



Policy and Procedure Manual

Ministry and Personnel

Discrimination or Bullying and Harassment

Date Approved: May 2015
Date of last Revision: 2019

BACKGROUND/PURPOSE

St. Andrew's Wesley United Church will take reasonable steps to prevent where possible, or otherwise minimize workplace discrimination, bullying or harassment.

Supervisors have a duty to take all reasonable steps to insure the health and safety of employees under their supervision, and as a result, a supervisor must take all reasonable steps to prevent where possible, or otherwise minimize workplace bullying, harassment and discrimination.

An employee has a duty to take reasonable care to protect the health and safety of themselves and other persons, and as a result, an employee must take all reasonable steps to prevent where possible, or otherwise minimize workplace bullying, harassment and discrimination.

APPLICATION:

This Policy statement applies to all employees, including permanent, temporary, contract and casual. It applies to interpersonal and electronic communication.

POLICY

St. Andrew's Wesley United Church is committed to insuring a respectful workplace, free from Discrimination or Bullying and Harassment.

Discrimination or Bullying and Harassment is not acceptable or tolerated in this workplace. All employees will be treated in a fair and respectful manner.

WorkSafeBC requires that employees must report if bullying and harassment is observed or experienced in the workplace, and that the employer initiate an investigation.

DEFINITIONS

Bullying and Harassment

Includes any inappropriate conduct or comment by a person towards an employee that the person knew or reasonably ought to have known would cause that employee to be humiliated or intimidated, but excludes any reasonable action taken by an employer or supervisor relating to the management and direction of employees.

Examples of conduct or comments that might constitute Bullying and Harassment include verbal aggression or insults, calling someone derogatory names, harmful hazing or initiation practices, vandalizing personal belongings, and spreading malicious rumours. This also includes conduct through electronic communication.



Policy and Procedure Manual

Ministry and Personnel

Discrimination or Bullying and Harassment

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Complainant

an employee who believes he or she has been subjected to or observed discrimination or Bullying or Harassment in the workplace.

Discrimination

Defined by the B.C. Human Rights Code and is specific to race, color, ancestry, place of origin, religion, marital or family status, physical or mental disability, sex, sexual orientation, age (19 years and over), criminal conviction (in employment), political belief (in employment).

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-employee, or a non workplace party such as a congregant, a member of the public, or anyone an employee comes into contact with at the workplace.

Respondent

A person in the workplace against whom a complaint of Discrimination and/or Bullying and Harassment has been made.

RESPONSIBILITIES:

1. STEPS TO PREVENT WORKPLACE DISCRIMINATION

- 1.1 St. Andrew's Wesley United Church will take reasonable steps to prevent where possible or otherwise minimize workplace Discrimination or Bullying and Harassment by:
 - Developing a policy statement with respect to workplace Discrimination or Bullying and Harassment not being acceptable or tolerated;
 - Taking steps to prevent where possible, or otherwise minimize workplace Discrimination or Bullying and Harassment;
 - Developing and implementing procedures for employees to report incidents or complaints of workplace Discrimination or Bullying and Harassment including how, when and to whom an employee should report incidents or complaints. Included must be procedures for an employee to report if the employer, supervisor or person acting on behalf of the employer, is the alleged bully and harasser;
 - Informing employees of the policy statement.
 - Training supervisors and employees on recognizing the potential for bullying, harassment and discrimination and responding by having



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Ministry and Personnel

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procedures for reporting and how the employer will deal with incidents or complaints of Discrimination or Bullying and Harassment.

- Annually reviewing the policy and procedures.
- Not engaging in discrimination or bullying and harassment of employees.
- Applying and complying with St. Andrew's Wesley policy and procedures on discrimination or bullying and harassment.

- 1.2 A supervisor has a duty to take all reasonable steps to ensure the health and safety of employees under their supervision, and as a result, a supervisor must take all reasonable steps to prevent where possible, or otherwise minimize workplace discrimination or bullying and harassment.

