

	<p>Policy No.:</p> <p style="text-align: center;">8</p>	<p>Approval Date: June 15, 2011</p> <p>Created: April 11, 2011</p> <p>Last Reviewed:</p>
<p>Title:</p> <p style="text-align: center;">Harassment and Discrimination Policy</p>		
<p>Background & Purposes:</p> <p>Both UBC and the Association recognize the right of employees to work in an environment free from harassment and discrimination. The best possible environment is achieved when respect, civility, diversity, opportunity, and inclusion are followed in the Association’s dealings amongst its members, UBC, and the public. Through its communications and interactions, AAPS staff, Board, Committee, volunteers, and third party service providers will endeavour to uphold this conduct.</p> <p>It is the duty of any person taking part in the Association to respect the human rights of another. BC Human Rights Code is an important law that protects people from discrimination, including harassment, and fosters a positive environment.</p> <p>The purpose of the policy is to ensure that the Association’s policies and procedures are fair and applied fairly. It also recognizes an environment in which victims of discrimination and harassment feel free to bring valid complaints forward. It is equally important that those against whom allegations are made have a full and fair opportunity to meet those allegations.</p>		

The responsibility for maintaining a positive work environment falls on all AAPS staff, Board, Committee, volunteers, third party service providers, and members of the public who participate in AAPS related activities. The Human Rights Code protects British Columbians from discrimination or harassment based on race, colour, ancestry, place of origin, religion, marital status, family status, sex, sexual orientation, physical or mental disability, age, criminal conviction, and political belief.

Discrimination occurs when someone is treated differently and poorly because of a personal characteristic, such as their race, religion, physical disability, or sex. Discrimination may include, but is not restricted to:

- Refusal to provide goods, services, facilities or accommodation;
- Exclusion from employment or employment benefits;

- Refusal to work with someone; or
- Failure to provide physical access.

Harassment is a form of discrimination. Harassment occurs when a person or group is subjected (often repeatedly) to unwelcome comments or behaviour that is insulting or demeaning, or is otherwise offensive. Common examples of harassment include name-calling, telling offensive jokes, and making offensive gestures.

Harassment is harmful because it attacks the dignity and self-respect of the victim. In the workplace, it may negatively affect both the victim's ability to perform their duties and the work environment as a whole.

Types of harassment include, and are not limited to:

- **Sexual or Gender Harassment** is one or a series of comments, or conduct of a gender-related or sexual nature that is known or might reasonably be known to be unwelcome, unwanted, offensive, intimidating, hostile, or inappropriate. This harassment may include, but is not restricted to, gestures, remarks, jokes, slurs, taunting, innuendo, threats, sexual assault, unwanted physical contact, invitations, leering, the display of sexually offensive material, solicitation, demands, unwanted attention, implied or expressed promise of reward or benefit for sexual favours, implied or expressed threat or act of reprisal if sexual favours are not given.
- **Negative Environment** is created by one or a series of comments, or conduct that creates a negative environment for an individual or groups and is related to the prohibited grounds. The comment or conduct must be of a significant nature or degree and have the effect of "poisoning" the work environment. A negative environment arises from conduct or comment that creates and maintains an offensive, hostile or intimidating climate for work. These actions may include, but are not restricted to, exposure to signs, cartoons, remarks, exclusion, and adverse treatment to one or more of the prohibited grounds.
- **Systemic Harassment** includes policies, practices, procedures, actions, or inactions that appear neutral, but have an adverse impact associated with one of the prohibited grounds. These actions may include, but are not limited to, stereotypical portrayal of groups/individuals in materials, attendance policies that do not accommodate religious responsibilities, and/or job postings that are not bona fide qualifications.
- **Bullying** is usually seen as acts or verbal comments that could 'mentally' hurt or isolate a person in the workplace. Sometimes, bullying can involve negative physical contact as well. Bullying usually involves repeated incidents or a pattern of behaviour that is intended to intimidate, offend, degrade or humiliate a particular person or group of people. It has also been described as the assertion of power through aggression. While bullying is a form of aggression, the actions can be both obvious and subtle. It is important to note that the following is not a checklist, nor does it mention all forms of bullying. This list is included as a way of showing some of the ways bullying may happen in a

workplace. Also remember that bullying is usually considered to be a pattern of behaviour where one or more incidents will help show that bullying is taking place. Examples include:

- Spreading malicious rumours, gossip, or innuendo;
- Excluding or isolating someone socially;
- Intimidating a person;
- Undermining or deliberately impeding a person's work;
- Physically abusing or threatening abuse;
- Removing areas of responsibilities without cause;
- Constantly changing work guidelines;
- Establishing impossible deadlines that will set up the individual to fail;
- Withholding necessary information or purposefully giving the wrong information;
- Making jokes that are 'obviously offensive' by spoken word or e-mail;
- Intruding on a person's privacy by pestering, spying or stalking;
- Assigning unreasonable duties or workload which are unfavourable to one person (in a way that creates unnecessary pressure);
- Underwork - creating a feeling of uselessness;
- Yelling or using profanity;
- Criticizing a person persistently or constantly;
- Belittling a person's opinions;
- Unwarranted (or undeserved) punishment;
- Blocking applications for training, leave or promotion; and
- Tampering with a person's personal belongings or work equipment.

Harassment does not have to be intentional to be against the law. This means that even if the person responsible for action or comment did not "mean it," it is still harassment according to the law.

A determination that harassment has occurred is based not only on what the alleged perpetrator and target of the harassment actually experienced, knew, or understood about each other and the situation, but on what a reasonable person in each of their circumstances would have experienced, known, or understood, taking into account the full context of the situation.

It is the duty of all AAPS staff, Board, Committee, volunteers and third party service providers to adhere to the Association's policy on the Harassment and Discrimination so that a positive working environment can be had by all those in the Association's community.

The Policy does not support reprisals or retaliation, nor does it support vexatious complaints or complaints made in bad faith.

Reprisals or Retaliation is defined as discrimination, harassment or bullying of an individual for invoking this Policy and for participating or cooperating in an investigation under this policy or for associating with someone who has invoked this Policy or participated in the Policy's procedures.

Vexatious or Bad Faith Complaint is one in which a complainant makes allegations of harassment, discrimination or bullying knowing them to be false or submits a complaint for a purely malicious or vindictive purpose.