

PURPOSE

All employees, learners and Board of governors at the College are entitled to a positive working environment that is respectful and free of all forms of discrimination and harassment, and where people are treated with dignity. Southeast College is committed to make every reasonably practicable effort to ensure that no employee, worker or learner is subjected to harassment. Southeast College will take corrective action, up to and including dismissal, if harassment is found to have occurred.

SCOPE

This policy applies to the entire College community, including learners, in-scope and out-of-scope employees, workers, contractors, volunteers, and Board members, while participating in College-related activities in any location. This includes any College-related activity outside the workplace. This policy also applies at any third-party location where College-related activities are performed.

In the context of interactions with Southeast College, anyone participating in a Southeast College sponsored activity is able to make a complaint under the policy and is expected to conduct themselves in accordance with the policy. Please note that individuals may be subject to and required to comply with the harassment or respectful workplace policy of a third party.

This policy is not intended to prevent or discourage an employee from making any inquiries, seeking assistance or exercising legal rights:

- A) Under the applicable Human Rights legislation;
- B) Under the relevant Occupational Health and Safety legislation; or
- C) Under any other law.

DEFINITIONS

Respectful Behaviour - This behaviour values diversity, inclusion, dignity, courteous conduct, mutual respect, fairness, equality, and promotes positive communication and collaborative working relationships.

Inappropriate Behaviour – This is an overarching term used to describe disrespectful behaviour, discrimination, sexual harassment, harassment, and/or bullying.

Disrespectful Behaviour - This behaviour is disruptive to positive communication, courteous conduct, and collaborative working relationships (for example, gossip or interruptions). Behaviour may also be disrespectful if it does not value diversity, inclusion, dignity, fairness and equality. More objectionable and severe forms of disrespectful behaviour are considered harassment and/or bullying.

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Bullying – See *Personal Harassment* definition (below).

Harassment – The *Saskatchewan Employment Act* places harassment into three categories:

- i) Harassment based on prohibited grounds
- ii) Personal harassment; and
- iii) Sexual harassment.

I) HARASSMENT BASED ON PROHIBITIVE GROUNDS

Harassment based on prohibited grounds includes any inappropriate conduct, comment, display, action or gesture by a person that either:

- a) Is based on the prohibited grounds defined in *The Saskatchewan Human Rights Code*, or physical weight or size; or
- b) Constitutes a threat to the health or safety of the worker

This type of harassment is prohibited in the *Act* and *The Saskatchewan Human Rights Code*.

A list of the protected characteristics are attached to this Policy as Appendix A, and will be updated from time to time if and as legislation is amended.

II) PERSONAL HARASSMENT

Personal harassment is sometimes referred to as bullying. It includes any inappropriate conduct, comment, display, action or gesture by a person that:

- a) Adversely affects a worker's psychological or physical well-being;
- b) The perpetrator knows, or should reasonably know, would cause the worker to be humiliated or intimidated; and
- c) Constitutes a threat to the health and safety of a worker.

Typically, personal harassment involves repeat occurrences. A single incident may also constitute personal harassment if serious or severe and is shown to have a lasting harmful effect on a worker.

Personal harassment may include:

- a) Verbal or written abuse or threats;
- b) Insulting, derogatory or degrading comments, jokes or gestures;
- c) Personal ridicule or malicious gossip;
- d) Unjustifiable interference with another's work, or work sabotage;
- e) Gaslighting or manipulating of another's efforts;
- f) Refusing to work or co-operate with others; or
- g) Interference with or vandalism of personal property.

III) SEXUAL HARASSMENT

Sexual harassment is any conduct, comment, gesture or contact of a sexual nature that is offensive, unsolicited or unwelcome. This form of harassment is based on sex, gender (how one identifies including gender identity or expression or gender-determined characteristics) or sexual orientation.

Sexual harassment can also refer to behaviour that creates or permits a sexualized or sexually charged, or a

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negative/poisoned work environment. For example, certain types of conduct not specifically directed at an individual, such as displaying a poster or making comments that are overheard by another worker can be considered harassment.

