



## **Workplace Violence, Bullying and Harassment Policy**

### **Intent**

The Pacific Flying Club is committed to building and preserving a safe working and training environment for its employees, members and students. Accordingly, the Pacific Flying Club does not condone and will not tolerate acts of violence, bullying, harassment, or sexual harassment against or by any company employee or member or student. In accordance with the *Canada Labour Code* and the *Canada Occupational Health and Safety Regulations*, The Pacific Flying Club will take every reasonable precaution and will implement measures to prevent violence and harassment, and will protect all employees from these situations.

All employees of Pacific Flying Club share in the responsibility to ensure that the workplace is a safe place to work. Employees, members and students are responsible for reporting any instances of workplace violence, bullying, or harassment, whether they were the target or they were witness to the incident. In all cases, where a complaint of bullying or harassment is made in good faith, the employee, member or student will not be disciplined or retaliated against in any way.

This policy is not meant to stop free speech or to interfere with everyday interactions. Usually, harassment can be distinguished from normal, mutually acceptable socializing. It is important to remember that it is the perception of the person receiving the message which may be deemed objectionable or unwelcome, be it spoken, a gesture, a picture, or some other form of communication, that determines whether something is acceptable or not.

This Policy is written in compliance with the [Workers Compensation Act, Occupational Health and Safety Regulation](#) of British Columbia and Canada Labor Code Part 2 Legislation and regulations provisions.

### **Definitions**

**Harassment and violence:** Any action, conduct, or comment, including of a sexual nature, that can reasonably be expected to cause offence, humiliation, or other physical or psychological injury or illness to an employee, including any prescribed action, conduct, or comment. (*Canada Labour Code*, subsection 122(1)). This excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment.

**Reprisal:** Any act or threat of retaliation, whether direct or indirect, against a person who claims their rights or acts in good faith.

**Sexual harassment:** Any conduct, comment, gesture, or contact of a sexual nature that is likely to cause offence or humiliation to any employee; or that might, on reasonable grounds, be perceived by that employee as placing a condition of a sexual nature on employment or on any opportunity for training or promotion. (*Canada Labour Code*, subsection 247.1).

Also, refer to the Pacific Flying Club's Policy regarding Sexual Harassment (HRC-002).



Bullying and harassing behaviours include but are not limited to:

- Verbal aggression or yelling
- Humiliating actions or practices
- Hazing
- Spreading malicious rumours
- Using derogatory names towards someone

Bullying and harassing behaviours do not include:

- Expressing differences of opinions
- Offering constructive feedback, guidance, or work-related advice about behaviour
- Reasonable action taken by Pacific Flying Club or a supervisor relating to management and direction of employees or the place of employment (e.g. counselling, managing a worker's performance, taking reasonable disciplinary actions, assigning work, implementation of disciplinary actions).

Cyber Bullying: Bullying that occurs through the use of electronic communication (email, text messaging, social networking etc.). Incidents of cyber bullying should be reported and will be investigated in accordance to the procedures outlined within this Policy. *Definition sourced from [WorkSafeBC's Factsheet for Bullying and Harassment](#)*

In general, if you are not sure whether certain actions are considered bullying, ask yourself whether or not a reasonable person would consider the actions taken to be acceptable or unacceptable.

Discrimination: In accordance with the [Human Rights Code of British Columbia](#) [RSCB 1996] (Chapter 210), discrimination occurs when someone is treated differently and/or poorly because of one of the following:

- Race;
- Colour;
- Ancestry;
- Place of Origin;
- Political Belief;
- Religion;
- Family or Marital Status;
- Physical or Mental Disability;
- Sex;
- Sexual Orientation;
- Age;
- Conviction of a criminal or summary conviction offence that is unrelated to the employment or to the intended employment of that person;
- Gender Expression; or
- Gender Identity.



## **Guidelines**

The Pacific Flying Club understands its duty to provide a safe and healthy work and training environment free from violence, threats of violence, discrimination, harassment (including sexual harassment), intimidation, bullying and any other misconduct. Similarly, weapons are strictly prohibited from the premises; violators will be subject to discipline, and the incident may be reported to the police.

