

# Workplace bullying and harassment

Under the *Workers Compensation Act*, WorkSafeBC has introduced three occupational health and safety (OHS) policies outlining the duties of workers, supervisors, and employers to prevent and address workplace bullying and harassment.

These policies became effective November 1, 2013.

Workplace bullying and harassment includes any inappropriate conduct or comment by a person towards a worker that the person knew, or reasonably ought to have known, would cause that worker to be humiliated or intimidated. It excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment.

## Checklist of duties

### Workers must

- not engage in bullying and harassment
- report bullying and harassment they witness or experience
- apply and comply with the employer's bullying and harassment policies and procedures

### Supervisors must

- not engage in bullying and harassment
- apply and comply with the employer's bullying and harassment policies and procedures

### Employers must

- not engage in bullying and harassment
- develop a bullying and harassment policy statement
- take steps to prevent or minimize bullying and harassment
- develop and implement procedures for reporting incidents and complaints
- develop and implement procedures for dealing with incidents or complaints
- inform workers of the policy statement and prevention measures
- train workers and supervisors
- annually review the policy statement and procedures



Toward a respectful workplace:

# A handbook on preventing and addressing workplace bullying and harassment



## About WorkSafeBC

WorkSafeBC (the Workers' Compensation Board) is an independent provincial statutory agency governed by a board of directors. It is funded by insurance premiums paid by registered employers and by investment returns. In administering the *Workers Compensation Act*, WorkSafeBC remains separate and distinct from government; however, it is accountable to the public through government in its role of protecting and maintaining the overall well-being of the workers' compensation system.

WorkSafeBC was born out of a compromise between B.C.'s workers and employers in 1917, where workers gave up the right to sue their employers or fellow workers for injuries on the job in return for a no-fault insurance program fully paid for by employers. WorkSafeBC is committed to a safe and healthy workplace, and to providing return-to-work rehabilitation and legislated compensation benefits to workers injured as a result of their employment.

## WorkSafeBC prevention information line

The WorkSafeBC prevention information line can answer your questions about workplace health and safety, worker and employer responsibilities, and reporting a workplace incident. The prevention information line accepts anonymous calls.

Phone 604.276.3100 in the Lower Mainland, or call 1.888.621.7233 (621.SAFE) toll-free in Canada.

To report after-hours and weekend incidents and emergencies, call 604.273.7711 in the Lower Mainland, or call 1.866.922.4357 (WCB.HELP) toll-free in British Columbia.

Toward a respectful workplace:

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# WorkSafeBC publications

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Many publications are available on the WorkSafeBC website. The Occupational Health and Safety Regulation and associated policies and guidelines, as well as excerpts and summaries of the *Workers Compensation Act*, are also available on [worksafebc.com](http://worksafebc.com).

Use the following contact information to find publications that are available to purchase in print:

Phone: 604.232.9704

Toll-free phone: 1.866.319.9704

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## 2013 edition

### Library and Archives Canada Cataloguing in Publication

Toward a respectful workplace : a handbook on preventing and addressing workplace bullying and harassment.

Includes bibliographical references and an index.  
ISBN 978-0-7726-6720-5

1. Harassment--British Columbia--Prevention--Handbooks, manuals, etc. 2. Bullying in the workplace--British Columbia--Prevention--Handbooks, manuals, etc. I. WorkSafeBC II. Title: Handbook on preventing and addressing workplace bullying and harassment.

HF5549.5.H27 T69 2013

658.3'145

C2013-980074-3

## Purpose and scope

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WorkSafeBC’s vision is to keep British Columbians free from workplace injury, disease, and death. In support of this endeavour, WorkSafeBC establishes standards and guidelines for occupational health and safety practices; educates and consults with workplace stakeholders; raises public awareness; and builds partnerships with industry safety associations, unions, and other key stakeholders to improve health and safety in B.C. workplaces. WorkSafeBC also has the legislative authority to monitor compliance with occupational health and safety law and regulation; investigate serious incidents; and, in certain cases, levy financial penalties or other sanctions against employers for safety infractions.

Bullying and harassment is an occupational health and safety (OHS) issue that poses a potential risk to the physical and mental health and safety of workers. This handbook is about helping employers, workers, and supervisors (also referred to as “workplace parties”) meet their OHS duties as they relate to workplace bullying and harassment. Beyond what’s included here, employers, workers, and supervisors may find other ways to comply with their legal obligations that are not mentioned in this handbook. The handbook focuses specifically on workplace bullying and harassment. It does not address bullying and harassment that is unrelated to the workplace.

- **Part 1: Complying with legal obligations** – This provides information and advice about steps that WorkSafeBC considers reasonable for workplace parties to take to meet their legal obligations to prevent where possible, or otherwise minimize, workplace bullying and harassment.
- **Part 2: Additional resources on workplace bullying and harassment** – This provides additional resources and information on bullying and harassment that employers, workers, and supervisors may find useful. The suggestions and tips included here are simply that – suggestions and tips. Workplace parties are not required to implement anything included in this section, but may find the suggestions helpful when dealing with workplace bullying and harassment.

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## Issues not addressed in this handbook

Bullying and harassment can take place anywhere and at any time, and anyone can be a target. Given its wide scope, it's important to mention that this handbook and the other materials WorkSafeBC has prepared address bullying and harassment in the workplace. This handbook does not address bullying and harassment that is unrelated to a worker's employment.

### What's not covered?

In extreme cases, workplace bullying and harassment could lead to the development of mental disorders. This handbook is not intended to provide information about claims or compensation related to mental disorders. These matters are addressed under section 5.1 of the *Workers Compensation Act*. Further information about claims for mental disorders can also be found at [worksafebc.com](http://worksafebc.com).

Bullying and harassment in the workplace may involve a spectrum of behaviours. Conduct that is considered bullying and harassment under the *Workers Compensation Act*, which is an OHS matter, may also be conduct that could be addressed in other ways, for example, if the conduct is considered a criminal offence under the *Criminal Code of Canada* or discrimination under the *BC Human Rights Code*. This handbook does not provide advice about the implications and remedies available under these other statutes. The advice and information in this handbook is only intended to inform workplace parties about bullying and harassment that is considered an OHS matter.

For safety questions about workplace bullying and harassment, contact the WorkSafeBC prevention information line (toll-free in Canada) at 1.888.621.SAFE (7233).

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# Acknowledgements

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WorkSafeBC gratefully acknowledges the many individuals and groups who provided valuable insight and feedback throughout the development of this workplace bullying and harassment handbook and tool kit, including:

- Teresa Augustine, MAL, Executive Director, People’s Law School: Public Legal Education Society
- Dan Bilsker PhD, Adjunct Professor, Faculty of Health Sciences, Simon Fraser University and Partner in Psych Health & Safety Consulting
- Darrell Burnham, Executive Director, Coast Mental Health
- Sue Ferguson, Senior Labour Relations Consultant, BC Public Schools Employers’ Association
- Rita Ferrara, Director, Employee Relations and OHS, BC Liquor Distribution Branch
- Merv Gilbert PhD, R Psych, Adjunct Professor, Simon Fraser University, Partner, Psych Health & Safety Consulting
- Roy Johnson, The Neutral Zone Coaching and Consulting Services Inc.
- Anya Keefe, Occupational and Public Health Consultant
- Judy MacIntosh, Assistant Dean for Research and Faculty Development, Professor Faculty of Nursing, University of New Brunswick
- Jennifer Newman, PhD, R Psych, Workplace Psychologist, Newman Psychological and Consulting Services
- Anne Nickerson, Director, Equal Opportunity Program, City of Vancouver
- Marilyn Noble, Community-Based Adult Educator, People Link, and Past Community Co-Chair, Research Team on Workplace Violence and Abuse, University of New Brunswick

- 
- Cheryl Otto, Founder & CEO, Ounce of Prevention Solutions Inc.
  - Lorna Pawluk, LLB
  - Erica Pinsky, The Respect Business, author “Road to Respect: Path to Profit (How to Become an Employer of Choice by Building a Respectful Workplace Culture)”
  - Jacqueline L. Power, Assistant Professor of Management, University of Windsor
  - Members of WorkSafeBC’s Policy and Practice Consultative Committee (made up of representatives of the employer and worker communities)

# Introduction

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Workplace bullying and harassment is an issue of growing concern. It can take many forms, including verbal aggression, personal attacks, and other intimidating or humiliating behaviours. If workplace bullying and harassment is not addressed, it can lead to lost productivity, anxiety, and, occasionally, suicidal thoughts or actions.

