

## RESPECTFUL WORKPLACE POLICY

<b>Policy Section &amp; Number:</b>	People & Culture	<b>Effective Date:</b>	October 24, 2018
<b>Policy Owner:</b>	Director, People & Culture	<b>Last Revised:</b>	June 5, 2025
<b>Policy Administrator:</b>	Manager, People & Culture	<b>Review Scheduled:</b>	Every 3 years
<b>Approver:</b>	Executive Committee		
The official controlled version of this document is held with the Legislative Compliance / Policy & Procedure Coordinator.			

### A. POLICY STATEMENT

Keyano College (hereafter referred as the College) is committed to providing a learning and working environment free of discrimination, violence and harassment. It is therefore the policy of the College that acts of discrimination, violence or harassment by or against members of the College community are unacceptable and will not be tolerated.

The College recognizes its responsibility to deal efficiently, effectively and fairly with allegations of discrimination, violence and harassment. The College will take all reasonable steps to protect all individuals from violence and harassment and will respond appropriately to all incidents and complaints in a fair, respectful and timely manner.

#### 1. Background

- 1.1 The *Alberta Human Rights Act* prohibits discrimination in employment based on prohibited grounds. Employers are expected to create an inclusive workplace that respects the dignity of every individual by ensuring there is no discrimination in the workplace, removing barriers that are based on protected grounds, and considering requests for accommodation for needs based on a protected ground.
- 1.2 The creation of a respectful workplace and learning environment is a collective responsibility between the College and the members of the College community.
- 1.3 This policy does not remove or affect any rights of appeal or rights to grieve which members of the College community have independent of this policy. Nor does it affect an individual's right to file a timely human rights complaint with the Alberta Human Rights Commission or to file civil or criminal charges in appropriate cases.

#### 2. Scope

- 2.1 This policy applies to all current and prospective members of the College community, including Students, Employees, Volunteers, Consultants, Service and supply

contractors and their employees while they are engaged in activities related to the College

- 2.2 For the purposes of this policy, the work and learning environment include work or learning related conferences, training sessions, travel, college related functions, college property, including contract sites, virtual environment, including phone, email, social media, and other electronic means and working and non-working hours as long as there is a relationship to college activities.

### 3. Guiding Principles – Protected Grounds

- 3.1 The College considers violence, harassment and discrimination, in all its forms, to be a serious offence and shall take appropriate disciplinary measures up to and including termination against any employee who subjects any other member of the College Community to harassment, discrimination and / or violence.
- 3.2 The College recognizes that violence, harassment and discrimination can take place in many forms including, but not limited, in person, over the phone, by emails, through social media (e.g. Facebook, Instagram) and within the community.
- 3.3 The College will take all reasonable steps to eliminate the hazards of workplace harassment and violence (or if the hazards cannot be eliminated, controlling them).
- 3.4 The College will take all complaints of violence, harassment, and discrimination seriously. The College will take such disciplinary measures as it deems appropriate, in accordance with relevant collective agreements and the *Employee Progressive Discipline Policy and Procedure*, against any employee or contractor who subjects any member of the College community to violence or harassment.
- 3.5 While this policy is not intended to inhibit social relationships, and while consensual relationships between consenting adult coworkers or an employee and adult student are permitted, employees must ensure that such relationships do not create a conflict of interest, abuse of power, or impact their ability to perform their job duties, and should immediately disclose any potential conflicts to People & Culture. To maintain a professional and respectful work environment; any relationships involving a supervisor and subordinate are prohibited and should a relationship develop during course of employment; the two parties would be required to move positions as needed to break the direct reporting structure.
- 3.6 Members of the College community should not imply or threaten that a current or prospective member of the College community's "co-operation" of a sexual nature (or refusal thereof) will have any effect on the individual's employment, assignment, compensation, advancement, career development, any condition of employment, or offering work related rewards. This includes sexual offers or advancements from management, coworkers, persons in positions of political power, and / or community members.

### 4. Roles & Responsibilities

- 4.1 All members of the College community are entitled to a work and learning environment free of harassment, discrimination and violence. All members of the College community share in the responsibility of creating and maintaining a violence,

harassment and discrimination free environment through mutual respect, co-operation and understanding towards one another.

