

## BULLYING AND HARASSMENT POLICY

### PURPOSE

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The Kerrisdale Community Centre Society (KCCS) is committed to providing an environment in which all individuals are treated with mutual respect and dignity.

The KCCS also recognizes that employees and others associated with Centre operations have the right to work in an environment that is free from bullying and harassment as required under the WorkSafeBC regulation.

This policy sets out guidelines for the reporting, investigating and resolving of complaints of bullying and harassment in an effort to ensure a respectful workplace for everyone as well as broader compliance with the Society's Vision, Mission, and Values.

### SCOPE

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This policy applies to all KCCS directors, employees, contractors, volunteers, and others associated with Society activities at the Centre (Centre workers). This policy does not apply to Park Board staff who must comply with City of Vancouver policies in regard to bullying and harassment. Please refer to City of Vancouver Human Rights and Harassment Policy, AE 002 05, and Respectful Workplace Policy, AE 002 06.

This policy applies to the workplace itself, and to work-related events. It includes harassment involving Centre workers that happens away from the workplace or after regular working hours, where the harassment has a negative impact on the workplace. It is expected that no Centre worker shall bully or harass others nor be the target of bullying or harassment by others, whether another Centre worker, Park Board employee or member of the public.

Bullying and harassment of Centre workers by members of the public, outside contractors, advisory body members, and those doing business with the KCCS is also prohibited. Situations involving members of the public will be addressed under the guidance of this policy and the City of Vancouver Respectful Workplace policy.

### DEFINITIONS

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WorkSafeBC has defined Bullying and harassment as follows:

- a) **"Includes** 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
- b) **Excludes** any reasonable action taken by an employer, or supervisor relating to the management and direction of workers or the place of employment."

(\*a 'person' includes a workplace party such as an employer, supervisor, or co-worker, or a non-workplace party such as a member of the public, a client or anyone a worker comes into contact with at the workplace).

See WorkSafeBC Policy on bullying and harassment. Issues are regulated under the WorkSafeBC General Duty Clause. See also regulation on Workplace Conduct (Section 4.24-4.26) and Violence in the Workplace (Section 4.27-4.31).

Bullying and harassment can, depending on the seriousness of the behaviour, consist of a single incident or a number of incidents. It can be directed at one person or it can involve a number of individuals.

Behaviour does not need to be intentional in order to be considered bullying or harassment, although intention may be relevant in assessing the severity of the behaviour. Some examples of bullying and harassment include, but are not limited to:

- Unwelcome, offensive remarks, jokes, slurs, or innuendo.
- Unwelcome, offensive behaviour related to gender identity, gender expression or perceptions of sexual orientation or gender;
- Displaying or distributing derogatory or offensive pictures, graffiti or other materials;
- Refusing to interact or communicate with persons because of race, sexual orientation, gender, beliefs or family status.
- Unwelcome, offensive communications sent by any means, including e-mail or other electronic transmission;
- Unwelcome, offensive behaviour that creates an intimidating, hostile, offensive or poisoned workplace environment;
- Unwelcome, offensive comments that are sexual in nature;
- Unwelcome, physical contact, such as touching, patting or pinching.

Harassment under this policy does not include conduct that a reasonable person would find welcome or neutral. This policy is not intended to curtail welcome, appropriate workplace interaction. Some examples of conduct that are not harassment include, but are not limited to:

- Welcome, mutually consensual relationships or social invitations that do not involve inappropriate or offensive behaviours, intimidation, explicit or implicit threat of retaliation, or misuse of power;
- The exercise of the KCCS's right to direct the workforce, including supervising, managing and giving appropriate and legitimate performance feedback, coaching, and discipline.

## **POLICY STATEMENTS**

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### **1. General**

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Centre workers shall not be subjected to, and shall not subject another individual to bullying and harassment as it is defined in the policy.

