

1.0 General

- 1.1 A fair, collaborative, inclusive and respectful workplace is a critical prerequisite to the Board of Education's commitment to delivering high quality public education and cultivating a reputation of excellence.
- 1.2 The Board is committed to creating and maintaining a respectful learning and working environment free from harassment and bullying where people respect one another regardless of their roles or levels of responsibilities and are treated and treat each other respectfully and professionally in their interactions.
- 1.3 Adherence to the BC Human Rights Code is essential, with procedures and culture in place that ensure a workplace free from discrimination on the basis of race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age of that person or class of persons.

2.0 Roles and Responsibility

- 2.1 The Board of Education:
 - 2.1.1 supports an environment respectful of human rights and free from discrimination, bullying and harassment;
 - 2.1.2 understands and communicates with members of the community about the *Respectful Workplace* policy;
 - 2.1.3 ensures that the policy is reviewed annually and updated as required.
- 2.2 The Superintendent and Senior Management:
 - 2.2.2 implement the *Respectful Workplace* Policy and ensure that the provisions of this policy are communicated to all stakeholders such that:
 - 2.2.2.1 A consistent understanding and expectation is developed regarding respectful and appropriate behaviour in dealing with others, including the ability to speak or act without offending.
 - 2.2.2.2 If discrimination bullying or harassment occurs, the process to resolve it is understood and utilized to resolve the problem in a timely and effective manner.
 - 2.2.3 ensure appropriate training is provided to all employees on the *Respectful Workplace Policy* and Procedure;
 - 2.2.4 participate in investigations and the administration of corrective disciplinary action as appropriate;
 - 2.2.5 reviewing annually and recommending updates to the policy as required.

2.3 Principals and Managers:

- 2.3.1 communicate and review this policy and related procedure with the staff they supervise or manage;
 - 2.3.2 formulate, communicate and enforce work requirements and behavioral expectations;
 - 2.3.3 conduct or arrange for investigations into complaints under the *Respectful Workplace* policy;
 - 2.3.4 mediate or arrange for mediation for resolution of complaints as appropriate;
 - 2.3.5 administer corrective disciplinary action.
- 2.4 Human Resources:
- 2.4.1 Providing consultative services to Superintendents, Principals and Managers in managing Respectful Workplace complaints.
 - 2.4.2 Determining if the complaint is best handled under this policy, or if it is a matter better dealt with through other Board or Collective Agreement processes such as, but not limited to, performance management, professional misconduct and progressive discipline or harassment complaints under the teacher collective agreement.
 - 2.4.3 Conducting investigations, or assisting in the investigation of complaints.
 - 2.4.4 Providing or arranging for training in Respectful Workplace Procedures
- 2.5 All Employees:
- 2.5.1 Being aware of, and sensitive to issues of discrimination, bullying and harassment, and taking proactive steps to encourage respectful, courteous behaviour with staff and students.
 - 2.5.2 Demonstrating professional and positive behaviour consistent with individuals who are responsible for the safety, learning and well-being of staff and students.
 - 2.5.3 Conducting themselves in a professional manner that meets the accepted standards of practice and the spirit and intent of this policy, including in the use of electronic communication.
 - 2.5.4 Accessing the complaint procedure if they observe or experience discrimination, bullying or harassment in the working or learning environment.
 - 2.5.5 Co-operating in the investigating of complaints, and working to achieve resolution at the earliest possible stage.
- 3.0 Definitions
- 3.1 Bullying and Harassment is defined as per the WorkSafeBC Occupational Health and Safety Regulation:
 - 3.1.1 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 offended or intimidated.
 - 3.1.2 Excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment.
 - 3.2 Discrimination is defined as per the BC Human Rights Code includes conduct described in sections 7, 8 (1) (a), 9 (a) or (b), 10 (1) (a), 11, 13, (1) (a) or (2), 14 (a) or (b), or 43 of [the BC Human Rights Code](#).