## Workers Compensation Act

The *Workers Compensation Act* (the Act) sets out the general duties of employers, workers, and supervisors to ensure or protect the health and safety of workers. This includes preventing and addressing workplace bullying and harassment. One of WorkSafeBC's roles is to support and enforce compliance by workplace parties with their legal obligations.

In 2013, WorkSafeBC issued Occupational Health and Safety (OHS) policies relating to workplace bullying and harassment. These policies provide a consistent legal framework that identifies the steps WorkSafeBC considers reasonable for workplace parties to take to meet their legal obligations to prevent and address workplace bullying and harassment.

## What is workplace bullying and harassment?

Not every unpleasant interaction, instance of disrespectful behaviour, or workplace conflict is bullying and harassment. WorkSafeBC's OHS policies use the phrase "bullying and harassment" as a single term which:

- (a) includes any inappropriate conduct or comment by a person towards a worker that the person knew or reasonably ought to have known would cause that worker to be humiliated or intimidated, but
- (b) excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment.

Examples of behaviour or comments that might constitute bullying and harassment include verbal aggression or insults, calling someone derogatory names, harmful hazing or initiation practices, vandalizing personal belongings, and spreading malicious rumours.

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Intent does not determine whether the behaviour is bullying and harassment. A person cannot excuse his or her behaviour by saying he or she did not intend it to be humiliating or intimidating.

Situations, context, and circumstances may vary. For example, yelling in the workplace may be acceptable sometimes. It might be appropriate for a construction foreman to yell to warn a fellow worker of a potential danger, or for a fire chief to shout commands at the scene of a disaster. However, yelling that humiliates and intimidates is not acceptable.

### What is not considered bullying and harassment?

Bullying and harassment should not be confused with exercising managerial authority. Examples of reasonable management action might include decisions relating to job duties, workloads, deadlines, transfers, reorganizations, work instructions or feedback, work evaluation, performance management, and/or disciplinary actions.

### Who can be a bully? Who can be a target?

Anyone can be a bully, so it's difficult to generalize. Some bullies are easy to identify, while others operate more subtly. Equally, anyone can be the target of bullying and harassment. A target could just as likely be a dedicated, long-term employee as someone who's a young or new worker.

### Effects on workers and the organization

Bullying and harassment is an OHS issue that poses a potential risk to the physical and mental health and safety of workers. It can lead to lower productivity, physical illness, and increased risk of injury if someone is distracted while performing work tasks. Organizations must recognize and address these hazards by ensuring preventative measures and procedures are in place to improve the health and safety of workers, witnesses, co-workers, and clients.

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## Prevention and awareness

There's growing evidence that exposure to bullying and harassment in the workplace has serious negative outcomes for everyone. Demonstrating prevention and highlighting awareness of bullying and harassment sends a message – that workplace bullying and harassment is not tolerated and will be addressed if and when it does occur.

### Safety procedures

When the words “**must**” or “**must not**” appear in this manual, a particular safety procedure is required. The words “**may**,” “**could**,” or “**should**” suggest a recommended practice or workplace safety tip. This handbook is meant as a guide only and is not intended to replace the Act, Occupational Health and Safety Regulation, or OHS policies, which may occasionally change. Visit [www.worksafefbc.com/bullying](http://www.worksafefbc.com/bullying) for the most up-to-date information.



# Part 1: Complying with legal obligations

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This section outlines the legal obligations of employers, supervisors, and workers under the Act, and steps WorkSafeBC considers reasonable to address workplace bullying and harassment under its Occupational Health and Safety (OHS) policies. For the full OHS policy text, refer to pages 45 to 46 of this handbook. For the most current information, visit [www.worksafebc.com/bullying](http://www.worksafebc.com/bullying).

## Violence and bullying and harassment

If an incident meets the definitions of both violence **and** bullying and harassment – if, for example, it involves physical assaults or threats – then the [OHS Regulation s4.24-4.31](#) (on Workplace Conduct and Violence in the Workplace) applies, in addition to OHS policies on bullying and harassment.

## Legal obligations

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When it comes to bullying and harassment, employers, workers, and supervisors have legal obligations. These are found under “general duties,” in sections 115 to 117 of the *Workers Compensation Act*. The OHS policies provide guidance on how workplace parties can meet their obligations to prevent and address bullying and harassment in the workplace, as follows:

- [Employer duties](#), as set out in policy D3-115-2
- [Worker duties](#), as set out in policy D3-116-1
- [Supervisor duties](#), as set out in policy D3-117-2

Employers, workers, and supervisors may find ways to meet their obligations under the Act other than those described in the OHS policies. However, WorkSafeBC’s prevention officers are guided in their decisions by OHS policies. Therefore, all workplace parties should read and understand the policies to ensure they are taking action to meet their legal obligations.

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## Employers

Every employer must ensure the health and safety of its workers and any other workers present at the workplace. Employers must also provide workers with the information, instruction, training, and/or supervision necessary to ensure work is performed safely ([section 115 of the Act](#)).

The steps an employer must take to prevent and address bullying and harassment in the workplace are detailed in [OHS policy D3-115-2](#), and include the following:

- developing a policy statement to prevent and address workplace bullying and harassment
- taking steps to prevent or minimize bullying and harassment
- developing and implementing reporting procedures
- developing and implementing procedures for dealing with incidents and complaints
- informing workers about the policy statement and steps taken to prevent or minimize bullying and harassment
- training supervisors and workers about recognizing, responding to, and reporting incidents and complaints of bullying and harassment
- annually reviewing the policy statement and procedures for reporting and dealing with incidents and complaints

More information about the legal duties of employers is provided in the bullying and harassment guideline [G-D3-115\(1\)-3](#). Advice and practical suggestions about implementing each step identified in the OHS policy for employers are offered throughout this guide, and in other resources published in WorkSafeBC's [bullying and harassment tool kit](#).

## Workers

Every worker must take reasonable steps to protect his or her own health and safety as well as the health and safety of others ([section 116 of the Act](#)). With respect to bullying and harassment in the workplace, workers have certain obligations that include:

- not engaging in the bullying and harassment of others



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- reporting any bullying and harassing behaviours they experience or observe in the workplace
  - applying and complying with the employer's policies and procedures

To ensure workers can comply with their legal obligations, they must understand what's meant by the term "bullying and harassment." This handbook will help workers understand bullying and harassment, how to recognize bullying and harassing behaviours, and how bullying and harassment can impact an organization. It's the employer's duty to train workers and supervisors regarding bullying and harassment.

