

POLICY ID	OP-GEN-02	SUBJECT	RESPECT IN THE WORKPLACE, HARASSMENT & WORKPLACE VIOLENCE PREVENTION
SECTION	GENERAL		
EFFECTIVE DATE	SEPTEMBER 2018	REVIEW CYCLE	EVERY TWO YEARS
DATE AMENDED	JANUARY 20, 2021	NEXT REVIEW	FALL 2023

## Policy

The CCEB values the well-being of our staff, volunteers and site personnel and supports mutually productive working relationships in which all volunteers and site personnel are treated fairly, with dignity and respect for their individual rights in an atmosphere free of all types of harassment.

While it is acknowledged that volunteers and site personnel are not staff members, by definition, CCEB examination administration sites where volunteers and site personnel perform duties for the CCEB shall be considered ‘workplaces’ for the purposes of this policy.

## Purpose

This Policy aims to prevent harassment in the workplace, including sites used for examination administration. Its goal is to maintain a safe, harassment-free workplace and ensure the physical and psychological security of volunteers and site personnel as well as preserve their dignity by providing appropriate support to volunteers and site personnel victimized by harassment.

The CCEB also acknowledges that violence in the workplace is an occupational health and safety hazard that can cause physical, psychological, and emotional harm. The CCEB states that it will take reasonable precautions to prevent workplace violence and to protect volunteers and site personnel at the workplace.

This Policy will be reviewed at least once every three years, or as required by applicable legislation, by the CEO or other appropriate personnel and adjustments will be made whenever necessary to ensure the success of this program.

## Guidelines

1. Any form of harassment relating to an individual’s race, religious belief, colour, gender, physical or mental disability, marital status, ancestry, age, place of origin, family status, source of income, sexual orientation, gender identity, gender expression or any other prohibited ground of discrimination under Human Rights legislation, **will not be tolerated.**
2. Not only will harassment between volunteers and site personnel not be tolerated, it will also not be tolerated when it comes from or is directed toward any non-volunteer or site personnel such as a candidate, customer, supplier, or any other individual or company who has business-related responsibilities with the CCEB.
3. **“Harassment”** means any objectionable conduct, or verbal or physical action, which may create an intimidating, hostile, or offensive work environment, including but not limited to sexual harassment. It may be a single event or occur over a period of time. The

behaviour need not be intentional in order to be considered harassment. Individuals have different tolerance levels for what is unacceptable behaviour; however, harassment is considered to have taken place if a reasonable person knows or ought to have known the behaviour is or would be unwelcome.

4. Sexual harassment includes, but is not limited to:
  - unwanted sexual advances, unwanted requests for sexual favours, derogatory comments, gestures, or looks
  - unnecessary or unwanted verbal or physical contact, jokes, slurs, or innuendo
  - derogatory or demeaning material in any medium including printed matter, posters, cartoons, graffiti, drawings, or any display of sexually suggestive material
  - actual or implied threats, reprisal, or discriminatory behaviour either on or off the job, for refusal to comply with a sexually oriented request
  - any of the above instances that occur, not only in person, but through written contact, email, or social media.
5. Other forms of personal harassment include, but are not limited to:
  - unwanted actions, verbal or physical attacks, taunting, comments, jokes, or slurs
  - derogatory or demeaning material in any medium including posters, cartoons, graffiti, drawings, and innuendo
  - any unacceptable actions or material in the workplace
  - any of the above instances that occur, not only in person, but through written contact, email, or social media.
6. Discrimination of any nature will not be tolerated. Discrimination is defined as any attempt to harass an individual, in matters related to employment including but not limited to opportunities, benefits or privileges, working conditions or evaluation standards, on any of the following prohibited grounds: ancestry or place of origin, race, colour, religious beliefs, physical disability, mental disability, gender, age, sexual preference, marital status and family status, or any other criteria contrary to established laws.
7. **“Bullying”** is a type of harassment involving repeated, persistent, continuous behaviour where the victim is made to feel inferior. Workplace bullying behaviour includes, but is not limited to, silent treatment, starting or encouraging rumours, excessive or unjustified criticism, withholding job-related information or job responsibility or deliberate interference with the performance of job responsibilities.
8. The following are **not** considered to be Harassment or Bullying:
  - **Allocation of Resources:** In order to get work done, supervisors may have to make unpopular decisions, such as changing work assignments or reporting relationships. Such decisions may or may not please others, but they do not constitute harassment.
  - **Performance Feedback:** Feedback regarding unsatisfactory work conduct and/or negative performance evaluation is not harassment. Supervisors have a responsibility to give appropriate feedback and criticism and to take appropriate

corrective action when the work of a volunteer or of site personnel is not satisfactory. Such feedback and criticism should, however, be made in a reasonable manner and should be constructive.

