



## RESPECTFUL WORKPLACE POLICY

<b>Policy Type:</b>	Institutional	<b>Initially Approved:</b>	January 23, 2009
<b>Policy Sponsor:</b>	President and CEO	<b>Last Revised:</b>	December 14, 2021
<b>Primary Contact:</b>	Human Resources	<b>Review Scheduled:</b>	December 2024
<b>Approver:</b>	President and CEO		

### A. INTENT

Alberta University of the Arts (AUArts) is committed to providing a respectful work and learning environment, free from harassment, violence and discrimination where all members of the University community are treated with dignity and respect.

This policy is intended to identify behaviors considered disrespectful in the workplace, prevent harassment, violence and discrimination of any type, to confirm the University's commitment to education of members of the University community about the respectful workplace, and to deal effectively with any incident that might occur.

This policy ensures that the University meets its obligations under the law and its ethical responsibilities as an institution of higher learning.

### B. SCOPE

This policy applies to all members of the University community including, but not limited to, employees, governors, contractors, students and visitors.

This policy applies to activities on campus, as well as off campus activities when members of the University community are engaged in an activity related to their work or studies at the University, including but not limited to, social media, social functions, and conferences.

Only certain parts of this policy applies to students in their role as students only;

- the definitions of Discrimination and Harassment, Sections 1.1, 1.2 and 1.5.

The Student Code of Conduct outlines all processes and procedures related to student misconduct.

## **C. POLICY STATEMENT**

### **1. Principles**

- 1.1 Harassment, violence and discrimination are prohibited at AUArts. University Community Members have the right to work, learn and participate in activities at the University free from harassment, violence and discrimination.
- 1.2 University Community Members are expected to model respectful behaviour at all times and take appropriate action should they observe harassment, violence or discrimination.
- 1.3 AUArts responsibilities include:
  - a. providing education and awareness to all University Community Members on the Respectful Workplace Policy and Procedures, including defining roles and responsibilities;
  - b. ensuring individuals who hold Manager or Supervisor positions at the University understand their additional responsibility as a Manager or Supervisor to ensure a respectful work and learning environment in their schools, classrooms, learning areas, departments and work areas free from harassment, violence and discrimination;
  - c. conducting a prompt, impartial and thorough investigation of a complaint or report of harassment, discrimination and violence;
  - d. informing University Community Members of a specific or general threat of violence or potential violence; and
  - e. taking appropriate corrective actions to address any incidents of harassment, discrimination or violence.
- 1.4 Manager and Supervisor responsibilities include:
  - a. ensuring awareness and compliance with the Respectful Workplace Policy of University Community Members;
  - b. fostering a work and learning environment that is free from any form of harassment, discrimination or violence;
  - c. ensuring University Community Members have the information they need to protect themselves; and
  - d. taking appropriate action in a prompt, impartial and confidential manner when they observe or become aware of discrimination, violence or harassment.
- 1.5 University Community Members responsibilities include:
  - a. participating in training and education related to harassment, violence and discrimination;
  - b. exercising Academic Freedom in a manner consistent with the spirit of this policy;
  - c. raising any concerns about harassment, discrimination and violence and reporting any incidents to the appropriate person; and
  - d. bringing forward complaints in a timely manner but no later than one year after the alleged incident(s)

### **2. Violations**

- 2.1 University Community Members may be subject to discipline or sanctions, up to and including termination, in accordance with collective agreements and/or other applicable University policies if they engage in harassment, violence and/or discrimination. It is a violation of this policy to:
  - a. engage in harassment, violence or discrimination;

