



**HERITAGE COLLEGE
POLICY #6**

**CONCERNING A RESPECTFUL WORKPLACE
FREE OF DISCRIMINATION AND HARASSMENT**

COMING INTO FORCE: June 16, 1993
REVISED: February 19, 2002
ADMINISTRATOR: Director of Human Resources

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Preamble ¹

The College must develop and maintain a policy respecting the work environment of its community at large. Legal foundations for this policy are found in the *Canadian Human Rights Charter*, in the *Quebec Charter of Rights and Freedoms*, the various collective agreements and in article 10 of the *Québec Charter of Rights and Freedoms*:

10. "Every person has a right to full and equal recognition and exercise of ... [their] ... human rights and freedoms, without distinction, exclusion or preference based on race, colour, sex, pregnancy, sexual orientation, civil status, age except as provided by law, religion, political convictions, language, ethnic or national origin, social condition, a handicap or the use of any means to palliate a handicap.

Discrimination exists where such a distinction, exclusion or preference has the effect of nullifying or impairing such right".

10.1 "No one may harass a person on the basis of any grounds mentioned in section 10".

ARTICLE 1 Purpose

It is the policy of Heritage College to expect that members of the staff and students be guided by an accepted standard of conduct as defined in the *Heritage College Charter of Rights and Responsibilities* adopted by the Board of Governors. All members of the Heritage community are expected to maintain a respectful workplace while performing College-related activities and duties.

ARTICLE 2 Application

The present policy applies to the Heritage College community while participating in College-sponsored activities on or off College property.

¹ See the Glossary for explanations of frequently-used terms.

ARTICLE 3 Provisions

3.1 Standard of Conduct

The accepted standard of conduct at Heritage College is based on the principle of mutual respect and "zero tolerance" among its teaching staff, students, non-teaching professionals, support staff and administrators.

Heritage College provides an environment that is free from discrimination and harassment. In order to maintain an atmosphere of trust and respect, essential to a healthy work and academic environment. All members of the Heritage College community have the responsibility to respect the rights, freedoms and cultural diversities of others.

3.2 Confidentiality

When applying Heritage College Procedure #16, all parties involved are bound by the rules of confidentiality in order to protect the rights of all individuals involved in an allegation of discrimination and/or harassment.

Confidentiality, however, does not necessarily imply anonymity. A complainant should be prepared to be identified. The accused has the right to be informed of the allegation and the identity of the complainant.

3.3 Respectful Workplace Committee

In order to solicit input from all sectors of the College community, the Respectful Workplace Committee is created to provide a forum for discussion on all matters related to a respectful environment.

3.3.1 Membership of the Committee

- Director of Human Resources (*ex officio* Chair)
- a management personnel representative,
- a non-teaching professional representative,

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- a faculty representative,
- a support staff representative,
- a student representative.

This does not preclude additional members in each category of personnel or additional student representation.

3.3.2 Functioning of the Committee

A minimum of two meetings will be scheduled per semester (Fall and Winter) or as need be.

ARTICLE 4 Roles and Responsibilities

The present policy constitutes a formal commitment on the part of the entire Heritage College community toward implementing a “zero tolerance” policy towards any type of discrimination and all forms of harassment at Heritage College. It is the responsibility of all employees and students to work actively toward the achievement of the purpose of this policy.

The present policy specifies that the following entities are responsible for the implementation of measures as appropriate. It also provides details of specific responsibilities.

4.1 Director General

- a) Is responsible for the application of the present policy;
- b) Fulfils the applicable role as described in Heritage College Procedure #16.

4.2 Director of Human Resources

- a) Is responsible for the coordination of the present policy;
- b) Is responsible for the promotion and support of the present policy;
- c) Supports all parties involved so they may assume their roles and responsibilities in applying the present policy;

- d) Ensures that all employment policies and practices are exempt from all forms of discrimination;
- e) Fulfils the applicable role as described in Heritage College Procedure #16.

4.3 Academic Dean/Associate Academic Deans

- a) Are responsible for the promotion and support of the present policy.
- b) Ensure that all academic programs and curricula are non-discriminating.
- c) Support workshops and educational programs related to the present policy.
- d) Fulfil the applicable role as described in Heritage College Procedure #16.
- e) Promote gender-free communication with respect to classroom activities.