This policy prohibits physical or verbal threats (with or without the use of weapons), discrimination, intimidation, harassment of any kind, or violence in the workplace. This policy prohibits reprisals against individuals acting in good faith who report incidents of workplace violence or harassment or act as a witness. Management will take all reasonable and practical measures to prevent reprisals, threats of reprisal, or further violence or harassment.

The Pacific Flying Club will ensure that all employees and managers are trained and educated on preventing violence and harassment. This policy sets out roles and responsibilities for all employees as well as complaint, response, and investigation procedures. A copy of this policy will be made available to all employees at time of hiring and electronically via email. A copy of the policy is posted on the Safety Board.

At the Pacific Flying Club, employees, members and students have the right to work without fear of bullying. Bullying and harassment can possibly cause some, or all, of the following detrimental effects:

- Increased absenteeism due to disturbed sleep patterns, or a fear of going to work;
- A lack of productivity due to reduced concentration, confidence or morale;
- An increase in turnover as employees no longer want to work in the same place as their bully;
- An increased likelihood of illness or injury due to stress;
- Harmful eating (e.g. a loss of appetite, or overeating/bingeing);
- Psychological effects that turn into physical symptoms (e.g. psychosomatic stomach pains or headaches);
- Substance dependency issues (increased use of alcohol or drugs);
- Feelings of shock, anger, frustration, vulnerability, etc.;
- Panic or anxiety;
- Clinical depression (and possible suicidal thoughts).



## **Responsibilities**

As described in [WorkSafeBC's Employer Factsheet on Harassment and Bullying](#), Pacific Flying Club shall:

- Not engage in any form of bullying and harassment;
- Develop and maintain policy statements on bullying and harassment;
- Take steps to prevent and minimize bullying and harassment;
- Develop, implement and maintain procedures for reporting incidents and complaints;
- Develop, implement and maintain procedures for investigating incidents of complaints;
- Ensure supervisors and employees are aware of steps to prevent bullying and harassment in the workplace;
- Ensure employees and supervisors are properly trained in recognizing the potential for bullying and harassment, how to respond to incidents, and procedures for reporting;
- Review this Policy and procedures annually.

As described in [WorkSafeBC's Supervisor Factsheet on Harassment and Bullying](#), Supervisors shall:

- Not engage in bullying or harassment of any kind;
- Comply with the policies and procedures in place for Pacific Flying Club regarding bullying and harassment;
- Promote a respectful and safe working environment;
- Ensure employee adherence to the Workplace Bullying and Harassment Policy;
- Investigate complaints of bullying and/or harassment promptly and impartially;
- Maintain a confidential file for complaints of harassment or bullying, investigations completed, and actions taken;
- Report the incident to police where appropriate;
- Apply appropriate disciplinary action where appropriate.

As described in [WorkSafeBC's Worker Factsheet on Harassment and Bullying](#), workers shall:

- Treat others with respect, and contribute to a respectful and safe work environment;
- Report all acts of bullying to management;
- Ensure and comply with Pacific Flying Club's policies and procedures regarding workplace bullying and harassment.

Instructors, staff, students and members shall:

- Not engage in bullying or harassment of any kind
- Comply with the policies and procedures in place for Pacific Flying Club regarding bullying and harassment
- Promote a respectful and safe working and learning environment
- Promote a respectful and safe flying and learning environment for all students and members
- Not engage in verbal aggression or yelling
- Not engage in hazing or employ humiliating actions or practices
- Not engage in spreading malicious rumours
- Not engage in using derogatory names towards someone



### **Application of This Policy**

This policy applies to all individuals working for the organization including front line employees, temporary employees, contract service providers, contractors, all supervisory personnel, managers, officers and directors. It also extends to all members and students.

This commitment applies to such areas as training, performance, assessment, promotions, transfers, layoffs, remuneration, and all other employment and training practices and working conditions. The company will take all reasonable measures to prevent incidents of violence and harassment in the workplace, respond to any occurrences, and provide support to those who are affected by violence and harassment in the workplace.