## Supervisors

Supervisors must ensure the health and safety of all workers under their direct supervision ([section 117](#) of the Act). This includes:

- not engaging in the bullying and harassment of others
- applying and complying with the employer's policies and procedures on bullying and harassment

Supervisors are responsible for ensuring members of their staff do not bully and harass others. Equally, supervisors must not bully and harass others. This handbook will help supervisors learn more about bullying and harassment, how to recognize it, and what effect it can have on an organization.

## Violence

If bullying and harassing behaviour becomes violent or involves threats of violence, then the Regulation applies. The Regulation states that "a person must not engage in any improper activity or behaviour at a workplace that might create or constitute a hazard to themselves or to any other person" ([s4.25](#)), and that "Improper activity or behaviour must be reported and investigated" ([s4.26](#)). This applies when bullying and harassment involves violence or threats of violence between co-workers.

If a worker is bullied and harassed by someone other than another worker, such as a customer or client, and it involves violence or threats of violence, then sections [4.27-4.30](#) of the Regulation apply.

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Employers must take appropriate action to eliminate or minimize the risk of workplace violence. WorkSafeBC has [numerous resources](#) to help employers.

Violent behaviour in the workplace may also be a criminal matter, and the police may need to be contacted. If there is a violent incident in the workplace and it results in the injury or death of a worker, the employer must investigate the incident and report it to WorkSafeBC (see [sections 172-177](#) of the Act).

### Other forms of harassment

Some bullying and harassment behaviours may also involve breaches of human rights under the *BC Human Rights Code* – such as when the behaviour involves racial or sexual discrimination towards a worker. While this guide does not address the implications and remedies available under the *BC Human Rights Code*, other sources of information can help employers, workers, and supervisors address such issues. For more information, review the *BC Human Rights Code*, seek advice from a qualified legal professional, or contact the [BC Human Rights Tribunal](#) to file a complaint.

Criminal behaviour is not addressed in this guide. An employer must conduct an investigation into all incidents of bullying and harassment in the workplace. However, if a bullying and harassment incident or complaint involves criminal activity, seek advice from the police before taking action.

### Other legal considerations

Employers must not discriminate against a worker who exercises any right or carries out any duty in accordance with Part 3 of the [Workers Compensation Act](#), or the Regulation (see [section 150](#) of the Act). This includes a worker who reports an incident or complaint of bullying and harassment. For more information, see WorkSafeBC's website on [Discriminatory action complaints](#).

Under the Act, if an incident of bullying and harassment results in a worker suffering from a diagnosed mental disorder, the worker may be eligible for compensation from [WorkSafeBC](#).

## Employer checklist

OHS policy D3-115-2, Employer Duties – Workplace Bullying and Harassment, sets out the nine steps WorkSafeBC considers reasonable for employers to take so they comply with their legal obligations to prevent and address workplace bullying and harassment. A checklist of the required elements is provided below, and more information can be found on the pages indicated.

Policy D3-115-2 item number	Further information	Completed
(a) develop a policy statement on bullying and harassment	page 9	<input type="checkbox"/>
(b) take steps to prevent or minimize bullying and harassment	page 9	<input type="checkbox"/>
(c) develop and implement procedures for workers to report incidents or complaints	page 10	<input type="checkbox"/>
(d) develop and implement procedures for dealing with incidents or complaints	page 11	<input type="checkbox"/>
(e) inform workers of the policy statement and steps taken to prevent bullying and harassment	page 14	<input type="checkbox"/>
(f) train supervisors and workers	page 14	<input type="checkbox"/>
(g) annually review (a), (b), (c), and (d)	page 15	<input type="checkbox"/>
(h) do not engage in bullying and harassment of other workers	–	<input type="checkbox"/>
(i) apply and comply with the employer’s policies and procedures on bullying and harassment	–	<input type="checkbox"/>

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## Workplace policy statement

Employers must develop a written policy statement clearly declaring that workplace bullying and harassment is unacceptable and will not be tolerated. Employers must also ensure workers are made aware of the policy statement.

The policy statement could include examples of what is, and what is not, acceptable workplace behaviour. Employers may wish to state the consequences for anyone who bullies and harasses another person in the workplace.

A sample policy statement and tips for creating an effective policy statement are available at [www.worksafefbc.com/bullying](http://www.worksafefbc.com/bullying).

## Preventing or minimizing bullying and harassment

Employers must take steps to prevent, where possible, or otherwise minimize, workplace bullying and harassment. This means that if an employer is aware of circumstances that present a risk of workplace bullying and harassment, preventative measures must be put in place.

This might include providing direction and supervision to affected workers, offering training on managing difficult situations, or imposing workplace arrangements to minimize the risks of bullying and harassment. For example, in an environment where clients are known to be verbally aggressive, an employer might have a screening process for phone calls, and escalate angry customers to a manager. Or, in a retail store, this might involve implementing procedures that enable a worker to call a manager or mall security if a customer bullies and harasses workers.

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## Procedures for reporting incidents or complaints

Reporting methods should clearly indicate how a worker can report a workplace bullying and harassment complaint. For example, procedures should indicate if workers are to report directly to the employer, a supervisor, a Human Resources representative, a union representative, or another person assigned to handling complaints.

Employers must develop and implement procedures that:

- enable workers to report incidents or complaints of workplace bullying and harassment, including how, when, and to whom a worker should report
- include provisions for reporting if the employer, supervisor, or person acting on behalf of the employer is the alleged bully
  - if the employer cannot provide other reporting options, for example, if it is a small business with few personnel, then workers can contact the WorkSafeBC prevention information line to report bullying and harassment by the employer (1.888.621.7233)
- include provisions for reporting bullying and harassing behaviour from other workers beyond the organization, or another external party, such as a client or customer, if such risks exist

Reporting procedures should also reference and include provisions for submitting relevant documents to support any allegations being made, such as emails, handwritten notes, photographs, or physical evidence like vandalized personal belongings.

For their part, workers must report all incidents of bullying and harassment they experience or witness, and include as much information as possible in the complaint or report.

What should be reported?

- the names of the parties involved
- any witnesses to the incident(s)
- the location, date, and time of the incident(s)
- details about the incident (behaviour and/or words used)

- 
- any additional details that would help with an investigation

Sample reporting procedures are available at [www.worksafebc.com/bullying](http://www.worksafebc.com/bullying).

### Small business

Small employers might face challenges like having no Human Resources department or OHS specialists. They also might have opportunities that other larger organizations lack such as closer working relationships, and an ability to respond more quickly to incidents. WorkSafeBC has developed a [small business guide](#) on workplace bullying and harassment to help these employers meet their particular challenges.

## Procedures for dealing with and investigating incidents or complaints

Employers must establish procedures that state how they will deal with incidents and complaints of bullying and harassment in the workplace. The procedures must ensure a reasonable response, aim to fully address the incident, and ensure future bullying and harassment is prevented or minimized.

Procedures must address the following:

- how and when investigations will be conducted
- what will be included in the investigation
- roles and responsibilities of employers, supervisors, workers, and others, such as investigators, witnesses, or union representatives – for example, employers are responsible for ensuring workplace procedures are followed; workers are expected to cooperate with investigators and provide any details of acts they have experienced or witnessed; and supervisors or Human Resources personnel might be involved in conducting investigations. If external investigators are hired, employers should provide information about their roles and responsibilities.

