



BOOTH

UNIVERSITY
COLLEGE

HARASSMENT POLICY

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WILLIAM AND CATHERINE BOOTH UNIVERSITY COLLEGE

Harassment Policy

HARASSMENT POLICY OUTLINE:

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I. WCBUC Statement of Philosophy and Commitment:

The Salvation Army William and Catherine Booth University College is committed to providing a quality education in an educational and working environment free from sexual and non-sexual harassment. William and Catherine Booth University College considers such a goal consistent with its educational and Christian mission.

As a Christian organization, William and Catherine Booth University College is committed to upholding the standards of Christ in all its dealings. We are to guard the 'image of God' revealed in each person, and to share His love with all.

Harassment is a violation of God's image and is contrary to God's love and compassion for all humanity.

Harassment is illegal under Manitoba Human Rights legislation.

William and Catherine Booth University College thus prohibits any form of harassment. It shall be a violation of this policy for any student, employee, member of the Board of Trustees, Officer of the Board of Trustees, a Salvation Army Officer, volunteer or other representative (collectively known as the relevant parties) of or participant in the undertaking and activities of William and Catherine Booth University College to harass any relevant party through conduct or communication in a manner defined by this policy. Wherever the term 'all relevant parties' is used, it refers to the above groups of people.

II. Scope of Policy

This policy prohibiting harassment governs all matters over which William and Catherine Booth University College has jurisdiction. All relevant parties, as listed above are covered by this policy and are prohibited from participating in harassment.

III. Policy Statement

Harassment is offensive, degrading and threatening. The Salvation Army William and Catherine Booth University College has adopted this policy to make clear to all relevant parties that harassment is not acceptable. In our role as an educational institution, we will discipline any individuals, regardless of position or title, found to have engaged in conduct constituting College-life related harassment.

William and Catherine Booth University College encourages the reporting of all incidents of harassment, regardless of who the offender may be.

In addition to the provisions of this policy, students, employees, members of the Board of Trustees, Officers of the Board of Trustees, Salvation Army officers, volunteers or other representatives of or participants in the undertaking and activities of William and Catherine Booth University College continue to have the right to seek assistance from the Manitoba Human Rights Commission.

IV Purposes

- a) to maintain a harassment-free educational and University College life-related working environment; to make all relevant parties aware that harassment in the workplace is illegal;
 - b) to outline the types of behaviour which are considered harassing and offensive;
 - c) to establish a mechanism for receiving complaints of harassment and to provide a procedure by which these complaints will be handled by The Salvation Army, William and Catherine Booth University College.
2. This policy is not intended to inhibit social interaction between students, employees, members of the Board of Trustees, Officers of the Board of Trustees, Salvation Army officers, volunteers and other representatives of or participants in the undertaking and activities of William and Catherine Booth University College.
 3. This policy recognizes that in the course of service/employment some physical contact may be warranted in order to provide comfort and support. This policy is not intended to inhibit this type of physical contact. However, it is expected that all relevant parties will treat one another and those they serve with the utmost respect, upholding the personal dignity of all.

V Definitions

1. For the purpose of this policy, 'sexual harassment' is defined as:
A single or repeated incident involving objectionable and unwelcome:
sexual advances, requests for sexual favours, or other objectionable or unwelcome verbal or physical conduct with sexual overtones, specifically when:

- i) such conduct might reasonably be expected to cause insecurity, discomfort or humiliation to another person, or;
- ii) submission to such conduct is reasonably implied to be a condition of employment, supplying a service or product, or obtaining an education or participating in any University College-sponsored educational program or activity, or;
- iii) submission to or rejection of such conduct is used as a basis for employment decisions (including, but not limited to, hiring, promotions, raises, job security and benefits, training, seniority);
or
- iv) such conduct has the effect of interfering with the person's employment, education or participation in University College-sponsored educational programs or activities creating an intimidating, hostile or offensive University College-life related environment, or;
- v) it is coupled with a reprisal or threat of reprisal for rejecting such advances, requests or conduct.