- b. retaliate against a University Community Member where the member has brought forward a complaint of harassment, violence or discrimination or participated in an investigation of an allegation of harassment, violence and/or discrimination;
  - c. bring forward, with malicious intent, a complaint of harassment, violence or discrimination that is false, frivolous or vexatious;
  - d. knowingly or recklessly make dishonest or inaccurate statements in an investigation or mediation;
  - e. misrepresent or make dishonest, inaccurate or misleading statements about or concerning the investigation, findings, conclusion or results of the investigation;
  - f. interfere in an investigation;
  - g. use the complaint, the investigation, findings, conclusion or results of the investigation for an improper purpose or for a purpose unrelated to the investigation;
  - h. breach any stipulated expectations of maintaining confidentiality; and
  - i. fail to take action as a Manager or Supervisor when harassment, violence or discrimination is reported.
- 2.2 Students who violate this policy will be subject to the sanctions for non-academic misconduct in accordance with the Student Conduct Procedure 500.14.01
- 2.3 AUArts has established procedures for handling complaints of harassment, violence and discrimination (see Respectful Workplace Procedure).

### **3. Confidentiality**

- 3.1 The University recognizes that confidentiality is essential to the effectiveness of this policy. The University will make every effort to keep information about the complaint, the investigation, and the results of the investigation (including information about the individuals involved and witnesses) confidential and will not disclose such information unless disclosure is necessary for the investigation or taking corrective action with respect to the complaint, or to inform University Community Members of a specific or general threat of violence or potential violence<sup>1</sup>, or as otherwise required or permitted by law.
- 3.2 The University recognizes that the provisions of the Alberta Freedom of Information and Protection of Privacy Act apply to the Respectful Workplace Policy and Procedure.
- 3.3 University Community Members will not use the complaint, the investigation, findings, conclusion or results of the investigation for an improper purpose or for a purpose unrelated to the investigation.

### **4. Other**

- 4.1 This policy does not limit or constrain the reasonable exercise of supervisory duties for employees or students such as, but not limited to, performance evaluations based on work performance, the imposition of discipline, and providing evaluative feedback to a student.
- 4.2 Harassment does not include the exercise of appropriate leadership or supervisory direction, including performance management and the imposition of discipline; constructive criticism; respectful expression of differences of opinions; reasonable changes to assignments or duties; correction of inappropriate student behaviour; and instructional techniques such as irony, conjecture, and refutation,

or assigning readings or other instructional materials that advocate for or prompt controversial positions and single incidents of thoughtless, petty or foolish words or acts that cause fleeting harm.

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<sup>1</sup> If disclosure is necessary, the University will disclose only the minimum amount of personal information required that is necessary to inform employees of a specific or general threat of violence or potential violence.

4.3 This policy is not intended to discourage University Community Members from exercising rights pursuant to any other law.

4.4 AUArts will review this policy every three (3) years and when an incident of harassment or violence occurs.

## **D. DEFINITIONS**

**Discrimination:** Is any act of differential treatment of an individual or group based on legally recognized personal characteristics that has an adverse impact on an individual or group. The Alberta Human Rights Act prohibits discrimination on the protected grounds of race, colour, ancestry, place of origin, religious beliefs, gender, gender identity, gender expression, age, physical disability, mental disability, marital status, family status, source of income and sexual orientation.

**Harassment:** Means 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 worker, or adversely affects the worker's health and safety, and includes but not limited to:

- 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
- a sexual solicitation or advance.

Harassment excludes any reasonable conduct of an employer or supervisor in respect of the management of workers or a work site.

**Managers and/or Supervisors:** Are those who supervise or oversee the work and learning of employees, contractors, students and visitors.

**University Community Members:** Are those who comprise the University community, specifically all faculty and staff, students, contractors, visitors and other individuals who work, study, conduct research or otherwise carry on the business of the University.

Violence: Means 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.

**E. RELATED POLICIES**

- Code of Conduct Policy
- Freedom of Expression Policy
- Sexual Violence Policy

**F. RELATED LEGISLATION**

- Alberta Freedom of Information and Protection of Privacy Act
- Legislation: Alberta Occupational Health and Safety Act, Alberta Human Rights Act

**G. RELATED DOCUMENTS**

- Student Code of Conduct

**H. REVISION HISTORY**

Date (mm/dd/yyyy)	Description of Change	Sections	Person who Entered Revision (Position Title)	Person who Authorized Revision (Position Title)
12/14/2021	Content revision	Section 2.1 d & f; Section 3.2	Director, Human Resources	President and CEO