- 4.2 All employees and students are expected to model respectful behaviour and refuse to engage in or condone discrimination, harassment and/or violence. Employees of the College must comply with the provisions of the *Respectful Workplace Policy* and the *Code of Conduct Policy* and participate in any procedures undertaken to address situations arising from administration of these policies. Students of the College must comply with the *Student Code of Conduct Policy* and participate in any procedures undertaken to address situations arising from administration of it.
- 4.3 In addition to the above, those with supervisory duties have the responsibility to maintain a working environment free from interpersonal conflict, discrimination, harassment, and violence by initiating positive measures and taking prompt remedial action should such instances occur. This includes, but is not limited to:
- addressing incidents of possible interpersonal conflict, discrimination, harassment, and violence that occur in the unit in a timely and confidential manner with appropriate documentation of any action taken;
  - educating themselves and those in their unit on respect in the workplace, human rights, and violence prevention;
  - taking the initiative to seek appropriate advice and guidance from People & Culture to carry out their responsibilities with respect to dealing with interpersonal conflict, discrimination, harassment and violence;
  - implementing any recommendations resulting from the processes outlined below (which may include discipline) as appropriate to their position.

STAKEHOLDER	RESPONSIBILITIES
<b>President &amp; CEO</b>	Where deemed appropriate review the investigation report and issue decisions concerning the complaint.
<b>Associate Vice-President or Vice- President</b>	Where deemed appropriate review the investigation report and issue decisions concerning the complaint.
<b>Director, People &amp; Culture / Manager, People &amp; Culture / Business Partners</b>	Develop, maintain and oversee the implementation of this Policy and a prevention plan. As far as reasonably practicable, ensure their workers are not subject to or participate
<b>Employees</b>	Refrain from causing or participating in violence or harassment. Promptly submit complaints. Participate in any training or re-training on the Respectful Workplace Policy and/or Procedure
<b>Manager, Director and/or Dean</b>	As far as reasonably practicable, ensure workers under their supervision are not subject to or participate in violence or harassment at the work site. Attend meetings at request of People & Culture or subordinate staff. Take corrective action on receipt of complaint.
<b>Registrar, Dean, Director or designate</b>	Attend all meetings with students.

<b>Union or Association Representative</b>	Accompany complainants or respondents to meetings. Support employees and ensure that proceedings are fair, and that all parties are providing clear and correct communication and evidence.
<b>Investigators</b>	Commence and complete an investigation of the complaint by gathering information from the complainant, respondent, and witnesses. Prepare and submit a report containing their findings and recommendations.
<b>Complainant</b>	Undertake the appropriate process to address the complaint. Maintain confidentiality except when required to initiate complaint, participate in the investigation, and respond to legal or administrative proceedings.
<b>Respondent</b>	Cooperate during the investigation by providing a written reply to the complaint and participating in interviews. Maintain confidentiality except when required to initiate complaint, participate in the investigation, and respond to legal or administrative proceedings.

## 5. Guiding Principles – Complaints

- 5.1 Barring exceptional circumstances, a report of complaint is to be made as prompt as possible to ensure a timely investigation and resolution can be achieved. The *Respectful Workplace Procedure* contains information on options for making complaints.
- 5.2 The College or anyone acting on behalf of the College will not disclose the name of a complainant or a respondent or the circumstances related to the complaint to any person except where disclosure is necessary for the purposes of investigating the complaint or taking corrective action with respect to the complaint or required by law.
- 5.3 Employees who are complainants or respondents are entitled to be accompanied by a representative of their Union or Association. The representative acts in the interest of the employee but may not answer questions on behalf of the employee. The representative acts in a supportive nature to ensure that proceedings are fair and that all parties are providing clear and correct communication and evidence.
- 5.4 All meetings with students must include the appropriate Dean, Director, the Registrar or appropriate designate.

## 6. Guiding Principles – Bad Faith Complaints

- 6.1 Any person who files a complaint that is knowingly false or files the complaint for malicious reasons or in bad faith is subject to appropriate disciplinary action.
- 6.2 Substantiated cases of a bad faith complaint may result in disciplinary action ranging from a written reprimand to dismissal if the complainant is an employee of the College or a written reprimand to expulsion if the complainant is a student.

## **7. Guiding Principles – Discipline**

- 7.1 If harassment, discrimination and / or violence has occurred and has been substantiated, the College will take appropriate corrective action and remedies to resolve the complaint with the respondent up to and including dismissal of the employee or expulsion of the student when appropriate.
- 7.2 Where the complaint has not been substantiated, it will be dismissed and no documentation relating to the complaint will be placed in the respondent's file.
- 7.3 Any employee in a supervisory or managerial position who receives a complaint alleging harassment, discrimination and / or violence and who fails to take corrective action pursuant to this policy, may also be subject to disciplinary action up to and including termination of employment.
- 7.4 Disciplinary action will be taken if anyone engages in acts of retaliation or reprisal against the complainant or against anyone else involved in the investigation process.
- 7.5 Disciplinary action will be in accordance with the procedures outlined within the appropriate Collective Agreements and the *Employee Progressive Discipline Policy and Procedure*.

