

HS6.4 – Harassment, Bullying, and Sexual Harassment



Approval Body:	Academic Council and Stenberg College Executive
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Supporting Documents:	Stenberg College Lab and Safety Manual Child Care BC Act Criminal Code of Canada Health Professions Act Human Rights Code Occupational Health and Safety Regulation of British Columbia Workers Compensation Act
Related Policy:	G1.3 Equity, Diversity, Inclusion, Indigenization A4.14 Dispute Resolution HR5.3 Conflict Resolution HR5.14 Respect and Dignity

Purpose

The purpose of the Harassment, Bullying, and Sexual Harassment policy is to affirm Stenberg College's commitment to providing a collegial work environment in which all members of the Stenberg College community are treated with respect and dignity. The policy follows the guidelines set forth by British Columbia's Human Rights Code, ensuring a safe and respectful atmosphere without harassment or discrimination. The College upholds a zero-tolerance stance on sexual harassment or discrimination across all administrative, academic, and work experience settings.

This policy applies to members of the Stenberg College community which includes staff, faculty, students, visiting faculty, contractors, service providers, volunteers and work experience site personnel, irrespective of whether they are engaged in Stenberg College activities at a fixed location, remotely, are mobile, or are working in multiple locations.

Description

This policy is written in compliance with the Workers Compensation Act and Occupational Health and Safety Regulation of British Columbia, Child Care BC Act, SBC 2001, c4, Human Rights Code RSBC 1996, c 210, Criminal Code of Canada, RSC 1985, c C-46, Health Professions Act, RSBC 1996, c 183 and is in addition to and not a substitution for the rights a person may have under the legislation listed.

Stenberg College recognizes that a teaching-learning environment where everyone feels valued, recognized and safe, and can work in an atmosphere of respect and collaboration is fundamental to the delivery of quality educational services.

Definitions

Bullying, harassment and sexual harassment have different definitions. To ensure that members of the Stenberg College community understand this policy's definitions, examples of each type

of behavior are given below. This is followed by the procedure for examining and resolving complaints of bullying, harassment and sexual harassment.

Bullying

Bullying is generally viewed as conduct or verbal comments that could mentally harm or isolate a member of the Stenberg College community. Bullying can also involve negative and/or unwanted physical contact and usually involves repeated incidents or a pattern of behavior that is intended to intimidate, offend, degrade or humiliate a person or group of people.

Examples of behaviours that would be considered to be bullying:

- Victimization.
- Implying threats.
- Verbal abuse/insults, or written bullying through jokes, offensive language, or unwarranted complaints.
- Physical abuse or insults.
- Being treated less favourably than others in similar roles.
- Belittling or embarrassing a member of the Stenberg College community.
- Disseminating malicious rumours, gossip, or innuendo.
- Socially excluding or isolating a person with negative consequences.
- Intrusion - pestering, spying, or stalking.
- Intimidating or aggressive interactions written, verbal, or physical.
- Excessive monitoring of one's work or academic practices.
- Production, display, and circulation of offensive material.
- Withholding information necessary for the proper performance of a person's Stenberg College-related activities.
- Blaming a member of the Stenberg College community for things beyond their control.
- Use of aggressive, obscene, or derogatory language.
- Any other menacing verbal or physical behaviour.

Cyberbullying

Occurs over digital devices and networks. Cyberbullying occurs through SMS, text, and apps, or via social media applications, forums, chat rooms, message boards, or gaming communities where people can view, participate in, or share content. Cyberbullying includes sending, posting, or sharing negative, cruel, callous, uncaring, malicious, or false personal or private information about a person, persons, or circumstance. In some jurisdictions, cyberbullying is classified as unlawful or as criminal behaviour.

Examples of behaviours that would not be considered to be bullying:

- Expressing differences of opinions in a collegial and respectful manner.
- Objective criticism and corrections that are given in the appropriate context, as part of constructive feedback, to assist a person in improving their work or academic-related performance/conduct/attendance.
- Implementing reasonable disciplinary actions.

Apart from one-off behaviours, behaviors considered bullying by one person may be considered a routine interaction by another. The 'reasonableness' of behaviours will be taken into consideration, for example:

- Disrespectful behaviour, while not appropriate, is not bullying.
- Conflicts and disagreements that do not make a bullying pattern.

Discrimination

Any action which could be interpreted to suggest that someone is being treated differently or denied a benefit because of one of the following.

- Race
- Place of origin
- Family or marital status
- Age
- Conviction of a criminal or summary conviction offence that is unrelated to the employment or to the intended employment of that person
- Color
- Political belief
- Sex
- Gender identity
- Ancestry
- Religion
- Sexual orientation
- Gender expression

Harassment

Harassment is any form of unwanted behaviour (physical, verbal, or nonverbal) that violates a person's dignity on grounds of gender, age, civil status, family status, sexual orientation, race, religion, and disability. These behaviours may create an environment that is discriminatory, intimidating, hostile, degrading, humiliating and offensive to the person who is the focus of unwanted attention.

Harassment can occur as a single incident or a series of incidents over time and can include threats, intimidation, displays of racism, sexism, unnecessary physical contact, suggestive remarks or gestures, offensive pictures or jokes, and negative references to:

- Race, ancestry, ethnicity, nationality, citizenship, and aboriginal or place of origin.
- Political belief, association, and religious belief.
- Color, sex gender, sexual orientation, and gender-determined characteristics.
- Physical or mental disability or ability.
- Marital or family status.
- Source of income.
- Convictions (criminal or otherwise).
- Language.
- Association with another individual or class or group of individuals.