- 3.3 Mediation – involves an unbiased third party acting as facilitator in direct communication between the parties who voluntarily agree to this process. It is an opportunity to resolve disputes in a mutually respectful manner at the Early/Site based resolution phase of a complaint.
- 3.4 Confidentiality – information about a complaint will be shared only with those who need to know in order to facilitate the investigation process. The respondent(s) will be provided with a copy of the complaint and both parties will be provided with a copy of the findings at the end of the investigation. All participants in the investigation process are to keep the information in the process confidential and not disclose it to anyone other than their union representatives.
- 3.5 Standard of Proof – the standard of proof to be applied as to whether the reported event(s) occurred is the balance of probabilities. This means that on the evidence provided, the occurrence of the event was more likely than not. The standard used to determine what is reasonable in the policy is the *Black's Law Dictionary, Ninth Edition* definition of a reasonable person which is as follows:

"...a person who exercises the degree of attention, knowledge, intelligence, and judgment that society requires of its members for the protection of their own and of others' interests. The reasonable person acts sensibly, does things without serious delay, and takes proper but not excessive precautions..."

4.0 Application

- 4.1 This policy covers all individuals involved in the working or learning environment regardless of their role or function. This includes School District employees, students, parents, volunteers, third parties doing business with the School District and members of the general public who interface with the School District. It is the expectation of the School District that all employees and persons invited to or visiting Board property will strive to maintain the highest level of professional and personal courtesy when interacting with Board employees.
- 4.2 For School District employees, this policy does not supersede any provision of an applicable Collective Agreement.
- 4.3 Inappropriate behaviour by an adult toward a student is not covered by this policy. The *School Act*, The Ministry of Education – Teacher Regulation Branch, *Child, Family and Community Service Act* and the District's Collective Agreements will define and govern the standard of behaviour required by adults when dealing with students.
- 4.4 The conduct of the Board of Education is addressed in Board Policy 200 (2.3 Code of Conduct).
- 4.5 This policy is not intended to address issues where the cause of the conflict or behaviour is based on a personal characteristic that is protected under the *BC Human Rights Code*. For example, if the inappropriate behaviour towards

another person is based on homophobic or racist views, Board Policy 310 – Student Conduct and Discipline is the appropriate area to seek resolution.

- 4.6 This policy excludes the legitimate exercise of management rights and any reasonable action taken by the District or supervisor relating to the management and direction of employees or the place of employment including supervisory decisions involving work direction, evaluation, investigations and disciplinary action
- 4.7 This policy excludes the reasonable exercise of parent and student rights in bringing forward concerns about the treatment of students by employees when done in a respectful manner.
- 4.8 This policy does not cover interpersonal conflicts or interpersonal relations, unless they are threatening or abusive.

5.0 Expectations of Respectful Behaviour

- 5.1 Every employee working with the School District has the right to a respectful workplace and learning community.
- 5.2 In order to promote and sustain a workplace and learning community where all employees are treated and treat others with respect and dignity, regardless of their status or position, each employee is expected to abide by the following values and standards of interpersonal behaviour, communication and professionalism.
 - 5.2.1 We respect and value the contributions of all members of our community, regardless of status or role in the organization.
 - 5.2.2 We treat one another with respect, civility and courtesy.
 - 5.2.3 We work honestly, effectively and collegially with employees and others.
 - 5.2.4 We respond promptly, courteously, and appropriately to request from others for assistance or information.
 - 5.2.5 We use conflict management skills, together with respectful and courteous verbal communication, to effectively manage disagreements among employees.
 - 5.2.6 We encourage and support all employees in developing their individual conflict management skills and talents.
 - 5.2.7 We have an open and cooperative approach in dealings with employees, recognizing and embracing individual differences.
 - 5.2.8 We recognize the differing social and cultural standards may mean that behaviour that is acceptable to some may be perceived as unacceptable or unreasonable to others.
 - 5.2.9 We abide by applicable rules, regulations, legislation, policies and collective agreement provisions, and address any dissatisfaction with, or violation of, these policies and procedures through appropriate channels.
 - 5.2.10 We demonstrate commitment to a culture where all employees cooperate and collaborate in using best practices to achieve high work-related outcomes.

- 5.2.11 If we are in leadership positions, we model civility for others and clearly define expectations for how employees treat each other, and are responsive to complaints when they are brought forward.
- 5.2.12 We adhere to the provisions of the BC Human Rights Code.