

Respectful Workplace and Learning Environment Policy

This document is the parent policy for any College or Divisional procedures. Questions regarding this policy are to be directed to the identified Policy Administrator.

Functional category	Human Resources
Approval date	February 21, 2024
Effective date	February 21, 2024
Policy owner	Vice President, People and Culture
Policy administrator	Manager, People

Objective

All members of the NorQuest College (college) community have a right to work and study in an environment that is supportive, free from harmful or disrespectful behaviour, and one that promotes and protects values and behaviors exemplifying equity, fairness, respect and dignity for all people.

Disrespectful behaviour, workplace harassment and violence will not be tolerated from any person at or outside of the college including employees, management, executive, contractors, learners or any other members of the public. NorQuest College is committed to eliminating, or, if that is not reasonably practicable, controlling the hazard of harassment and violence.

Everyone is obligated to uphold this policy and to work together to prevent disrespectful behaviour, workplace harassment and violence. The college is committed to high standards of conduct. This policy establishes expectations and conditions for appropriate conduct of our day-to-day work activities and relationships.

Authority to establish this policy is derived from the [NorQuest College Board of Governors' Policy No. 5](#), which delegates authority to the President and CEO to establish policies and procedures for the college's management and operation.

Policy

Scope

This policy covers all college related activities and events, whether they occur on or off the college premises, and includes any activities related to employment or studies with the college, travel on business for the college, and telephone or computer usage. It is applicable to all members of the college community except in instances outlined below:

- This policy does not cover allegations of sexual and gender-based violence as these allegations will be subject to the [Sexual and Gender-Based Violence Policy](#) and [Procedure](#).
- Issues of both academic and non-academic misconduct by learners will be subject to the [Student Judicial Affairs Policy](#) and relevant procedures.
- If employees are unsure as to which policy applies to their situation, they are encouraged to reach out to their Human Resources Business Partner to seek clarification.

General

The college expects all individuals employed by the college, on college premises, or in virtual attendance for campus/ college activities, for any reason, to respect the dignity and individuality of all persons and the rights and property of others. They are expected to respect and strive to learn from differences in people, ideas, and opinions.

Disrespectful behaviour, workplace harassment and violence are unacceptable and will not be tolerated by the college. All individuals have a personal responsibility to respond directly to situations in which these behaviours displayed and to report the observed behavior.

In support of this policy, the college has put in place procedures that include measures to protect employees from the hazard of disrespectful behaviour, workplace harassment and violence and a process for employees to report incidents, or raise concerns. Investigations will be conducted in accordance with the [Employee Complaints and Investigations Procedure](#).

Circumstances related to an alleged incident of disrespectful behaviour, workplace harassment or violence, or the names of any involved parties (complainant, person alleged to have committed the disrespectful behaviour, workplace harassment or violence, and any witnesses) will, except as otherwise required by law, not be disclosed to any persons other than those who have a legitimate need to know in order to perform their duties; and the college shall only notify the reporter of the information that the investigator believes the reporter has a legitimate need to know. All individuals will maintain the rights, privileges and protections afforded through the Freedom of Information and Protection of Privacy (FOIP) Act and other applicable government legislation, college policies, and collective agreements in effect at the time of the alleged disrespectful behaviour, workplace harassment and violence.

Employees will not be penalized, reprimanded or in any way criticized when acting in good faith while following this policy and the supporting procedures for addressing situations involving disrespectful behaviour, workplace harassment and violence. This policy does not discourage an employee from exercising their right under any other law, including the [Alberta Human Rights Act](#).

Rights and Responsibilities

Everyone has the right to learn, work, visit, or be involved with the college in a safe environment that supports freedom and respect for individuals. Everyone also has a duty to behave in a responsible manner in accordance with these expectations as well as collective agreements, employment contracts, terms and conditions of employment, the [Non-Academic Misconduct Procedure](#), and the [Code of Conduct Policy](#).

The college is responsible for:

- complying with all legislation related to ensuring an environment that is free of harassment and violence, which supports freedom and respect for individuals;
- providing prevention and awareness education, training and programming for employees and learners;
- posting these expectations for a respectful workplace and learning environment; discussing these expectations at staff meetings and learner orientations;
- appointing persons to receive and investigate complaints;
- ensuring that those who report incidents of discrimination or harassment are given the opportunity to be heard, supported, and treated with compassion, dignity, and respect throughout the process of disclosure and the college's response;
- ensuring a procedurally fair process occurs for individuals alleged to have violated this policy;
- acting promptly to assess a report of conduct in breach of this policy and take appropriate next steps;
- Taking appropriate corrective actions as deemed appropriate following the determination of a substantiated allegation finding;
- providing advice and support, which may include counseling to victims of disrespectful behavior; and
- providing advice and counseling where appropriate to employees found to have violated this policy.