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- investigation follow-up – the procedures for investigation follow-up should describe the time frame for addressing the behaviour, any corrective actions to be taken at the workplace, as well as arrangements for addressing adverse symptoms. Corrective actions should be taken promptly, following the investigation, and ensure the bullying and harassment stops. This could include revising workplace procedures to prevent any future bullying and harassment incidents in the workplace.
  - record-keeping requirements could include an expectation that workers keep written accounts of incidents to submit with any complaints, or that the employer keep a written record of any investigation findings.

The purpose of an investigation is to determine whether bullying and harassment has occurred. The employer should make it clear that complaints will be treated seriously and addressed promptly. Ignoring a complaint or incident of bullying and harassment is a breach of an employer's duties under the *Workers Compensation Act*.

Investigations should:

- be undertaken promptly and diligently, and be as thorough as necessary in the circumstances
- be fair and impartial, providing fairness for both the complainant and respondent in evaluating the allegations
- be sensitive to the interests of all parties, and maintain confidentiality to the extent possible in the circumstances
- be focused on finding facts and evidence, which should include interviews with the complainant, respondent, and any witnesses
- incorporate, where necessary, any need or request from the complainant or respondent to have assistance during the investigation process

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## Investigations guide and sample procedures

WorkSafeBC has created sample investigation procedures and a guide that offers an example of an investigation process for employers. The guide has sample questions employers could ask as part of an investigation process. Alternatively, employers can create their own process and procedures for investigating workplace bullying and harassment complaints, providing they are reasonable and meet all legal obligations. The investigations guide and sample procedures are available at [www.worksafebc.com/bullying](http://www.worksafebc.com/bullying).

## Adapting an existing respectful workplace policy, harassment policy, or OHS program

Employers with existing policies or programs can adapt them to cover bullying and harassment. For example:

- include the organization's bullying and harassment policy statement in existing policies or programs
- include the definition of bullying and harassment found in the OHS policies
- identify any potential sources of bullying and harassment
  - for instance, while doing a risk assessment for workplace violence, employers can also determine whether there may be potential external sources of bullying and harassment from customers or clients
- update existing instructions for workers to make complaints or report incidents to include bullying and harassment
- include bullying and harassment training at the same time as other OHS training



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## Informing workers of the policy statement and procedures

All workers must be informed of the workplace policy statement and steps taken to prevent or minimize bullying and harassment. A good time to do this is during new employee orientation programs or during safety/staff meetings. Other ways to raise awareness include posting notices around the workplace in high-traffic areas, or sending periodic email reminders to all workplace personnel.

When raising awareness about bullying and harassment, the employer should discuss what actions and behaviours might be considered bullying and harassment, and those that are not. This handbook includes some examples in Part 2: Additional resources on workplace bullying and harassment. It's also important to remind everyone that not every unpleasant interaction, disrespectful behaviour, or instance of workplace conflict is bullying and harassment; it's helpful for everyone to understand there's a difference between bullying and harassment and workplace disagreements, disrespectful behaviour, or difficult conversations about performance management.

## Training supervisors and workers

When it comes to bullying and harassment, employers must ensure all workers – including supervisors – understand their responsibilities. Training for supervisors and workers must include the following:

- how to recognize bullying and harassment
- how workers who experience or witness bullying and harassment should respond
- procedures for reporting, and how the employer will deal with incidents or complaints of bullying and harassment. This includes:
  - who workers can go to for help and what help will be provided
  - who the organization's contacts are for reporting incidents
  - who is responsible for following up on complaints and incidents

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Investigators of incidents and complaints should receive appropriate training and instruction for handling such situations, because bullying and harassment matters are often sensitive and challenging to address. Other training for supervisors could include instructions on how to support workers who may be affected by workplace bullying and harassment.

Many organizations provide training to help workplaces address bullying and harassment. Training tools can be found at [www.worksafefbc.com/bullying](http://www.worksafefbc.com/bullying), including a presentation template for training workers and supervisors, animated videos, and other resources.

## Annual review

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For anti-bullying and harassment strategies to be effective, they need to be current and practical. Every year, the employer must review:

- its bullying and harassment policy statement
- its steps to prevent or minimize workplace bullying and harassment
- its reporting procedures
- its procedures for dealing with incidents and complaints

During the review, the employer should consider whether there have been any bullying and harassment incidents or complaints in the past year. If so, the policy statement and procedures should be clarified or amended, as needed, taking the incident(s) into consideration. Equally, it should be determined whether or not existing preventative steps are working, or if procedures need to be further clarified.

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## Multiple employer workplaces

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In situations where multiple workplaces share a worksite, employers must do as follows:

- take steps to prevent or minimize bullying and harassment originating from workers of other organizations
- ensure their own workers do not bully and harass workers of other organizations

The prime contractor must also:

- have a system in place to ensure contracted employers have policies and procedures for preventing and addressing bullying and harassment. For example, the prime contractor might provide a checklist asking contractors to confirm that they have health and safety measures in place – that include meeting their bullying and harassment duties.
- ensure its procedures include a system for dealing with complaints or incidents between workers of different employers. If a complaint or incident arises between workers of different employers, the prime contractor must do everything reasonably practicable to ensure the employers of both parties – the alleged target and the alleged bully – complete an investigation and take appropriate corrective action.

## Part 2: Additional resources on workplace bullying and harassment

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This section includes information that employers, workers, and supervisors might find helpful for dealing with workplace bullying and harassment. The suggestions included here are not legal requirements. However, they may be useful for organizations and individuals seeking to put best practices in place to prevent and address workplace bullying and harassment. The suggestions and tips may also help those experiencing workplace bullying and harassment.

This section also sets out some examples of behaviours that might be considered bullying and harassment. Workplace parties should learn to recognize such behaviours and apply this knowledge to determine whether a particular situation involves bullying and harassment. Before making a determination, each situation should be examined carefully, taking all the facts and the context into consideration.

### Types of bullying and harassment

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Workplace bullying and harassment can be:

- directed towards a colleague
- directed towards a subordinate
- directed towards a manager or supervisor
- between a worker and a non-worker, such as a client
- between workers from different organizations, such as those at a worksite where employees from multiple organizations are working together
- by a group of people, or one individual, towards another person or group

### Bullying and harassing behaviours

Bullying and harassing behaviours could include the following:

- verbal aggression or insults; calling someone derogatory names
- vandalizing personal belongings
- sabotaging someone's work

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- spreading malicious gossip or rumours
  - engaging in harmful or offensive initiation practices or hazing
  - physical or verbal threats (this could also constitute “violence” or “improper activity or behaviour” under the Regulation)
  - making personal attacks, based on someone’s private life and/or personal traits
  - making aggressive or threatening gestures

This is not a complete list. Other, more subtle behaviours, such as patterns of targeted social isolation, might also be considered bullying and harassment if they’re humiliating or intimidating, and fit the definition of bullying and harassment set out in the OHS policies. When assessing a situation to determine if bullying and harassment is taking place, always consider the context.

#### Common terms

Some common terms used to describe workplace bullying and harassment include: mobbing, abuse, workplace aggression, horizontal/lateral/worker-to-worker violence, victimization, hazing, and social undermining.

#### What is not bullying and harassment?

Not every unpleasant interaction, instance of disrespectful behaviour, or workplace conflict is considered bullying and harassment. Examples of behaviours that may not be bullying and harassment, if undertaken in an appropriate manner, include:

- expressing differences of opinion
- offering constructive feedback, guidance, or advice about work-related behaviour and performance
- making a legitimate complaint about someone’s conduct through established procedures

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Workplace bullying and harassment does not include behaviour that is unrelated to a worker's employment.

