Policy Name	Policy to Prevent and Address Harassment and Violence in the Workplace
Reference Number	P045
Adoption and amendments	Adopted 2026-05-26 by Resolution ETSB26-05-61
Previous policies	Policy repealed and replaced by the present policy: - P028 - Policy for the protection of the dignity of employees in the workplace adopted 2004-11-23 by Resolution ETSB-11-106
Next Review Date	2031-05-26
Authority	Director of Human Resources

1. OBJECTIVES AND SCOPE OF APPLICATION

1.1. PREAMBLE

1.1.1. The Eastern Townships School Board, hereinafter referred to as "the Board", recognizes that all persons who work for it, collaborate with it, or are connected to it have the right to evolve in a healthy, respectful work environment free from any form of harassment and violence. Accordingly, this policy aims to establish and maintain a work environment in which each person is treated with dignity, integrity and consideration.

1.1.2. In return for this right, all persons covered by this policy have an individual and collective responsibility to adopt behaviours characterized by respect, politeness, courtesy and collaboration. This duty of civility applies both in relationships among colleagues and between employees and managers, as well as with any other person with whom they interact in the course of their work, including students, parents, partners, and suppliers.

1.1.3. For the sake of simplicity, the term "harassment" used in this policy includes psychological harassment, sexual harassment, and any form of workplace violence.

1.1.4. For the sake of simplicity, the masculine form is used without discrimination and solely to facilitate reading.

1.1.5. This policy is an integral part of the prevention programs of the Board's, in compliance with the *Act respecting occupational health and safety*, CQLR, c. S-2.1.

1.2. OBJECTIVES

1.2.1. This policy aims to affirm the Board's commitment to preventing and, where applicable, putting an end to any situation of work-related harassment, including when it originates from external sources.

1.2.2. It also aims to specify the means put in place by the Board to prevent harassment and incivility, notably through information, awareness, and training programs.

1.2.3. It establishes a clear and structured procedure for handling complaints and reports brought to the attention of the Director of Human Resources or their designated representatives.

1.2.4. Finally, it seeks to promote and maintain professional relationships characterized by respect, civility, and collaboration among all staff members and any other persons connected to the Board.

1.3. GUIDING PRINCIPLES

1.3.1. The Board commits to not tolerating any form of incivility or harassment in the workplace.

1.3.2. The Board favours a preventive approach and promotes, where appropriate, a free and voluntary conflict resolution process between the persons concerned, notably through the Dispute Prevention Resolution (DPR) process implemented within the organization.

1.3.3. When a situation of harassment is brought to its attention, the Board commits to intervening without undue delay and with due diligence to put an end to the situation and prevent any deterioration of the work climate.

1.3.4. Each party involved in a harassment situation has the right to fair, impartial, and equitable treatment.

1.3.5. The Board ensures that any person who has filed a complaint, made a report, or collaborated in an investigation does not suffer any reprisal. Any person involved or concerned by this policy, including the complainant, must act in good faith. Furthermore, the policy must not be used abusively, maliciously, or with the intent to harm.

1.4. SCOPE OF APPLICATION

1.4.1. This policy applies to all employees of the Board, as well as volunteers, interns, contractors, suppliers, consultants, and any other person who works, collaborates, or acts in association with the Board, regardless of where activities are carried out, provided there is a functional or professional link with the Board.

1.4.2. It applies to all incidents occurring in the course of work, whether at the usual workplace, in telework, or outside the workplace, notably during professional travel, conferences, meetings, training, or work-related social activities.

1.4.3. More specifically, during work-related social activities, this policy continues to apply. Accordingly, staff members must adopt conduct that is civil, respectful, and free from psychological and sexual harassment as well as violence. Staff members who witness conduct that may constitute psychological or sexual harassment or violence during a work-related social activity must immediately alert a manager of the situation, who will have the duty to intervene.

1.4.4. This policy also covers all communications transmitted or received in a work context, whether technological or otherwise, including emails, text messages, social media, posters, letters, etc.

2. POLICY CONTENT – DEFINITIONS AND LEGAL FRAMEWORK

2.1. DEFINITION: HARASSMENT

2.1.1. Harassment consists of vexatious conduct manifested through hostile or unwanted behaviours, verbal comments, action, or gestures that are repeated and that have the effect of undermining a person's dignity or psychological or physical integrity and creating a harmful work environment for them.

