

RESPECTFUL WORKPLACE POLICY		
Effective Date	February 2, 2017	Cross-Reference
Responsibility	Director, Human Resources	
Approver	Executive Council	
Policy Review	Every 5 Years	
Appendices	1. Complaint Procedures	
		<ol style="list-style-type: none"> 1. Alberta Human Rights Act 2. Administrative Group Terms and Conditions of Employment 3. Academic Staff Association Collective Agreement 4. Alberta Union of Provincial Employees Collective Agreement 5. Employees' Association Collective Agreement 6. Progressive Discipline Policy 7. Student Misconduct – Non Academic Offenses Policy

1. Policy Statement

- 1.1 Grande Prairie Regional College (GPRC) is committed to providing a learning and working environment free of discrimination, harassment, and bullying. It is therefore the policy of the GPRC that acts of discrimination, harassment and bullying by or against members of the GPRC community are unacceptable and will not be tolerated.
- 1.2 GPRC recognizes its responsibility to deal efficiently, effectively and fairly with allegations of discrimination, harassment, and bullying. The reporting of all incidents, regardless of who the potential offender may be, is encouraged.

2. Background

- 2.1 The Alberta Human Rights Act prohibits discrimination in employment based on prohibited grounds. Employers are expected to create an inclusive workplace that respects the dignity of every individual by ensuring there is no discrimination in the workplace, removing barriers that are based on protected grounds, and considering requests for accommodation for needs based on a protected ground.
- 2.2 The creation of a respectful workplace and learning environment is a collective responsibility between GPRC and the members of its community.
- 2.3 This policy does not remove or affect any rights of appeal or rights to grieve, which members of the GPRC community have independent of this policy.

3. Policy Objective

- 3.1 The objectives of this policy are to:
 - 3.1.1 provide a working and learning environment that is safe, respectful and free from any form of discrimination, harassment, and bullying;
 - 3.1.2 promote an understanding of the nature and effects of discrimination, harassment, and bullying;
 - 3.1.3 prevent and reduce incidents of discrimination, harassment, and bullying; and

- 3.1.4 provide a process for dealing quickly, effectively, and appropriately with any incidents that occur.

4. Scope

- 4.1 This policy applies to all current and prospective members of the GPRC community, including:
 - 4.1.1 students;
 - 4.1.2 employees;
 - 4.1.3 volunteers;
 - 4.1.4 consultants; and
 - 4.1.5 service and supply contractors and their employees while they are engaged in activities related to GPRC

- 4.2 For the purposes of this policy, the work and learning environment includes:
 - 4.2.1 work or learning related conferences, training sessions, and travel;
 - 4.2.2 GPRC related functions;
 - 4.2.3 GPRC property, including contract sites;
 - 4.2.4 virtual environment, including phone, email, social media, and other electronic means; and
 - 4.2.5 working and non-working hours as long as there is a relationship to GPRC activities.

5. Definitions

- 5.1 “Association” refers to the Alberta Union of Provincial Employees (AUPE), Employees’ Association (EA), or Academic Staff Association (ASA).

- 5.2 “Bullying” is the use of force, threat, or coercion to abuse, intimidate, or aggressively dominate others. The behaviour is often repeated and habitual.

- 5.3 “Cyberbullying” is the use of information and communication technologies including, but limited to, e-mail, cell phones, instant messaging and websites to support deliberate, repeated and hostile behaviour by an individual or group that is intended to harm others.

- 5.4 “Complainant” is the person who makes a complaint or brings a discrimination, harassment, or bullying issue to the attention of the employer.

- 5.5 “Discrimination” is any attempt to harass an individual, in matters related to employment on the basis of prohibited grounds. Discrimination does not need to be intentional to be illegal.

- 5.6 “Harassment” is unsolicited or unwelcome conduct, comments, gestures, or contact which causes offence or humiliation to any individual; engenders fear or mistrust; or, compromises an individual’s dignity or sense of self-worth. It is an attempt by one person to exercise perceived power over another. The harasser knows, or ought to know, that the behaviour is unwelcome or coercive.

