

**BOUCHER INSTITUTE OF NATUROPATHIC MEDICINE  
POLICY**

<b><u>Policy Title:</u></b>	<b>Human Rights, Harassment and Bullying Policy (replaces Human Rights and Dispute Resolution Policy)</b>
<b><u>Date of Initial Board</u></b>	<b>August 14, 2001</b>
<b><u>Approval:</u></b>	
<b><u>Date of Last Approved</u></b>	<b>October 31, 2013</b>
<b><u>Revision:</u></b>	
<b><u>Person(s) Responsible for Implementation &amp; Adherence:</u></b>	<b>All members of the Boucher Community</b>
<b><u>Related Procedures:</u></b>	<b>Harassment and Bullying Complaint Procedure, Grievance and Dispute Resolution Procedure</b>

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**Intent**

The Boucher Institute of Naturopathic Medicine (BINM) is dedicated to ensuring a safe environment for learning and working. As such, the Boucher Institute of Naturopathic Medicine is committed to providing a safe and healthy work environment, free from violence, threats of violence, discrimination, bullying and harassment, sexual harassment, intimidation, and any other misconduct. Similarly, weapons are strictly prohibited from the company's premises; violators will be subject to disciplinary action, and the incident will be reported to the police.

All employees of BINM share in the responsibility to ensure that our community is a safe and welcoming place to work. Employees are responsible for reporting any instances of discrimination, bullying or harassment, whether they were the target or they were witness to the incident. In all cases, where a complaint of discrimination, bullying or harassment is made in good faith, the employee will not be disciplined or retaliated against in any way.

Our workplace Human Rights, Bullying and Harassment Policy is not meant to stop free speech or to interfere with everyday interactions. However, what one person finds offensive, others may not. Usually, bullying or harassment can be distinguished from normal, mutually acceptable socializing. It is important to remember it is the perception of the receiver of the potentially offensive message be it spoken, a gesture, a picture or some other form of communication which may be deemed objectionable or unwelcome that determines whether something is acceptable or not.

This Policy is written in compliance with the [Workers Compensation Act, Occupational Health and Safety Regulation](#) of British Columbia.

## Definitions

**Bullying and Harassment**: any inappropriate conduct or comment by an individual towards an employee that caused or has the potential to cause that employee to be humiliated or intimidated. This excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment.

Bullying and Harassment also includes any other form of unwelcome verbal or physical behaviour which by a reasonable standard would be expected to cause insecurity, discomfort, offence or humiliation to an employee or group of employees, and has the purpose or effect of interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment.

However, Bullying and Harassment excludes any reasonable action taken by an employer or supervisor relating to the management and direction of employees or the place of employment.

Bullying and harassing behaviours include but are not limited to:

- Verbal aggression or yelling
- Threats or intimidation
- Humiliating actions or practices
- Hazing
- Spreading malicious rumours
- Using derogatory names towards someone
- Making unwelcome jokes or comments about someone's race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability or pardoned conviction.

Bullying and harassing behaviours do not include:

- Expressing differences of opinions
- Offering constructive feedback, guidance, or work-related advice about behaviour
- Reasonable action taken by BINM or a supervisor relating to management and direction of employees or the place of employment (e.g. counselling, managing a worker's performance, taking reasonable disciplinary actions, assigning work, implementation of disciplinary actions).

**Sexual Harassment**: means conduct or comments of a sexual nature that is unwelcome, and that detrimentally affects the work environment or leads to adverse job-related consequences.

Sexual harassment includes but is not limited to:

- Unwanted jokes, remarks, innuendos or taunting about a person's body, attire, gender or sexual orientation
- Offensive or humiliating behaviour that is related to a person's sex;
- Offensive jokes or comments of a sexual nature about an employee;
- Unwanted or inappropriate physical contact such as hugging, patting, touching or kissing
- Unwanted inquiries about a person's sex life or sexual preference;
- Posting, presenting or displaying materials which are pornographic, sexist or sexually oriented;
- Behaviour of a sexual nature that creates an intimidating, unwelcome, hostile or offensive work environment; or
- Behaviour of a sexual nature that could reasonably be thought to put sexual conditions on a person's job or employment opportunities. This includes requests for sexual favours, which imply promise of rewards (improved grades, promotion, financial compensation and/or threats for refusal for favours.

**Cyber Bullying:** Bullying that occurs through the use of electronic communication (email, text messaging, social networking etc.). Incidents of cyber bullying should be reported and will be investigated in accordance to the procedures outlined within this Policy.

In general, if you are not sure whether certain actions are considered Bullying and Harassment, ask yourself *whether or not a reasonable person would consider the actions taken to be acceptable or unacceptable.*

**Discrimination:** means discrimination in employment based on a person's sex, race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sexual orientation, age, or criminal conviction which is unrelated to the person's employment. Discrimination includes Sexual Harassment, as defined above.

### **Application of this Policy**

This policy applies to all individuals working for BINM including students, employees, temporary employees, contract service providers, contractors, all supervisory personnel, managers, officers or directors. The organization will not tolerate discrimination, bullying or harassment whether engaged in by fellow employees, managers, officers, directors, or contract service providers of the organization.

BINM will not tolerate any form of Bullying and Harassment, or Discrimination against job candidates and employees on any grounds mentioned above, whether during the hiring process or during employment. This commitment applies to such areas as training, performance, assessment, promotions, transfers, layoffs, remuneration, and all other employment practices and working conditions.

