

Policy Statement	
	
Policy No. F-18	
SUBJECT:	Prevention, Reporting and Processing of Cases of Psychological Harassment
Approval Date: October 29, 2019	Resolution No: C-19/20-33
Revision Date: June 30, 2026	Resolution No: C-25/26-161
Origin: Governance and Ethics Committee	

SECTION 1: OBJECTIVE

This policy of the Western Québec School Board is developed to promote a learning and working environment in which all individuals treat one another with respect and dignity, and that is free from harassment. We believe that harassment erodes the individual's dignity and self-esteem and works to destroy a healthy and sustainable workplace.

All Western Québec School Board employees (including third party employees), volunteers, and elected WQSB officials as well as all contractors providing services to the Board are expected to comply with this policy. This Policy applies to all members of the school community, including but not limited to employees, bus drivers, involved parents and Governing Board members and related committees, elected representatives, visitors (such as parents and members of the public), volunteers, permit holders, contractors and employees of service organizations who work on or are invited onto board property, and people responsible for supervising or monitoring activities of the board. It also applies to any location, or any event related to work and telework, including while traveling, at a conference or training activities where attendance is sponsored by the Board. It also applies to any events, including social events, sponsored by the Board. This policy also applies to communications by any means, technological or otherwise, such as social media, emails, text messages, postings, and letters.

The Western Québec School Board will not tolerate any behaviour that constitutes harassment. All incidents and complaints of harassment should be reported by employees and will be investigated in a consistent, fair, and timely manner by the school board.

SECTION 2: REFERENCES

Our Policy to Prevent Harassment and Promote a Healthy Work Environment is developed in compliance with applicable laws and regulations, notably the:

- i. Quebec's *Charter of Human Rights and Freedoms*;
- ii. *Canadian Charter of Rights and Freedoms*;
- iii. *Act respecting labour standards* (RLRQ, c. N-1.1.);
- iv. Quebec's *Education Act* (R.S.Q., c. I-13.3);
- v. *Civil Code of Quebec* (namely sections 264 to 810);
- vi. Bill 56: An Act to Prevent and Stop Bullying and Violence in Schools;
- vii. An Act to prevent and fight psychological harassment and sexual violence in the workplace, SQ 2024, c. 4
- viii. all Collective Agreements; and,
- ix. all applicable Western Québec School Board policies.

SECTION 3: EMPLOYER'S OBLIGATION AND COMMITMENT TO PROVIDE A WORKPLACE FREE FROM HARASSMENT

- i. The Western Québec School Board must ensure that harassment does not take place and provide its employees as well as all persons to whom the policy applies with an environment free of harassment. The Western Québec School Board has the right to mandate all persons to refrain from engaging in harassing behaviour.
- ii. **The Western Québec School Board can assure its employees that it will:**
 - a) Act to prevent any situation in which harassment is reported through reasonable measures;
 - b) Act to put a stop to any harassment as soon as it is informed of it by applying the appropriate measures, including the efficient harassment complaint resolution processes and applicable sanctions;
 - c) Adopt management procedures and practices that make it possible to prevent harassment situations;
 - d) Monitor the effectiveness of this Policy and other applicable related procedures and instructions.

SECTION 4: DEFINITIONS

- i. **What is harassment?**

Please refer to sections 81.18 and 81.19 of the *Act respecting labour standards*.

81.18. For the purposes of this Act, "psychological harassment" means any vexatious behaviour in the form of repeated and hostile or unwanted conduct,

verbal comments, actions or gestures, that affects an employee's dignity or psychological or physical integrity and that results in a harmful work environment for the employee. For greater certainty, psychological harassment includes such behaviour in the form of verbal comments, actions or gestures of a sexual nature.

A single serious incidence of such behaviour that has a lasting harmful effect on an employee may also constitute psychological harassment.

81.19. Every employee has a right to a work environment free from psychological harassment.

Employers must take reasonable action to prevent psychological harassment from any person and, whenever they become aware of such behaviour, to put a stop to it. They must, in particular, adopt and make available to their employees a policy to prevent and manage situations of psychological harassment. The policy must set out, in particular, (1) the methods and techniques used to identify, control and eliminate the risks of psychological harassment, including a section on behaviour that manifests itself in the form of verbal comments, actions or gestures of a sexual nature.

- ii. Psychological harassment also includes discrimination based on race, colour, sex, gender identity or expression, pregnancy, sexual orientation, civil status, age except as provided by law, religion, political convictions, language, ethnic or national origin, social condition, a disability, or the use of any means to palliate a disability.

For example, the following behaviours can be forms of psychological harassment:

- a) Bullying, cyberbullying;
- b) Threats, isolation;
- c) Offensive or defamatory comments or gestures towards a person or their work;
- d) Verbal violence;
- e) Denigration;

The following behaviours can be forms of sexual harassment:

- a) **Repeated or insistent solicitation**, including unwanted advances, invitations, or requests after a refusal has been expressed;
- b) **Inappropriate looks, gestures, or physical contact**, including staring, touching, or invading personal space;
- c) **Sexist, degrading, or offensive remarks**, including crude or humiliating comments based on sex, gender, gender identity, or sexual orientation;
- d) **Sharing or displaying comments, jokes, images, or materials of a sexual nature**, whether verbally, in writing, electronically, or through social media.

iii. The following examples are usually not recognized as forms of psychological harassment:

- a) Interpersonal conflicts;
- b) Work-related stress resulting when the requirements of a job do not match the capabilities, resources, or needs of the worker;
- c) The appropriate exercise of managerial authority, including assigning work, evaluating performance, supervising employees, applying discipline for legitimate reasons, and monitoring attendance, does not in itself constitute harassment.

