



# boabc

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<b>TITLE:</b>	<b>HARASSMENT</b>	<b>2.7.8</b>
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**DATE APPROVED:** April 20, 2008

**SIGNED:** Frankie Victor (Secretary)

The Building Officials' Association of BC (the "Association") is committed to a healthy, harassment-free work environment for all its employees and members. The creation of this environment is the joint responsibility of the Association and its employees and members. The Association has therefore developed a policy intended to prevent harassment of any type and to deal quickly and effectively with any incident that might occur within BOABC workplaces and in venues used for BOABC functions.

### **What Is Harassment?**

Harassment occurs when an employee or member of the Association is subjected to unwelcome verbal or physical conduct because of race, religious beliefs, colour, place of origin, gender, mental or physical disability, ancestry, marital status, or family status. BC human rights laws prohibit harassment in the workplace on these grounds.

All harassment is offensive and can have a detrimental impact on the workplace. The Association will not tolerate it.

Examples of harassment which will not be tolerated by the Association are: verbal or physical abuse, threats, or derogatory remarks, jokes, innuendo or taunts about any employee's or member's appearance, religious beliefs, colour, place of origin, mental or physical disabilities, ancestry, marital status, family status or gender.

The Association also will not tolerate the display of pornographic, racist or offensive signs or images; practical jokes that result in awkwardness or embarrassment; and/or unwelcome invitations or requests, whether indirect or explicit.

Harassment does not include reasonable management activities related to directing and managing the work force.

### **What Is Sexual Harassment?**

Sexual harassment, being discrimination on the grounds of gender, is a violation of the BC Human Rights Code. It is behaviour consisting generally of offensive sexual comments, gestures or physical contact that is unsolicited, unreciprocated and unwelcome.

Sexual harassment can include such things as pinching, patting, rubbing or leering, "dirty" jokes, pictures or pornographic materials, comments, suggestions, innuendoes, requests or demands of a sexual nature.

The behaviour need not be intentional in order to be considered sexual harassment.

### **A) What To Do**

If you are being harassed:

1. If possible, tell the harasser his/her behaviour is unwelcome and ask him/her to stop.
2. Keep a record of incidents (date, times, locations, possible witnesses, what happened, your response). You do not have to have a record of events in order to raise a complaint, but a record can strengthen your case and help you remember details over time.
3. If, after asking the harasser to stop his/her behaviour, the harassment continues, report the problem in writing to the BOABC Executive Secretary as prescribed, in section 33[1],[2],[3], 'Complaints' section of the BOABC BYLAWS [see attached].

### **B) Complaint Process**

1. Once the Secretary receives a complaint in writing, it will be kept strictly confidential as far as possible and "the identity of the complainant shall be kept confidential, unless the complainant waives confidentiality in writing" pursuant to the Complaints Procedures found at s.34 of the BOABC Bylaws. The Complaints Committee will undertake an investigation as soon as possible as per s. 34.
2. The Complaints Committee shall keep all information in confidence as far as possible. All reasonable steps will be taken to resolve the complaint informally. If appropriate, this process may include mediation as provided by s. 34 [5] (a) (b).
3. The Complaints Committee shall give its decision in writing to the BOABC Registrar as per s. 34(6). If the investigation reveals sufficient evidence to support the complaint of harassment, the Complaints Committee may recommend the matter be referred, in whole or in part, to the BOABC Discipline Committee.
4. If the Discipline Committee finds a member or employee guilty, the harasser will be disciplined appropriately. Discipline may include a reprimand, suspension, fine or revoking or suspending certification and/or membership as per s. 36. No documentation will be placed on the complainant's file where the complaint is filed in good faith, whether the complaint is upheld or not.

5. If the investigation fails to find sufficient evidence to support the complaint, there will be no documentation concerning the complaint placed in the file of the alleged harasser. Employees and members will be protected against vexatious complaints and such complaints may attract discipline.
6. Regardless of the outcome of a harassment complaint made in good faith, the member or employee of the Association lodging the complaint, as well as anyone providing information will be protected from any form of retaliation by other members, co-workers or superiors. This includes dismissal, demotion, unwanted transfer, denial of opportunities within the Association or harassment of an individual as a result of her/his having made a complaint or having provided evidence regarding the complaint.

**C) Responsibility of Management**

It is the responsibility of a director, manager, or any person within the Association supervising one or more employees to take prompt and appropriate action to report and/or respond to incidents of harassment of any type whether personally observed or subsequently brought to their attention as a complaint. A fair hearing of all sides involved will be undertaken with sensitivity to privacy and emotions.