9. The CCEB views any acts of violence and threats of violence in the workplace as unacceptable and will not tolerate or condone acts of violence against or by any CCEB volunteer and site personnel, other worker, or member of the public. CCEB volunteers and site personnel are prohibited from engaging in any violent behaviour towards others at the workplace.
10. **“Workplace Violence”** means the threatened, attempted, or actual conduct of a person that causes or is likely to cause physical injury, including but not limited to:
  - (a) threatening behaviour and any expression of intent to cause harm;
  - (b) the use of physical force against or by a worker, in a workplace, that causes or could cause physical injury (this includes, but is not limited to, physical acts such as punching, hitting, kicking, pushing, damaging property or throwing objects);
  - (c) the attempted use of physical force against or by a worker, in a workplace, that causes or could have caused physical injury;
  - (d) a comment or conduct (or series of comments or conduct) reasonably believed to be a threat to exercise physical force against the worker (that could cause physical injury to the worker) in the workplace, or to be a threat to safety or security in the workplace; or
  - (e) bringing, or threatening to bring, a weapon of any kind to a CCEB workplace; possessing a weapon of any kind while carrying out CCEB business; or threatening to bring a weapon.
11. With respect to acts of Workplace Violence, Harassment or Bullying, as defined in this Policy, the CCEB may, where appropriate:
  - Remove the respondent or accused from a CCEB workplace by security or by the police;
  - Discipline any volunteer or site personnel, up to and including dismissal, and/or report the conduct to the police; and
  - Report the conduct of any other person to their employer, supervisor and/or principal, and/or to the police.
12. All physical assaults involving volunteers or site personnel or occurring at a CCEB workplace (along with any other illegal activity) may be reported to the police. Threats of physical violence may be reported to the police as appropriate.
13. Nothing in this Policy is intended to discourage a worker from exercising rights pursuant to any other law, including applicable human rights legislation.

### **Reporting Workplace Violence or Threats of Workplace Violence**

14. All incidents or threats of Workplace Violence must be immediately reported to the CEO or other appropriate personnel.
15. The CEO or other appropriate personnel will take prompt action to address any situation that involves violent behaviour or threats. This may include, but is not limited to, calling 911 for immediate police assistance.

16. Any person subjected to Workplace Violence should, where appropriate, go to a safe location at the workplace and report the incident to the CEO or other appropriate CCEB personnel so that the incident can be investigated and addressed.
17. Any person who suffers an injury or adverse symptom as a result of an incident of Workplace Violence or harassment is advised to consult a health professional of their choice for treatment or referral.
18. Any volunteer and site personnel experiencing violence outside of the workplace (i.e. domestic violence) that may create a risk of danger to themselves or others in the workplace is encouraged to contact the CEO. The CCEB will take every precaution reasonable in the circumstances for the protection of the worker and/or others in the workplace. If the CEO is unavailable or the complaint is in regard to the CEO, the volunteer or site personnel should contact the Chair of the Board of Governors via email: [admin1@cceb.ca](mailto:admin1@cceb.ca).

### **Reporting Harassment or Bullying**

19. Volunteers and/or site personnel who believe they are being harassed or bullied are encouraged to make their objections known to the harasser or bully, if possible. They should keep a written record of all incidents, naming any witnesses, and then contact the CEO. If the volunteer or site personnel does not wish, or feels unable to address the issue with the person committing the harassment, or if the approach stated does not bring about the resolution of the problem, the volunteer or site personnel should discuss the situation with the CEO or other appropriate CCEB personnel. If the CEO is unavailable or the complaint is in regard to the CEO, the volunteer and site personnel should contact the Chair of the Board of Governors via email: [admin1@cceb.ca](mailto:admin1@cceb.ca).

### **Investigation of Complaints of Workplace Violence or Harassment**

#### **A. Procedure for Complaints of Harassment or Bullying:**

20. The CEO, or Chair of the Board of Governors, approached with a Harassment or Bullying complaint will conduct, or will have an independent third-party conduct, meetings with the complainant, alleged harasser, and any witnesses as quickly as is reasonably possible, in order to obtain all the facts.
21. At the conclusion of the investigation into an incident or complaint, the investigator will prepare a written report of the findings of fact and – after evaluating existing policies, procedures, physical premises and devices, and volunteer and site personnel training – any suggestions to prevent a recurrence.
22. Once the investigation is complete, separate meetings will be scheduled with the complainant and respondent (if the person is a CCEB volunteer or site personnel) to inform each of them of the results of the investigation. Where it is determined that Harassment occurred and the perpetrator is not a CCEB volunteer or site personnel, the CCEB will inform the perpetrator's regulator, employer, and/or post-secondary institution and may make suggestions as to addressing the issue.
23. The CCEB will report the outcome of any investigation as may be required by the

applicable legislation.