2.1.2. This definition must be interpreted from the perspective of a "reasonable person", that is a normally prudent and diligent person placed in the same circumstances.

2.1.3. Psychological harassment also includes verbal comments, gestures, or behaviours of a sexual nature (APPENDIX 9.1.).

2.1.4. A single particularly serious incident may constitute harassment if it results in a lasting harmful effect on the person concerned.

2.1.5. Harassment may be committed by managers toward employees, among employees, by employees toward their superiors, or by third parties such as parents, suppliers, or subcontractors.

2.1.6. Harassment may target a single person or a group of persons.

2.1.7. A work conflict, work-related stress, or difficult organizational constraints do not in themselves constitute harassment (APPENDIX 9.2.).

2.1.8. The normal exercise of management responsibilities, including task assignment, performance evaluation, or application of disciplinary measures, does not constitute harassment provided these actions are not abusive, arbitrary, or discriminatory.

2.2. THE FIVE CRITERIA OF PSYCHOLOGICAL HARASSMENT (UNDER THE LAW)

2.2.1. For a complaint to be upheld under the *Act respecting labour standards*, CQLR, c. N-1.1 (herein after the "Law") regarding psychological harassment, it must contain elements demonstrating that the five legal criteria are present.

2.2.2. In the absence of sufficient elements demonstrating each of these criteria, the complaint cannot be considered psychological harassment under the law, although it may still be addressed by the Board under other provisions of this policy (incivility, work climate, inappropriate behaviours, or psychosocial risks).

2.2.3. For clarification, the five legal criteria are as follows:

a) **Vexatious conduct:** the complaint must describe humiliating, hurtful, demeaning, or contemptuous conduct.

b) **Observable words, gestures, or behaviours:** the complaint must include specific facts allowing assessment of the nature of the alleged conduct.

c) **Repetitive nature or single serious incident:** the complaint must show that the conduct is repetitive or constitutes a single particularly serious incident with lasting harmful effects.

d) **Hostile or unwanted nature:** the complaint must indicate that the conduct was not desired and was perceived as hostile or offensive.

e) **Impact on dignity or integrity:** the complaint must show that the conduct undermined the person's dignity or psychological or physical integrity and harmed their work environment.

2.3. DEFINITION: CIVILITY AND INCIVILITY

2.3.1. Civility refers to a set of workplace attitudes and behaviours characterized by courtesy, politeness, respect, collaboration, openness, and effective communication.

2.3.2. Incivility refers to behaviours that, without necessarily constituting harassment under the law, harm the work climate and mutual respect but without encompassing normal workplace interactions such as respectful disagreements, or raising workplace concerns.

2.3.3. It may manifest through a condescending tone, repeated interruptions, sarcastic remarks, lack of collaboration, or behaviours that create discomfort in others.

2.3.4. Although incivility is not always harassment, it may become so if it is repetitive or particularly serious.

2.4. DEFINITION: VIOLENCE

2.4.1. **Sexual violence:** Any form of violence targeting sexuality or any other misconduct, including unwanted gestures, practices, comments, behaviors or attitudes with sexual connotations, whether they occur once or repeatedly, including violence

relating to sexual and gender diversity (according to section 1 of *Act respecting occupational health and safety*).

2.4.2. Spousal violence: Spousal violence occurs between two individuals who are or were in a romantic, intimate, or spousal relationship. It can take various forms and involve a pattern of control.

2.4.3. Family violence: Family violence occurs when a person engages in abusive behavior to control or harm a family member or someone they are dating. It may include physical or psychological abuse, as well as neglect by family members.

2.4.4. For the sake of simplicity, the term "harassment" used in this policy includes psychological harassment, sexual harassment, and any form of workplace violence, including sexual, spousal and family violence in the workplace.

3. ROLES AND RESPONSIBILITIES

3.1. THE SCHOOL BOARD – PREVENTION

3.1.1. The Board commits to taking all reasonable means to provide and maintain a healthy, safe work environment free from any form of harassment, incivility, or violence in order to protect the dignity and psychological and physical integrity of its employees.

