

# **Students' Representative Council of Bishop's University's Policy for the Prevention of Psychological or Sexual Harassment and for the Processing of Complaints in the Workplace**

## **1) OBJECTIVES**

The purpose of this policy is to affirm The Students' Representative Council of Bishop's University's commitment to prevent and stop any situation of psychological or sexual harassment within the organization, including any form of discriminatory harassment. It also aims to establish the principles of intervention that are applied within the organization when a harassment complaint is filed, or a situation of harassment is reported to the employer or their representative.

This policy is meant to be complementary in nature to the *Bishop's University Policy on Harassment* and the *Policy on Sexual Violence*. These policies apply to all those employed and elected within the Students' Representative Council. Consequently, disciplinary action taken by the SRC does not replace or supersede sanctions or disciplinary action from the University.

## **2) SCOPE**

This policy applies to all employees and elected representatives<sup>1</sup>, at all levels, and includes the following locations and contexts:

- Work areas (SRC offices, Doolittle's, the Gait, Student Success Centre);
- Common areas;
- Any other place where people must be in the course of their employment (e.g. meetings, training, travel, social activities organized by the employer);
- Communications by any means, technological or otherwise.

## **3) DEFINITION**

The Act Respecting Labour Standards defines psychological harassment as<sup>2</sup>:

“Any vexatious behaviour in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures, that affects an employee's dignity or psychological or physical integrity and that results in a harmful work environment for the employee. For greater certainty, psychological harassment includes such behaviour in the form of such verbal comments, actions or gestures of a sexual nature.

A single serious incidence of such behaviour that has a lasting harmful effect on an employee may also constitute psychological harassment.”

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<sup>1</sup> All elected members are required to sign a release disclosure form such that if they are found to be in breach of University policy, the Dean of Student Affairs will inform one of the designated responsible SRC persons in order that appropriate action can be taken.

<sup>2</sup> See Appendix 1 for more details

The definition includes discriminatory harassment related to one of the grounds provided for in the *Charter of Human Rights and Freedoms*<sup>3</sup>.

The notion of harassment must be distinguished from other situations such as interpersonal conflict, work-related stress, difficult professional constraints or the right to manage (managing absenteeism, organization of work, disciplinary measure, etc.).

#### **4) POLICY STATEMENT**

The Students' Representative Council of Bishop's University does not tolerate or admit any form of psychological or sexual harassment in its business, whether:

- By managers to employees;
- Between colleagues;
- By employees to their superiors;
- From any person associated with it: representative, customer, user, supplier, visitor or other person.

Any behaviour associated with harassment may result in disciplinary action, up to and including dismissal.

The Students' Representative Council of Bishop's University is committed to taking reasonable steps to:

- provide a workplace free of all forms of harassment in order to protect the dignity and the psychological and physical integrity of individuals;
- disseminate the policy so it is accessible to its entire staff, by making it available on the [www.busrc.com](http://www.busrc.com) website, and providing a copy for new employees to read at the time of onboarding;
- prevent or, as the case may be, stop situations of harassment by:
  - a) putting in place a procedure for handling complaints and reports related to situations of psychological or sexual harassment,
  - b) ensuring everyone understands and respects the policy,
  - c) promoting respect among individuals
  - d) offering training to employees, including but not limited to, bystander intervention training.

#### **5) EXPECTATIONS OF STAFF**

It is the responsibility of all staff to adopt behaviours that promote the maintenance of an environment free from psychological or sexual harassment.

#### **6) TREATMENT OF COMPLAINTS AND REPORTS**

Whenever possible, a person who believes that they are being psychologically or sexually harassed, should first inform the person concerned that their behaviour is undesirable and that

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<sup>3</sup> Grounds of discrimination are listed in Appendix 1

the behaviour should be stopped. The individual should also note the date and details of the incidents, as well as the steps they took to try to resolve the situation.

If the individual does not wish to take this step or if the harassment continues, the employee should report the situation to one of the responsible persons designated by the employer so that problem behaviours and the necessary resources can be identified.

A complaint can be made verbally or in writing. The alleged behaviour and details of incidents should be described as accurately as possible, so that action can be taken quickly to stop the situation.

The responsible persons<sup>4</sup> designated by the employer are as follows:

Erin Mallory, General Manager - Administration  
819-822-9600 x 2298

Stephanie Thomas, General Manager - Operations  
819-822-9600 x 2833

Any person who witnesses an incident of harassment is encouraged to report it to one of the responsible persons listed above.

