



BOUCHER INSTITUTE
of Naturopathic Medicine

BOUCHER INSTITUTE POLICY

Policy Title: Human Rights, Bullying and Harassment Policy

Date of Initial Board Approval: August 14, 2001

Date of Last Approved Revision: October 18, 2017

Person(s) Responsible for Implementation & Adherence: All members of the Boucher community, especially the President, the Human Resources Director and the Board

Related Procedures: Grievance and Dispute Resolution Procedure, Harassment Complaint Procedure and Student Complaint Procedure

Policy Statement

The Boucher Institute of Naturopathic Medicine (BINM) is dedicated to providing a safe environment for learning and working, free from violence, threats of violence, discrimination, bullying and harassment, sexual harassment, intimidation and where individual differences are valued and respected.

All employees and students of BINM share in the responsibility to ensure that our community is a safe and welcoming place to work. Employees and students are responsible for reporting any instances of discrimination, bullying or harassment, whether they were the target or witness to the incident.

In all cases, where a complaint of discrimination, bullying or harassment is made in good faith, the employee or student will not be disciplined or retaliated against in any way.

Our Human Rights, Bullying and Harassment Policy is not meant to stop free speech or to interfere with everyday interactions. What one person finds offensive, others may not. Bullying, harassment and discrimination behavior can usually 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

Discrimination

Discrimination as it applies to Boucher Institute employees and students is defined as denial of any accommodation, service, facility or opportunity that is customarily available to the public because of race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, gender, sexual orientation, age, or criminal or summary conviction, who is denied the accommodation, service or facility or opportunity except where there is a bona fide requirement.

Harassment

Harassment as it applies to Boucher Institute employees and students is defined as any unwelcomed remarks, behaviors or communication based on race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, gender, sexual orientation, age, or criminal or summary conviction, which causes offence or humiliation to any person and:

- relinquishing to such conduct becomes a direct or implied term or condition of the workplace or learning environment
- relinquishing to or rejection of such conduct is used as a basis for employment or educational decisions
- such behavior has the purpose or effect of interfering with work or educational performance.
- such behavior creates an intimidating, hostile or offensive working or educational environment.

Sexual Harassment

Sexual Harassment is unwelcome sexually oriented conduct, which may be either verbal, physical or by innuendo where:

- relinquishing to such conduct becomes a direct or implied term or condition of the workplace or learning environment
- relinquishing to or rejection of such conduct is used as a basis for employment or educational decisions
- such behavior has the purpose or effect of interfering with work or educational performance.
- such behavior creates an intimidating, hostile or offensive working or educational environment.

Personal Harassment

Personal harassment is also known as bullying. Personal harassment is objectionable and unwanted behaviour toward an individual or group of individuals which misuses authority, or abuses the power one individual or group of individuals has over another individual or group of individual that is verbally or physically abusive, vexatious or hostile, that is without reasonable justification, and that creates a hostile or intimidating environment for working, learning or living. Personal harassment may be intentional or unintentional and adversely affects another individual's or group of individuals' psychological or physical well-being or that a reasonable person knows or ought to know would cause someone to be humiliated or intimidated.

While personal harassment and bullying usually consists of repeated acts, a single serious incident that has a lasting harmful effect may constitute personal harassment. Personal harassment behaviour includes persistent demeaning or intimidating comments, gestures or conduct; threats to a person's employment or educational status, person or

property; persistent comments or conduct, including ostracism or exclusion of a person, that undermines an individual's self-esteem so as to compromise their ability to achieve work or study goals; unwarranted and excessive supervision or criticism of an individual; abuse of power, authority or position; sabotage of a person's work or academic studies; hazing; spreading of malicious rumours or lies; or making malicious or vexatious complaints about a person and where:

- relinquishing to such conduct becomes a direct or implied term or condition of the workplace or learning environment
- relinquishing to or rejection of such conduct is used as a basis for employment or educational decisions
- such behavior has the purpose or effect of interfering with work or educational performance.
- such behavior creates an intimidating, hostile or offensive working or educational environment.

Bullying and Harassment

Bullying and Harassment per Work Safe BC means:

- Includes any inappropriate conduct or comment by a person towards a worker that the person knew or reasonably ought to have known would cause the worker to be humiliate, but
- Excludes any reasonable action taken by the employer or supervisor relating to the management and direction of workers or the place of employment.

Examples of conduct or comments that might constitute bullying and harassment include verbal aggressions or insults, calling someone derogatory names, harmful hazing or initiation practices, vandalizing personal belongings and spreading malicious rumours.

Confidentiality

Complaints under this policy are held in strict confidence. The name of the complainant, respondent and any witnesses will not be disclosed to any person except where disclosure is necessary for the purpose of investigating and resolving the complaint, taking any related disciplinary measures, or as required by law.

No documentation regarding any materials resulting from an informal or formal investigation or process will be placed in the employee's personnel record. Should it be determined bullying harassment or discrimination did occur and where disciplinary action did take place, a letter indicating the disciplinary action taken is the only documentation that will appear in the respondent's personnel file.

Any documentation, files or records which relate to a complaint under this policy will be maintained in a confidential manner by the President.

Time Limit

For a complaint to be considered under this policy, it must be filed within one year of the last incident of bullying, harassment or discrimination. The President has the discretion to waive this requirement where there are extenuating circumstances which prevented the complaint from being brought forward in that time frame. Participation in a successful or unsuccessful resolution attempt will constitute an extenuating circumstance of the purpose of this paragraph.

Retaliation

Retaliation against any individual who has filed a complaint or who has been named as a respondent or witness in the complaint, or who investigates the complaint according to this policy, shall itself be an incident of harassment and may result in disciplinary action

Frivolous Complaints

Any person who makes a made frivolous, vexatious, or malicious complaints shall be subject to disciplinary action. Frivolous or vexatious complaints may themselves be grounds for a complaint of harassment.

Education and Prevention

A critical component of this policy is the provision for education about Bullying, Harassment and Discrimination which will encourage awareness and prevention. The Boucher Institute of Naturopathic Medicine will endeavour to ensure that all employees and students are made aware of what constitutes Bullying and Harassment and Discrimination, why it is so harmful to those who are hurt or offended by it and what individuals can do to take corrective action.

Policy Review

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

Related Procedure

Complaints under this policy should be filed using the Employee Harassment Complaint Procedure.

Acknowledgment and Agreement

I acknowledge that I have read and understand the Human Rights, Bullying and Harassment Policy of The 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_____