3.1.2. In accordance with its legal obligations, the Board implements measures to identify, prevent, control, and, where necessary, eliminate risks of workplace harassment. It adopts a proactive approach focused on prevention, awareness, and rapid intervention.

3.1.3. The Board issues this policy to all employees upon hiring, provides an annual reminder at the beginning of each school year, and makes it accessible on the organization's intranet to ensure consistent knowledge and understanding.

3.1.4. The Board maintains ongoing monitoring of risk factors likely to generate situations of incivility or harassment, including:

a) lack of respect toward employees;

b) periods of organizational change (management changes, internal promotions, restructuring, etc.);

c) interpersonal tensions, rivalries, or unhealthy competition;

d) difficult working conditions such as excessive workload, high ratios of students with difficulties, or strained relationships with certain parents.

3.1.5. When risks or problematic situations are identified, the Board, through Human Resources, determines and implements appropriate intervention measures, which may include:

a) awareness activities for employees;

b) mediation meetings between concerned parties;

c) targeted training;

d) conducting a workplace climate survey;

e) use of relevant external resources for employees.

3.1.6. The identified risk factors and the appropriate intervention measures are consigned to the prevention programs of the Board's establishments, which are updated annually, in compliance with the Regulation respecting prevention and participation mechanisms in an establishment, CQLR, c. S-2.1, r. 8.3.

3.1.7. As part of the identification of risk factors and the determination of appropriate intervention measures, particular attention will be paid to identifying risks related to conduct manifested through words, actions, or gestures of a sexual nature.

3.1.8. The Board promotes respect, civility, and professional conduct in the workplace through internal communications, posters, training, and awareness activities related to expected professional behaviours.

3.1.9. The Board establishes and maintains a training and awareness program on harassment and incivility for employees, managers, and designated persons responsible for receiving and handling complaints and reports. These elements are integrated into the onboarding program and are subject to regular training.

3.1.10. The Board makes available to employees, information on psychological harassment, including that from the CNESST, and provides a directory of relevant resources on the intranet.

3.1.11. The Board regularly consults employees on the work climate and situations likely to foster harassment or incivility, notably through annual surveys and other feedback mechanisms.

3.1.12. The Board ensures that designated persons responsible for receiving and handling complaints and reports are properly trained, competent, and able to act with impartiality, diligence, and respect for confidentiality.

3.1.13. The Board commits to treating any harassment complaint or report with seriousness, diligence, and fairness, and to implementing appropriate measures to stop any problematic situation and restore a healthy work climate.

3.1.14. The Board ensures that no employee who has filed a complaint, made a report, or collaborated in an investigation suffers reprisals or prejudice because of their actions.

3.1.15. Finally, where possible, the Board meets with employees who are leaving their employment to better understand their reasons and identify, where applicable, elements that could improve the work climate and harassment prevention.

3.2. MANAGERS

3.2.1. Managers must demonstrate exemplary conduct in matters of respect and civility.

3.2.2. Managers must foster harmonious relationships within their teams.

3.2.3. Managers must intervene promptly in the presence of behaviours resembling incivility or harassment.

3.2.4. Managers must inform Human Resources of any potential harassment situation, even in the absence of a formal complaint.

3.2.5. Managers must handle these situations discreetly.

3.2.6. Managers must encourage the use of the Dispute Prevention Resolution (DPR) process when relevant.

3.3. DESIGNATED PERSONS

3.3.1. Designated persons provide responses to employees regarding harassment prevention and handling.

3.3.2. Designated persons receive all reports or complaints, verbal or written, and ensure follow-up.

3.3.3. Designated persons are adequately trained to assume these responsibilities.

3.4. STAFF MEMBERS

3.4.1. All staff members must respect this policy at all times.

3.4.2. All staff members must maintain relationships characterized by civility.

3.4.3. All staff members must participate in prevention mechanisms implemented by the Board.

3.4.4. All staff members must report any harassment situation as soon as possible.

4. COMPLAINT PROCEDURE

4.1. INFORMAL PROCESS

4.1.1. Any employee who witnesses a problematic situation may make a report to their immediate supervisor or Human Resources.