Harassment includes engaging in a course of annoying comments or conduct against a worker in a workplace that is known, or ought reasonably to be known, to be unwelcome. It includes discriminatory and sexual harassment, bullying, or workplace violence as prohibited by law.

Harassment can take many forms such as:

- 5.6.1 Threats, intimidation or verbal abuse
 - 5.6.2 Unwelcome remarks or jokes about subjects of a prohibited ground of discrimination
 - 5.6.3 Displaying sexist, racist or other offensive pictures or posters
 - 5.6.4 Sexually suggestive remarks or gestures
 - 5.6.5 Inappropriate physical contact, such as touching, patting, pinching, or punching
 - 5.6.6 Physical assault, including sexual assault.
- 5.7 “Investigation” is a fair and impartial fact-finding process, which leads to a decision and action by the employer.
- 5.8 “Mediation” is a collaborative process of communication and solution-seeking between the employer, employee, and the Association, where applicable, that leads to the resolution of a matter.
- 5.9 “Prohibited Grounds” of discrimination are: race, religious beliefs, colour, gender, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status, and sexual orientation.
- 5.10 “Protected Grounds” include race, religious beliefs, colour, gender, physical disability, mental disability, ancestry, age, place of origin, marital status, source of income, family status and sexual orientation.
- 5.11 “Respondent” is the person whose behaviour is being complained about.
- 5.12 “Retaliation” means to hurt or attempt to hurt somebody in return, to deliberately harm or attempt to harm somebody in response or revenge for an action he or she has done.
- 5.13 “Sexual Harassment” is any sexual behaviour, which is unwelcome, personally offensive, debilitates morale, and therefore interferes with work effectiveness. It includes: offensive sexual flirtations, unwelcome advances, propositions, continued or repeated verbal abuse of an equal nature, and graphic or degrading verbal comments of a sexual nature about an individual or their appearance. The display of sexually suggestive and/or inappropriate written or graphic material or objects including photos, videos or the use of degrading verbal comments creates an offensive atmosphere and is a form of sexual harassment.
- 5.14 “Third Parties” are GPRC visitors and contractors and their employees.
- 5.15 “Workplace bullying” is unreasonable behaviour directed toward an employee or group of employees that creates a risk to health and safety. Unreasonable behaviour can be defined as behaviour that harms, intimidates, threatens, victimizes, undermines, offends, degrades or humiliates another staff member(s). The most common types of bullying are:
- 5.15.1 verbal abuse;
 - 5.15.2 exclusion or isolation of employees;
 - 5.15.3 constant non-constructive criticism of another’s work;
 - 5.15.4 attempts to humiliate, intimidate, or undermine staff;
 - 5.15.5 assignment of meaningless tasks unrelated to the job;
 - 5.15.6 assignment of impossible tasks;
 - 5.15.7 deliberately changing work rosters to inconvenience particular employees; and
 - 5.15.8 deliberately withholding information vital for effective work performance.

Workplace bullying does not include:

- 5.15.9 reasonable and proper application of management responsibilities such as performance appraisals, coaching, discipline, attendance management and the application of performance standards;
 - 5.15.10 complaints about legitimate and reasonable performance and management process, disciplinary action, or allocation of work in compliance with Collective Agreements, Terms and Conditions of Employment, and Employment Standards; and
 - 5.15.11 implementation of organizational change.
- 5.16 “Workplace Violence” means the threatened, attempted or actual conduct of a person that causes or is likely to cause physical injury to a worker in the workplace.