Harassment will be considered to have taken place if a reasonable person ought to have known that the behavior was unwelcome by the intended recipient or anyone else.

Sexual Harassment

Sexual harassment is a type of sexual violence and can be viewed as a form of discrimination. It is any form of unwanted verbal, nonverbal or physical conduct of a sexual nature which targets

a victim's sexuality, gender identity or gender expression, regardless of whether the act is verbal, nonverbal, physical or psychological that is committed, threatened or attempted against the victim without their consent. It may also include producing, displaying or circulating verbal or written words, innuendos, visuals or other material for display or distribution through traditional or social media vehicles to humiliate or exploit for profit.

Sexual harassment can involve one or more incidents. These behaviours may create an environment that is intimidating, hostile, degrading, humiliating and offensive to people who are the focus of unwanted attention.

Examples of sexual harassment can include the following:

- Sexual gestures or noises such as catcalling.
- Unwanted sexual advances or flirting.
- Any unwanted physical contact or contact of a sexual nature.
- Leering, staring, and suggestive expressions or looks.
- Any attempted physical sexual act or acts.
- Suggestive verbal or written propositions or innuendos.
- Sexual requests or asking for sexual favours.
- Exhibitionism or exploitation for profit.
- Sexual jokes.
- Sending sexual or sexualized content via any digital distribution application.
- Sexual posts or contact via any digital application.
- Intrusive questions about an individual's private or sex life.
- Commenting on a person's body, appearance, or what they are wearing.
- Distribution of sexual rumors.
- Stalking.
- Indecent exposure.
- Taking an inappropriate photo under another person's clothing.

The person receiving the sexual behavior decides if it is unwanted – not the person engaged in the behavior. Whether certain sexual behavior was accepted or not objected to in the past does not mean that it cannot become unwanted or that other sexual behavior is wanted.

Sexual harassment will be considered to have taken place if a reasonable person ought to have known that the behavior was unwelcome by the intended recipient or anyone else.

Violence

Workplace Violence Used to Bully or Harass

- The exercise of physical force or an attempt to exercise physical force by a person against a member of the Stenberg College community or another person in Stenberg College or at a Stenberg College sanctioned activities that cause or could cause physical injury to a member of the Stenberg College community or person.

- A statement or behavior that it is reasonable for a member of the Stenberg College community or another person to interpret as a threat to exercise physical force against a member of the Stenberg College community or another other person, in Stenberg College or at a Stenberg College sanctioned activity that could cause physical injury to a member of the Stenberg College community or person.

Physical Acts Used to Bully or Harass

Any threat, behavior, or action which is interpreted to carry the potential to harm or endanger the safety of a person resulting in an act of aggression, physical force to cause injury, or destruction or damage property, or disruptive behavior that is not appropriate to Stenberg College environment. This may include threatening statements, verbal or written, which give members of the Stenberg College community cause to believe they are at risk of physical injury.

Principles

- Stenberg College is dedicated to ensuring that all members of the Stenberg College community can work and learn in a safe environment without fear of bullying and harassment.
- Stenberg College is committed to a zero-tolerance policy for any instances of bullying and harassment in any Stenberg College administrative, academic, and work experience environment or at any Stenberg College-sanctioned activities.
- All members of the Stenberg College community are responsible for contributing to a safe and welcoming place to work and learn and are encouraged to report incidents of bullying and harassment or other forms of misconduct regardless of who the offender may be.
- Individuals, regardless of their position, seniority, or status found to have engaged in conduct as described in this policy, or who have assisted or been involved in a complaint under this policy will be investigated and subject to discipline up to and including dismissal.
- In all cases where a complaint of bullying and harassment or other improper activities or behaviors is made in good faith, the complainant(s) or witnesses will not be disciplined or retaliated against in any way.
- Stenberg College recognizes the importance of early intervention in addressing concerns raised with respect to bullying and harassment and all reasonable efforts will be made to address concerns in which they occur in a timely manner.
- This policy will be reviewed annually or at an earlier point in time if circumstances and legislation require.

Roles and Responsibilities

Responsibilities of the College

- Treat all members of the Stenberg College community and its constituencies with dignity and respect.
- Manage and conduct Stenberg College activities in such a way as to prevent, so far as is reasonably possible, any improper conduct or behavior likely to put the safety or welfare of its Stenberg College community at risk.

- Provide information, training and supervision to ensure, so far as is reasonably practicable, the safety and welfare of its Stenberg College community.
- Ensure the Stenberg College community adheres to policies regarding bullying and harassment or any other improper activity or behavior.
- Investigate complaints of bullying, harassment, violence, discrimination, and improper activity or behavior promptly in an objective and impartial manner as per policy.
- Report incidents of bullying, harassment, or violence, actual or implied, to the appropriate authorities when appropriate.
- Not engage in any form of bullying, harassment or any other improper activity or behavior.

Responsibilities of the Community

The Stenberg College community will:

- Treat others with dignity and respect and be aware of how their behavior may affect others.
- Report all acts of bullying, harassment, violence, discrimination, and improper activity or behavior to senior Stenberg College personnel.
- Co-operate with Stenberg College or any other person so far as is necessary to enable Stenberg College or other person to comply with this policy and/or any other statutory requirements.
- Co-operate with Stenberg College so far as it is necessary to enable Stenberg College to investigate a breach of this policy.
- Not engage in improper conduct or other behavior that is likely to endanger their own safety or welfare, the safety and welfare of others at Stenberg College or at Stenberg College sanctioned functions.
- Address bullying, harassment and sexual harassment training as deemed appropriate.