Types of behaviour which constitute sexual harassment include, but are not limited to:

- sexist jokes causing embarrassment, which are repeated despite clear indication that they are unwelcome
- gawking, leering
- display of sexually offensive materials
- derogatory or degrading remarks directed towards members of one sex
- sexually suggestive or obscene comments or gestures
- unwelcome inquiries about a person's sex life
- unwelcome sexual flirtations, advances, propositions
- unwelcome requests for sexual favours

- unwanted touching, patting or pinching or other sexual contact
- verbal abuse or threats with sexual overtones

Sexual harassment is most often directed by men towards women. However, it can also be directed by women towards men or can occur between members of the same sex.

2. For the purpose of this policy, 'non-sexual harassment' is defined as:
A single or repeated incident involving unwelcome and vexatious words or actions beyond the normal process in an educational environment, in relation to one of the non-sexual prohibited grounds of discrimination under Manitoba Human Rights legislation. These prohibited grounds of non-sexual discrimination are:
- a) ancestry, colour and perceived race
 - b) nationality or national origin
 - c) ethnic background or origin
 - d) religion or creed, religious belief, association or activity
 - e) age
 - f) sex, including pregnancy
 - g) gender-determined characteristics or circumstances
 - h) sexual orientation
 - i) marital or family status
 - j) source of income
 - k) political belief, association or activity
 - l) mental or physical disability

These are prohibited when:

- i) such conduct might reasonably be expected to cause insecurity, discomfort or humiliation to another person, apart from the use of such words or actions characteristic of and incidental to the educational process carried out by William and Catherine Booth University College, or;
- ii) submission to such conduct is, or is reasonably implied to be a condition of employment, supplying a service or product, or obtaining an education or participating in any College-sponsored educational program or activity, or;

- iii) submission to or rejection of such conduct is used as a basis for employment decisions (including, but not limited to, hiring, promotions, raises, job security and benefits, training, seniority);
or
- iv) such conduct has the effect of interfering with the person's employment, education or participation in College-sponsored educational programs or activities creating an intimidating, hostile or offensive University College-life related environment,
or;
- v) it is coupled with a reprisal or threat of reprisal for rejecting harassing activity.

Types of behaviour which constitute non-sexual harassment include, but are not limited to:

- verbal abuse (name calling, insults, slurs, jokes, or innuendoes) on any prohibited ground
- taunting about a person's race, colour, language, religious customs or practices, physical attributes as set out in the Manitoba Human Rights Code or any other protected attribute
- insulting actions directed at an individual's protected attributes (rude gestures, physical intimidation or assault, vandalism, practical jokes)
- creating, displaying or distributing derogatory or offensive written materials that imply the inferiority of a protected group of people
- hazing, or playing practical jokes which cause awkwardness or embarrassment in relation to a prohibited ground under the Manitoba Human Rights Code.

The normal exercise of University College-life related responsibilities according to established policy and procedures including training, counseling and progressive discipline does not constitute harassment, unless there is strong evidence to the contrary.

3. For the purpose of this policy, 'retaliation' against any individual who makes a valid complaint in compliance with this policy, or participates or cooperates in an investigation under this policy, will be considered harassment.
4. For the purpose of this policy, 'College life-related harassment' means harassment by a student, employee, member of the Board of Trustees, Officer of the Board of Trustees, Salvation Army Officer, volunteer or other representative of or participant in the undertaking and activities of The Salvation Army William & Catherine Booth University College which occurs:
 - a) in the working environment, or
 - b) anywhere else as a result of University College life-related responsibilities or relationships.

VI Responsibilities

1. The Board of Trustees, and the University College President are responsible for:
 - a) discouraging and preventing educational and employment-related harassment;
 - b) investigating all formal written complaints of harassment;
 - c) imposing strict disciplinary measures, upon substantiation of the complaint, regardless of the seniority of the offender;
 - d) doing all in their power to assist all relevant parties who complain of harassment by persons not within the jurisdiction of the University College (i.e. suppliers, couriers, etc.);

- e) providing advice and support to persons who are subjected to harassment;
- f) officially acknowledging the validity of a complaint, when investigation substantiates same and communicating this acknowledgment to the complainant;
- g) regularly reviewing the procedures of this policy to ensure that they meet the policy objectives;
- h) maintaining records as required by this policy
- i) keeping all relevant parties aware of the problem of harassment and the existence of this policy and its complaint procedures through appropriate education and training;
- j) appointing Advisors who will receive and investigate complaints, and providing the training and resources necessary for them to fulfill this role.

