

POLICY:	Harassment and Abuse Prevention
EFFECTIVE DATE:	April 19, 2021
DATE LAST REVIEWED:	November 5, 2018
HISTORY OF REVISIONS:	April 19, 2021; November 5, 2018
SUPERSEDES:	All previous policies and statements
APPROVED BY:	Brandon Literacy Council Inc. Board of Directors
RELATED DOCUMENTS:	<ul style="list-style-type: none"> ▪ Feedback and Complaints Policy ▪ Incident Reporting Policy ▪ Progressive Discipline Policy ▪ Harassment and Abuse Prevention Policy ▪ Harassment and Abuse Prevention Code of Conduct

PURPOSE:

The purpose of this policy is to establish appropriate processes and procedures that will help Brandon Literacy Council Inc. foster a respectful workplace and positive work environment by preventing harassment and abuse and providing fair handling of, and prompt resolution to, harassment or abuse allegations and incidents.

Important! BLC will **not tolerate** either direct or indirect **discrimination** against any person on grounds of ancestry, colour, perceived race, nationality, ethnic background, religion, age, sex – including pregnancy, gender identity, sexual orientation, marital or family status, source of income, political belief, physical or mental disability or social disadvantage.

SCOPE:

This policy is inclusive of, but not limited to, all Brandon Literacy Council Inc. (BLC) stakeholders such as its employees, contract workers, volunteers, board members, learners, donors, funders, community partners, the Brandon and area community in general and other groups or organizations that have an interest in BLC.

POLICY STATEMENT:

BLC believes that its learning and working environment should, at all times, support the dignity and respect of all persons. Harassment and abuse in and connected to BLC is unacceptable and will not be tolerated. The Executive Director will investigate promptly any harassment or abuse complaint brought to BLC’s attention and then take appropriate action to resolve that complaint.

DEFINITIONS:

- Abuse:** Physically, sexually, or mentally injuring a person – especially regularly or repeatedly.
- Complaint:** A statement that something is unsatisfactory or unacceptable.
- Harassment:** *“Improper conduct by an individual, that is directed at and offensive to another individual in the workplace, including at any event or any location related to work, and that the individual knew or ought reasonably to have known would cause offence or harm. It comprises objectionable act(s), comment(s) or display(s) that demean, belittle, or cause personal humiliation or embarrassment, and any act of intimidation or threat. It also includes harassment within the meaning of the Canadian Human Rights Act (i.e. based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability and pardoned conviction).*

More specifically, harassment is normally a series of incidents but can be one severe incident which has a lasting impact on the individual. The definition of harassment herein means that more than one act or event is needed in order to constitute harassment and that taken individually, this act or event need not constitute harassment. It is the repetition that generates the harassment.

In other words, harassment consists of repeated and persistent behaviours toward an individual to torment, undermine, frustrate or provoke a reaction from that person. It is a behaviour that, with persistence, pressures, frightens, intimidates or incapacitates another person. Each behaviour, viewed individually, may seem inoffensive; it is the synergy and repetitive characteristic of the behaviours that produce harmful effects.

However, one single incident can constitute harassment when it is demonstrated that it is severe and has a significant and lasting impact on the complainant.”

Policy on Harassment Prevention and Resolution,

Government of Canada *Policy on Harassment Prevention and Resolution*

- Incident:** An instance of something happening; an event or occurrence; a violent event, such as a fracas or assault.
- Positive Work Environment:** The shared, physical, virtual and social surroundings where work and rest activities are free from unnecessary and offensive remarks, materials and behaviour. The work environment is inclusive of, but not limited to, any location in which employees and volunteers engage in business activities necessary to perform their assignments. Protection against acts of harassment and violence extend to incidents occurring at, or away from, the workplace, during or outside normal working hours, provided such acts committed are related to the course of employment.

Sexual Harassment: Unwanted conduct of a sexual nature or other conduct based on sex, affecting the dignity of a person at work. This can include unwelcome physical, verbal or non-verbal conduct.

Violence: The attempted or actual exercise of physical force against a person and any threatening statement or behavior that gives a person reasonable cause to believe that physical force will be used against the person.

RESPONSIBILITIES:

BLC Stakeholder Responsibilities:

- Maintain a positive work environment free of harassment and abuse.
- Must treat each other with respect.
- Must work together, in a professional manner to resolve issues in a non-violent manner. Employees and volunteers are to bring issues to the Executive Director if they cannot be mutually resolved.
- Must identify and discourage comments or activities that are contrary to this policy and advise those who behave inappropriately that their behaviour is unwelcome.
- Must report all incidents, threats, and attempted or actual violence to the Executive Director.
- May report the incident to the Board of Directors if it involves the Executive Director, or, if the Executive Director does not intervene appropriately.
- Must cooperate in the harassment or abuse complaint investigation. BLC requires anyone who investigates or gives evidence in a complaint investigation to keep the details confidential until the investigation is complete.
- Employees have the right to file a complaint with the Manitoba Human Rights Commission and exercise their legal rights.

