

Local Services Board of Loring, Port Loring and District

Harassment Policy

GENERAL:

The LSB is committed to maintaining a healthy and productive work environment free from harassment. All persons who perform work for the LSB – either formally as a member of the Board or any of its sub-committees, or as a volunteer with any of the LSB Sports and Recreation Programs – have a responsibility to help maintain a work environment that is free from all forms of harassment. The LSB members shall appoint a Board member to act as their Harassment Coordinator (duties and responsibilities are outlined in Annex A). Volunteers and LSB members who believe that they have been subject to harassment, as outlined in this policy, or believe that they have knowledge of such harassment should immediately contact the LSB Harassment Coordinator.

Harassment is prohibited in any location that can reasonably be regarded as an extension of the LSB. Examples include: any Sports and Recreation Program site or location, an off-site LSB function or any other facility where LSB business is being conducted and discussed.

Any conduct by a volunteer or LSB member, confirmed to be harassment, or any complaint found to be unwarranted and/or of a vindictive or malicious nature will not be tolerated by the LSB and may result in action ranging from a written warning up to and including immediate discharge from the LSB or its programs.

DEFINITION OF HARASSMENT:

Harassment is any behavior that causes distress, feelings of a lack of safety, or physical harm, to another person based on their actual or perceived race, religion, age, gender, gender expression or identity, disability, sexual orientation, citizenship status, place of origin, marital status or familial status. Harassment does not need to have malicious intent; the impact(s) on the person reporting the harassment must be addressed, regardless of the intent.

Harassment generally consists of comments or actions that a reasonable person would find objectionable or unwelcome and which serve no relevant purpose in the conduct of LSB business or program activities. It may occur during a single incident or over a series of incidents.

Some actions may not be considered harassment unless repeated. For example, a joke may not be considered harassment if it does not have a major impact on the recipient or someone else who overhears the joke. Additionally, harassment does not include actions taken in good faith while exercising authority or responsibility as a program volunteer or LSB member – for example, providing constructive criticism to a volunteer or fellow LSB member.

In this policy, the following types of conduct or comments, whether written, verbal, or visual (including electronic communication) are considered harassment and are unacceptable:

- 1) Discrimination
- 2) Sexual Harassment
- 3) Personal Harassment
- 4) Retaliation

1) Discrimination:

Discrimination is any unwelcome practice, comment, or behavior, whether intentional or not, based on any one or more of the following grounds: age, ancestry, place of origin, colour, family status, marital status, mental disability, physical disability, source of income, ethnicity, religious belief, gender, or sexual orientation:

- When such conduct might reasonably be expected to cause insecurity, discomfort, offence or humiliation to another person or group
- When such conduct has the purpose or the effect of interfering with a person's ability to complete their task(s) or creates an intimidating, hostile or offensive environment for that person

2) Sexual Harassment:

For the purposes of this policy, sexual harassment is defined as one or more incidents involving unwanted and unwelcome sexual advances, requests for sexual favours, or other verbal or physical conduct of a sexual nature:

- When such conduct might reasonably be expected to cause embarrassment, insecurity, discomfort, offence or humiliation to another person or group
- When submission to such conduct is made either implicitly or explicitly a condition of work with the LSB Board or any of its Committees, or any LSB program
- When such conduct has the purpose or the effect of interfering with a person's ability to complete tasks; or creates an intimidating, hostile, or offensive environment.

Although the perception is that sexual harassment most commonly occurs in the form of behavior by men towards women; sexual harassment can also occur between men, between women, or as behavior by women towards men.

3) Personal Harassment:

Personal harassment are activities that will degrade the civility, safety and respectful aspects of the work or volunteer environment. Personal harassment is conduct:

- That a reasonable person would consider unwelcome
- Results in the recipient feeling intimidated, humiliated or embarrassed
- Negatively affects work or volunteer performance
- Creates a hostile work environment

4) Retaliation:

Retaliation is any action taken against an individual in retaliation for:

- Having invoked this policy whether on behalf of oneself or another individual
- Having participated or cooperated in any review of complaint under this policy
- For having been associated with a person who has invoked this policy or participated in these procedures

DEFINITION OF WORKPLACE CONFLICT:

General workplace conflict refers to conflict of a broad nature that affects a person's ability to work. It is not conflict that falls into the categories of workplace harassment. Conflict in the workplace occurs for a variety of reasons, which can include:

- 1) Differences in working styles, communication, etc
- 2) Differences regarding personal space, work spaces, etc
- 3) Gossiping and rumors

If not resolved, a persistent conflict can lead to an unhealthy and unproductive environment for the individuals involved, and can affect those around them. Often these conflicts can be avoided by early and open communication between the parties involved. In cases where informal efforts to resolve a conflict do not succeed, parties may seek resolution through the LSB Harassment Coordinator.