A supervisor's obligation to ensure the health and safety of employees includes:

- Not engaging in discrimination or bullying or harassment of employees, other supervisors, the employer, or persons acting on behalf of the employer; and
- Applying and complying with St. Andrew's Wesley's policy and procedures on discrimination or bullying and harassment.

- 1.3 An employee has a duty to take reasonable care to protect the health and safety of themselves or others includes:

- Not engaging in discrimination or bullying and harassment of other employees, supervisors, the employer or persons acting on behalf of the employer;
- Reporting if discrimination or bullying and harassment is observed or experienced in the workplace;

2. FALSE ACCUSATIONS OR VEXATIOUS COMPLAINTS

Sometimes individuals make allegations about situations that are not discrimination or bullying and harassment. The accusations might be vexatious in intent, or a person might not understand the definition of workplace discrimination or bullying and harassment. False accusations can have a negative effect on the accused and the workplace overall. Complaints that are viewed to possibly be vexatious may be formally investigated as an act of misconduct.

3. REPORTING AN INCIDENT OF DISCRIMINATION AND BULLYING OR HARASSMENT

Employees at St. Andrew's Wesley can report incidents or complaints of workplace discrimination or bullying and harassment verbally or in writing.



Policy and Procedure Manual

Ministry and Personnel

Discrimination or Bullying and Harassment

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When submitting a written complaint, please use the St. Andrew's Wesley discrimination or bullying and harassment complaint form. When reporting verbally, the reporting contact, along with the complainant, will fill out the complaint form.

Incidents or complaints should be reported as soon as possible after experiencing or witnessing an incident. This allows the incident to be investigated and addressed promptly.

Employees should report any incidents or complaints to their supervisor or the Ministry and Personnel Committee. The supervisor will contact the M&P Committee for assistance.

If the complainant's supervisor or the reporting contact identified above is the person engaging in discrimination or bullying and harassing behavior, employees should contact the Chair of the Board.

Provide as much information as possible in the report, such as the names of people involved, witnesses, where the events occurred, when they occurred, and what behaviors and/or words led to the complaint.

Attach any supporting documents, such as electronic communication, handwritten notes or photographs. Physical evidence, such as vandalized personal belongings, can also be submitted. All reports will be forwarded to the supervisor or alternate reporting contact outlined above.

4. CONDUCT OF INVESTIGATIONS

Most investigations at St. Andrew's Wesley will be conducted internally. In complex or sensitive situations, an external investigator might be hired.

Investigations will:

- Be undertaken promptly and diligently, and be as thorough as necessary, given the circumstances;
- Be fair and impartial, providing both the complainant and respondent equal treatment in evaluating the allegations;
- Be sensitive to the interests of all parties involved and maintain confidentiality;
- Be focused on finding facts and evidence, including interviews of the complainant, respondent, and any witnesses.

If the alleged complainant and the alleged bully agree on what happened, then St. Andrew's Wesley will not investigate further, and will determine what



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corrective action to take, if necessary. The investigator will also review any evidence, such as electronic communication, handwritten notes, photographs, or physical evidence like vandalized objects.

The Ministry and Personnel Committee is responsible for ensuring workplace investigation procedures are followed.

The Supervisor will liaise with the Ministry and Personnel Committee to undertake and participate in investigations.

Employees are expected to cooperate with investigators and provide details of incidents they have experienced or witnessed.

If external investigators are hired, they will conduct investigations and provide a written report with conclusions to the Ministry and Personnel Committee or designate.

The alleged bully and the alleged complainant will be advised of the findings by the Ministry and Personnel Committee or designate.

Following the investigation, the Ministry and Personnel Committee will review and revise, if necessary, workplace procedures to prevent any future bullying and harassment incidents in the future.

Appropriate corrective actions will be taken within a reasonable time frame. In appropriate circumstances, employees may be referred to the employee assistance program.

St. Andrew's Wesley expects that employees will keep written accounts of incidents to submit with any complaints. The Ministry and Personnel Committee will keep a confidential written record of investigations, including the findings.

All employees will be given a copy of these procedures. These procedures will be reviewed annually.