6. Guiding Principles - Prohibited Grounds

- 6.1 GPRC considers harassment and discrimination, in all its forms, to be a serious offence and shall take appropriate disciplinary measures up to and including termination against any employee who subjects any other member of the GPRC community to harassment and/or violence.
- 6.2 GPRC recognizes that harassment and discrimination can take place in many forms including, but not limited to, in person, over the phone, by emails, through social media (e.g. Facebook) and within the community.
- 6.3 GPRC does not condone or tolerate any act of harassment, discrimination, workplace bullying, workplace violence or any behaviour which denies individuals their dignity and respect.
- 6.4 GPRC will take all complaints of harassment seriously. GPRC will take such disciplinary measures as it deems appropriate, in accordance with relevant Collective Agreements and the Progressive Discipline Policy, against any person under the direction of GPRC who subjects any member of the GPRC community to harassment.
- 6.5 While this policy is not intended to inhibit social relationships, individuals involved in or entering into a consensual relationship with an adult who is or who is about to be subject to them for the purpose of evaluation or supervision should consider the power differential and the implications thereof for the student or employee if a consensual relationship continues, and are expected to decline or terminate their supervisory or evaluation role in that instance by arrangement with the Divisional Vice-President.
- 6.6 Members of the GPRC community should not imply or threaten that a current or prospective member of the GPRC community’s “co-operation” of a sexual nature (or refusal thereof) will have any effect on the individual’s employment, assignment, compensation, advancement, career development, any condition of employment, or offering work related rewards. This includes sexual offers or advancements from management, co-workers, persons in positions of political power, and/or community members.

7. Guiding Principles - Complaints

- 7.1 Barring exceptional circumstances, a report of complaint is to be made as promptly as possible to ensure a timely investigation and resolution can be achieved. Appendix 1 contains information on options for making complaints.
- 7.2 GPRC or anyone acting on behalf of GPRC will not disclose the name of a complainant or a respondent or the circumstances related to the complaint to any person except where disclosure is necessary for the purposes of investigating the complaint or taking corrective action with respect to the complaint or required by law.
- 7.3 All meetings with students must include the appropriate Dean, or designate.

8. Guiding Principles - Bad Faith Complaints

- 8.1 Any person who files a complaint that is knowingly false or files the complaint for malicious reasons or in bad faith is subject to appropriate disciplinary action.
- 8.2 Substantiated cases of a bad faith complaint may result in disciplinary action ranging from a written reprimand to dismissal if the respondent is an employee of GPRC or a written reprimand to expulsion if the respondent is a student.

9. Guiding Principles - Discipline

- 9.1 If harassment has occurred and has been substantiated, the GPRC will take appropriate corrective action and remedies to resolve the complaint up to and including dismissal of the employee or expulsion of the student when appropriate.
- 9.2 Where the complaint has not been substantiated, it will be dismissed and no documentation relating to the complaint will be placed in the respondent's file.
- 9.3 Any employee in a supervisory or managerial position who receives a complaint alleging harassment and who fails to take corrective action pursuant to this policy, may also be subject to disciplinary action up to and including termination of employment.
- 9.4 Disciplinary action will be taken if anyone engages in acts of retaliation or reprisal against the complainant or against anyone else involved in the investigation process.
- 9.5 Disciplinary action will be in accordance with the procedures outlined within the appropriate Collective Agreements and the Progressive Discipline Policy.

10. Guiding Principles - Third Party

- 10.1 Third parties are expected to accept and meet the terms of this policy. GPRC will take reasonable and practical action to stop or reduce the risk to members of its community of harassment by third parties.
- 10.2 It is also possible that a member of the GPRC community might engage or participate in the harassment of third parties. Such conduct is not acceptable and GPRC will investigate complaints and discipline as per this policy as it deems advisable.

11. Guiding Principles - Confidentiality

11.1 To the extent reasonably possible, the complaint, the names of the relevant parties and witnesses and the particulars concerning the complaint, including any response, will be kept confidential, recognizing that release or publication of such information may be necessary in order to properly investigate the complaint or to respond to any legal or administrative proceedings arising under the implementation of this policy or otherwise.

12. Roles and Responsibilities

12.1 All members of the GPRC community are entitled to a work and learning environment free of harassment. All members of the GPRC community share in the responsibility of creating and maintaining a harassment-free environment through mutual respect, co-operation and understanding towards one another.

