



Respectful Workplace Handbook



What is disrespectful behaviour?

Disagreements in the workplace are normal. In fact, they can be a positive influence, inspiring new ideas, new ways of doing things and learning opportunities. The problem isn't necessarily in a difference of opinion, but how it is managed. It is important to be able to identify when disagreement crosses over into disrespectful behaviour.

Disrespectful behaviour is an action or comment that is inappropriate, demeaning or otherwise offensive and which creates an uncomfortable, hostile and/or intimidating work environment. Disrespectful behaviour can occur in many forms, including behaviours which are discriminating, harassing (including sexual harassment, personal harassment and abuse of authority) or even violent. The behaviour can occur in person or electronically, such as email, text messages or social media. It could be directed at the person being disrespected or it could take place between two other individuals about the person being disrespected.

Some examples of disrespectful behaviour include: malicious gossip, threats, intimidation, giving people the silent treatment, unwelcome use of profanity, racial or intolerant jokes or comments, unreasonable demands and belittling. This is not an exhaustive list. If you feel that someone's behaviour has been disrespectful, assistance and advice is available.

The impacts of disrespectful behaviour in the workplace can be long reaching. It can undermine an individual's self-respect and adversely affect work performance and well-being. It can also reduce the productivity and effectiveness of an organization.

What is not disrespectful behaviour?

While some interactions in the workplace may be uncomfortable or negative, it is important to distinguish that they are not necessarily disrespectful. Disrespectful behaviour does not include:

- any reasonable action taken by the employer or a supervisor relating to the management and direction of an employee (such as performance reviews or work evaluations)
- appropriate discipline
- a difference of opinion
- an interpersonal conflict
- curtness or lack of friendliness, unless it is so persistent and individualized that it creates an uncomfortable, hostile or intimidating work environment or constitutes harassment

Responsibilities for a respectful workplace

All employees are entitled to a work environment free of disrespectful behavior and we are all responsible for creating a respectful workplace.

The Respectful Workplace policy details the responsibilities for different members of the school community, including:

- Director of the Public Schools Branch
- Director of Human Resources
- Supervisor
- Investigative Team
- Employee
- Complainant
- Respondent
- Witness

The role of supervisors

While we all play a role in creating a respectful workplace, it is important to emphasize that supervisors, by virtue of their authority, carry a greater responsibility for maintaining this type of work environment.

There are a number of steps that supervisors can take to nurture a respectful workplace. A few suggestions include:

- be clear about expectations for respectful behaviour in the workplace
- model expected behaviour
- encourage learning activities that support greater understanding of respectful behaviour, such as training in recognizing unconscious bias or inclusive communication
- ensure staff are aware of counselling supports
- ensure staff know where and how to report disrespectful behaviour

Respectful Workplace Policy

The Respectful Workplace Policy can be found under the Policies and Procedures section of the Public Schools Branch website at <https://edu.princeedwardisland.ca/psb/>.

Responding to disrespectful behaviour

If you are subject to behaviour that you consider disrespectful, you have options.

Informal resolution

Depending on the nature of the situation, you may wish to first address the conflict informally. It is possible that the person who has been disrespectful is unaware that their behaviour has been disrespectful. An informal approach aims to resolve disrespectful behaviour as soon as possible, at the lowest possible level of resolution. Every effort should be made to resolve problems early, with direct and open communication and in a cooperative manner.

Informal resolution mechanisms could include:

- **One-on-one discussion:** If you feel comfortable, you should approach the individual directly, either in person or in writing. In most cases, this will be an effective approach and the person will change their behaviour accordingly.
- **Management involvement:** If you feel uncomfortable approaching the person by yourself, you should do so with help from your supervisor.
- **Human Resources support:** If you would prefer not to ask your supervisor for support or your supervisor is the individual who has acted disrespectfully, a human resources staff person can provide support in approaching the individual.
- **Coaching, counselling or mediation:** You may wish to have the assistance of a neutral third party to support a resolution and support the outlining of more respectful future interactions. This service could be provided either internally or externally, as appropriate.