### **Reasonable management action**

Bullying and harassment should not be confused with exercising managerial authority. It's important to distinguish between a person who is reasonably exercising legitimate authority at work in an appropriate way, and a person who is bullying and harassing.

Managers and supervisors have a broad range of responsibilities, including directing and supervising how work is performed. They're responsible for monitoring workflow and providing feedback to employees on work performance. While the employer may exercise his or her authority to make employment decisions, such decisions cannot be communicated to a worker in a manner that would constitute bullying and harassment.

Examples of reasonable management action might include decisions relating to the following:

- job duties or work to be performed
- workloads and deadlines
- layoffs, transfers, promotions, and reorganizations
- work instructions, supervision, or feedback
- work evaluation
- performance management
- discipline, suspensions, or terminations

When it's provided in a respectful manner, appropriate feedback to help staff improve performance or behaviour is not bullying and harassment. However, managers and supervisors should ensure performance problems are identified and addressed in a constructive, objective way that does not humiliate or intimidate.

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## Cyber-bullying

In today's world, electronic communication has created a new forum for bullying and harassing behaviour. Known as cyber-bullying, it can occur through email, text messaging, social networking, and websites. It can include sending derogatory or threatening messages to the target, or sharing personal and confidential messages or images.

When cyber-bullying occurs, employers, workers, and supervisors must follow their bullying and harassment procedures.

The following suggestions can help workplaces address cyber-bullying:

- establish a clear electronic communications policy for the workplace – the same principles and standards that apply for day-to-day work should also apply to activities conducted online or via electronic devices
- if cyber-bullying is an issue, consider blocking access to social networking sites from work computers
- encourage staff to give careful consideration to the personal information they post online, especially on social media sites

## Effects on workers and the organization

Bullying and harassment is an occupational health and safety issue. There's growing evidence to suggest exposure to workplace bullying and harassment has serious negative outcomes for the target – and for the workplace, co-workers, and clients.

### Effects on the target

People respond differently to bullying and harassment. Reactions may include one or any combination of the following:

- impaired concentration or ability to make decisions, which could lead to safety hazards, such as a lack of attention when working with dangerous equipment

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- distress, anxiety, sleep disturbances, substance abuse, and/or suicidal thoughts or actions
  - physical illness
  - reduced work performance

### Effects on bystanders

The effects of bullying and harassment are not limited to the intended target. Other employees who witness such behaviour may:

- be afraid to support or help the target in case they also get bullied
- feel angry or stressed about the workplace culture
- consider leaving the organization
- join in, participating in the bullying and harassing behaviour

### Effects on the workplace

Effects on the overall workplace might include:

- reduced efficiency and productivity due to poor staff morale
- increased stress and tension between workers
- high absenteeism rates
- higher turnover, resulting in higher recruitment costs
- higher levels of client dissatisfaction

A study of nurses in more than 40 health units in western Canada examined the relationship between being a direct target of bullying and working in a bullying environment. Not surprisingly, workers who were targets of bullying were found to experience negative effects as a result. The study also showed that working in an environment where others were being bullied can have negative consequences – even for those who are not the targets. This can significantly affect workers' choices about staying in or leaving their jobs. These results are consistent with other research (Houshmand et al. 2012).



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## Financial costs

Beyond the effects on workers, there are financial costs associated with workplace bullying and harassment – such that it could be less expensive to prevent bullying and harassment than to address the effects after it takes place. Here are some examples of where valuable work time could be lost within an organization, and how costs might increase, as a result of bullying and harassment:

- time spent advising/coaching the alleged bully by managers, supervisors, and Human Resources personnel
- time spent advising/coaching the target by managers, supervisors, and Human Resources personnel
- time spent by witnesses advising/coaching the target and seeking help for themselves
- time spent by management and Human Resources personnel making decisions about the problem
- time and costs associated with advertising, recruiting, hiring, and training workers to replace those who leave because of workplace bullying and harassment

(Mattice 2009)

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## Who are the bullies?

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It's difficult to generalize characteristics of people who bully and harass, and there are many reasons why people might engage in bullying and harassment, including:

- lack of effective management training
- the desire to gain or exercise power over someone
- trying to stop someone else from “getting ahead” in the workplace
- having poor interpersonal or communication skills, low self-esteem, or insecurities

Someone who bullies others might be suffering from a mental illness, experiencing personal challenges, or be unaware of how his or her behaviour affects others.

At the heart of intentional bullying and harassment is often a sense of exerting power or control over another person. The goal is to undermine, discredit, embarrass, or harm the target through sabotage, insults, or humiliation. Power can come in many forms, including the following:

- holding a formal position of power in the workplace
- being friends or having connections with influential people or workplace decision-makers
- having access to resources that give one person an advantage over others
- being older, or having more experience or seniority

Sometimes people do not understand their behaviour can be harmful. They may not realize how they're perceived by others, or know the best ways to communicate difficult or sensitive matters. Coaching can be effective in shifting bullying behaviour in cases where individuals have a compelling reason to change – such as someone knowing he or she might lose his or her job if the bullying and harassing behaviour continues.

Men and women may describe similar experiences in different words. In a review of WorkSafeBC claims for compensation resulting from bullying and harassment, men more often used the word “harassment,” while women tended to use the term “bullying.”

## Information for targets

### Who are the targets?

There is no single profile for someone who is bullied. Anyone can be a target of bullying and harassing behaviour.

### Tips for targets

#### Find out about any existing workplace bullying and harassment policies and complaint procedures

Employers in B.C. are required to have a workplace bullying and harassment policy statement and related procedures. Targets can review their workplace policy statement to identify if the behaviour meets the definition of bullying and harassment.

#### Keep records

Targets should keep a detailed record of what happened – places, dates, times, people involved, witnesses, and what was said or done. This information may be useful during an investigation. If targets experience cyber-bullying and receive harassing electronic messages, they should keep hard copies for use in investigations.

#### Seek advice

If available, targets could seek advice from the contact person named in the workplace bullying and harassment procedures, the Human Resources manager, or the union representative. Avoid making allegations about bullying and harassment to people not involved in handling complaints.

#### Speak up

Sometimes a person who bullies others is unaware of the effects of his or her actions. Choosing to speak up to someone who engages in bullying and harassing behaviour can lead to a variety of outcomes: the behaviour might stop, escalate, or stop temporarily before it gets worse.

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If the target of bullying and harassment feels safe and comfortable, he or she might approach the alleged bully and make it clear the behaviour is unwanted, unacceptable, and will not be tolerated. See [www.worksafebc.com/bullying](http://www.worksafebc.com/bullying) for an animated clip with suggestions on how to start this conversation.

### Report the issue

A workplace must have procedures for reporting and dealing with incidents or complaints of workplace bullying and harassment. Workers who observe or experience bullying and harassment are obligated to report it.

### Outcomes

If bullying and harassing behaviour continues after the employer has investigated and addressed it, targets should contact the person identified in the organization's bullying and harassment procedures. If a target feels his or her concerns have not been adequately addressed, he or she could inform the next level of management, the union, or his or her professional association. The WorkSafeBC prevention information line (1.888.621.7233) also provides information to workers about occupational health and safety.

**Report all criminal activity to the police, including physical threats, assaults, and criminal harassment, such as stalking.**

## Information for witnesses

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All workers have legal obligations regarding workplace bullying and harassment. Refer to Part 1 of this handbook for detailed information.