People Leaders are responsible for:

- ensuring that measures and procedures are followed by employees and that they have the information they need to protect themselves;
- conducting themselves in a manner which supports a respectful workplace and learning environment as outlined within this policy;
- encouraging and directing employees to conduct themselves in a respectful manner that is consistent with this policy;
- identifying, supporting and/ or intervening, when safe to do so, when behaviours of disrespect, bullying, harassment, and discrimination are observed as defined within this procedure; and

- taking remedial steps or disciplinary action, when necessary, per the college's procedures, terms and conditions of employment, or collective agreements.

Employees, learners, and visitors are responsible for:

- adhering to this policy and the supporting procedures;
- conducting themselves in a manner which supports a respectful workplace and learning environment as outlined within this policy;
- supporting the rights of everyone to work and study in an environment that is consistent with this policy;
- understanding this policy, and attending necessary training provided by the college;
- identifying and/ or intervening when potentially observing behaviours of disrespect, bullying, harassment, and discrimination, when safe to do so, as defined within this procedure; and
- Employees should raise concerns about harassment and violence and report any incidents to their people leader or Human Resources Business Partner.
- Learners should raise concerns about harassment and violence and report any incidents to the Office of Learner Judicial Affairs or through a submission through the [Student Complaints Procedure](#)

The People Team is responsible for:

- providing expertise and advice to people leaders and employees on matters pertaining to this policy;
- providing consultation and/or facilitating appropriate resolutions when complaints associated with this policy are brought forward (informally or formally);
- assessing and/or investigating complaints of disrespectful behaviour, harassment, and/or violence as outlined in the [Employee Complaints and Investigation Procedure](#);
- taking appropriate corrective actions as required to address all incidents and complaints of disrespectful behaviour, harassment or violence in a fair, respectful and timely manner; and
- recommending appropriate disciplinary measures when a complaint of disrespectful behavior is substantiated.

Allegations of disrespectful behaviour, bullying, harassment or discrimination arising during co-op placements, internships, fieldwork, or practicum, shall be dealt with cooperatively between the college and the applicable agency according to college policy and procedures governing such placements.

Definitions

Anonymous complaints: Instances involving a complainant filing a report themselves, but not providing information about their identity.

Bullying: is considered a form of harassment and will not be tolerated. Bullying should not be confused with direct management styles – it is negative and persistent abuse. Bullying is defined as repeated, persistent, continuous behavior as opposed to a single negative act and is generally associated with a power imbalance between the victim and the perpetrator. Bullying is a repeated pattern of behavior intended to intimidate, offend, degrade, or humiliate a particular person or group. Bullying includes:

- Social isolation
- Creating and/or spreading rumors
- Personal attack of a person's personal life and/or personal attributes
- Excessive or unjustified criticism
- Over-monitoring of work
- Verbal aggression
- Withholding information
- Trivial fault finding
- Replacing proper work with demeaning jobs
- Setting unrealistic goals or deadlines

The above list is biased towards the working environment and working relationships, but many apply in the learning environment as well.

College Community: includes any learner, faculty, administrative or staff member of the college, member of the public serving in a recognized capacity for the college, and employee of an agency contracted by the college.

Complainant: a member of the college community who is filing a formal complaint.

Discrimination: is an action or behavior that results in unfavorable, adverse treatment or preferential treatment related to prohibited grounds. Examples of discrimination include (but are not limited to): refusal to provide goods, services or facilities; exclusion from employment or employment benefits; refusal to work with, teach or study with someone; or failure to provide physical access.

Disrespectful behavior: means behavior that fails to respect the dignity and individuality of others including discrimination, harassment, bullying, putting down, yelling and sexual harassment.

Employee: includes a person who is engaged by NorQuest College to perform a service in accordance with existing terms and conditions of employment, employment contracts and/or collective agreements.

Harassment: any single incident or repeated incidents of objectionable or unwelcome conduct, comment, bullying or action by a person that the person knows or ought reasonably to know will or would cause offence or humiliation to a individual, or adversely affects the individual's health and safety. This may include (i) conduct, comment, bullying or action because of race, religious beliefs, colour, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status, gender, gender identity, gender expression and sexual orientation, and (ii) a sexual solicitation or advance, but excludes any reasonable conduct of an employer or people leader in respect of the management of workers or a work site.

Harassment can occur between peers, learners, learner to faculty, faculty to learner, persons in position of power, and between other individuals.

Examples of harassment include (but are not limited to): gestures; remarks; jokes; taunting; innuendo; display of offensive materials; offensive graffiti; threats; verbal or physical assault; unwarranted imposition of academic penalties; hazing; stalking; shunning or exclusion.

People Leader: means an employee whose job function requires them to organize, direct and control the work of others. People leaders can include team leads, chairs, associate chairs, managers, deans, directors, members of executive, or the President and CEO.