Every Pacific Flying Club employee will be held personally accountable and responsible for enforcing this policy and must make every effort to prevent violence, discrimination, or harassing behaviour while at work. As such, employees must report every incident of violence or harassment of any kind immediately—whether it was observed, happened to them personally, or the problem was reported to them. Occurrences of violence, harassment, bullying or sexual harassment should be reported in writing or orally to the Executive Director.

For the purposes of this policy, violence, bullying, harassment, and sexual harassment can occur:

- At the workplace;
- At employment-related social functions;
- In the course of work assignments outside the workplace;
- During work-related travel;
- In a classroom or aircraft;
- In a public area;
- Over the telephone, if the conversation is work-related or by text message or email; or
- Elsewhere, if the person harassed or who has suffered an act of violence is there as a result of work-related responsibilities or a work-related relationship.

The Pacific Flying Club shall:

- Investigate all reported occurrences of violence, harassment, bullying or sexual harassment.
- Consult with other parties, such as legal counsel, human rights office, or local police services regarding the incident or act, where applicable.
- Take all reasonable measures to eliminate or mitigate risks identified by an incident.
- Respond to and document incidents, investigations, and all corrective action taken.
- Accept, in good faith, all complaints of violence or harassment from current employees, members and students and any former employees within three months of the employee leaving Pacific Flying Club.



The Workplace Safety Committee will:

- Review results of any workplace hazard assessments and provide recommendations to management to reduce or eliminate the risk of violence.
- Recommend corrective measures for the improvement of the overall health, safety, and wellness of employees.

In addition, the Workplace Safety Committee or its members will not participate in investigations of reported violence and harassment incidents that occur in order to maintain confidentiality for parties involved. Details will only be disclosed where necessary for the purposes of investigating a complaint or taking disciplinary measures.

### **Witnessing Bullying or Harassment**

It is the responsibility of all employees, members and students of Pacific Flying Club to promote a workplace and learning environment that is respectful and productive. Where employees, members or students do not speak up about the presence of bullying or harassment, they may become the next target and they are also condoning the actions.

Any employee, member or student who witnesses bullying or harassment is directed to:

- Offer the person support and inform them that you witnessed the incident.
- Encourage the person to come forward and let them know that you will be a witness and will provide a statement in the event of an investigation.
- In some cases, where the person decides to confront the individual informally, you may be asked to be a witness to the conversation (or as support).

Where the person does not wish to make a complaint, it is still important that management is aware of the bullying or harassment taking place in the workplace. Tell the Executive Director what you witnessed so that bullying can be eliminated at the Pacific Flying Club as soon as possible. The Club has an obligation to investigate all allegations, observations, and hearsay brought to their attention.

### **Violence Reporting Procedures**

Employees must report any violence or potentially violent situations immediately to the Executive Director.

- All reports will be kept confidential and only shared with necessary individuals when required.
- The Pacific Flying Club will respond to, investigate, and attempt to resolve all reports as soon as possible.

Any employee or individual who threatens, harasses, or abuses another employee or any other individual at or from the workplace will be subject to:

- Disciplinary action, up to and including termination of employment;
- Immediate termination of service agreements; or
- Pursuit of legal action.



Violent action, threats, and assault are considered serious criminal offences and the Pacific Flying Club will undertake disciplinary measures, up to and including termination in the case of an employee or cancellation of membership in the case of a member.

### **Bullying or Harassment Reporting Procedures**

Every employee is entitled to employment free from discrimination, harassment, and sexual harassment. If any employee feels discriminated against or harassed in any way, they can and should, in all confidence and without fear of reprisal, personally report the occurrence to the Executive Director.

#### **Informal:**

If you are being bullied or harassed:

- Inform the person perpetuating the actions immediately that their actions are not acceptable to you as soon as they start to occur.
- Describe the specific actions that they took that caused you to feel uncomfortable. When confronted, in many instances, the person will stop. Sometimes a person is not aware that they are acting in an unacceptable manner. This may also prevent the act from escalating and possibly becoming dangerous.
- It is important to keep a record of dates and times where you have spoken to the person who has committed the act of bullying or harassment and inform the Executive Director.

Where the actions continue, employees, members and students are directed to use the formal reporting process.

#### **Formal:**

Where bullying or harassment has either continued to occur after a conversation with the individual or was extreme or dangerous in nature, employees are required to report it immediately.