If you witness bullying and harassment, follow these suggestions:

- report it – workers are required to report any bullying and harassment incidents they witness in the workplace

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- support the target by telling the person who is bullying and harassing that his or her behaviour is not appropriate
  - keep a written account of bullying behaviour you witness – this can help in an investigation
  - provide testimony for mediation sessions or investigations

## Respectful workplaces

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Creating a respectful workplace that's free from bullying and harassment includes many elements. Factors that can contribute to building a respectful workplace include the following:

- fostering a workplace culture that embraces differences and promotes inclusion
- addressing bullying and harassment from the top down
- consulting with workers and unions, where applicable
- understanding how workplace structure and systems can contribute to bullying and harassment
- promoting cross-cultural awareness

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## Respectful workplace checklist

Creating a positive and respectful workplace requires an understanding and commitment by all parties. Have workers complete the checklist below to see how the organization demonstrates positive behaviours and communication styles, as well as areas for improvement.

Behaviour or quality	The organization demonstrates this quality
People are respectful toward each other	<input type="checkbox"/>
The atmosphere is positive	<input type="checkbox"/>
People treat each other civilly and politely	<input type="checkbox"/>
Following a workplace conflict, actions are taken to quickly address the situation	<input type="checkbox"/>
Communication between workers and management is open and honest	<input type="checkbox"/>
Workers are consulted in the development of company policies and procedures	<input type="checkbox"/>
Company bullying and harassment policies and procedures are clearly explained to all workers	<input type="checkbox"/>
Training is provided to all workers on appropriate workplace behaviour and conduct	<input type="checkbox"/>
Workers collaborate and cooperate as a team	<input type="checkbox"/>
Feedback is provided in a respectful manner	<input type="checkbox"/>
Managers lead by example to promote a respectful and positive workplace	<input type="checkbox"/>

After reviewing the checklist, managers can ask workers to contribute their ideas and suggestions on how to create a more respectful workplace. An open, inclusive approach builds rapport and a sense of community.

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## Cross-cultural awareness

B.C. has a diverse population – diversity that’s very much reflected in our workplaces. Sometimes, cross-cultural misunderstanding can lead to conflict, which can escalate to bullying and harassment – or the perception that it’s happening.

In the workplace, cultural and personal style differences might surface in areas such as communication, attitudes about conflict, and approaches to decision-making. Awareness and support of these differences can help ease workplace tension and conflict.

Cross-cultural awareness can be introduced in a formal way (through a workshop or online training). It can also be initiated informally through conversations at staff meetings, potluck meals, celebrations of diversity, and other occasions where workers are encouraged to talk about their cultural backgrounds and share their experiences.

All workers, including supervisors and employers, are responsible for their own behaviour at work, as well as how it can positively or negatively affect others.

### Did you know?

Research shows that companies that focus on effective internal functioning and communications enjoy a number of benefits compared to competitors that demonstrate ineffective communications practices. These benefits include a 57-percent higher total return, a 19-percent higher market premium, a 4.5-times greater likelihood of having highly engaged employees, and a 20-percent greater likelihood of reporting reduced turnover.

(Mattice 2009)

## Workplace code of conduct

Some employers find it useful to create a workplace code of conduct, team charter, or respectful workplace pact, emphasizing the

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importance of having everyone agree to appropriate standards of behaviour. A code of conduct is usually developed by the employer for the whole organization, while a charter or respectful workplace pact is developed and agreed upon by members of a unit or working group. Both of these set expectations for respectful workplace conduct and answer the following questions:

- What are the values of this workplace or work unit?
- What specific behaviours do we expect from each other?
- What are our commitments/accountabilities to each other?

Employers can ask that everyone in the workplace or unit sign off on a charter or respectful workplace pact. The formal agreement can then be posted and/or distributed. This might include creating, printing, and distributing a postcard-sized summary of key points that can be posted at a desk or in a locker.

This type of understanding places accountability on workers, as well as supervisors. To be effective, the charter or pact needs an enforcer – a role typically filled by the manager or supervisor responsible for the unit.

Ideally, these documents are created as a preventative measure before conflict occurs. But they can also be developed if a workplace or unit is experiencing bullying and harassment.

### Peer advisory group

A peer advisory group provides another forum for workers to talk about issues they are experiencing and to seek advice for how to resolve an unpleasant situation. This empowers workers to help each other resolve conflicts or challenging work situations.

Peer advisors are usually pre-screened by Human Resources personnel or managers to ensure they have the necessary skills and qualities to handle matters that are typically sensitive, such as good communication skills, a common-sense approach, and the respect and trust of others in the workplace.



There are different ways of managing interpersonal conflict, including seeking an informal resolution. An informal resolution process aims to resolve interpersonal conflict quickly and effectively. Intervening early where conflict exists can defuse a situation and prevent it from escalating into something more serious.

## Managing interpersonal conflict

Not all unpleasant or inappropriate conduct amounts to bullying and harassment.

Workers might disagree on issues, they might not like what they're asked to do, and they might not be friends with all of their co-workers.

There are different ways of managing interpersonal conflict, including seeking an informal resolution. An informal resolution process aims to resolve interpersonal conflict quickly and effectively. Intervening early where conflict exists can defuse a situation and prevent it from escalating into something more serious.

An informal resolution process might be as simple as talking to the parties involved about what behaviour is acceptable in the workplace and what is not. Other solutions might include mediation, where the parties sit together to discuss and resolve the issue. A manager or another person from the workplace may mediate the situation if they have the skills and it is appropriate. It's important that all parties trust and respect the mediator.

If allegations of workplace bullying and harassment come to light during an informal resolution process, workplace parties should follow this handbook's suggestions as appropriate and must comply with all legal obligations under the *Workers Compensation Act*.

## After an incident occurs

Regardless of whether or not allegations of bullying and harassment are found to be true, they can affect an entire team, group, and workplace. So, after a bullying and harassment complaint is made, employers might work on "restoring the workplace." This involves establishing or re-establishing positive working relationships.

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Employers and supervisors can talk to the target and alleged bully about what each party needs to move forward, as follows:

- Determine what is and what is not appropriate to share with the group.
  - Even if you cannot discuss details with members of the group, you can offer support.
- Have “check-in” meetings with the alleged bully, the target, and their co-workers to see how things are going – this provides an opportunity for workers to confidentially express concerns about any bullying and harassment that may have continued.
- Have team discussions to clarify mutual expectations for how everyone will work together respectfully, including during periods of disagreement.
- Offer assistance to workers, whether it’s through an employee assistance program, counselling through extended health coverage, or another resource.
- Consider if there’s a need for training or awareness sessions about bullying and harassment.

– adapted from materials published by the Treasury Board of Canada

### **False accusations**

Sometimes individuals make allegations about situations that are not bullying and harassment. The accusation might be malicious in intent, or a person might not understand the definition of workplace bullying and harassment. False accusations can have a negative effect on the accused and the workplace overall. If, after an investigation, an accusation of bullying and harassment is found to be false, an employer or supervisor should offer support to the accused.

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## Scenarios

The following scenarios provide examples of how to respond to incidents of workplace bullying and harassment. Responses will vary, based on the particular circumstances of each case. Workplaces might choose to use these scenarios to have a conversation about workplace bullying and harassment during training sessions or staff meetings.