Assistance and advice

If you are uncertain about which approach to take, there are a number of sources for assistance or advice, including:

- your immediate supervisor or departmental director
- the Director of Human Resource
- a union representative
- Employee Assistance Program

It should be noted that the employer has an obligation to take follow-up action, as it deems appropriate, when instances of possible disrespectful behaviour are brought to its attention.



Navigating difficult conversations

Discussing disrespectful behaviour can be emotional. Take a respectful, solution-oriented approach to your conversations about respect, or lack thereof, to encourage positive progress.

Express yourself assertively: Assertive communication involves clear and direct expression of your thoughts, feelings and wishes. Avoid aggressive or accusatory language. You may choose to write your thoughts down first.

Ask effective questions: Be careful not to load your questions with opinion, but ask open questions that allow the other individual some leeway in their response. Examples include: “Could you please explain to me...”, “What would you like to see happen in this situation?” or “Could you help me understand...”. These open-ended questions require more than yes or no answers and can help reduce defensiveness in the person being questioned.

Ask one question at a time: Avoid peppering the individual with multiple questions. This can often lead to a feeling of being attacked and is unlikely to resolve a situation.

Listen: True listening is more than being silent. Ask questions for clarification. Rephrase what the other person has said back to them to ensure you are interpreting it properly.

Consider your body language: Be aware of what you are saying with your body position and movement. Are your arms crossed? Are you avoiding eye contact or, the opposite, staring at the other person? An open, relaxed posture can help the other person feel more at ease and more open to discussion.

Formal resolution

If an informal resolution is not successful, not desired or not considered appropriate by either party, a formal complaint can be filed. The formal resolution process involves the following key steps:

- **File a formal complaint:** You submit a formal complaint in writing, using the Respectful Workplace Complaint Form to the Director of HR, or to the Assistant Director if the Director of HR is the Respondent. The Respondent will be informed that a complaint has been made.
- **Investigation:** Investigations are conducted by a team of one to three people, appointed by the Director of HR. The team will contact the Complainant and the Respondent within 30 working days, and obtain statements from both, along with any witnesses. A final report will be submitted to the Director of HR at the end of the investigation.
- **Final decision:** The Director of HR, in consultation with the Director of the PSB, will determine the corrective measures to be taken, including but not limited to mediation and discipline. The results of the investigation and the actions taken will be communicated to both the Complainant and the Respondent.

If either the Complainant or the Respondent is not satisfied with the decision made through the formal resolution process, they can appeal it, either through the applicable collective agreement, or to the PEI Public Service Commission, if the employee is an excluded employee.

Confidentiality

All complaints under the Respectful Workplace policy, both formal and informal, and any information and materials related to the complaints will be treated on a confidential basis. Further, it is expected that both the complainant and the respondent will maintain confidentiality throughout the process. Please note that disclosure might be required by law (e.g. a subpoena or the Freedom of Information and Protection of Privacy Act) or to those who need to know as part of their employment.

False accusations

It is a serious offence to falsely accuse someone of disrespectful behaviour. If an accusation is not substantiated and determined to be a frivolous or vexatious claim, disciplinary action will be taken against the individual making the false allegation. No disciplinary action will be taken against someone for making a complaint in good faith, whether or not the complaint is substantiated.

Retaliation

The Respectful Workplace Policy clearly states that no employee or witness shall face negative consequences for exercising their rights under the Respectful Workplace policy in good faith.



Respectful Workplace Complaint Form

Please review PSB policy 505 Respectful Workplace, which defines various terms, disrespectful behaviour, and the investigation process.

To file a formal complaint, fill out all of the information requested below as completely as possible. Return the form to the Director of Human Resources. Attach a separate page if additional space is needed.