#### **Process:**

- Speak with the Executive Director and report the incident.
- Write out a statement detailing the incidents including:
  - 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
- A fact-finding investigation will be instigated.
- Where it is determined that the person has contravened the law, the appropriate authorities will be contacted.
- All complaints shall be taken seriously and investigated fairly.
- Employees, members and students that submit a report or complaint of bullying or harassment shall not be subject to any form of reprisal or retaliation as a result of the complaint.

Employees should be aware that the Pacific Flying Club does not support any retaliatory actions where the complainant has not utilized any of the reporting mechanisms.



### **Investigating Reports of Violence, Bullying, Harassment, or Sexual Harassment**

Once a written or verbal complaint has been received, Pacific Flying Club will complete a thorough investigation. The Club has an obligation to investigate both formal and informal complaints. The Club will investigate all allegations. The investigation will begin immediately after receiving the complaint and be conducted in a timely manner. Bullying and harassment will not be ignored. Silence can, and often is, interpreted as acceptance. Employees will not be demoted, dismissed, disciplined, or denied a promotion, advancement, or employment opportunity because they rejected sexual advances or because they lodged a complaint when they honestly believed they were being harassed or discriminated against.

For the purposes of this section, the following definitions apply:

**Complainant:** The person who has made a complaint about another individual whom they believe committed an act of violence or harassment against them.

**Respondent:** The person whom another individual has accused of committing an act of violence or harassment.

The investigation will include:

- Informing the respondent of the complaint.
- Interviewing the complainant, any persons involved in the incident, and any identified witnesses.
- Interviewing any other persons who may have knowledge of the incident or any other similar incidents.

Statements from all parties involved will be taken and a decision will be made. If necessary, the Pacific Flying Club may employ outside assistance or request the use of legal counsel. Where it is determined that harassment has occurred, a written report of the remedial action taken will be given to the employees concerned.

A copy of the complaint, detailing the complainant's allegations, shall be provided to the respondent and state that:

- The respondent is invited to reply in writing to the complainant's allegations;
- The reply will be made known to the complainant before the case proceeds;
- The Pacific Flying Club will do its best to protect from unnecessary disclosure the details of the incident being investigated and the identities of the complaining party and that of the alleged respondent.
- During the investigation, the complainant and the respondent will be interviewed along with any possible witnesses. Statements from all parties involved will be taken and a decision will be made.
- Where it is determined that harassment has occurred, a written report of the remedial action will be given to the employees concerned.





All documents related to the formal investigation will be maintained in a sealed envelope within a locked cabinet. If the complainant decides not to lay a formal complaint, the Executive Director may decide that a formal complaint is required, which will be based on the investigation of the incident, and will file such documents with the persons against whom the complaint is laid.

### **Seeking Immediate Assistance**

Canada's *Criminal Code* deals with matters such as violent acts, threats, and behaviours (such as stalking). The police should be contacted immediately when an act of violence has occurred in the workplace or when someone in the workplace is threatened with violence. If an employee feels threatened by a co-worker, volunteer, contractor, student, vendor, visitor, or client or customer, an immediate call to 911 is required.

### **Special Circumstances**

If an employee has a court order, also known as a restraining order or "no-contact" order, against an individual, the employee is encouraged to notify their supervisor, manager, or human resources of the situation and provide a copy of the order. This will be required particularly in situations where the employee strongly feels that the aggressor may attempt to violate the order and contact the employee at Pacific Flying Club. Any information received and disclosed will be held by Pacific Flying Club with the utmost confidentiality.

If the Pacific Flying Club is aware that domestic violence is likely to expose an employee or the workplace to harassment, violence, injury, or risk, management will take every reasonable precaution to protect the individual and the workplace.

If any visitor to Pacific Flying Club is seen with a weapon, is known to possess one, or makes a verbal threat or assault against an employee or another individual, witnesses must immediately contact the police.