Sexual harassment may include:

- A direct or implied threat of reprisal for refusing to comply with a sexually-oriented request;
- 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 behaviour of a sexual nature;

All incidents of inappropriate conduct should be appropriately addressed to ensure the workplace remains respectful and harassment free.

Harassment may be written, verbal, physical, online or electronic, a gesture or display, or any combination of these.

WHAT IS NOT HARASSMENT

Day-to-day management or supervisory decisions involving work assignments, job assessment and evaluation, workplace inspections, implementation of appropriate dress codes and disciplinary action are not considered harassment even if they sometimes involve unpleasant consequences. Managerial actions must be carried out in a manner that is reasonable and not abusive.

Other situations that do not constitute harassment include:

- a) Physical contact necessary for the performance of the work using accepted industry standards;
- b) Conduct which all parties agree is inoffensive or welcome; or
- c) Disagreements in the workplace that are not based on one of the prohibited grounds.

EMPLOYER'S COMMITMENT

Southeast College, and its managers and supervisors, will take all complaints of harassment seriously. We are committed to implementing this policy and ensuring it is effective in preventing and stopping harassment, as well as creating a productive and respectful workplace.

This commitment includes but is not limited to:

- Informing all persons of their rights and obligations. A copy of the policy will be provided to all employees, and accessible electronically through College SharePoint site and website.
- Training all persons in implementing this policy, information meetings will be held periodically, annually at a minimum, to explain the policy. New employees will receive the policy during their orientation and senior management, and supervisors, will be asked to set a good example and foster a respectful workplace.
- Protecting employees from reprisal or embarrassment for trying to stop or prevent harassment, all complaints will be held in the strictest confidence except where disclosure is necessary for investigation, corrective action, or as required by law.

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- Promptly taking the action necessary to stop and prevent harassment when it occurs or has occurred, appropriate action will be taken against persons who are or were engaged or participated in harassment. This action should be sufficient to ensure the harassment stops and does not happen again.
- Informing students, clients, contractors, volunteers, or other visitors to the workplace that certain conduct will not be tolerated or allowed to continue.

EMPLOYEE'S DUTY

In accordance with *Part III of The Saskatchewan Employment Act*, all employees, including managers and supervisors employed by Southeast College, shall refrain from causing or participating in the harassment of another employee, and co-operate with any person investigating harassment complaints.

All employees of the College shall:

- Participate in anti-harassment training and regular review of the policy.
- Refrain from causing or participating in harassment.
- Report any incidents they have observed that may involve harassment.
- Cooperate with any person investigating harassment complaints.

HARASSMENT COMPLAINT PROCEDURE

All complaints will be submitted and administered in accordance with H201.1 Harassment Complaint Procedure.

ACKNOWLEDGEMENT AND AGREEMENT

I, _____, acknowledge that I have read and understand Southeast College's Anti-Harassment Policy. I agree to adhere to this policy and will ensure that employee's working under my direction adhere to this policy.

Signature: _____ Date: _____

Witness: _____ Signature: _____

REFERENCES

H201.1 Harassment Complaint Procedure
Appendix A: Prohibited Grounds
The Saskatchewan Employment Act
The Saskatchewan Human Rights Code
Collective Agreement: Article 22 Anti-Harassment

Effective Date:	March 21, 2024 Replacing OP006 and G50
Date last reviewed:	*New N/A OP006 Nov/18 G50 Apr/15
Scheduled review date:	March 2027
Approved by:	Executive Management March 2024

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Appendix A – *The Saskatchewan Human Rights Commission*

“Prohibited Ground” means one of the following prohibited grounds of discrimination:

- a) Religion;
- b) Creed;
- c) Marital status;
- d) Family status;
- e) Sex;
- f) Sexual orientation;
- g) Disability;
- h) Age;
- i) Colour;
- j) Ancestry;
- k) Nationality;
- l) Place of origin;
- m) Race or perceived race;
- n) Receipt of public assistance;
- o) Gender identity.