SECTION 1	
Complainant Information (person submitting the allegation of disrespectful behaviour)	
Name: _____	Today's date: _____
Home address: _____	
Home/cell phone: _____	Email: _____
Worksite: _____	Position: _____
Work phone: _____	Supervisor: _____
SECTION 2	
Respondent Information (person accused of disrespectful behaviour) **If your complaint has more than one Respondent, complete a separate complaint form for each Respondent.	
Name: _____	Position: _____
Worksite location: _____	
Relationship of the Respondent to the Complainant (e.g. co-worker, supervisor, etc.): _____	
SECTION 3	
Description of alleged disrespectful behaviour (incident)	
Was the incident toward you or another person? _____	
If the incident was toward another person, complete a, b, c, and d below. If the incident was toward you, proceed to the date and time of the incident.	
a) Name of the person who you feel was disrespected: _____	
b) Position: _____ Worksite location: _____	
c) Have you discussed the incident with this person? Yes <input type="checkbox"/> No <input type="checkbox"/>	
d) Does this person know you reported the incident? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Date and time of the incident: _____	
Where did the incident occur? _____	
Describe the incident (i.e. what was said or done)? _____	
Were there any attempts to resolve the situation? _____	
Were there any witnesses? Yes <input type="checkbox"/> No <input type="checkbox"/>	
If yes, provide names and contact information, if possible: _____	

How did the incident impact you or the person you feel was disrespected? _____

If the incident was reported to a supervisor, provide details (who, when, what action was taken, etc.). _____

Is there any physical evidence that supports your complaint? Yes No *If yes, attach a copy of the evidence.
What would you like to see as an outcome? _____

SECTION 4

Please read and initial each numbered section below.

- 1. I certify the information provided in this complaint to be accurate, true, and complete, to the best of my knowledge
- 2. I understand that making a frivolous or vexatious allegation is a violation of the Public Schools Branch Respectful Workplace policy and may be subject to disciplinary actions
- 3. I acknowledge that, in order to preserve the integrity of the process and to protect the interests of all parties, I will maintain confidentiality and will not discuss this complaint with anyone other than those who need to know.
- 4. I understand that the Public Schools Branch and their representatives will maintain the confidentiality of any information gathered as a result of this complaint, but will share such information as necessary to pursue resolution, including disclosing the complaint and related information to the Respondent, or as otherwise required by law
- 5. I acknowledge that it is not the role of the Public Schools Branch to identify any remedies or procedures that are or may be available outside the policy and that I am solely responsible for exploring such options should I choose to do so.
- 6. I realize that an investigation will be initiated once this complaint has been filed.

Submitted by (signature)

Date

Received by (signature)

Date

Submit this form to the Director of Human Resources
Public Schools Branch 2-234 Shakespeare Drive Stratford, PE C1B 2V8
For questions, contact the Human Resources Department at 902-368-6819

Complaints should be submitted in as timely a manner as possible, keeping in mind that the more time that elapses, the more difficult it might be to substantiate the complaint.

Personal information on this form is collected under section 31(c) of the Freedom of Information and Protection of Privacy Act as it relates directly to and is necessary for the activities of the Public Schools Branch. If you have any questions about this collection and sharing of information, please contact the Director of Human Resources at 902-368-6819 or toll free 1-800-280-7965.