CONFIDENTIALITY:

Confidentiality is an extremely serious issue. Significant personal harm and damage to reputation can result when there are inappropriate breaches of confidentiality, including harm created by innuendo and gossip. Trust in confidentiality is critical to encourage people to come forward with their complaint. At the same time, those involved in a complaint have a right to be given enough information so that they are able to respond and to defend their interests. Confidentiality is different from anonymity; an

individual complainant that wishes to seek informal or formal resolution must be prepared to be identified to the respondent.

COMPLAINT PROCESS:

A Board member, staff or volunteer who believes they have been harassed (referred to as the complainant) should:

- If comfortable to do so, inform the alleged harasser that the behavior is offensive, unwelcome, against the LSB's policy and must stop
- Make a note of the date, time and location of the incident(s). Please refer to the form enclosed as Annex B.
- If not comfortable to confront the alleged harasser or if the unwelcome behavior continues, contact the LSB Harassment Coordinator
- If this is inappropriate, speak to any LSB member about the situation.

The LSB Harassment Coordinator will follow the procedures set out below. At any time, the complainant has the right to discontinue this process.

When a complaint is received, the LSB Harassment Coordinator will:

- Obtain and record a full, step-by-step account of the incident(s) from the complainant
- Ensure the LSB's process for handling the complaint is understood
- Ascertain the complainant's preferred outcome (for example, an apology, the behavior to cease, a change in working arrangements)
- Agree on the next step: informal resolution or formal investigation
- Keep a confidential record of all details of this discussion and subsequent steps in the process

Informal Resolution

Where a complainant has chosen informal resolution, the Harassment Coordinator will:

- Inform the alleged harasser of the complaint and provide an opportunity to respond
- Ensure both parties understand their rights and responsibilities under the LSB's policy
- If possible, mediate an outcome that is satisfactory for the complainant
- Ensure that confidentiality is maintained
- Follow up to ensure the behavior does not re-occur

Formal Investigation

If a formal investigation is requested by the complainant, or if an informal resolution fails, the LSB

Harassment Coordinator will initiate a formal investigation and will be assisted by two other LSB members (appointed by the Harassment Coordinator). The investigation team will have at least one member that is the same gender as the complainant; one member with the same gender as the alleged harasser. The investigation team will:

- Interview the complainant and the alleged respondent in separate interviews
- Interview all witnesses in separate interviews
- Keep records of the interviews and investigation
- Ensure confidentiality and minimize disclosure
- Make a determination as to whether there is sufficient evidence that a reasonable person could conclude, on the balance of probabilities (i.e., it is more likely than not) that an incident(s) of harassment as defined by this policy has occurred
- In such a case, determine appropriate action, which may include a change of duties for the harasser, change in working arrangements, or where the incidents were frequent and/or severe, dismissal from involvement in the LSB or any of its programs
- Where it cannot be determined by the required test, that an incident(s) of harassment has occurred, may still take action to ensure the proper functioning of the LSB or its programs; but these actions should not prejudice any party. The LSB Harassment Coordinator will also continue to closely monitor the situation and provide retraining where required
- Check to ensure the action meets the needs of the complainant and the LSB

COMPLAINT PROCESS FOR LSB PROGRAM PARTICIPANTS:

The LSB recognizes that adults and older youth are role models, and that children and youth learn powerful lessons through observation of the behaviors of adults. Children and youth learn what is and what is not acceptable in relationships through observing the ways children relate to each other, how volunteers/adults relate to other children and youth in their group, and how volunteers/adults relate to them.

All volunteers should be educated about bullying and bullying prevention. It is critical that all volunteers be aware that bullying behavior is common among children and youth but often hidden from adults. Volunteers must be vigilantly observant regarding the way program participants relate to one another. In establishing expectations about appropriate and respectful behavior, volunteers must communicate that everyone has the right to be safe and has the responsibility to treat others with respect. Volunteers should send a clear expectation that bullying/harassment will not be accepted in any LSB program or activity.

Parents should be aware of the LSB Harassment Policy. Program volunteers must communicate to all that they expect children who are victimized to come forward and report the problem to them. In addition, volunteers must communicate that participants who observe bullying and harassment should respectfully stand up against the bullying by reporting the problem to their parent(s) and the program volunteer(s).

