

DIVISION: HUMAN RESOURCES

Policy #: HR-LR900

POLICY NAME

RESPECTFUL WORKPLACE

POLICY STATEMENT

All employees are entitled to pursue their duties in a respectful workplace. The Newfoundland and Labrador English School Board will foster a respectful workplace through the prevention and prompt resolution of harassment and discrimination. NLESD will provide a forum for resolving harassment and discrimination early and make available a means through which employees can seek resolution options to address harassing and/or discriminatory behavior.

Harassment and discrimination are unacceptable and will not be tolerated. When harassment or discrimination has been determined to have occurred, disciplinary action, up to and including dismissal, may be taken.

BACKGROUND

The Newfoundland and Labrador English School Board is committed to providing a work environment that treats employees with dignity and respect. A respectful workplace will allow employees the opportunity to complete their work in a safe, effective and efficient manner, free from unnecessary distractions, harassment and/or discrimination.

SCOPE

This policy applies to all unionized, non-unionized and management employees, including employees who are full-time, part-time or casual; permanent or temporary; and, employees working on special projects. This policy also applies to all post-secondary students on work-terms and internships.

APPROVED: *November 23, 2013*

EFFECTIVE: *September 1, 2014*

AMENDED: _____

DEFINITIONS

COMPLAINT

Allegation of harassment or discrimination submitted in writing to the District.

COMPLAINANT

Any employee or post-secondary student on work-term or internship, who has brought forward or filed a complaint under this policy alleging discrimination or harassment.

DISCRIMINATION

The refusal to employ or continue to employ, or to intentionally or unintentionally deny a right, benefit or opportunity on the basis of an actual or perceived prohibited ground of discrimination as outlined in the Human Rights Act 2010. Discrimination imposes burdens, obligations, or disadvantages on an individual or group not imposed upon others.

HARASSMENT

- Comments or conduct which are abusive, offensive, demeaning or vexatious that are known or ought reasonably to be known to be unwelcome. Harassment may be intended or unintended.
- Any behaviour that endangers any employee's employment, undermines any employee's performance, or threatens the economic livelihood of any employee.
- Any use of power or authority by a supervisor that endangers, undermines, threatens, interferes with or influences an employee's job, the performance of that job, or the economic livelihood of the employee. This does not include the legitimate and proper exercise of supervisory responsibilities such as distribution of work assignments or training opportunities, work evaluation, disciplinary measures taken for valid reasons and or staffing decisions.

INVESTIGATION

The systematic and objective examination of the facts relevant to a workplace harassment or discrimination complaint. An investigation may involve interviewing and obtaining signed statements from complainants, respondents, and witnesses, as well as a review of physical evidence such as documents or emails.

MEDIATION

A voluntary problem-solving process in which a neutral third party assists the parties to negotiate a resolution in good faith. Mediation may be held between two or more parties, is oriented to the future, and is not designed to lay blame, investigate facts, or determine guilt. Both parties must mutually agree to participate in mediation.

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RESPONDENT

Any employee(s) against whom allegations of harassment or discrimination are made.

SEXUAL HARASSMENT

Unwanted and unwelcomed behaviour of a sexual nature.

WORKPLACE:

The workplace is any place where employees and student interns perform work-related duties or functions. Workplaces can include schools, school related activities and excursions, work-related social events, Board Offices and other Board Facilities. Conferences and training sessions fall within the parameters of this policy.

POLICY DIRECTIVES

- 1) The Director shall establish administrative procedures/regulations to govern the application of this policy.
 - 2) All NLESD employees are expected to conduct themselves in a respectful manner, regardless of their role or involvement with the organization.
 - 3) District executives, senior education officers, supervisors/managers and school administrators shall promote respectful workplaces and take a proactive role in addressing inappropriate behaviour or objectionable conduct.
 - 4) Learning opportunities regarding respectful workplace and this policy shall be made available to employees.
 - 5) Complaints of harassment/discrimination against an employee shall be made in writing to the Human Resources Division.
 - a) Complaints of harassment/discrimination against the Director of Education shall be made in writing to the Chair of the Board.
 - b) Complaints of harassment/discrimination against an Associate or Assistant Director of Education shall be made in writing to the Director of Education.
 - 6) NLESD will educate and encourage all employees to speak up when they are harassed and/or discriminated against.
 - 7) All reports of harassment and discrimination shall be dealt with in a timely manner.
 - 8) NLESD will endeavour to ensure that complainants and respondents are treated fairly and respectfully throughout the process.
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- 9) NLESD shall endeavour to protect victims of harassment and discrimination where possible, and within its means, from any repercussions that may result from a complaint.
- 10) NLESD shall do everything it can to protect the privacy of individuals involved, so long as doing so remains consistent with the enforcement of this policy and adherence to the law.
- 11) Harassment and discrimination do not include supervisory and management actions, such as assignment of work, performance reviews, coaching, and disciplinary action, when conducted in a respectful manner and in good faith for valid reasons.

REFERENCES

- Government of Newfoundland and Labrador: Harassment and Discrimination Free Workplace Policy
- Newfoundland and Labrador: Human Rights Code

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