

Great Plains College

PERSONNEL-STUDENT

EMC Reviewed: October 10, 2017

EMC Approved: October 24, 2017

Approved by Board: BM # 12: 2017-2018 October 26, 2017

NAME: Harassment, Abuse and Discrimination Policy

REFERENCES: Canadian Human Rights Act
Saskatchewan Human Rights Code Regulations
Occupational Health and Safety Act
Criminal Code of Canada
Staff Agreement – Article 19
Collective Bargaining Agreement – Article 22
Harassment, Abuse and Discrimination Complaint Procedures (Student and Personnel)
Violence Threat Risk Assessment (VTRA) Protocol
Violence Threat Risk Assessment (VTRA) Procedures

PHILOSOPHY

Great Plains College is committed to creating and maintaining a safe, respectful, inclusive, productive and healthy learning and working environment that is free from abuse, harassment and discrimination. The college will not tolerate any form of abuse, nor any form of neglect or harassment.

PURPOSE

Great Plains College will take every reasonable step to create an environment that is free of harassment, abuse and discrimination and to take appropriate measures to stop occurrences when informed of the existence of such behavior.

SCOPE

The provisions of this policy apply to all employees, students, visitors, volunteers, contractors, service providers, management and the Board of Governors.

This policy applies to behaviors that occur in the context of college related activities, whether or not the behavior occurs on or off college premises, during or outside formal working hours. College related activities are organized under the college's direction. Examples of activities that would not be college related could include: union/staff association meetings or a social event that is not organized by the college.

This policy shall be interpreted in such a way as to balance the rights of all members of the Great Plains College community to function in an environment that allows open discussion, with the right to function in an inclusive environment free from harassment, abuse and discrimination. It is not intended to detract from the rights and obligations of those who manage employees and students in accordance with collective agreements, college policies and procedures.

DEFINITIONS

Physical Abuse

is defined, but not limited to, the use of intentional force that can result in physical harm or injury to an individual. It can take the form of slapping, hitting, punching, shaking, pulling, throwing, kicking, biting, choking, strangling or the abusive use of restraints.

Sexual Abuse

is defined as, but not limited to, any type of unwanted sexual activity done by one person to another that violates the sexual integrity of the victim. Sexual assault is characterized by a broad range of behaviors that involve the use of force, threats, observation or control towards a person which makes that person feel uncomfortable, distressed, frightened, threatened or that is carried out in circumstances in which the person has not freely agreed, consented to or is incapable of consenting to.

Emotional Abuse

is defined as, but not limited to, a chronic attack on an individual's self-esteem. It can take for the form of name calling, threatening, ridiculing, berating, intimidating, isolating, hazing, habitual scapegoat or blaming.

Verbal Abuse

is defined as, but not limited to, humiliating remarks, name calling, swearing at, taunting, teasing or continual put downs.

Psychological Abuse

is defined as, but not limited to, communication of an abusive nature, sarcasm, exploitive behaviors, intimidation, manipulation, and insensitivity to race, sexual preference or family dynamics.

Neglect

is defined as, but not limited to, any behavior that leads to failure to provide services which are necessary such as withdrawing basic necessities as forms of punishment, failing to assess and respond to changes in health status and refusing or withdrawing physical or emotional support.

Harassment

as defined by the Occupational Health and Safety Act, is:

Any inappropriate conduct, comment, display, action or gesture by a person that:

- a) is either based on race, creed, religion, colour, sex, sexual orientation, marital status, family status, disability, physical size or weight, age, nationality, ancestry or place of origin; or
- b) adversely affects the worker's psychological or physical well-being and that the person knows or ought reasonably to know would cause a worker to be humiliated or intimidated;

and constitutes a threat to the health or safety of the worker.

The Saskatchewan Occupational Health and Safety Act further clarifies that for behavior to create a negative psychological or physical state:

- repeated conduct, comments, displays, actions or gestures must be established, or
- a single, serious occurrence of conduct, or a single, serious comment, display, action or gesture, that has a lasting, harmful effect on the worker must be established.

Discrimination as described by the Canadian Human Rights Commission is:

- an action or decision that treats a person or a group negatively for reasons known as 'grounds of discrimination'.

The eleven grounds of discrimination, protected under the Canadian Human Rights Act, are: race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability, or a conviction for which a pardon has been granted or a record suspended.

College Community Any person who provides a service for or receives a service from Great Plains College, or any person who interacts with the College in the context of its role as a public post-secondary institution.

Reasonable Person Standard Those responsible for interpreting, administering and applying this policy will use a 'reasonable person' standard. This standard is used to determine whether a reasonable person in a similar position as the complainant would judge harassment, abuse or discrimination to have occurred.

POLICY

All members of the college community share responsibility for creating and maintaining a learning and working environment that is free from harassment, abuse and discrimination. This means that we all have a responsibility not to engage in, allow or condone behavior contrary to this policy. As well, we have the responsibility to take immediate and appropriate action to report or deal with incidents of harassment, abuse and discrimination of any type. Staff, students, caregivers and community members have a duty to report all threat-related behaviours in correlation with the college's Violence Threat Risk Assessment (VTRA) protocol and procedures.

Great Plains College strongly supports education as the most proactive measure for achieving a learning and working environment that is inclusive and free from harassment, abuse and discrimination. This education will include, but not be limited to:

- Informing the college community of their rights and obligations;
- Training students, staff, management and the Board of Governors on:
 - their roles and responsibilities as it relates to creating and maintaining a healthy learning and working environment;
 - this policy and corresponding procedures for dealing with harassment, abuse or discrimination complaints.
- Reviewing this policy annually to ensure awareness and effectiveness.

Although our first goal is to prevent behaviors that are contrary to this policy, Great Plains College is committed to responding promptly and taking appropriate corrective action to deal with individuals who engage in harassing, abusive or discriminatory behaviors. Great Plains College's Harassment, Abuse and Discrimination Complaint Procedures outline the process for submitting a complaint as well as the process that Great Plains College will use to address the complaint.

The college also commits to protect students and employees, acting in good faith, from reprisal for trying to stop or prevent harassment, abuse and discrimination. All complaints will be held in the strictest confidence except where disclosure is necessary for investigation or corrective action or as required by law.

Representation

Any person involved in the complaint process may seek assistance, support or representation from another person of his/her choice such as a student advocate or an association/union representative.

False Claims

It is a violation of this policy for anyone to knowingly make a false complaint or to provide false information about a complaint.