### **Fraudulent or Malicious Complaints**

It is important to realize that unfounded or frivolous allegations of violence, personal harassment, or sexual harassment may cause both the accused person and the company significant damage. Making a false complaint or providing false information about a complaint is strictly prohibited and a violation of this policy. If Pacific Flying Club determines that any employee has knowingly made a false statement regarding an allegation of violence, harassment (including sexual harassment), or discrimination, immediate disciplinary action will be taken, up to and including termination. In the case of a member, immediate disciplinary action will be taken, up to and including cancellation of membership.



### **Disciplinary Measures**

If harassment or sexual harassment has occurred, appropriate disciplinary measures will be taken immediately, up to and including dismissal. Other corrective actions may include an employee suspension or in the case of a member, suspension of flying privileges or cancelation of membership. Pacific Flying Club will monitor the situation between employees and members and students to ensure that bullying or harassment does not reoccur. Corrective actions shall be proportional to the seriousness or repetitiveness of the offense.

If Pacific Flying Club determines that any employee has been involved in the violence, harassment, discrimination, or sexual harassment of another employee, immediate disciplinary action will be taken, up to and including immediate dismissal without notice. Any disciplinary action will be determined by the company and will be proportional to the seriousness of the behaviour or action concerned. Pacific Flying Club will also provide appropriate assistance and support to any employee who is a victim of violence, discrimination, harassment, or sexual harassment.

### **Appeal Process**

If the aggrieved or respondent have worked with the process and feel that it has failed at some point, or that the corrective action is not consistent with the incident(s) that led to the original complaint, an appeal process is in place. The employee, member or student must complete a written complaint form and submit it to Senior Management. The form should include all of the reasons why the employee, member or student did not feel that the process was equitable. Where necessary, further investigation will be instigated.

### **Confidentiality**

All records of violence and harassment or sexual harassment, and subsequent investigations, are considered confidential and will not be disclosed to anyone except to the extent required by law. The Pacific Flying Club will do everything it can to protect the privacy of the individuals involved and to ensure that complainants and respondents are treated fairly and respectfully. While it is not always possible to do so when soliciting witness statements, the Pacific Flying Club will not release any information to other employees which would jeopardize the confidentiality of the parties involved.

In cases where criminal proceedings are forthcoming, the Pacific Flying Club will assist police agencies, lawyers, insurance companies, and courts to the fullest extent.

### **Providing Support**

The Pacific Flying Club is committed to the wellbeing of all of our employees, members and students, as such where there has been an incident of bullying or harassment, we will ensure that the necessary support is provided to the affected persons. Employees who are feeling adverse symptoms as a result of an incident are encouraged to speak with the Pacific Flying Club Accounting Manager or another member of management so that the necessary support can be provided. Members and students should speak with the Executive Director.



## **Employee Training**

In accordance with Federal and Worksafe BC legislation, all employees, managers, and supervisors will receive the following information, instruction, and training ensuring that:

- Employees understand the contents of this policy
- The nature and extent of workplace violence, bullying and harassment and how employees may be exposed to it and how to recognize it and how to respond to it;
- The communication and reporting system established to inform employees about workplace violence and harassment, including sexual harassment and how they can respond to and report incidents;
- Information on what constitutes workplace violence and harassment and on the means of identifying the factors that contribute to these behaviours, reporting and how the Club will respond to and investigate reports of workplace violence, bullying and any forms of harassment;
- The violence and harassment prevention measures that have been developed;
- Supervisors/Managers are adequately training on how to recognize bullying and harassment in the workplace, provide support for employees who may suffer from adverse systems as a result of bullying or harassment and how to investigate reports of bullying and harassment
- The employer's procedures for reporting on risks and incidents of workplace violence and harassment, including sexual harassment.

## **Review and Revision**

Pacific Flying Club will review at least annually or sooner in any of the following circumstances:

- When there is a change in respect of the risk of workplace violence or harassment;
- Upon legislative changes; or
- When new information on the risk of workplace violence or harassment becomes available.

Acknowledgement and agreement that you have read, understood, and will abide by this policy may take the form of an instructional session, a presentation, or a read and sign format. Completion of the annual policy review will be recorded and retained by the Accounts Manager or their delegate.

**Issued By:** Clark Duimel  
*Executive Director, Pacific Flying Club*

**Date:** 22 Jan 2021

*This policy is in effect until superseded by the Executive Director of the Pacific Flying Club.*