## **8. Guiding Principles – Third Party**

- 8.1 Third parties are expected to accept and meet the terms of this policy. The College will take reasonable and practical action to stop or reduce the risk to members of its community of harassment, discrimination and / or violence by third parties which may include facility access removal, contract termination or other actions to address the infraction.
- 8.2 It is also possible that a member of the College's community might engage or participate in the harassment, discrimination and / or violence towards third parties. Such conduct is not acceptable, and the College will investigate complaints and discipline as per this policy as it deems advisable.

## **9. Guiding Principles – Confidentiality**

- 9.1 To the extent reasonably possible, the complaint, the names of the relevant parties and witnesses and the particulars concerning the complaint, including any response, will be kept confidential, recognizing that release or publication of such information may be necessary to properly investigate the complaint or to respond to any legal or administrative proceedings arising under the implementation of this policy or otherwise.

## **10. Preventative Measures & Training**

- 10.1 Risk assessments of the work environment will be completed to identify any issues prior to an incident occurring. This may include a review of records, reports, and current practices. Research may also include a review of similar workplaces. Recommendations will be made to stakeholders including: the supervisor of the employee/area and next level(s) of authority at People & Culture, and the Joint Worksite Health & Safety Committee as appropriate.

- 10.2 All employees will be provided with training on this policy as well as general training on creating and maintaining a respectful workplace; identifying, preventing, and addressing discrimination and harassment in the workplace; and identifying, preventing, and addressing workplace violence.

## 11. Assistance

Any employee who has been harmed by interpersonal conflict, discrimination, harassment or workplace violence has the right to assistance. The College recommends that any employee who has been harmed at the organization seek consultation with the Manager Health Services (for employees), Wellness Services (for students), and/or another health care provider for treatment or referral as soon as possible.

## 12. Special Circumstances

- 12.1 Should an employee have a legal court order (e.g. a restraining order or “no contact” order) against another individual, the employee is encouraged to notify his/her supervisor and to supply a copy of that order to People & Culture. Such information will be kept confidential and only shared on a need-to-know basis (e.g. with Campus Security).
- 12.2 Carrying or concealing weapons or any devices/objects that could be used as weapons and designed to cause harm, including items that appear to be real, is prohibited. Exceptions are made for items of a legitimate religious nature. Exceptions to this rule for decorative, ceremonial or theatric props can be requested through Manager, Safety and Security.
- 12.3 Nothing in this policy is intended to prohibit discrimination on the basis of bona fide and reasonable occupational requirements.

## B. DEFINITIONS

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| (1) | <b>Association:</b> | means Keyano College Faculty Association (KCFA)  |
| (2) | <b>College:</b>     | means Keyano College   |
| (3) | <b>Complainant:</b> | means the person who makes a complaint or brings a discrimination, harassment, or bullying issue to the attention of the employer  |
| (4) | <b>Violence</b>     | <p>Workplace Violence is defined as the threatened, attempted or actual conduct of a person that causes or is likely to cause physical harm and includes domestic or sexual violence that spills over to the workplace. This may manifest as:</p> <ul style="list-style-type: none"> <li>• the exercise of physical force by a person against any worker in the workplace that causes or could cause physical injury to that worker</li> <li>• an attempt to exercise physical force against any worker in the workplace that could cause physical injury to that worker, and</li> </ul> |

