation determines that harassing behaviours have occurred the investigator may choose to include recommendations.

iv. Remedies and Resolutions

(1) Remedies and resolutions will vary depending upon the circumstances and the persons involved.

(2) All remedies and resolutions, however, stemming from an investigation, will have as their goal the reinforcement of the workplace as a respectful workplace zone where all are treated with respect, dignity and fairness.

v. Process

(1) The VINTA President and the Health & Safety Committee Chair will review the Investigator's Report. Where it is found that harassment has occurred, VINTA will initiate appropriate remedies and resolutions. Remedies and resolutions are intended to change behaviour and eliminate harassment and could include, without being limited to, the following:

- Clear communication of employer expectations regarding respectful behaviour in the workplace.
- Individual or group training.
- Supportive counselling.
- Access to mediated services.

- Reinstatement of sick time taken as a result of the harassment.
- Disciplinary action:
 - request for resignation from a position/committee.
 - individual or group training (e.g. Boundaries, Code of Ethics, Rules of Order, etc.)

(2) VINTA's decision will be forwarded to both the Initiator and the Responder within seven calendar days of receipt of the Investigator's final report.

(3) The VINTA Health & Safety Chair will be available to assist the initiator, responder, and any other employees affected by either the investigation process or the implementation of corrective action.

vi. Appeals Procedure

(1) Any remedies and resolutions taken by the employer for an act or acts of harassment may form the basis of an appeal to the VINTA President; a grievance.

(2) In the event that the corrective action is imposed against the VINTA President the appeal may be made to the BCTF Mediation services or an outside provider.

vii. Record of the Complaint

(1) If a formal review has occurred, a copy of the Investigator's Report and the employer's decision will be kept by the VINTA President.

(2) Where a responder has been found to have harassed and been disciplined, their personnel file will indicate the nature of the harassment and discipline imposed.

4. Formal Review Process: External Process

Nothing in this policy prevents individuals from seeking assistance by:

- a. pursuing Collective Agreement language:
 - i. Article E.2 of the VINTA/Board Collective Agreement
- b. Filing a Human Rights Complaint.

Formal Review Form

Name: (complainant): _____

Job Title: _____

Telephone: _____

Name (Respondent): _____

Personal Statement:
Please describe the nature of your complaint and provide as much detail as possible.

Signature: _____ Date: _____



To be completed by the VINTA Health & Safety Committee Chair

Date received: _____

Date referred to investigators (if applicable): _____

Date resolved: _____

What are the effects of Disrespectful Workplace on my health?

Disrespectful conduct in the workplace causes injury to health and makes you ill.

How many of these symptoms do you have?

- Constant high levels of stress and anxiety
- Frequent illness such as viral infections, especially flu and glandular fever, colds, coughs, chest, ear, nose and throat infections (stress plays havoc with your immune system)
- Aches and pains in the joints and muscles with no obvious cause; chronic back pain with no obvious cause that won't respond to treatment
- Headaches and migraines
- Tiredness, exhaustion, constant fatigue
- Sleeplessness, nightmares, waking early, waking up more tired than when you went to bed
- Flashbacks and replays, obsessiveness, can't get the bullying out of your mind
- Irritable bowel syndrome
- Skin problems such as eczema, psoriasis, athlete's foot, ulcers, shingles, rashes
- Poor concentration, inability to concentrate on anything for long
- Bad or intermittently functioning memory, forgetfulness, especially with trivial day-to-day things
- Sweating, trembling, shaking, palpitations, panic attacks
- Tearfulness, bursting into tears regularly and over trivial things
- Uncharacteristic irritability and angry outbursts
- Hyper-vigilance (feels like but is not paranoia), being constantly on edge
- Hypersensitivity, fragility, isolation, withdrawal
- Reactive depression, a feeling of sorrow, lethargy, hopelessness, anger, futility and more
- Shattered self-confidence, low self-worth, low self-esteem, loss of self-love, etc.

Contact the BCTF Health and Wellness Program for support.

EFAP Human Solutions.