STAKEHOLDER	RESPONSIBILITIES
Vice-President or President	<ul style="list-style-type: none"> • Issue decisions concerning the complaint
Director, Human Resources/Human Resources Staff	<ul style="list-style-type: none"> • Develop, maintain and oversee the implementation of this policy • Address any issues regarding the policy • Appoint trained investigator(s)
Employees	<ul style="list-style-type: none"> • Create and maintain a harassment free environment through mutual respect, co-operation and understanding towards one another • Promptly submit complaints
Manager	<ul style="list-style-type: none"> • Attend meetings at request of Human Resources or subordinate staff • Take corrective action on receipt of complaint
Dean, Director or designate	<ul style="list-style-type: none"> • Attend all meetings with students • Participate and support the investigation process • Take appropriate action at the conclusion of the investigation
Investigator(s)	<ul style="list-style-type: none"> • Commence and complete an investigation of the complaint by gathering information from the complainant, respondent, and witnesses in accordance with the policy • Prepare/submit a report containing findings and recommendations
Complainant	<ul style="list-style-type: none"> • Undertake the appropriate process to address the complaint • Maintain confidentiality throughout the investigation process
Respondent	<ul style="list-style-type: none"> • Cooperate during the investigation • Maintain confidentiality throughout the investigation process

13. Exceptions to the Policy

13.1 Exceptions to the guiding principles in this policy must be documented and formally approved by the Vice-President Administration.

13.1.1 Policy exceptions must describe:

13.1.1.1 the nature of the exception;

13.1.1.2 a reasonable explanation for why the policy exception is required;

13.1.1.3 any risks created by the policy exception; and

13.1.1.4 evidence of approval by the Vice-President Administration.

14. Inquiries

14.1 Inquiries regarding this policy can be directed to the Director, Human Resources.

15. Amendments (Revision History)

15.1 Amendments to this Policy will be published from time to time and circulated to the GPRC community.

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APPENDIX 1



Appendix 1 – Complaint Procedures

Individuals who believe that they have been subjected to harassment should, if possible, choose one or all of the following methods to resolve the complaint:

Option #1

- a) Inform the person that you find the behaviour unwelcome and that you want them to stop. This can be done verbally or in writing;
- b) Document the complaint and keep a record detailing the incident. Write down factual dates, times, witnesses, location, what was said, etc.;
- c) If direct communication with the offending individual is not possible or you are uncomfortable in bringing the matter directly to his/her attention or the communication has been unsuccessful in ending the objectionable behaviour, then you should contact either:
 - Human Resources; or
 - a person in a position of authority whom you trust.

Option #2

Parties involved in a harassment complaint may choose to have their issue resolved informally without undergoing a formal investigation procedure. The complainant and the respondent will meet to discuss the situation along with a trusted third person. If the complainant is a student, the appropriate Dean or designate, must be present.

Many complaints can be resolved informally and this method of resolution usually leads to the most satisfying outcome for all parties. Informal resolution focuses on facilitating communication between the parties so that they can achieve a prompt resolution.

Option #3

If the informal method for resolving a possible harassing situation does not succeed or is not appropriate, the employee may file a formal written complaint with Human Resources. Formal complaints of harassment will be handled, where possible, expediently and discreetly. Formal complaints will be investigated thoroughly by trained investigators. Human Resources and/or an independent third party specialist will conduct an investigation of harassment.

The investigator(s) will meet with the complainant, seek specific information on the complaint, and ensure the complainant fully understands the investigation process. The complainant will be advised that the complainant can withdraw from any further action in connection with the complaint, at any stage, although GPRC may continue to investigate the complaint.

In a timely manner, the investigator(s) will interview the respondent. If necessary, the investigator(s) will interview any witnesses named by the complainant and respondent. All employees of GPRC have a responsibility to co-operate in the investigation.

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APPENDIX 1



Following the conclusion of the investigation, the investigator(s) will inform the Director, Human Resources; Divisional Vice-President; and the applicable Dean or Director of the outcome of the witness interviews to determine whether this policy has been breached. The complainant and respondent will also be informed following conclusion of the investigation. If necessary, the President will be informed/consulted.

Details pertaining to the actual investigation will remain confidential in the secure custody accessible only by designated members involved with the investigation and their legal advisors. Disclosure of the circumstances of the complaint and/or persons involved will only occur if required for the investigation, corrective action or by law.