### Scenario 1: Target and supervisor address bullying and harassment

Jenny and Mei are licenced practical nurses who work together in a private care facility for seniors. Jenny has worked there for 15 years and Mei started six months ago. Their supervisor often compliments Mei on her work, but Jenny belittles Mei in front of patients and other workers. Yesterday, Jenny yelled at Mei in front of the patients and told her she never does anything right.

According to the facility's procedures, Mei's supervisor is the contact person for reporting bullying and harassment, and is also named as the investigator.

What is Mei experiencing?

- Mei is a new worker and might be more vulnerable to bullying and harassment in the workplace.
- Jenny seems to have power in the relationship because she has been a nurse and worked at the care facility for much longer than Mei. Mei and her supervisor should be aware of this potential power imbalance.

How could Mei address this situation?

- Mei could approach Jenny to discuss her behaviour. She should be specific about which behaviours are unacceptable, and point out how they violate the facility's bullying and harassment policy – as well as how they affect her personally.
- If Jenny agrees that her actions have been inappropriate, she and Mei could talk about changes each could make to improve their working relationship.

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- If Jenny blames Mei and is unwilling to make any changes to her own behaviour, it might be a sign she intends to continue bullying Mei.
  - If she's being bullied and harassed, Mei has an obligation to report the incident and should follow the facility's reporting procedures.

What could the supervisor do?

- If the supervisor witnesses bullying behaviour, he or she should meet with Jenny and tell Jenny her actions are against the facility's bullying and harassment policy, and that such behaviour will not be tolerated.
  - The supervisor should tell Jenny the consequences of her actions – what will happen if she does not change her behaviour.
  - The supervisor might help Jenny modify her behaviour by sending her for training or coaching, so that Jenny's behaviour does not conflict with the facility's policy on workplace bullying and harassment.
- If the supervisor hears about Jenny's behaviour from another worker or patient, but does not witness the behaviour, the complaint must be investigated according to the facility's procedures.
  - The supervisor should tell Mei he or she will talk to Jenny about the behaviour and conduct an investigation.
  - The supervisor should share the results of the investigation with both Jenny and Mei, in addition to reviewing the facility's bullying and harassment policy statement with Jenny.
  - The supervisor should be clear about the consequences of Jenny's actions, and that retaliation will not be tolerated. The supervisor should follow through with the consequences they have discussed.
- If Jenny's behaviour does not change, the supervisor should follow up again, based on the consequences they have discussed.

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- The supervisor should follow up with Mei and Jenny separately. If it seems that Jenny blames Mei for her actions, or that Mei was the only one who showed interest in resolving the problem or changing her behaviour, it could be a sign that Jenny is trying to maintain power over Mei. The supervisor should address this directly with Jenny.
  - If Mei and Jenny find a mutually satisfactory way to work together, the supervisor should check in regularly with each of them individually. This should take place for a reasonable amount of time following the incident, to ensure the problem does not recur.
  - The supervisor should be aware that Jenny might move onto a new target after Mei, so he or she should monitor the situation accordingly.

Sometimes workers who have had a conversation about being an alleged bully will retaliate by accusing the supervisor of bullying them. If this occurs, the supervisor should invite the worker to follow organizational procedures and comply with any resulting investigation.



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## Scenario 2: A worker receives performance coaching

Sarah is a manager in a retail store. She has been unhappy since a new district manager was appointed six months earlier, and so she files a workplace bullying and harassment complaint with Human Resources. The investigator interviews Sarah, the district manager, and the employer.

Three months earlier, the new district manager informed Sarah her performance and continued employment were under review because her store was not meeting its targets. Since then, the district manager has met with Sarah every two weeks to review her team's sales, salary and overtime costs, absenteeism, and contribution to corporate profits. Sarah says the meetings are very tense and unfriendly, but there has been no yelling, swearing, or other intimidating or humiliating conduct. Sarah believes the district manager dislikes her and that, because she has been asked to have these meetings, she is being singled out.

The district manager and employer both say Sarah has not been singled out – she is one of three managers receiving regular performance coaching because their teams are delivering below expectations. The district manager and employer say that such coaching is necessary to ensure the three retail stores continue to remain in business, which also means Sarah will remain employed.

Is Sarah being bullied and harassed?

- This is not workplace bullying and harassment – the employer is exercising the right to monitor performance and provide constructive feedback.
- The employer and district manager have not engaged in intimidating or humiliating behaviour.
- Performance management is reasonable management action and is not considered workplace bullying and harassment.

## Next steps

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This handbook is part of an online tool kit published by WorkSafeBC. The tool kit contains a number of other resources that might be useful for large and small organizations to help them develop policies and procedures, provide training, and raise awareness. It includes the following:

- a small business guide
- frequently asked questions
- fact sheets
- developing a policy statement
- developing reporting procedures
- developing investigation procedures
- an investigations guide
- a worker checklist and template
- posters
- a presentation template for training workers and supervisors
- animated videos on workplace bullying and harassment

Anyone can access these resources free of charge at [www.worksafefbc.com/bullying](http://www.worksafefbc.com/bullying).

# Survey

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Did you find this handbook and the other resources available at [www.worksafebc.com/bullying](http://www.worksafebc.com/bullying) useful? Complete a short [online survey](#) and let WorkSafeBC know which of these resources were helpful, what could be improved, or what other resources might be useful.



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Treasury Board of Canada. Is it harassment? A tool to guide employers. [www.tbs-sct.gc.ca/gui/mibh-sjh02-eng.asp](http://www.tbs-sct.gc.ca/gui/mibh-sjh02-eng.asp)

WorkSafe Saskatchewan. Harassment prevention. [www.lrws.gov.sk.ca/harassment-prevention-brochure](http://www.lrws.gov.sk.ca/harassment-prevention-brochure)

WorkSafe Victoria. Workplace bullying: Prevention and response. [www.worksafe.vic.gov.au/forms-and-publications/forms-and-publications/preventing-and-responding-to-bullying-at-work](http://www.worksafe.vic.gov.au/forms-and-publications/forms-and-publications/preventing-and-responding-to-bullying-at-work)

# Glossary

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**Bullying and harassment** (as defined by WorkSafeBC’s Occupational Health and Safety policies):

- (a) Includes any inappropriate conduct or comment by a person towards a worker that the person knew or reasonably ought to have known would cause that worker to be humiliated or intimidated, but
- (b) Excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment

**Bystander:** Anyone who witnesses workplace bullying and harassment

**Complainant:** The person who makes a complaint about workplace bullying and harassment that is witnessed or experienced

**May, Could, Should:** These words suggest a recommended practice or workplace safety tip, but no legal duty or obligation exists

**Must:** The word “must” identifies a legal duty or obligations of an employer, worker, supervisor, or organization

**New worker:** A worker of any age who is either new to the workplace, facing new or different hazards, or in a new workplace or location with different hazards from the previous location

**OHS:** Occupational health and safety

**Respondent:** The person identified in a complaint as the alleged bully

**Target:** The person who is being bullied and harassed

**Workplace parties:** A term referring to employers, workers, and supervisors

**Young worker:** Any worker under the age of 25

# Resources

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The following resources provide extra information, support, or services related to workplace bullying and harassment. WorkSafeBC makes no warranty as to the ability, suitability, or availability of the organizations listed or their business practices. WorkSafeBC does not recommend those organizations listed over any organizations not listed. WorkSafeBC makes no warranty as to the accuracy, completeness, or currency of the list of organizations. This list is subject to change at any time without notice.

