

## ***ADMINISTRATIVE PROCEDURE No. 505***

### HARASSMENT (IMPLEMENTATION FALL 2006)

All members of the education community have a right to work and learn in a respectful environment that is free from harassment and violence.

Prairie Spirit School Division is committed to creating and maintaining work environments where employees, students and volunteers are treated with respect and dignity. The Board recognizes its responsibility to provide education regarding harassment and work place violence, and to provide the opportunity for training to resolve situations that occur.

### **PROCEDURES**

#### **1. *Administration of Harassment Procedures***

- a. The Director of Education is responsible for maintaining and keeping current these procedures and to ensure they are available and posted, in accordance with the Regulations to the *Occupational Health and Safety Act, 1993*.  
<http://www.qp.gov.sk.ca/documents/English/Statutes/Statutes/O1-1.pdf>, in all work centers.
- b. Staff Support Committees formed under this procedure are to report annually by May 30 their activities during the past school year to the Superintendent Human Resources.
- c. The principal or supervisor in each work location is to advise annually employees, students and volunteers, and the local occupational health and safety committee of the procedures and their intent.
- d. The Director of Education or designate is to provide for the collaborative review of these procedures every three years.

## 1. Harassment – Procedures

- a. Personal harassment is any objectionable behaviour, comment, or display directed at another based on, but not limited to gender, race or place of origin, physical appearance, age, sexual orientation, or disability. Examples of such harassment may include unwanted physical contact, inappropriate jokes or teasing, display of derogatory materials, or conduct which may reasonably cause hurt, humiliation, or awkwardness so as to negatively affect an individual's well-being, work relationships, or job performance.
- b. Reasonable supervisory practices are not to be construed as personal harassment.
- c. If an employee, student or volunteer reasonably believes that he or she has been personally harassed, appropriate measures are to be undertaken in accordance with number (3) below. For the purpose of these procedures, the person who feels harassed is the *complainant* and the alleged harasser is the *respondent*.
- d. Because allegations of personal harassment are of a sensitive nature and may have serious consequences on both the complainant and the respondent, it is strongly encouraged:
  - That complainants, respondents, and supervisors keep a record of all events, dates, and circumstances related to any alleged incident or review.
  - That reviews be conducted so as to respect the confidentiality of all parties but recognize the principles of fairness and justice.
  - That summaries of decisions confirming complaints form part of the personnel file or appropriate student file of the respondent.
  - That the initiation of vexatious or malicious complaints is of itself a form of personal harassment and is subject to the provisions of this policy.

- That employees, students or volunteers are to be made aware that at any time throughout a harassment review or investigation, they may file a complaint with the Saskatchewan Human Rights Commission or Saskatchewan Labour, Occupational Health and Safety Branch.
  - That each school or workplace staff discuss a code of practice intended to establish common understandings as to acceptable standards of conduct so as to prevent or forestall incidents of personal harassment.
- e. The Director of Education may designate persons from time to time to whom complaints may be addressed.

## **2. Harassment Complaints**

- a. Complainants have three (3) recommended courses of action: *personal contact, an oral report, or a written report.*
- b. Because it is often best if allegations of personal harassment are resolved closest to the source of harassment, it is recommended that the complainant first approach the respondent to attempt to resolve the alleged harassment.
- c. If the complainant believes personal contact would not satisfactorily resolve the situation, the complainant may report the incident orally to his or her immediate supervisor.
- d. The immediate supervisor is to review the complaint and report orally his or her findings to the complainant and the respondent within two (2) weeks. Such a review is to include an interview with the respondent and may include other interviews as deemed appropriate.
- e. Notwithstanding the preceding protocols, the complainant may submit a formal, written complaint to his or her Central Office supervisor. In the event the respondent is the immediate supervisor, the written complaint is to be forwarded to the Director of Education.
- f. Following receipt of the formal, written complaint, the immediate supervisor or Central Office supervisor is to investigate the complaint and provide a written response to

the Director of Education with a copy within three (3) weeks to the complainant and to the respondent. Such a review is to include an interview with the respondent and may include other interviews and collection of evidence as deemed appropriate.