### **2. Roles and Responsibilities**

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#### **2.1 The Kerrisdale Community Centre Society (KCCS)**

The KCCS has the primary responsibility to establish and maintain an environment free of harassment as defined in this policy. Authority for action falls under the responsibility of the Society's Executive Committee (Personnel Committee).

## **2.2 Role of Directors**

Directors have an essential role in preventing and resolving bullying and harassment issues. Their primary responsibilities with respect to bullying and harassment are to:

- ensure Centre workers are provided with information about and access to policies and procedures related to bullying and harassment;
- model appropriate behaviour;
- monitor the workplace for incidents of bullying and harassment; and
- intervene promptly and appropriately when they know, or ought reasonably to know, that bullying or harassment is occurring.

## **2.3 Centre Workers**

All Centre workers have a responsibility to refrain from bullying and harassment as defined in this Policy.

# **3. Harassment Complaint Procedures**

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## **3.1 General**

The KCCS procedures for addressing harassment complaints are designed to be flexible, timely and accessible. The KCCS provides both an informal and formal process to resolve bullying and harassment complaints.

An individual who believes he or she is being bullied or harassed (the "complainant") may consult any member of the Society's Executive Committee, who can assess, in confidential consultation with at least two other Executive Committee members, whether the complaint falls under this policy and to consider possible courses of action.

Concerns about bullying and harassment should be raised as soon as reasonably possible. The time limit for filing a complaint under this policy is 6 (six) months from the time of the last alleged incident of bullying or harassment. Exceptions may be made in extenuating circumstances.

Options available to address a complaint may include the following:

- the complainant discussing her or his concerns directly with those involved;
- having an appropriate party assist the complainant in discussing concerns with those involved. An appropriate party could include a board director or human resource consultant.
- Initiating an "informal" or "formal" resolution process through WorkSafeBC.

## **3.2 Informal Complaint Resolution**

The KCCS strives to provide a wide range of options to resolve complaints. Informal complaint resolution may include, but is not limited to: mediation, behavioural guidelines or agreements, apologies or other measures agreed to between the parties with the approval of at least three Executive Committee members.

### **3.3 Other Remedies**

None of the procedures described in this policy prevent a person from pursuing other remedies, such as filing a claim with WorkSafeBC.

The procedures outlined under this Policy may be suspended at the discretion of the Society President until any other remedial processes have been concluded.

### **3.4 False or Malicious Complaints**

If a complaint is found to be false or brought for malicious purposes, the Executive Committee may take disciplinary measures against the complainant, up to and including termination of employment or services. However, a complaint that is found to be unsubstantiated or based on a mistake may not be considered false or malicious.

## **4. Retaliation**

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### **4.1 General**

Retaliation also constitutes a form of harassment under this policy, and may form the basis of a separate complaint.

### **4.2 Forms of Retaliation**

Any form of retaliation or discrimination against a Centre worker because that person initiated a complaint of bullying or harassment, or because that person acted as a witness or otherwise participated in an investigation, may be considered a violation of this policy. Such action may result in discipline up to and including termination of employment.

### **4.3 Reporting Retaliation**

If a Centre worker believes that he or she has been subjected to retaliation as set out above, that person may report it as outlined under Section 3 of this policy.

## **5. Confidentiality and Document Retention**

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Information collected and retained by the Society Executive Committee during the course of an informal or formal bullying or harassment resolution process is treated as confidential. During the resolution process, the Society Executive Committee shall limit disclosure of complaint-related information to that which is necessary to resolve the complaint.

## **6. Related Documents**

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The Kerrisdale community Centre Society Statement on Vision, Mission, and Values  
City of Vancouver Human Rights and Harassment Policy, AE 002 05  
City of Vancouver Respectful Workplace Policy, AE 002 06  
WorkSafeBC regulation on Workplace Conduct (Section 4.24-4.26)  
WorkSafeBC regulation on Violence in the Workplace (Section 4.27-4.31).  
BC Societies Act, Division 2, Clause 50, Removal of Directors