WorkSafeBC assumes no liability for any damage or loss suffered as a result of any inaccuracy in or incompleteness of the list of organizations. WorkSafeBC assumes no liability for any damage or loss suffered as a result of any failure or negligence on the part of any organization listed or any agent for any organization listed.

Anyone contemplating engaging any organization listed should make their own inquiries and decisions regarding the suitability and ability of any organization listed, and should make their own investigations regarding possible alternative organizations not listed.

B.C. Ministry of Jobs, Tourism and Skills Training and Responsible for Labour offers a self-help kit for resolving workplace conflict:  
[www.labour.gov.bc.ca/esb/complaint.htm](http://www.labour.gov.bc.ca/esb/complaint.htm)

Canadian Centre for Occupational Health and Safety provides information and client support:  
[www.ccohs.ca/oshanswers/psychosocial/bullying.html](http://www.ccohs.ca/oshanswers/psychosocial/bullying.html)  
[www.ccohs.ca/ccohs/inq.html](http://www.ccohs.ca/ccohs/inq.html)

Canadian Ethnocultural Council offers a guide to dealing with intergenerational and intercultural conflict resolution:  
[www.ethnocultural.ca/intergenerational-dialogue-conflict-resolution-resource-guide](http://www.ethnocultural.ca/intergenerational-dialogue-conflict-resolution-resource-guide)

Respect Group Inc. provides an online training tool regarding workplace bullying and harassment: <http://respectgroupinc.com/>

# OHS policies – workplace bullying and harassment

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The following duties are copied from WorkSafeBC's OHS policies on workplace bullying and harassment. These may change from time to time. For the most up-to-date language, see the [Prevention manual](#).

## Definition – bullying and harassment

- (a) includes any inappropriate conduct or comment by a person towards a worker that the person knew or reasonably ought to have known would cause that worker to be humiliated or intimidated, but
- (b) excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment.

## Employer duties – D3-115-2

### Reasonable Steps to Address the Hazard

WorkSafeBC considers that reasonable steps by an employer to prevent where possible, or otherwise minimize, workplace bullying and harassment include the following:

- (a) developing a policy statement with respect to workplace bullying and harassment not being acceptable or tolerated;
- (b) taking steps to prevent where possible, or otherwise minimize, workplace bullying and harassment;
- (c) developing and implementing procedures for workers to report incidents or complaints of workplace bullying and harassment including how, when and to whom a worker should report incidents or complaints. Included must be procedures for a worker to report if the employer, supervisor or person acting on behalf of the employer, is the alleged bully and harasser;
- (d) developing and implementing procedures for how the employer will deal with incidents or complaints of workplace bullying and harassment including:
  - i. how and when investigations will be conducted;
  - ii. what will be included in the investigation;
  - iii. roles and responsibilities of employers, supervisors, workers and others;
  - iv. follow-up to the investigation (description of corrective actions, timeframe, dealing with adverse symptoms, etc.); and
  - v. record keeping requirements;
- (e) informing workers of the policy statement in (a) and the steps taken in (b);
- (f) training supervisors and workers on:
  - i. recognizing the potential for bullying and harassment;
  - ii. responding to bullying and harassment; and
  - iii. procedures for reporting, and how the employer will deal with incidents or complaints of bullying and harassment in (c) and (d) respectively;



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- (g) annually reviewing (a), (b), (c), and (d);
  - (h) not engaging in bullying and harassment of workers and supervisors; and
  - (i) applying and complying with the employer's policies and procedures on bullying and harassment.

### **Worker Duties – D3-116-1**

A worker's obligation to take reasonable care to protect the health and safety of themselves or others includes:

- (a) not engaging in bullying and harassment of other workers, supervisors, the employer or persons acting on behalf of the employer;
- (b) reporting if bullying and harassment is observed or experienced in the workplace; and
- (c) applying and complying with the employer's policies and procedures on bullying and harassment.

### **Supervisor Duties – D3-117-2**

A supervisor's obligation to ensure health and safety of workers includes:

- (a) not engaging in bullying and harassment of workers, other supervisors, the employer or persons acting on behalf of the employer; and
- (b) applying and complying with the employer's policies and procedures on bullying and harassment.

### **Practice**

The definition of bullying and harassment includes any inappropriate conduct or comment by a 'person' towards a worker that the 'person' knew or reasonably ought to have known would cause that worker to be humiliated or intimidated.

A 'person' includes any individual, whether or not they are a workplace party. This means that a 'person' could be a workplace party such as an employer, supervisor, or co-worker, or a non workplace party such as a member of the public, a client, or anyone a worker comes into contact with at the workplace.

In order to determine what is reasonable in the policy, a definition below is included for a 'reasonable person'.

*Black's Law Dictionary, Ninth Edition* defines a reasonable person as follows:

"...a person who exercises the degree of attention, knowledge, intelligence, and judgment that society requires of its members for the protection of their own and of others' interests. The reasonable person acts sensibly, does things without serious delay, and takes proper but not excessive precautions..."

# Notes

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# Notes

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# WorkSafeBC offices

Visit our website at [worksafebc.com](http://worksafebc.com).

## **Abbotsford**

2774 Trethewey Street V2T 3R1  
Phone 604.276.3100  
1.800.292.2219  
Fax 604.556.2077

## **Burnaby**

450 - 6450 Roberts Street V5G 4E1  
Phone 604 276.3100  
1.888.621.7233  
Fax 604.232.5950

## **Coquitlam**

104 - 3020 Lincoln Avenue V3B 6B4  
Phone 604.276.3100  
1.888.967.5377  
Fax 604.232.1946

## **Courtenay**

801 30th Street V9N 8G6  
Phone 250.334.8765  
1.800.663.7921  
Fax 250.334.8757

## **Kamloops**

321 Battle Street V2C 6P1  
Phone 250.371.6003  
1.800.663.3935  
Fax 250.371.6031

## **Kelowna**

110 - 2045 Enterprise Way V1Y 9T5  
Phone 250.717.4313  
1.888.922.4466  
Fax 250.717.4380

## **Nanaimo**

4980 Wills Road V9T 6C6  
Phone 250.751.8040  
1.800.663.7382  
Fax 250.751.8046

## **Nelson**

524 Kootenay Street V1L 6B4  
Phone 250.352.2824  
1.800.663.4962  
Fax 250.352.1816

## **North Vancouver**

400 - 224 Esplanade Ave. W. V7M 1A4  
Phone 604.276.3100  
1.888.875.6999  
Fax 604.232.1558

## **Prince George**

1066 Vancouver Street V2L 5M4  
Phone 250.561.3700  
1.800.663.6623  
Fax 250.561.3710

## **Surrey**

100 - 5500 152 Street V3S 5J9  
Phone 604.276.3100  
1.888.621.7233  
Fax 604.232.7077

## **Terrace**

4450 Lakelse Avenue V8G 1P2  
Phone 250.615.6605  
1.800.663.3871  
Fax 250.615.6633

## **Victoria**

4514 Chatterton Way V8X 5H2  
Phone 250.881.3418  
1.800.663.7593  
Fax 250.881.3482

## **Head office/Richmond**

*Prevention information line:*  
Phone 604.276.3100  
1.888.621.7233 (621.SAFE)

*Administration:*

6951 Westminster Highway  
Phone 604.273.2266

*Mailing address:*

PO Box 5350 Stn Terminal  
Vancouver BC V6B 5L5

## **After-hours**

**health and safety emergency**  
604.273.7711  
1.866.922.4357 (WCB.HELP)

