

POLICY # 103

TITLE: Respectful Workplace Policy

Preamble: Everyone has the right to be respected, and to work in an environment free from racism or any other form of discrimination. Violence and harassment of any kind will not be tolerated from any person at the Yukon Montessori School.

Purpose:

The Yukon Montessori School is committed to providing a workplace where all employees and members are treated with dignity and respect. Each employee has the right to a violence-and-harassment-free workplace.

The purpose of this policy is to:

- Adopt a proactive approach to the prevention and management of inappropriate workplace behaviour;
- Outline the process of reporting incidents if they occur;
- Describe the procedures to handle complaints if they occur.

Definitions¹:

Workplace harassment is generally understood as any objectionable comments or behaviours that we know, or should know, are likely unwelcome. This includes any inappropriate comments or objectionable behaviour relating to an employee's sex, sexual orientation, gender identity or gender expression, age, disability, religious beliefs or ethnic background. Examples include sexual advances, bullying, insults, threats, inappropriate jokes or images, gossip, vandalism and isolation.

Workplace violence is generally understood as the threatened, attempted or actual application of physical force toward an employee that is likely to cause harm or lead a worker to believe that they are likely to be harmed. Violence can cause physical and psychological injuries.

¹Yukon Workers Compensation Board [Violence and harassment \(wcb.yk.ca\)](https://wcb.yk.ca)

Last Updated: Dec 4, 2023

Date of approval:

Next review date:

*The Yukon Montessori School is supported and operated by the Whitehorse Montessori Society and the Yukon Parents for Montessori Society (the Societies), both of which are not-for-profit societies incorporated under the Societies Act of Yukon.

Scope:

The Yukon Montessori School, as the employer, is responsible for protecting both the physical and psychological health and safety of their workers. Employees are responsible for following the safe work practices that have been developed.

The scope of this policy is to support employees in the workplace but the expectations and procedures outlined will apply to all members of the Yukon Montessori School (i.e. board members, volunteers, families, etc).

This Policy applies to:

- the provision of services within the School community
- interactions with service providers, suppliers and members of the public in the course of undertaking School duties
- all aspects of employment
- the workplace, which extends beyond the School's physical boundaries and set times of work, and includes after-hours work, staff meetings, School camps and excursions, conferences, School authorised functions and activities.

Policy:

Every employee is entitled to an employment free of violence and harassment. Inappropriate workplace behaviour, which includes harassment, disrespectful behaviour and discrimination, will not be tolerated at the Yukon Montessori School.

The Yukon Montessori School is committed to eliminating risks of violence and harassment in the workplace.

Each employee must comply with the respectful workplace policy and its procedures. Employees must treat each other with respect and not engage in any workplace violence or harassment.

Employees of the Yukon Montessori School have the right to bring any concerns of incidents of violence or harassment to their supervisor. If the supervisor is the person alleged to have committed the violence or harassment, employees can bring concerns of incidents to the president of the board.

The privacy of all involved in a complaint or incident of violence and harassment will be protected as much as possible. The Yukon Montessori School will not identify to anyone a complainant, a respondent, any witnesses or any circumstances about a complaint, including personal information, unless it is necessary for the purpose of the investigation, to share the results of an investigation, for corrective action relating to the complaint, to inform workers of a risk of violence or harassment or where required by law.

If any personal information is shared, it will be the minimum amount needed to complete the investigation.

This respectful workplace policy does not limit an employee's rights under any other laws.

Procedures:

The Yukon Montessori School has developed respectful workplace procedures. These procedures include steps to protect employees (and volunteers) from violence and harassment and a process for employees (and volunteers) to raise concerns or report incidents.

Reporting procedure

If an employee believes they have been subject to workplace violence or harassment, they must follow the procedures for reporting the incident:

- Incidents of violence or harassment should be reported as soon as possible.
- Report the incident to their supervisor or the executive director or President. All information will be kept confidential.
- Formal reporting includes completing the incident reporting form. Incident reporting forms will be made available by all supervisors, the executive director and the President. All information in the written reports will be kept confidential and shared with the HR Committee as needed.
- If the alleged violence or harassment complaint is against the executive director or supervisor, report the incident to the President.
- For reports of serious interpersonal misconduct, an investigation may be required. An investigation is a formal process for looking into reports to determine what happened, whether it constitutes serious interpersonal misconduct, and whether it is a violation of the policy. Yukon Montessori School's Human Resources (HR) Committee will investigate complaints of workplace violence and harassment in a fair, respectful and timely manner. Where necessary, the HR Committee may also refer to an external investigator.
- Investigation process may include:
 - Based on the severity of the allegation, the RCMP may be called and immediate suspension of the individual may be put in place while the investigation is underway.
 - The committee will conduct individual conversations with each of the parties involved to determine what happened and whether it is a violation of the policy.

- The HR Committee may also gather other relevant information related to the situation to help inform a decision.
- The HR Committee will then make a decision on whether this incident violates the policy and on the course of action for the individuals involved including, but not limited to, training, conflict resolution support, or possible termination.
- In the case of an incident that is found to violate the policy but the individual is not employee (a parent for example), the HR Committee will make a decision on the course of action including conflict resolution support or possible dismissal of their child from the program.
- When the investigation is complete, a representative from the HR committee will inform the complainant and the respondent of the results of the investigation in a timely manner.
- Employees found to have been violent toward or to have harassed another person will be subject to appropriate corrective action by the employer, including training, and possible termination.

Legislation:

The Yukon Montessori School respectful workplace policy is in accordance with the following legislation:

- The *Yukon Workers Safety and Compensation Act* which includes Part 19 on violence and harassment prevention regulation.
- *Yukon Human Rights Act*, Canadian Charter of Rights and Freedoms.