



# Sunrise School Division

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Box 1206 Beausejour, Manitoba R0E 0C0 Telephone (204)268-6500 Fax (204)268-6545  
Web Site: [www.sunrisesd.ca](http://www.sunrisesd.ca) Toll Free: 866-444-5559

## **RESPECTFUL WORKPLACE POLICY**

### **1.0 RESPECTFUL ENVIRONMENT POLICY**

Sunrise School Division recognizes the right of all persons in its facilities to function in an environment free from all sources of harassment (as defined in Section 3).

### **2.0 TERMS AND DEFINITIONS**

#### **2.1 COMPLAINANT**

Refers to the person(s) who believes that he /she is being; sexually, verbally, physically, mentally and/or emotionally harassed and has filed a complaint with the principal or their supervisor or a divisional representative.

#### **2.2 RESPONDENT**

Refers to the persons against whom the complaint has been made

#### **2.3 CONFIDENTIALITY**

Situations involving harassment shall be treated in strict confidence by the division. All information from the investigations and interviews pertaining to a complaint shall be shared only with the persons directly involved or agreed to by all parties, unless otherwise required by law.

#### **2.4 RESPONSIBILITIES**

The Superintendent or designate, shall be responsible for the development of divisional procedures to address reported cases of harassment.

### **3.0 DEFINITION OF HARASSMENT**

For the purpose of this set of procedures, harassment means engaging in a course of derogatory or vexatious comments, conduct or behavior that is known or reasonably considered to be unwelcome. Vexatious means; irritating, provoking, disturbing, tormenting, troubling, and serving only to cause annoyance to the victim.

#### **3.1 EXPLANATION OF SEXUAL HARASSMENT**

Sexual harassment is any single and/or repeated and/or unwelcome sexual comment, look, suggestion or physical contact that creates an uncomfortable working or learning environment for the recipient or an action, gesture or word which affects the individual's ability to learn and/or work.

### **3.2 ELEMENTS OF HARASSMENT**

Harassment has four basic elements:

1. It is a type of discrimination:
2. It is unwanted:
3. It affects the individual's ability to learn and/or work:
4. It is an expression of power, authority, that includes or implies a threat and/or a reprisal after an unwanted sexual advance.

### **4.0 COMPLAINT PROCEDURE**

A staff member who believes he/she is being harassed may choose:

1. to confront the respondent
2. to discuss the matter with their principal or supervisor, or designate (with Union representation if desired)
3. to discuss the matter with their Union president
4. if the principal and/or supervisor are involved in the investigation or the complainant is not satisfied with the resolution, they may file a formal written letter to the Superintendent or designate, detailing the specific allegation(s) and naming the respondent.

The complainant or respondent may elect to contact the Human Rights Commission or any other appropriate legal authority at anytime; before, during or after the divisions' involvement in resolving the complaint.

The above action taken does not preclude the complainant from accessing assistance from their union in accordance with their respective Collective Agreement.

A complaint of harassment shall be made as soon as reasonably possible after the incident(s) has occurred.

### **5.0 INVESTIGATION**

The Superintendent or designate shall review the written complaint, interview all parties involved and determine if the allegations on which the complaint is based can be considered a form of harassment.

The appropriate parties involved will be advised in writing on the determination of the alleged harassment.

### **6.0 CONSEQUENCES**

It will be the responsibility of the superintendent to institute disciplinary/corrective outcomes to any person(s) found in violation of The Sunrise School Division Harassment Policy. The disciplinary measure will reflect the seriousness of the offence.

## **7.0 DISCIPLINARY/CORRECTIVE OUTCOMES**

The disciplinary measures may include one or more of the following for any **employee**:

Verbal warning

Written warning to be kept in their personnel file

Suspension of staff with or without pay for a specified period of time

Transfer to another location

Dismissed

Referral to RCMP

Referral to Child and Family Services

Referral for clinical and/or counseling assessment

Exclusion from divisional facilities

Restorative measures

Mediation

The disciplinary measures may include one or more of the following for any **student**:

Verbal warning

Written warning to be kept in their CUM file

Suspension of student for a specified period of time

Transfer to another location

Dismissed

Referral to RCMP

Referral to Child and Family Services

Referral for clinical and/or counseling assessment

Exclusion from divisional facilities

Restorative measures

Mediation

## **8.0 APPEAL**

An appeal may be initiated within seven working days of the complainant or respondent receiving the results from the investigation. The decision must be appealed in writing to the Sunrise School Division Board of Trustees, with a copy to the divisional leadership team.

The Sunrise School Division Board of Trustees will review the investigation and decision. The Sunrise School Division Board of Trustees has the authority to uphold the results, render an alternative result or ask for a new separate investigation.

In considering the appeal, Sunrise School Division Board of Trustees may or may not choose to hear from the parties involved before rendering a decision on an appeal.