Definitions

Complainant	A person who believes that they have been a victim of disrespectful behaviour and who has filed a complaint under the Respectful Workplace policy.
Complaint	An allegation of harassment which is based on actions defined as harassment in the Respectful Workplace policy.
Disrespectful Behaviour	<p>Actions or comments that are inappropriate, demeaning or otherwise offensive and which create an uncomfortable, hostile and/or intimidating work environment.</p> <p>Types of behaviours considered disrespectful include:</p> <ul style="list-style-type: none"> • Discrimination; • Harassment (sexual harassment, personal harassment, and abuse of authority); and • Workplace violence. <p>Disrespectful behaviour does not include:</p> <ul style="list-style-type: none"> • The legitimate and proper exercise of the Employer's right to supervise or manage; • Impositions of authorized and appropriate discipline; • Other routine interaction, including interpersonal conflicts or difficulties from time to time, short of harassment defined below; or • Occasional curtness or lack of friendliness, unless the curtness or lack of friendliness is so persistent or intense and individualized that it creates an uncomfortable, hostile and/or intimidating work environment, or constitutes harassment.
Employer Branch	The Public Schools Branch.
Formal Resolution Process	The process to deal with a complaint of disrespectful behaviour between Public Schools Branch employees as outlined in Section 10 of the Respectful Workplace policy.
Harassment	<p>Any improper and unwelcome behaviour directed at a person that is offensive and/or harmful and could have a harmful effect on a person's psychological or physical health. Harassment can include persistent, aggressive or unreasonable behaviour. Harassment can be perpetrated in person (i.e. face-to-face) or can take place electronically (i.e. including, but not limited to, text messages, social media or email).</p> <p><u>Personal Harassment</u> - Any unwarranted, offensive behaviour that is known or ought reasonably to be known to be unwelcome. It includes any comment, conduct, gesture or display that demeans, intimidates, bullies or causes embarrassment to another person. Personal harassment includes but is not limited to harassment on the basis of race, religion, creed, colour, sex, sexual orientation, marital status, ethnic or national origin, age, disability, political belief, family status, gender expression, gender identity and source of income.</p>

Harassment (cont.)	<p><u>Sexual Harassment</u> – Any conduct, comment, gesture or contact of a sexual nature that is likely to cause offense, embarrassment or humiliation to the recipient; or that might, on reasonable grounds, be perceived by the recipient as placing a condition of a sexual nature on employment or on any opportunity for training or promotion, or on receipt of a service or benefit provided by the Employer. Sexual harassment in the workplace is broadly defined as unwelcome conduct of a sexual nature that detrimentally affects the work environment, or leads to adverse job-related consequences for the victim. Sexual harassment includes but is not limited to, sexual solicitations or advances, sexually suggestive remarks, jokes or gestures, circulating or sharing inappropriate images, and unwanted physical contact. It is not flirtation, chit chat or good natured jesting that is sometimes part of office life when both parties find the conduct acceptable.</p> <p><u>Abuse of Authority</u> – Where an individual holds a position with inherent power and authority, and they use that power or authority in a manner which serves no legitimate work purpose, and which is, or ought reasonably to be known to be, inappropriate. It includes, but is not limited to, misuses of power which are intimidating, coercive or demeaning. The legitimate and proper exercise of the employer’s right to supervise or manage (for example, performance reviews, work evaluation and disciplinary measures taken for any valid reason) does not constitute harassment under the Respectful Workplace policy.</p>
Informal Resolution Process	The process to deal with a complaint of disrespectful behaviour between Public Schools Branch employees or between a Public Schools Branch employee and a non-employee (parent/guardian, volunteer, contractor, etc.) as outlined in Section 9 of the Respectful Workplace policy.
Investigative Team	An individual or a team of individuals appointed by the Director of Human Resources or designate for the purpose of investigating a complaint under the Formal Resolution Process.
Mediation	A voluntary process used to resolve conflict by having a neutral person help the disputing parties arrive at a mutually acceptable solution and may include professional mediation services.
Respectful Workplace	A Public Schools Branch workplace that is free from disrespectful behaviour.
Respondent	Any person against whom a complaint has been made under the Respectful Workplace policy.
Supervisor	A person who has supervisory responsibilities for an employee within the Public Schools Branch (ex. Directors, Principals, Managers, etc.).
Workplace	All property owned, managed, and/or occupied by the employer, and every location where the employer maintains an office or facilities or otherwise assigns employees to perform regular duties of their position, including in-transit between one or more workplaces. Workplace may also include, but is not limited to; business travel, training sessions, conferences, the employee or client’s home (if deemed a workplace), lunchrooms or cafeterias, work-related social gatherings/staff parties, or other location where an employee is engaged in activity associated with employment, including on-line communication (i.e., emails, social media, phone calls, etc.).

Public Schools Branch

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