4.4 Director of Student Services

- a) Is responsible for the promotion and support of the present policy;
- b) Organizes activities which will foster appreciation and respect of the rich cultural diversity of Heritage College;
- c) Ensures that communication to students takes into account the purpose of the present policy;
- d) Fulfils the applicable role as described in Heritage College Procedure #16.
- e) Promotes gender-free communication with respect to student activities outside the classroom.

4.5 Administrators

Support the present policy and promote in their respective services a respectful environment.

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4.6 Respectful Workplace Committee

- a) Informs and educates the College community on the present policy and Heritage College Procedure #16 and all related documentation;
- b) Organizes workshops and activities related to the present policy;
- c) Monitors the implementation of the present policy and Heritage College Procedure #16;
- d) Makes recommendations about the present policy and Heritage College Procedure #16;
- e) Keeps abreast of developments related to the present policy.

4.7 Accredited Employee and Student Associations

Annually designate one representative to sit on the Respectful Workplace Committee.

**ARTICLE 5
Revision**

This policy will be reviewed at least every three (3) years, or when deemed necessary.

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GLOSSARY

Administrator: a senior executive or senior staff member of Heritage College.

Anonymity: the identities of the parties involved are not revealed.

The College: Heritage College, Collège Heritage

Confidentiality: information regarding a case, including the identities of the parties involved, shall not be given either directly or indirectly to any party external to the process outlined in Heritage College Procedures #16 without the written consent of the parties involved.

Discrimination: Treatment which:

- a) has the effect or purpose of imposing burdens, obligations or disadvantages on an individual or group; and
- b) has no bona fide and reasonable justification; and
- c) describes an act, behaviour or practice which treats an individual or group unequally on grounds specifically prohibited in the Quebec Charter of Human Rights and Freedoms; and
- d) can be overt and admitted or covert and denied, or can be intentional or unintentional.

Harassment:

- a) unwelcome remarks, behaviour or communications in any form from an individual or group, directed towards another individual or group (where the person responsible for the remarks, behaviour or communication knows or ought reasonably to know that such conduct is unwelcome); and
- b) conduct which may or may not be based upon one of the prohibited grounds specified under Discrimination, (c); and
- c) conduct which has the effect or purpose of unreasonably interfering with an individual's or groups' work or academic, athletic or artistic performance or of creating an intimidating, threatening or hostile environment or has the effect or purpose of threatening or intimidating an individual or group.

Heritage College

Community: Heritage College staff, students, and external Board members.

Heritage College

Procedure #16: *Heritage College Procedure #16 concerning a Respectful Workplace.*

Management

Personnel: any person who is a member of the management staff within the meaning of the *Regulation respecting Certain Conditions of Employment of Senior Staff of General and Vocational Colleges.*

Present Policy: A term used within each policy which represents a direct reference to that same document.

Senior

Executives: the Director General and the Academic Dean as stipulated in the *Regulation respecting Certain Conditions of Employment of Senior Executives of General and Vocational Colleges.*

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Related Document(s)

This document is to be used in conjunction with:

- *Heritage College Policy # 10 concerning Human Resources*¹
- *Heritage College Policy # 12 concerning Appraisal of Non-Teaching Personnel*²
- *Heritage College Policy # 15 concerning Appraisal of Non-Tenured Teaching Personnel*³
- *Heritage College Policy # 24 concerning Student Conduct*⁴
- *Heritage College Policy # 26 concerning Assessment of Management Personnel*⁵
- *Heritage College Charter of Rights and Responsibilities*⁶
- *Heritage College Procedure # 6 concerning Breaches of Student Conduct*⁷
- *Heritage College Policy # 16 concerning A Respectful Workplace*⁸

¹ Copies of this document are available from Human Resources.

² Ibid.

³ Ibid.

⁴ Copies of this document are available from Student Services.

⁵ Copies of this document are available from Human Resources.

⁶ Copies of this document are available from the Director General's office.

⁷ Copies of this document are available from Student Services.

⁸ This document is currently under development.