For the purposes of this policy, Bullying and Harassment can occur:

- At the campus and during work or academic off-campus related activities

- At school-related social functions;
- In the course of work or academic assignments outside the workplace;
- During academic or work-related travel;
- Over the telephone, if the conversation is work-related; or
- Elsewhere, if the person is there as a result of work-related responsibilities or a work-related relationship.

### **Witnessing Bullying or Harassment**

It is the responsibility of all employees of BINM to promote a workplace that is respectful and productive. Where employees do not speak up about the presence of Bullying and Harassment or Discrimination, they may become the next target and they are also condoning the actions.

### **Complaint and Investigation Procedure**

Employees who believe that they have been subject to, or have observed, Bullying and Harassment or Discrimination in the workplace, are required to file a complaint or report their concerns. The procedure is as follows:

1. Employees may file a complaint or report their concerns either orally or in writing in the following ways:
  - a. If they feel comfortable doing so, the victim or observer of Bullying and Harassment or Discrimination may contact the alleged bully/harasser and inform them that the conduct is unwelcome. Remind the alleged bully/harasser that the behaviour is contrary to the policy. Demand that the offending behaviour stop immediately and document the incidents and the discussion. Maintain a written log which includes the who, what, when, where and how of the incidents and also note the names of any witnesses. While this is often the simplest and most effective way to end the harassment, a victim of harassment is not obligated to confront the alleged harasser.

If the Bullying and Harassment or Discrimination does not stop, the victim or observer may file a complaint or report their concerns in any one of the ways outlined in paragraphs b. to c. below;

- b. To their direct supervisor or manager unless it is not appropriate to do so in the circumstances (for example, where the manager is the subject of the complaint). In circumstances where the employee feels it inappropriate to report their concerns to their direct manager they may report their concerns to any other manager. The manager that receives the complaint is required to promptly report the concern to Human Resources so that an investigation into the complaint can be commenced;

- c. If the employee is not comfortable reporting their concern to a manager they may report their concern to Human Resources. Human Resources is required to promptly initiate an investigation into the complaint or report.
2. Unless exceptional circumstances exist, a complaint or report must be made within 6 months of the alleged incident(s). If the complaint involves a series of related incidents, the complaint must be made within 6 months of the latest incident.
3. All complaints will be taken seriously, and will be dealt with fairly and promptly.
4. If the subject matter of an employee's complaint or report fits within the definition of Bullying and Harassment or Discrimination it will be investigated. The investigation will be approached in an unbiased manner.
5. Both the employee making the complaint or report and the person against whom the complaint or report was made are entitled to a fair hearing. Both will be interviewed, as well as any other witnesses. The respondent will be given the details of the complaint, and will be provided with a reasonable opportunity to respond.
6. All investigation proceedings will be documented and upon completion of the investigation, the assigned investigator will file a report of findings with recommendations.
7. If an employee's complaint or report of Bullying and Harassment or Discrimination is found to have merit, then appropriate remedial or disciplinary action will be taken. This action may include education and training, modification of policies/procedures, or formal disciplinary action up to and including dismissal of the offending person(s).

### **Confidentiality**

Complaints of Bullying and Harassment or Discrimination involve confidential and sensitive matters. Confidentiality is required so those who may have experienced Bullying and Harassment or Discrimination will feel free to come forward, and the reputations and interests of those accused are protected.

All employees involved in a Bullying and Harassment or Discrimination complaint must maintain the confidentiality of any information they receive during the course of the complaint process. Any employee breaching confidentiality may be subject to disciplinary action, up to and including dismissal.

Subject to disclosure which is required by law or is necessary to investigate or resolve a complaint, BINM will make every effort to keep confidential any information pertaining to the complaint.

## **Retaliation**

Retaliation of any kind against employees who file Bullying and Harassment or Discrimination complaints will not be tolerated.

## **Frivolous Complaints**

Complaints of Bullying and Harassment or Discrimination are serious matters. Employees who are found to have made frivolous, vexatious, or malicious complaints of Bullying and Harassment or Discrimination may be subject to disciplinary action, up to and including dismissal.

## **Training**

BINM will provide training on the Workplace Bullying and Harassment Policy ensuring that:

- a) Employees understand the contents of the policy;
- b) Employees and Supervisors/Managers recognize Bullying and Harassment or Discrimination in the workplace;
- c) Employees know how they can respond to and report incidents of Bullying and Harassment or Discrimination;
- d) Employees understand how the Company will respond to and investigate reports of Bullying and Harassment or Discrimination;
- e) Supervisors/Managers are adequately trained on how to respond to and investigate reports of Bullying and Harassment or Discrimination; and,
- f) Supervisors/Managers are adequately trained on how to provide support for employees who may suffer from adverse symptoms as a result of Bullying or Harassment or Discrimination.

## **Policy Review**

BINM will review the contents of this policy annually, or sooner, in the event of any incident occurring or when there are legislative changes related to bullying or harassment in the workplace.

## **Acknowledgment and Agreement**

I acknowledge that I have read and understand the Workplace Bullying and Harassment Policy of Boucher Institute of Naturopathic Medicine. Further, I agree to adhere to this policy and will ensure that employees working under my direction adhere to this policy. I understand that if I violate the rules/procedures outlined in this policy, I may face

disciplinary action, up to and including termination of employment.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Witness: \_\_\_\_\_