- g. If the alleged harassment is determined to be true, the respondent will be subject to disciplinary procedures as determined by the Director of Education, which may include any or a combination of an oral reprimand, written reprimand, suspension, and/or dismissal.
- h. The disciplinary procedures are to be communicated to the complainant who shall hold the same in confidence.
- i. The complainant and respondent may appeal the disciplinary procedures to the Director of Education within two (2) weeks. Such an appeal is to be reviewed by the Director of Education and a report provided within thirty (30) days to the respondent and complainant.

### **3. Administration of Violence Prevention**

- a. The Director of Education or designate is responsible for maintaining and keeping current these procedures and for ensuring that they are available in all schools and work centers.
- b. Employees, students and volunteers are to use the *Violent Incident Report Form* for investigation of an incident of violence.

### **4. Violence Prevention Procedures**

- a. Prairie Spirit School Division defines violence in accordance with the *Regulations to the Occupational Health and Safety Act, 1993* as, "...the attempted, threatened, or actual conduct of a person that causes or is likely to cause injury and includes any threatening statement or behaviour that gives a worker reasonable cause to believe that the worker is at risk of injury".

- b. The Division is to minimize the potential for violence by adopting preventive measures such as training for employees, students and volunteers by:
  - Developing ways and means of recognizing potentially violent situations.
  - Establishing anticipatory approaches to prevent or minimize violence.
  - Developing procedures for dealing with incidents of violence and how to obtain assistance.
  - Establishing procedures for reporting, investigating, and documenting violent incidents.
- c. The Division will intervene and take supportive and appropriate action when any acts of violence, threats, or intimidation occur.
- d. This procedure is to be reviewed regularly. Any revisions are to be communicated to all employees, students and volunteers.
- e. The Director of Education is to direct principals and supervisors to advise employees, students and volunteers annually of these procedures.
- f. The Director of Education or designate is to provide for the collaborative review of these procedures every three years.

## ***6. Violence Prevention and Reporting – Employees***

- a. Principals are to inform employees and volunteers who work in settings where they could be at a higher risk of violence. These may include:
  - i. Employees who work with students who have a history of violence.
  - ii. Employees who work with students who suffer from specific medical conditions, which can increase the probability of those students being perpetrators of violent acts.
  - iii. Employees who provide services to a student whose parent or guardian has a history of violence or who has threatened school staff.

- b. All employees have a responsibility to ensure a safe workplace. To that end, employees are to promptly communicate issues relating to violence as follows:
  - i. Employees who believe they have been subjected to a violent act will report the incident to the principal or supervisor immediately.
  - ii. Employees who have been the victim of a violent incident must provide a written summary and forward it to the principal or supervisor.
  - iii. Employees who believe a student, colleague, or visitor to the workplace represents a danger to the safety of the workplace are to notify the principal or supervisor immediately.
  - iv. Principals or supervisors are to inform the Director or designate and the local Occupational Health and Safety Committee of all reports of violent incidents.
  
- c. All violent incidents are to be investigated as soon as possible following receipt of a complaint. Principals and supervisors are to investigate all reports of violent incidents as follows:
  - i. Review the complaint and interview the complainant, alleged perpetrator(s), if possible, and any witnesses.
  - ii. Summarize the information and review the *Violent Incident Report*.
  - iii. Permit the alleged perpetrator to provide a statement;
  - iv. Advise the complainant of his or her right to report the complaint to police.
  - v. Complete a written report of the results of the investigation and forward it to the Director.
  
- d. The complainant and alleged perpetrator may choose to be accompanied by an employee representative or other person of choice at any stage in the investigation.
  
- e. The Director or designate will review the findings and respond.
  
- f. Following an investigation that confirms the occurrence of a violent incident:

- i. Where the alleged perpetrator is an employee of the school division, the school division will take appropriate supportive and disciplinary action.
  - ii. Where the alleged perpetrator is a student, the school will take appropriate supportive and disciplinary action.
  - iii. Where the alleged perpetrator is a parent or another member of the public, the Director of Education, will take the appropriate action necessary to minimize the risk of another incident.
- g. Employees affected by a violent incident are to be informed of the results of the investigation.