BLC Executive Director and Board of Directors Responsibilities:

- Must ensure, as much as possible, that no employee or volunteer is harassed or subjected to violence in the workplace.
- Will document and keep records of all BLC stakeholder complaints, incidents and allegations of harassment.
- Will take corrective action with anyone under their direction who harasses or subjects another person to violence.
- Will maintain the confidentiality of the complainant or an alleged harasser or the circumstances of the complaint to anyone except where disclosure is:
 - a. necessary to investigate the complaint
 - b. required to take corrective action
 - c. required by law

- Must do everything in their power to stop any harassment and abuse incident it may become aware of, whether a complaint is made or not.
- Commit to making sure all its employees and volunteers learn about the Harassment and Abuse Prevention Policy.
- Will monitor this policy and adjust it whenever necessary. If you have any concerns with this policy, please bring them to the attention of the Executive Director.

Note 1: The legitimate and proper exercise of BLC's management's authority or responsibility does not constitute harassment or abuse. Reasonable action(s) by the Executive Director or Board of Directors to help manage, guide or direct employees and volunteers is not harassment. Appropriate employee performance reviews, counselling or discipline by the Executive Director or Board of Directors is not harassment.

Note 2: Sexual and physical assaults are defined by the Criminal Code and will be dealt with according to that legislation. If an assault occurs, immediate assistance and notification to the police must be made.

PROCEDURES:

1. Harassment and Abuse Reporting

- a. The Executive Director receives and identifies all allegations of harassment and abuse. Stakeholders may communicate their allegations in the following ways:
 - i. Verbally or in writing using the Feedback Form and per BLC's Stakeholder Feedback and Complaints Policy.
 - ii. In writing via Incident Reports, per BLC's Incident Reporting Policy.
- b. BLC will consider an incident to be either harassment or abuse when a specific individual stakeholder is recurrently identified as the subject of Feedback Forms or Incident Reports provided by any stakeholder, including:
 - i. Multiple Feedback Forms or Incident Reports submitted by the same stakeholder.
 - ii. Multiple Feedback Forms or Incident Reports submitted by different stakeholders.
 - iii. Multiple Feedback Forms or Incident Reports by stakeholder(s) for all instances that contribute to undermining a positive work environment.
- c. BLC will identify an allegation of harassment or abuse as an incident according to BLC's Incident Reporting Policy.
 - i. The incident report for an allegation of harassment or abuse must include reference to other complaints or incidents that have been previously reported.
 - ii. The individual who reports harassment or abuse shall hereafter be known as the 'Complainant'. The person against whom the Complainant alleges a harassment incident will hereafter be referred to as the 'Alleged'.

- iii. The Executive Director may also file an incident report for an allegation of harassment or abuse. In this case, the Executive Director will be the Complainant on BLC's behalf.
- d. The Executive Director will report any incident that indicates criminal activity to local authorities for action by appropriate law enforcement entities.

2. Harassment and Abuse Incident Resolution

- a. BLC will handle all reported harassment and abuse incidents according to its Incident Reporting Policy.
- b. During the harassment or abuse allegation's resolution period, the Alleged will be suspended, with pay, from all work activities involving either the Complainant or BLC until BLC can resolve that the allegation is resolved. In addition, BLC will immediately perform the following responses:
 - i. It will suspend all the Alleged's BLC-provided communication devices and accounts (email, reporting records, etc.)
 - ii. It will seize all the Alleged's BLC-provided properties (laptops, computers, keys, etc.).
 - iii. It will change all security functions (passwords, locks, etc.) to which the Alleged might have access.
- c. BLC will undertake any disciplinary measure (as part of its resolution process) per its Progressive Discipline Policy.
- d. BLC will support its harassment and abuse incident resolutions with specific reference to its standing policies and procedures, and together with all legal requirements.

3. Retaliation

- a. Anyone who retaliates in any way against a person who has reported an incident, given evidence in an incident investigation, or who been found guilty of an incident, will themselves be considered to have committed harassment and will be subject to corrective action, as described previously.
- b. Any interference with the conduct of an investigation, or retaliation against a complainant or witness, may itself result in further disciplinary action.

QUESTIONS:

Direct any questions about this policy to the Executive Director.

REFERENCES:

Government of Canada, Policy on Harassment Prevention and Resolution (Archived)

<https://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=26041>

Manitoba Human Rights:

<http://www.manitobahumanrights.ca/yourhumanrights.html>

Workplace Safety & Health - Guideline for Preventing Harassment and Violence in the Workplace:

<https://digitalcollection.gov.mb.ca/awweb/pdfopener?smd=1&did=18258&md=1>

POLICY REVIEW:

The BLC Board will review the Harassment and Abuse Prevention Policy at least every three years to ensure that it remains relevant and appropriate. The Executive Director both implements and monitors this policy for its effectiveness.

BOARD CHAIR'S CERTIFICATE:

I, the undersigned, the duly appointed Board Chair of Brandon Literacy Council Inc., hereby certify the adoption of this policy.

Robert D. Harrison

Board Chair

Date

BRANDON LITERACY COUNCIL INC.

Harassment and Abuse Prevention Policy Acknowledgement Form

All Brandon Literacy Council Inc. (BLC) employees and stakeholders agree to treat one another with dignity and respect.

BLC's intends to ensure a climate of understanding, cooperation and mutual respect within its work and learning environment. To be successful in this objective, all employees and volunteers must take responsibility to neither condone nor tolerate any behaviour that constitutes harassment or abuse.

I acknowledge that I have read the Harassment and Abuse Prevention Policy and agree to abide by the rules within.

BLC Employee or Volunteer Name

BLC Employee or Volunteer Signature

Date

Executive Director Signature