2. All relevant parties have a responsibility to ensure that the University College environment is free from harassment. All relevant parties are to avoid any conduct, which might reasonably be perceived as constituting harassment. In addition, all relevant parties who believe that a colleague or fellow student has experienced or is experiencing harassment, or retaliation for having made a complaint of harassment, is encouraged to bring this information to the appointed Advisors.

VII. Disciplinary Action

If any complaint under this policy shall be found to have a valid basis, the disciplinary action taken by the President or Board of Trustees, as the case may be, shall be appropriate to all relevant facts and circumstances, including but not limited to, the nature of this offense, the relationship of the parties involved, the duration of the offence, and the detrimental impact of the offense upon the Christian and educational mission of the University College. Disciplinary action may range from

warning letters or letters of reprimand up to and including a suspension without pay or dismissal of a University College employee or expulsion of a student.

VIII. Confidentiality

To protect the interests of the complainant, the person complained against and others who may report incidents of harassment, confidentiality will be maintained throughout the investigation process. All records of complaints, including contents of meetings, interviews, results of investigations and other relevant material will be kept confidential except in relation to providing relevant information to the parties of the complaint and other individuals in the investigation process.

IX. Advisors

The President of William and Catherine Booth University College will, from time to time, designate one or more Compliance Advisors under the policy, such persons to receive reports of complaints of harassment and to promptly investigate such reports or complaints. Subject to the provisions of this policy, in the event any complaint is made against the Compliance Advisor(s), such complaint shall be filed directly with the University College President.

X. Procedure

1. The following outlines the initial procedures to be followed in addressing an incident of harassment:
 - a) A person who considers that he/she has been subjected to harassment (or retaliation for having brought forward a complaint) is encouraged to bring the matter to the attention of the person responsible for the conduct.
 - b) If the complainant does not wish to address the issue with the person responsible, or where such action does not produce a satisfactory result, the complainant should seek the advice of the appointed Advisor.
 - c) The Advisor will then advise the complainant of:
 - i) the right to make a formal written complaint under this policy;
 - ii) counseling and support services available to the complainant;

- iii) the right to withdraw from any further action in connection with the complaint at any stage (William and Catherine Booth University College may continue to investigate the complaint);
- iv) other avenues of recourse available to the complainant, including the right to file a complaint with the Manitoba Human Rights Commission.

2. Where the alleged harasser is a person included in the Scope of Policy (II), discussion between the complainant and Advisor will lead to one of the following:

a) Agreement that the conduct does not constitute harassment as outlined in this policy. In this case, a formal written complaint will not be made and the matter will be concluded.

b) The complainant advises of his/her wish to make a formal written complaint of harassment (which complaint must be filed within six months of the last alleged incident of harassment). The Advisor's role is as follows:

Assist the complainant in the preparation of the formal written complaint. It should be noted, that regardless of whether the Advisor agrees that the conduct constitutes harassment, if the complainant so wishes, he/she is entitled to make a formal written complaint.

Upon completion of the written complaint (signed by the complainant) the Advisor will issue a copy without delay to the person against whom the complaint has been issued, and will take any remedial action deemed necessary.

c) Advise the alleged harasser of his/her rights in relation to this complaint. Initiate all steps necessary to satisfactorily investigate the complaint of harassment. The Advisor may, with the consent of the complainant, arrange a meeting between the complainant and the alleged harasser with

a view to obtaining an apology or such other resolution as will satisfy the complainant. If the matter is resolved to the satisfaction of the complainant, the resolution will be put in writing and signed by the alleged harasser and the acceptance of the resolution will be acknowledged in writing by the complainant. The Advisor will advise both parties that The Salvation Army William & Catherine Booth University College may, at its discretion, continue to investigate the allegations and take whatever disciplinary action is deemed necessary.