SECTION 5: PREVENTION

i. In accordance with its legal obligations, the Western Québec School Board implements measures aimed at identifying, controlling, and eliminating the risks of psychological or sexual harassment and acts of sexual violence as defined in Section 4, in particular by:

- a) disseminating this policy in such a way as to make it accessible to everyone, by posting it in a place accessible to all, by giving a copy to all employees and by distributing it on a web platform;
- b) maintaining continuous monitoring with regard to risks and risk factors likely to generate situations of harassment particularly with regard to discrimination based on one or other of the grounds of Article 10 of the *Charter of Human Rights and Freedoms*, intimidation, cyberbullying, threats, isolation, denigration, verbal or physical violence, insistent solicitation of a sexual nature, any form of attention or in advance of unwanted sexual nature, sexist insults or crude remarks, images, jokes or comments of a sexual nature;
- c) ensuring understanding and compliance with the policy by all employees and any third parties, such as parents, volunteers, and elected WQSB officials as well as all contractors providing services to the Board;
- d) promoting respect between individuals;
- e) regularly raising employee awareness of the roles and responsibilities of each person in the prevention of harassment;
- f) implementing a training and awareness program for employees and for persons designated to receive and handle complaints and reports, such as Director General, or their designate, including the presentation of this policy, following its entry into force and upon any modification and by regularly integrating training on violence, harassment, or incivility;
- g) consulting employees on situations specific to their workplace with WQSB likely to create conditions that could lead to harassment;
- h) holding meetings with people who leave their jobs to find out the reasons for their departure;
- i) by having a diligent process for handling complaints and reports;

SECTION 6: TIMELINESS

- i. An official complaint shall be made as soon as possible, using the WQSB form (available on the board website); the official complaint is to be submitted directly to the Director General, or their designate. but no later than two years of the last incident of perceived harassment (re: section 123.7 of the Act respecting Labour Standards).
- ii. WQSB is committed to making every effort to resolve complaints in a timely fashion.

SECTION 7: CONSEQUENCES AND COMPLIANCE

- i. Non-compliance with this Policy may have consequences for WQSB as an institution and for WQSB employees and all other people to whom this Policy applies as individuals. Suspected non-compliance may be investigated. The nature and severity of the consequences resulting from non-compliance will be commensurate with the circumstances of the non-compliance.

Consequences of non-compliance may include one or more of the following:

- The ordering of completion of appropriate learning, training or professional development;
- The application of specific consequences as set out in applicable laws, regulations or codes of conduct;
- Ever increasing disciplinary measures including dismissal;
- Other actions or measures deemed appropriate.

SECTION 8: INVESTIGATION

- i. The Director General or their designate will coordinate with the complainant upon receipt of the official complaint.
- ii. The Director General or their designate will meet and interview the complainant, the respondent and any witnesses that have been identified. All people that are interviewed will have the right to review their statement, as recorded by the investigator, to ensure accuracy.
- iii. The Director General or their designate will prepare a report and submit it to the Director of Human Resources. The report will include:
 - A description of the allegations
 - The response of the person the complaint was made against

- A summary of the information learned from witnesses (if applicable)
 - A decision about whether, on the balance of probabilities, harassment did occur.
- iv. If a harassment complaint is substantiated, the Director of Human Resources will decide what disciplinary or non-disciplinary action is appropriate (remedies for the complainant and corrective actions for the respondent). Both parties to the complaint will be advised, in writing, of the decision.
 - v. WQSB undertakes not to exercise any form of prejudice or retaliation in the processing and resolution of a complaint or report made in good faith, toward the complainant, the respondent and any witnesses that have been identified.
 - vi. The person who files a false harassment complaint with the aim of causing harm is also liable to appropriate disciplinary measures.

SECTION 9: MEDIATION

- i. Wherever appropriate and possible, the parties to a harassment complaint will be offered mediation as part of the formal investigation process.
- ii. Mediation is voluntary and confidential. It is intended to assist the parties to arrive at a mutually acceptable resolution to the complaint. The mediator will be appointed by the Director of Human Resources and will not be involved in investigating the complaint.
- iii. Each party to a complaint has a right to be accompanied during the mediation sessions by a person of their choice.

SECTION 10: PRIVACY AND CONFIDENTIALITY

- i. All parties to a harassment complaint are expected to respect the privacy and confidentiality of all other parties involved and to limit the discussion of such a complaint to those who need to know. In cases where a party does not abide by those standards, the Director of Human Resources may take any action that is deemed appropriate. Confidentiality applies to everything that is being discussed regarding the case.

SECTION 11: REVIEW

WQSB will review this Policy and the related procedures every 3 years, or as required.