Prohibited grounds: are those grounds protected by human rights legislation, and in particular:

- race,
- religious beliefs,
- color,
- gender (including pregnancy),
- gender identity,
- gender expression,
- physical disability,
- mental disability,
- age,
- ancestry,
- place of origin,
- marital status,
- source of income,
- family status,
- sexual orientation,
- ethnic origin (culture, language, dialect, accent or custom),
- citizenship,
- creed, and
- further and other grounds as added to the legislation.

Respondent: An employee against whom an allegation of misconduct has been made.

Sexual harassment: Engaging in a course of vexatious comment or conduct (based on sex, sexual orientation, gender identity or gender expression) that is known or reasonably ought to be known to be unwelcome. The following is a list of examples that is not meant to be exhaustive (Courage to Act):

- sexual solicitation or unwanted sexual attention from a person who knows or ought reasonably to know that such attention is unwanted;
- a single comment or conduct may constitute sexual harassment if it is of a serious nature or egregious;
- an implied or expressed promise of reward for complying with a sexually oriented request;
- an implied or expressed threat of reprisal or actual reprisal for refusing to comply with a sexually oriented request;
- a sexual relationship that constitutes an abuse of power in a relationship of authority; or,
- a sexually oriented comment or behaviour that may reasonably be perceived to create a negative psychological and emotional environment for living, work or study;
- such conduct has the purpose or effect of interfering with a learner's academic performance or an employee's work performance, or creating an intimidating, hostile, or offensive learning or working environment;
- submission to such conduct is made either explicitly or implicitly as a term or condition of employment, or of the teaching and learning process; or
- submission to or rejection of such conduct is used in employment or academic decisions affecting that employee or learner.

Examples of sexual harassment include, but are not limited to, comments or conduct of a sexual nature, such as leering, "dirty" jokes, gestures, pictures, pornographic materials, comments, suggestions, innuendos, requests or demands of a sexual nature. It can occur through the use of technology as well as in person. The behaviour need not be intentional in order to be considered sexual harassment.

Sexual violence: any sexual act or act targeting a person's sexuality, gender identity or gender expression, whether the act is physical or psychological in nature, which is committed, threatened, or attempted against a person without the person's consent. It includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism, and sexual exploitation. For further clarity, sexual assault includes rape.

Violence: violence, whether at a work site or work related, is defined by the OHS Act as the threatened, attempted or actual conduct of a person that causes or is likely to cause physical or psychological injury or harm, and includes domestic or sexual violence. This includes workplace violence as defined below.

Workplace Violence: violence in the workplace could put worker at risk of physical or psychological harm. Workplace violence can include:

- physical attack or aggression (e.g., hitting, shoving, pushing or kicking a worker; throwing an object at a worker; kicking an object the worker is standing on, such as a ladder);
- threatening behavior (e.g., shaking a fist in a worker's face, wielding a weapon at work, trying to hit a worker, trying to run down a worker using a vehicle or equipment such as a forklift, destroying property or throwing objects);
- verbal or written threats (e.g., verbally threatening to attack a worker, leaving threatening notes or sending threatening emails to express an intent to inflict harm on a worker);
- domestic violence; and
- sexual violence.

Related information

NorQuest College

- [Academic Misconduct Procedure](#)
- [Code of Conduct Acknowledgement Procedure](#)
- [Code of Conduct Policy](#)
- [Employee Complaints and Investigations Procedure](#)
- [Non-Academic Misconduct Procedure](#)
- [NorQuest College Vision, Mission & Values](#)
- [Public Interest Disclosure Act \(PIDA\) Procedure](#)
- [Safe Disclosure Policy](#)
- [Safe Disclosure Procedure for NorQuest Community Members \(Non-Public Interest Disclosure Act\)](#)

- [Sexual and Gender-Based Violence Policy](#)
- [Sexual and Gender-Based Violence Procedure - Employee](#)
- [Sexual and Gender-Based Violence Procedure - Learner](#)

External

- [Alberta Human Rights Act](#)
- [Occupational Health and Safety Act](#)
- [Occupational Health and Safety Code](#)

Next review date

February 2028

Revision history

Date	Version Number	Action
December 2012	V1	New (replaces Standard Practice 7.23: Respectful Workplace and Learning Environment).
March 2013	V2	Updated.
August 2013	V3	Update for document links and branding.
November 2014	V4	Update for change in policy owner and document links.
July 2015	V5	Update document standards, document links and next review date.
June 2017	V6	Update wording, next review date and Owner/Administrator.
May 2018	V7	Replaced definition of Harassment to align with Bill 30.
August 2019	V8 (published as V7-C)	Compliance Office template & reorganization update.
December 2019	V9 (published as V7-C)	Update to the definition of Harassment.

February 2024	V10	Combined the Workplace Harassment and Violence Policy with the Respectful Workplace and Learning Environment Policy. Revised definitions to match other policies, expanded on summary of roles and responsibilities to align with Code of Conduct Policy, updated wording.
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