

Great Plains College

PERSONNEL

EMC Reviewed: October 10, 2017
EMC Approved: October 24, 2017
EMC 2nd Review: April 30, 2019
EMC Approved: April 30, 2019
Board Approval via email unanimous vote: May 15, 2019 Board Motion to follow June 20, 2019
Final Approval Board: BM #

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

Harassment as defined in *The Saskatchewan Employment Act*, is:

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

- i) that either:
 - a. is 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. subject to subsections (4) and (5), 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
- ii) that constitutes a threat to the health or safety of the worker.”

Subsection (4) of *The Saskatchewan Employment Act* indicates that to constitute harassment, “either of the following must be established:

- a) repeated conduct, comments, displays, actions or gestures;
- b) a single, serious occurrence of conduct, or a single, serious comment, display, action or gesture, that has a lasting, harmful effect on the worker.”

Subsection (5) further clarifies that “harassment does not include any reasonable action that is taken by an employer, or a manager or supervisor employed or engaged by an employer, relating to the management and direction of the employer’s workers or the place of employment.”

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

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.

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.

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, staff association/union representative or OHS committee 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.

DECLARATION

I, _____, acknowledge that I have read and understand the Great Plains College Harassment, Abuse and Discrimination Policy. I agree to adhere to this policy in its entirety and I acknowledge that the expectations outlined within, survive the termination of this agreement. I also understand that if I violate the rules set forth in this policy, I may face disciplinary action up to and including termination of employment and/or legal charges.

Employee Signature

Date

Witness Signature

Date