**B. Procedure for Complaints of Workplace Violence:**

24. Complaints of Workplace Violence are taken very seriously, and all complaints of Workplace Violence will be investigated. The investigation process may include interviews with the complainant, the respondent, and any witnesses named by either, and any other steps the investigator(s) deem necessary to fully and fairly investigate the complaint or incident.
25. At the conclusion of the investigation into an incident or complaint, the investigator will prepare a written report of the findings of fact and – after evaluating existing policies, procedures, physical premises and devices, volunteer and site personnel training – any suggestions to prevent a recurrence.
26. Once the investigation is complete, separate meetings will be scheduled with the complainant and respondent (if the person is a CCEB volunteer or site personnel) to inform each of them of the results of the investigation. Where it is determined that the Workplace Violence occurred and the perpetrator is not a CCEB volunteer or site personnel, the CCEB will inform the perpetrator’s regulator, employer, and/or post-secondary institution and may make suggestions to address the issue.
27. The CCEB will report the outcome of any investigation as may be required by the applicable legislation.

**Prohibition of Reprisals**

28. Workplace Violence, Harassment, and Bullying are serious matters. This Policy prohibits any reprisal, reprimand, penalization, or criticism against volunteers and/or site personnel when acting in good faith while following this Policy and the supporting procedures for making or addressing complaints or providing information regarding a complaint or incident of Workplace Violence, Harassment, or Bullying. This Policy encourages volunteers and site personnel to responsibly and freely express their thoughts, opinions, and feelings regarding Harassment, Bullying, or Workplace Violence complaints.
29. Volunteers and/or site personnel who engage in reprisal or threats of reprisal may be disciplined up to and including dismissal from employment for cause. “**Reprisal**” includes:
  - (a) any act of retaliation that occurs because a person has complained of, or provided information about, an incident of Workplace Violence or Harassment;
  - (b) intentionally pressuring a person to ignore or not report an incident of Workplace Violence or Harassment; and
  - (c) intentionally pressuring a person to lie or provide less than full cooperation with an investigation into a complaint or incident of Workplace Violence or Harassment.

**Right to Refuse Work**

30. A volunteer and/or site personnel has the right to refuse work if Workplace Violence is

reasonably likely to endanger the volunteer or site personnel.

### **False, Malicious, or Vexatious Complaints**

31. A volunteer and/or site personnel who makes a false, malicious, or vexatious complaint or otherwise abuses this policy may be disciplined up to and including dismissal from employment for cause. Such discipline is not a Reprisal or breach of this Policy.

### **Confidentiality**

32. The CCEB understands that formulating a harassment complaint may be difficult. We also recognize that it is in the best interest of the volunteer and/or site personnel who is complaining as well as the individual accused of Workplace Violence or Harassment to preserve the confidentiality of any complaint of this nature. To protect the interests of the complainant, of the accused volunteer and/or site personnel, and of any other volunteer and/or site personnel who may be a witness to the alleged acts, and any other volunteer and/or site personnel involved, all related information must be kept confidential during and after the formal or informal procedure and the investigation, unless circumstances require otherwise, including to advance the investigation, ensure the protection of volunteers and/or site personnel, or as required by law.
33. The CCEB will not disclose the circumstances related to an incident of Workplace Violence or the names of the complainant, the person alleged to have committed the violence, and any witnesses, except where necessary to investigate the incident or take corrective action, or to inform the parties involved in the incident of the results of the investigation and any corrective action to be taken to address the incident, where necessary to inform workers of a specific or general threat of violence or potential violence, or as required by law. The CCEB will disclose only the minimum amount of personal information that is necessary to inform workers of a specific or general threat of violence or potential violence.
34. The CCEB will not disclose the circumstances related to an incident of Workplace Harassment or the names of the complainant, the person alleged to have committed the harassment, and any witnesses, except where necessary to investigate the incident or take corrective action, or to inform the parties involved in the incident of the results of the investigation and any corrective action to be taken to address the incident, or as required by law.

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