## 7) PRINCIPLES OF INTERVENTION

The Students' Representative Council of Bishop's University agrees to:

- assume responsibility for handling the complaint or report as soon as possible;
- preserve the dignity and privacy of the individuals involved, that is, the person who made the complaint, the person who is the subject of the complaint, and the witnesses;
- ensure that all concerned are treated with humanity, fairness, and objectivity, and that adequate support is provided;
- protect the confidentiality of the response process, including information about the complaint or report;
- offer the individuals concerned, with their agreement, a meeting with them to resolve the situation;
- Conduct a prompt and objective investigation, as required, or assign responsibility to an external stakeholder. The persons concerned will be informed of the conclusion of this process. If the investigation cannot establish that there has been unacceptable behaviour, all material evidence will be retained for two years and subsequently destroyed;
- take all reasonable steps to resolve the situation, including, but not limited to, appropriate disciplinary action.

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<sup>4</sup> Details of the role of the responsible people are indicated in Appendix 2.

Anyone who breaches the harassment policy will be subject to appropriate disciplinary action. The choice of action will take into account the seriousness and consequences of the action (s) as well as the previous record of the person who posed them.

A person who lays false charges for the purpose of causing harm is also subject to appropriate disciplinary action.

In handling and resolving a workplace harassment situation, no one should suffer prejudice or be retaliated against by the employer.

\_\_\_\_\_  
Signature of the employer

\_\_\_\_\_  
Date

Students' Representative Council of Bishop's University

A non-unionized person who believes that he or she has suffered psychological or sexual harassment in connection with his or her work may also file a complaint at any time directly with the Standards, Equity, Health and Safety Commission. (CNESST). The maximum time for doing so is two (2) years from the last incidence of harassment. The complaint may be filed online ([https://www.cnt.gouv.qc.ca/en/on-line-services/on-line-complaints/index.html?no\\_cache=1](https://www.cnt.gouv.qc.ca/en/on-line-services/on-line-complaints/index.html?no_cache=1)) or by telephone at 1-844-838-0808. An employee's decision to first address their employer will not have the effect of preventing them from filing a complaint with the CNESST.

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## **APPENDIX 1 - RECOGNIZING PSYCHOLOGICAL OR SEXUAL HARASSMENT**

The *Act respecting labour standards* provides criteria for determining what may be considered psychological or sexual harassment, namely:

- vexatious conduct (offensive, humiliating);
- manifests itself repeatedly or in a single, serious act;
- is hostile (aggressive, threatening) or unwanted;
- affects the dignity or integrity of the person;
- results in a harmful work environment.

These conditions include words, acts, or gestures of a sexual nature.

Discrimination on any of the grounds listed in section 10 of the *Charter of Human Rights and Freedoms* may also constitute harassment: race, colour, sex, gender identity or expression, pregnancy, sexual orientation, civil status, age except as provided by law, religion, political convictions, language, ethnic or national origin, social condition, a handicap or the use of any means to palliate a handicap.

For example, the following behaviors may be considered harassing conduct if they meet all the criteria of the law.

### **Behaviours that may be associated with psychological harassment**

- bullying, cyberbullying, threats, isolation;
- Offensive or defamatory remarks or gestures about a person or his work;
- Verbal violence;
- Put downs.

### **Behaviours that may be associated with sexual harassment**

- Any form of unwanted attention or unwanted advance with a sexual connotation, for example:
  - persistent sexual advances,
  - suggestive looks, kisses or touching,
  - sexist insults, rude remarks;
- Words, jokes or images with sexual connotations, communicated via technology or any other any means.

## APPENDIX 2 - RESPONSIBLE PERSONS APPOINTED BY THE EMPLOYER

The Students' Representative Council of Bishop's University

- will ensure that designated officials are properly trained and have the necessary tools at their disposal to process and follow up on the complaint or report;
- will provide release time so that the designated officials can perform the duties assigned to them.

The following persons are designated to act as the persons responsible for the application of the Students' Representative Council of Bishop's University's Policy on the Prevention of Psychological or Sexual Harassment at Work and the handling of complaints:

Erin Mallory, General Manager - Administration  
819-822-9600 x 2298

Stephanie Thomas, General Manager - Operations  
819-822-9600 x 2833

These responsible people must primarily:

- inform staff about the company's policy on psychological or sexual harassment;
- intervene informally to try to resolve situations;
- receive complaints and reports;
- recommend the nature of the actions to be taken to stop the harassment.

Commitment of the responsible persons

I hereby declare my commitment to abide by this policy and ensure that my intervention will be impartial, respectful and confidential.

\_\_\_\_\_  
Erin Mallory, General Manager- Administration

\_\_\_\_\_  
Date

\_\_\_\_\_  
Stephanie Thomas, General Manager - Operations

\_\_\_\_\_  
Date