4.1.2. Where possible, the employee is encouraged to address the person concerned directly to express their discomfort.

4.1.3. If the situation persists or the employee does not feel comfortable, they may make an official report.

4.2. FORMAL PROCESS

4.2.1. When the informal process is not appropriate, a written complaint may be filed (APPENDIX 9.3).

4.2.2. The complaint must include facts, dates, witnesses, and the name of the person concerned.

4.2.3. If the complaint is submitted to the immediate supervisor, they must forward it to Human Resources.

4.2.4. The complaint is handled by the Human Resources Department or, if it is implicated, by the Director General. The Human Resource Department can also use an external investigation if necessary.

5. HANDLING OF THE COMPLAINT

5.1. Any complaint is handled without undue delay with diligence and impartiality.

5.2. Upon receipt of a report or complaint, the employee will be informed that their complaint has been received, and the complaint handling process will begin as soon as possible. Everyone involved will then be advised not to discuss the details of the situation in the workplace with people who are not involved in the handling of the matter.

5.3. The designated person may propose mediation or proceed with an investigation if deemed appropriate.

5.4. Temporary measures may be put in place to protect the complainant or the persons who have cooperated in the processing of a complaint or report and may include suspension of the person concerned, implementing telework or monitoring by the Manager.

5.5. If the complaint is founded, disciplinary or corrective measures can be implemented to stop and correct the harassment.

5.6. The Board commits to adopting and implementing all necessary measures to preserve the confidentiality of any complaint, report, information, or document, as well as the identity of the persons concerned, to the extent permitted by law and circumstances, except where disclosure is necessary for analysis, investigation, or follow-up. These measures may include secure storage on the computer server, locking file cabinets and having the concerned persons sign a confidentiality agreement.

5.7. Documents are retained for a period of three (3) years from the end of the complaint processing or three (3) years from a final court decision, whichever is later in accordance with the retention schedule and rules provided by the *Archives Act*, as well as obligations under the *Act respecting Access to Documents Held by Public Bodies and the Protection of Personal Information*, where applicable.

5.8. In cases of spousal, family, or sexual violence, with the consent of the affected employee, the Human Resources Department may implement an individual safety plan, which could include all measures put in place to ensure the employee's safety, including, but not limited to: programming 911 on the employee's personal phone, escorting the employee to their car, authorizing the employee to return to the office if they were working remotely, and committing to enforce any court-issued injunction or order.

6. CONCLUSION OF THE INVESTIGATION AND FOLLOW-UP

6.1. If the complaint is not founded, the complainant is informed and other solutions may be proposed.

6.2. If harassment is confirmed, measures are taken to resolve the situation.

6.3. Any disciplinary measure is imposed and applied in accordance with the provisions of the applicable collective agreement(s).

7. VIOLATION OF THE POLICY

7.1. Failure to comply with this policy may result in disciplinary measures up to and including dismissal.

7.2. Any complaint deemed abusive or made in bad faith may also result in disciplinary measures.

8. REVIEW

8.1. This policy will be reviewed every five (5) years or when legislative changes require it.

9. APPENDICES

1) Examples of behaviours that may be considered psychological harassment, including sexual harassment and showing civility.

2) Examples of behaviours that do not constitute harassment

3) Complaint form

4) References and legal framework

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APPENDIX 9.1 - EXAMPLES OF BEHAVIOURS THAT MAY BE CONSIDERED PSYCHOLOGICAL HARASSMENT, INCLUDING SEXUAL HARASSMENT AND SHOWING CIVILITY

All elements of the definition provided in the *Labour Standards Act* must be present in order to conclude that psychological harassment is taking place, namely vexatious conduct manifested through repeated behaviors, words, actions, or gestures, which are hostile or unwanted, that harm the dignity or psychological or physical integrity of the employee and create a harmful work environment for that employee.

The assessment of all the elements involved in the concept of psychological harassment must be made from the perspective of the "reasonable person", meaning a normally diligent and prudent person who, placed in the same circumstances as the alleged victim, would consider that the alleged harasser is engaging in vexatious conduct.