- a statement or behaviour that it is reasonable for a person to interpret as a threat to exercise physical force against them or someone else in the workplace, that could cause physical injury to a worker
- (5) **Discrimination:** means any attempt to harass an individual, in matters related to employment on the basis of prohibited grounds. Discrimination does not need to be intentional to be illegal
- (6) **Harassment:** means unsolicited or unwelcome conduct, comments, gestures, or contact which causes offence or humiliation to any individual; engenders fear or mistrust; or compromises an individual's dignity or sense of self-worth. It is an attempt by one person to exercise perceived power over another. The harasser knows, or ought to know, that the behaviour is unwelcome or coercive. Harassment includes engaging in a course of annoying comments or conduct against an individual in a workplace that is known, or ought reasonably to be known, to be unwelcome. It includes discriminatory and sexual harassment, bullying, or workplace violence as prohibited by law  
Harassment can take many forms such as threats, intimidation or verbal abuse, unwelcome remarks or jokes about subjects of a prohibited ground of discrimination, displaying sexist, racist or other offensive pictures or posters, deliberate misgendering, sexually suggestive remarks or gestures, inappropriate physical contact, such as touching, patting, pinching, or punching, physical assault, including sexual assault. Bullying is often characterized as harassment but defined further on under (16)
- (7) **Investigation** means a fair and impartial fact-finding process, conducted by neutral experienced investigator, which leads to a decision and/or action by the employer
- (8) **Mediation** means a collaborative process of communication and solution-seeking between the employer, employee, and the Association or Union, where applicable, that leads to the resolution of a matter
- (9) **Policy:** means the Respectful Workplace Policy
- (10) **Protected Grounds** includes race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, ancestry, age, place of origin, marital status, source of income, family status and sexual orientation
- (11) **Respondent** means the person whose behaviour is being complained about
- (12) **Retaliation** means to hurt or attempt to hurt somebody in return, to deliberately harm or attempt to harm somebody in response or revenge for an action he or she has done



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| (13) | <b>Sexual Harassment</b>  | means any sexual behaviour, which is unwelcome, personally offensive, debilitates morale, and therefore interferes with work effectiveness. This includes offensive sexual flirtations, unwelcome advances, propositions, continued or repeated verbal abuse of an equal nature, and graphic or degrading verbal comments of a sexual nature about an individual or their appearance. The display of sexually suggestive and/or inappropriate written or graphic material or objects including photos, videos or the use of degrading verbal comments creates an offensive atmosphere and is a form of sexual harassment   |
| (14) | <b>Third Parties</b>      | means College volunteers, campus visitors, community members and contractors and their employees   |
| (15) | <b>Union:</b>             | means the Canadian Union of Public Employee Local 2157 ("CUPE")  |
| (16) | <b>Workplace bullying</b> | <p>Often included as harassment, means unreasonable behaviour directed toward an employee or group of employees that creates a risk to health and safety. Unreasonable behaviour can be defined as behaviour that harms, intimidates, threatens, victimizes, undermines, offends, degrades or humiliates another individual. The most common types of bullying are:</p> <ul style="list-style-type: none"> <li>• Verbal abuse</li> <li>• Cyber-bullying</li> <li>• Exclusion or isolation of employees</li> <li>• Constant non-constructive criticism of another's work</li> <li>• Attempts to humiliate, intimidate, or undermine staff</li> <li>• Assignment of meaningless tasks unrelated to the job</li> <li>• Assignment of impossible tasks</li> <li>• Deliberately changing work rosters to inconvenience employees</li> <li>• Deliberately withholding information vital for effective work performance.</li> </ul> <p>Workplace bullying <u>does not</u> include:</p> <ul style="list-style-type: none"> <li>• Reasonable and proper application of management responsibilities such as performance appraisals, coaching, discipline, attendance management and the application of performance standards</li> <li>• Complaints about legitimate and reasonable performance and management process, disciplinary action, or allocation of work in compliance with Collective Agreements and Employment standards</li> <li>• Implementation of organizational change.</li> </ul> |



## C. RELATED POLICIES

- Code of Conduct Policy
- Employee Progressive Discipline Policy
- Gender-Based and Sexual Violence Policy
- Safe Disclosure Policy
- Student Complaint Policy and Procedure (for cases where the complainant is a student)

## D. RELATED LEGISLATION

- *Alberta Human Rights Act*
- *Alberta Occupational Health and Safety Act, Regulation and Code*

## E. RELATED DOCUMENTS

- Administrative Employees Terms & Conditions of Employment
- CUPE Collective Agreement
- KCFA Collective Agreement

## F. REVISION HISTORY

Date (mm/dd/yyyy)	Description of Change	Sections	Person who Entered Revision (Position Title)	Person who Authorized Revision (Position Title)
10/24/2018	New Policy		Executive Assistant, President & CEO and Board of Governors	Executive Director Human Resources
06/05/2025	New template conversion; updated Policy Owner & Administrator  Added reference to Registrar involvement where Students are involved  Updates to Related Policies and Related Legislation section  Previous version of the policy will be rescinded.	All  4.4  C; D	Manager, People & Culture; HR Business Partner	Director, People & Culture