

PROCEDURE 23: HARASSMENT, INCLUDING SEXUAL HARASSMENT

Rational:

Whareorino School has a commitment to ensuring the school remains free from any form of harassment, which may occur when an employee is subjected to verbal or physical behaviour which is unwelcome and personally offensive and fails to respect the rights of others. Harassment includes sexual harassment, racial harassment and bullying.

Intent:

The School and the School Board will:

- a) Promote a comfortable and safe environment where employees, children and visitors can work free from offensive behaviours.
- b) Meet the requirements of the Human Rights Act, Employment Relations Act, and Health and Safety in the Workplace Act 2015, which deal with harassment issues.
- c) Describe what constitutes sexual harassment, racial harassment and bullying.
- d) Establish and implement procedures for handling complaints.

Sexual harassment occurs when there is verbal or physical conduct of a sexual nature by a person or group of people toward another and the conduct is unwelcome and offensive or might reasonably be perceived as unwelcome and offensive. Examples of sexual harassment include but are not limited to:

- a) Requests for sexual intercourse, sexual contact or other form of sexual activity that contains an overt or implied promise of preferential treatment, or detrimental treatment or threat about the present or future employment status of the employee;
- b) Personally offensive verbal comments;
- c) Sexual jokes;
- d) Comments or teasing about an employee's alleged sexual activities or private life;
- e) Comments regarding an employee's sexual preference;
- f) Persistent, unwelcome social invitations, telephone calls, emails, letters, faxes or other material from co-workers at work or home;
- g) Offensive hand or body gestures;
- h) Inappropriate or unwelcome physical contact such as patting, pinching or touching;
- i) Provocative images such as posters, screen savers etc:

Racial harassment may include expressing hostility against, or bringing into contempt or ridicule, an employee on the grounds of race, colour, ethnic or national origin or the attribution of stereotypical or extreme behaviour to a particular racial group.

Bullying occurs where unwelcome and unreasonable behaviour that is intended to and does create a hostile, uncomfortable or offensive work environment for those who are the target of bullying. Bullying behaviour is intended to, and demeans, intimidates, degrades or humiliates people, often in the presence of others.

Examples of bullying behaviour include:

- a) Verbal bullying – including abusive or offensive language, insults, teasing, sarcasm, using aggressive body language, spreading rumours and unwarranted and unjustified criticism and trivializing of achievements;
- b) Manipulating the workplace – by isolating individuals from others in the workplace, over-work or under-work individuals maliciously, or set impossible deadlines or expectations;
- c) Psychological manipulation – this can be an insidious form of bullying where by individuals can be:
 - deliberately and unjustly excluded from activities;
 - subjected to practical jokes;
 - unreasonably allocated humiliating or demeaning tasks;
 - belittle or disregarded when making suggestions or giving an opinion;
 - unfairly blamed for mistakes or delays, and
 - unnecessarily or unfairly disciplined/chastised in front of others.

The School's three principles underlying its policy and this procedure for dealing with harassment are:

- a) A case of harassment should be dealt with as quickly as possible, and with the least degree of formality as appropriate;
- b) The feelings of the person claiming harassment should be respected; and
- c) All parties should be protected from victimisation and/or unfair accusation. Confidentiality during any investigation process will be a priority.

Process:

1. If an employee feels they are being harassed, they should attempt to make it clear to the offender, either verbally or in writing, that such behaviour is offensive and unacceptable. However, if the employee being harassed feels unable to confront the offender, they should seek contact with an appropriate person for advice and support.
2. Whareorino School will have in place an appropriate complaints policy and procedure to deal with allegations of harassment.
3. Such procedures will have due consideration to any relevant Employment Agreement.
4. Where the Principal is the alleged offender, the matter will be referred directly to the School Board via a letter of complaint – refer to the Concerns and Complaints procedures.

Related Documents

- Procedure 01: Concerns and Complaints
- Procedure 18: Antbullying
- Procedure 27: Health and Safety
- Board Policy Part C: 4 Concerns and Complaints Process
- Board Policy Part D: 6 Health and Safety
- Board Policy Part D: 9 Concerns and Complaints



PRINCIPAL

Dated: February 1, 2022