From a broader perspective, the following behaviors**,** when repeated over time, could constitute psychological harassment, including sexual harassment:

Actions	Example
Preventing the person from expressing themselves	• Constantly interrupting them • Forbidding them from speaking to others without reason
Isolating the person	• No longer speaking to them in public • Not speaking to them at all • Denying their presence • Pushing them away • Denying them communication means (phone, computer, mail, etc.) • Preventing others from speaking to them without reason
Devaluing the person	• Ridiculing them • Humiliating them • Questioning their beliefs or personal life • Insulting them • Spreading rumors about them
Discrediting the person	• No longer giving them tasks to do without reason • Forcing them to perform demeaning, absurd, or tasks below their skill level • Wrongfully attributing professional faults to them • Denigrating them in front of others
Threatening or assaulting the person	• Yelling at them • Pushing them • Damaging their belongings

Humiliating the person	• Mocking their beliefs • Mocking the fact that they struggle to express themselves in a language other than French or that they claim the right to speak French • Mocking their tastes, political choices, sexual orientation, or weaknesses • Making derogatory remarks • Questioning their judgment or decision-making abilities without reason
Behaving inappropriately	• Engaging in unwanted or sexually suggestive behavior • Persistently soliciting or staring at the person • Making unwanted physical contact • Using sexist insults or crude language • Distributing sexually suggestive images by any means, technological or otherwise • Sending sexually suggestive comments or jokes by any means, technological or otherwise

APPENDIX 9.2 - THE FOLLOWING DOES NOT CONSTITUE AS HARASSMENT:

- Administrative or disciplinary measures
- Allocation of work
- Control of absences
- Evaluation of performance
- Reminders to employees on how to perform tasks
- Advising of errors
- Expectations of performance

APPENDIX 9.3 – COMPLAINT FORM

PSYCHOLOGICAL HARASSMENT COMPLAINT FORM

This form is intended to report situations that you believe may constitute psychological harassment.

1. Information about the person complainant

Name of the person complainant: _____

Your role in the school board:

- □ Employee
- □ Volunteer
- □ Intern
- □ Elected representative
- □ Other: _____

Contact information

Preferred method of contact:

- □ Phone number: _____
- □ Email address: _____

2. Information about the person(s) involved

Name of person: _____

The person involved is:	□ A colleague □ An administrator □ A student □ A parent □ An intern □ A supplier □ Other: _____

If more than one person is involved, please indicate the names and roles here:

Name(s): _____

Role(s): _____

3. Summary of the situation

Briefly describe the situation that led you to complete this form.

4. Details

Date	Location	Description of incident

5. Attachments

Please indicate any documents, emails, text messages, or other materials attached to this complaint.

- □ Emails

- □ Text messages
- □ Witness statements
- □ Medical note
- □ Other: _____

6. <u>Witness Information</u>

Please indicate any witnesses to the incident(s).

Name	Witness observation or their connection to the incident	Contact information, if known

7. <u>Impact of the Situation</u>

Describe how the situation has affected you, if applicable. You may leave this section blank if you prefer.

8. <u>Actions taken</u>

Before submitting this complaint, did you attempt to address the situation or seek support?

- □ Spoke directly with the person(s) involved
- □ Spoke with supervisor
- □ Contacted Human Resources
- □ Contacted my union
- □ No prior action taken
- □ Other

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Please provide additional information if applicable.

9. <u>Declaration & Signature</u>

I declare that all the information provided in this form is, to the best of my knowledge, true. I understand that all complaints will be reviewed in good faith and handled confidentially to the extent possible. I understand that knowingly false or malicious complaints may result in appropriate administrative or disciplinary measures.

Signed in _____ on _____, 20_____.

_____

Signature of person completing the form

APPENDIX 9.4 - LEGAL FRAMEWORK

This harassment policy takes into account the *Act to modernize the occupational health and safety regime* (S.Q. 2021, c. 27) and the *Act to prevent and combat psychological harassment and sexual violence in the workplace* (S.Q. 2024, c. 4), which impose obligations on employers.

This policy also aims to comply with sections 4, 10 and 10.1 of the *Charter of Human Rights and Freedoms*, CQLR, c. C-12 and section 2087 of the *Civil Code of Québec*, RLRQ, c. CCQ-1991.

This policy also complies with sections 81.18, 81.19 and 81.20 of the *Act respecting labour standards* and with the *Act respecting occupational health and safety* and its regulations.

Canadian Human Rights Act, R.S.C., c. H-6, s. 14(2).

Collective Agreements