Upon completion of the investigation, the Advisor shall make a written report of findings and disciplinary recommendation, if any, to the President (provided that the President is not the alleged harasser), and the Advisor and President will thereafter determine whether further investigation is warranted. Upon completion of all investigative activities, the President shall take appropriate disciplinary action if warranted, and will notify the complainant in writing.

Where the investigation results in the substantiation of a harassment complaint, the outcome of the investigation and any disciplinary action taken will be recorded in the personnel file of the harasser. If a student is disciplined, all relevant documentation will be placed in his or her student file.

A separate confidential record of the complaint, the investigation and the findings will be maintained for a period of ten years, unless new circumstances dictate that the file should be maintained for a longer period. This record will be placed in the personnel file, which is maintained and located in the business office. If a student is disciplined, all relevant documentation will be placed in his or her student file.

Where the complaint of harassment is not substantiated by the investigation, all record of the complaint will be removed from the personnel file of the alleged harasser. Disciplinary action may be taken against the complainant if it is determined that the complaint was issued

for vindictive or discriminatory or false reasons. This will be recorded in the personnel file of the complainant. If a student is disciplined, all relevant documentation will be placed in his or her student file.

Whatever the outcome of the investigation the complainant and accused will be advised of the findings in writing. If the complainant is not satisfied with the outcome, he/she will be reminded of the continuing right to file a complaint with the Manitoba Human Rights Commission.

3. Where the alleged harasser is an Officer of The Salvation Army, then the Personnel Policy on Employment Related Harassment of The Salvation Army Canada and Bermuda Territory will also apply, but will only be implemented after the University College investigation and determination of the complaint has been completed. A copy of the complaint and subsequently the report and any recommended discipline will be sent to the Secretary for Personnel of The Salvation Army Headquarters for Canada and Bermuda Territory.
4. Should the complaint be made against the University College President, the investigation shall be conducted by a member of the Board of Trustees.
5. Where a complaint is filed against a member of the Board of Trustees, who is a Salvation Army Officer, a copy of the complaint shall be forwarded to The Governing Council of The Salvation Army and The Governing Council shall take such action as it considers appropriate.
6. Where a complaint is filed against a member of the Board of Trustees who is not a Salvation Army Officer, the complaint shall be forwarded to the Board of Trustees which shall take such action as it considers appropriate in accordance with the procedures set out in this policy. In such cases, the complaint shall be considered by the Board of Trustees in the absence of the member of the Board of Trustees against whom the complaint has been

issued. Furthermore, the Board of Trustees may establish a subcommittee of the Board and delegate the hearing of the complaint to that subcommittee which shall hear and determine the complaint in the place and stead of the full Board of Trustees.

XI. Education and Training

The commitment of William and Catherine Booth University College to providing a quality employment and educational atmosphere free from harassment shall be advanced by annual training and awareness programs regarding harassment. Copies of this policy shall be incorporated into the Faculty and Administrative Manual, Employee Manual, made available to the Resident Assistants in their Student Development Manual and to the Executive Members of the Student Council.

XII. Reprisal or Retaliation

William and Catherine Booth University College will discipline any individual who retaliates against any person who reports alleged harassment or who retaliates against any person who testifies, assists or participates in an investigation, proceeding, or hearing in connection with a harassment complaint.

XIII. Harassment Report Form

Complainant: _____

Address: _____

Home Phone: _____ Work Phone: _____

Date(s) of alleged incident(s): _____

Name of person you believe harassed you: _____

Witnesses present: _____

Where did the incident(s) occur? _____

Describe the incident(s) as clearly as possible, including such things as: where it occurred; what force, if any, was used; what verbal statements were made (i.e., threats, requests, demands, etc.); what physical contact, if any, was involved; how did you respond, etc. (Attach additional pages if necessary.)

I hereby certify that the information I have provided in this complaint is true, correct, and complete to the best of my knowledge and belief.

Complainant Signature

Date

Received by:

Date



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