



PROFESSIONAL CONSTRUCTORS

## Bullying and Harassment Policy

### Purpose

Acres is committed to a unified work environment where employees, subcontractors, suppliers and visitors work together without incident. It is our goal to eliminate all bullying and harassment. Everyone should feel safe and secure when coming to work.

### Scope:

This policy applies to every Acres employee

### Policy:

Every worker is entitled to employment free of harassment. Acres recognizes and supports the right of all Employees to function in an environment which is supportive of mutual respect and dignity and is free from behavior contrary to the BC Human Rights code. Acres is proud to affirm that every employee is entitled to enjoy a work environment where respect, which includes physical and psychological security, is among the most important values promoted by the employer. All employees are expected to promote and maintain a respectful workplace, ensuring that harassment, bullying, and violence have no place at Acres.

Acres is committed to ensuring a productive work environment where the dignity and worth of everyone is respected. Workplace harassment will not be tolerated and Acres will take all reasonable steps to prevent harassment and stop it if it occurs.

Acres, and its managers and supervisors will take all complaints of harassment seriously. Acres has designated Human Resources Manager as person designated to receive complaints of harassment.

### Bullying and Harassment:

Bullying and harassment includes any inappropriate conduct or comment by a person towards a worker that the person knew or reasonably ought to have known would cause that worker to be humiliated or intimidated, but excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment".

Any employee that displays signs or is reported to have committed any of these substandard acts shall be investigated and if proven to be or have committed these acts will be subject to the Progressive Discipline Policy (DocID HR.061).

Acres shall let all employees, subcontractors, suppliers, visitors and the general public know that Bullying and Harassment will not be tolerated at our workplaces. (policy, orientations, signage, safety meetings).

### *Definitions:*

Bullying and harassment includes any inappropriate conduct or comment by a 'person' towards a worker that the 'person' knew or reasonably ought to have known would cause that worker to be humiliated or intimidated.

A 'person' includes any individual, whether or not they are a workplace party. This means that a 'person' could be a workplace party such as an employer, supervisor, or co-worker, or a non-workplace party such as a member of the public, a client, or anyone a worker comes into contact with at the workplace.

A reasonable person includes a person who exercises the degree of attention, knowledge, intelligence, and judgment that society requires of its members for the protection of their own and of others' interests. The reasonable person acts sensibly, does things without serious delay, and takes proper but not excessive precautions..."

## **Harassment:**

Harassment is based on or related to a prohibited ground of discrimination set out in the Human Rights Code of British Columbia, namely: race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, age, or conviction for a criminal or summary conviction offence that is unrelated to employment; and

1. Is unwelcome or is of such a nature that it would be reasonable to assume that it is unwelcome; and
2. Detrimentally affects the work environment or leads to adverse job-related consequences for the complainant.

This type of harassment is prohibited in The WORKSAFE BC Occupational Health and Safety Act, and The British Columbia Human Rights Code and also extends to sexual harassment, which is conduct, comment, gesture or contact of a sexual nature that is offensive, unsolicited or unwelcome.

## **Sexual Harassment:**

Sexual harassment may include:

- A threat of reprisal for refusing to comply with a sexually orientated request. The threat could be expressed directly or implied.
- Unwelcome remarks, jokes, innuendoes, propositions, or taunting about a person's body, attire, sex or sexual orientation.
- Displaying pornographic or sexually explicit pictures or materials.
- Unwelcome physical contact.
- Unwelcome invitations or requests, direct or indirect to engage in behavior of a sexual nature, and;
- Refusing to work with or have contact with workers on-the-job because of their sex, gender or sexual orientation, e.g. gay or lesbian.

## **Personal Harassment:**

Personal harassment is defined as unwelcome comments or actions directed at a worker that is not necessarily based on race, creed or one of the other prohibited grounds described above, but is abusive and humiliating and interferes with a person's work performance, health, safety or well-being. It includes:

- Practical jokes which cause embarrassment, endanger safety or affect work performance negatively.
- Vandalism of personal property.
- Verbal abuse or threats.

## PROFESSIONAL CONSTRUCTORS

- Insulting, derogatory or degrading comments, jokes or gestures.
- Refusing to work or cooperate with others, and;
- Unwelcome physical contact.

This harassment policy does not extend or apply to:

1. Day to day management or supervisory decisions involving work assignments, job assessment and evaluation, workplace inspections, implementation of appropriate dress codes, and disciplinary action. Harassment does not include these decisions as long as they are not based on one of the prohibited grounds.
2. Harassment that occurs outside of work. For example, harassment that occurs during a union meeting or while attending a social gathering of co-workers after work is not covered. However, harassment that occurs while attending a conference or training session at the request of the employer would be covered within this policy.
3. Physical contact necessary for the performance of the work using accepted industry standards.
4. Conduct which all parties agree is inoffensive or welcome, and;
5. Conflict or disagreements in the workplace, where the conflict or disagreement is not based on one of the prohibited grounds.

Harassment can exist even when there is no intention to harass or offend another. Everyone must take care to ensure his or her conduct or display is not offensive to another.

### **Employee Responsibilities:**

All employees, including managers and supervisors employed by Acres shall:

- refrain from causing or participating in the harassment of another worker, and
- co-operate with any person investigating harassment complaints.

**Disclosure of Investigation Documents** – All documents and statements obtained during the course of the investigation, including the names and copies of witness statements, should not be disclosed to any person unless required by law.

### **Malicious complaints:**

Although uncommon, where an investigation finds a complainant has knowingly made a false allegation, the complainant will be subject to our Progressive Disciplinary Policy.

### **Complaint Procedure**

See Bullying and Harassment Procedure, [DocID HR.138](#).