Roles, Responsibilities and Reporting

The response to bullying must address the needs of:

1. The child/youth who has been victimized, and
2. Each child/youth that has seen bullying/harassment.

The LSB Harassment Coordinator must be informed of incidents of bullying that occur during the conduct of any LSB program. The LSB Harassment Coordinator will coordinate all activities related to the resolution of bullying/harassment incidents that involve child/youth participants in any of the LSB programs.

As directed by the LSB Harassment Coordinator, volunteers may meet with the children/youth participants to obtain more information if needed; to convey the seriousness of the bullying incident; and/or to create a restorative response to the bullying problem so it doesn't happen again. Responses should be geared to finding solutions; the goal is to enhance children and youth development in the ability to have healthy and respectful relationships with others.

The LSB Harassment Coordinator will meet with the program volunteer(s), the child/youth who was victimized and his/her parents to assess what happened and create a plan to ensure safety and the building of healthy relationships. Program volunteer(s) need to regularly check in with the victimized child/youth for a long enough time period to ensure that the bullying/harassment has stopped and to ensure the physical and psychological safety of the child.

A meeting with the LSB Harassment Coordinator, the child/youth who was bullying and his/her parents will be held to assess the seriousness of the incident, and to select and enforce appropriate consequences. Those who bully need to be aware that there will be regular check-ins to ensure the bullying has stopped. These consequences have two goals: to hold the child responsible for their bullying/harassing behavior, and to educate the child who has bullied so that over time he/she develops greater understanding, insight, and motivation to refrain from the behavior.

The intensity of the response should be balanced with:

- The severity of the aggressive behavior
- How long the bullying/harassment has been going on
- How frequently it occurred
- How pervasive is the pattern of bullying (does the child/youth have a history of repeated involvement in bullying or being victimized in other settings?)

If all efforts made to prevent and constructively address bullying/harassment have failed, as a last resort, expulsion of the bully from the LSB program may be the only way to secure the welfare and safety of a person who is victimized and to ensure the positive functioning of the group.

It is the LSB Harassment Coordinators responsibility to make a decision if time limited suspensions are warranted after consultation with the program volunteers and parents of the child who bullied. A brief written report indicating dates, names of those involved in meetings, etc should be prepared for LSB files and a copy provided to the parents of both children.

RESPONSIBILITIES:

All LSB members and volunteers have the responsibility to treat each other with respect and to refrain from discrimination and harassment. They are encouraged to speak up if they or someone else is being harassed, and are encouraged to report harassment to the appropriate person.

LSB members and volunteers are responsible for fostering a safe working environment, free of harassment. A safe environment is one where everyone is accepted and allowed to be themselves. No one should be afraid for their physical or mental health in a safe environment. A safe environment is not free of all criticism or conflict, but those things are handled with respect. LSB members and volunteers must set an example of appropriate behavior, and must deal with situations of harassment immediately on becoming aware of them – whether or not there has been a formal complaint.

Effective Date: 23 April 2015 (as approved by the LSB)

The LSB gratefully acknowledges the information obtained from Scouts Canada, Worksafe BC, Treasury Board of Canada Secretariat, and Volunteering Victoria

Duties and Responsibilities LSB Harassment Coordinator

The appointment of Harassment Coordinator will determined by the Service Board members. The appointment will normally be for one year.

The Harassment Coordinator will:

- Ensure Board members read/review the LSB Harassment Policy
- Conduct harassment awareness training session for all program volunteers, hired staff positions
- Assist complainants with informal resolution (if requested)
- Receive harassment complaints
- Conduct interviews with complainants, alleged harassers, witnesses
- Conduct follow up with complainants
- Appoint and lead the investigation team for formal investigations
- Meet with the Program Volunteer(s), children/youth, and parents for all complaints of alleged bullying/harassment among participants in LSB programs
- Ensure records are kept/maintained for all complaints, interviews

Harassment Complaint Form

Name: _____

LSB Job Title: _____ (if applicable)

Telephone: _____

Name(s) of Alleged Harasser(s):

Personal Statement

(Please describe the nature of your complaint and provide as much detail as possible (who, what, where, when). Use reverse of form if required)

Harassment Complaint Form

Personal Statement (continued)

Signature: _____ Date: _____

Please deliver in person or forward original in a sealed envelope to the LSB Harassment Coordinator OR any LSB Member.

TO BE COMPLETED BY THE LSB HARASSMENT COORDINATOR:

Date received: _____

Date of Investigation: _____

Date Resolved: _____