



**Architectural Woodwork Manufacturer Association of Canada  
British Columbia Chapter  
Bullying and Harassment Policy**

Approved July 15, 2020

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The AWMAC BC Chapter, further identified as the Association, will have a zero-tolerance policy regarding bullying and harassment.

**Defining the terms of “bullying and harassment”**

1. Includes any inappropriate conduct or comment by a person towards or around a member that the person knew or reasonably ought to have known would cause any member to be humiliated, intimidated, uncomfortable, but
2. Excludes any reasonable action taken by, the Association relating to the management and direction of members within the Association. There are a number of elements in the definition, which are described below.

**“Conduct or comment”**

The use of these two terms is intended to indicate that a broad spectrum of behaviour is captured in the definition. It includes not just words, but actions, gestures and other behaviours.

Examples of conduct or comment that might constitute bullying and harassment include, but are not limited to, the following:

- Verbal aggression or insults; calling someone derogatory names
- Vandalizing a member’s belongings or work equipment
- Sabotaging a person’s work
- Spreading malicious gossip or rumors about a person
- Engaging in harmful or offensive initiation practices
- Physical assault or threats (this would also constitute “violence” or “improper activity or behaviour”)
- Making personal attacks based on someone’s private life and/or personal traits
- Making aggressive or threatening gestures
- Engaging in targeted social isolation
- Making sexually explicit jokes or suggestions in the workplace or at Association events

While a number of these examples will involve overt or easily observable behaviours; bullying and harassment can also include more subtle and less obvious conduct or comment.

Whether any conduct or comment will constitute bullying and harassment will depend on the context, and whether the individual engaging in the conduct or comment knew or reasonably ought to have known that the member subjected to it would be humiliated or intimidated.

**“By a person”**

Bullying and harassment is not limited to behaviour engaged in by a member towards another. The definition encompasses behaviour engaged in by a person that a member may encounter at Association events, such as clients, customers, members of the public, etc. While the Association may not have direct control over the behaviour of such non-members, it is important to acknowledge that the Association must implement procedures to ensure bullying and harassing behaviour from non-members is prevented or minimized, and appropriately addressed if such behaviour should occur.

***“Knew or reasonably ought to have known would cause that member to be humiliated or intimidated”***

The use of the phrase “knew or reasonably ought to have known” creates an objective standard for bullying and harassing behaviour. That is, the test of whether any conduct or comment is bullying and harassment includes the following:

- The person knew his or her conduct or comment would cause that member to be humiliated or intimidated, or
- A reasonable person would have considered the conduct to cause humiliation or intimidation to that member. Even if the person alleged to have engaged in bullying and harassment claims to be unaware that the behaviour was humiliating or intimidating, the behaviour may still be bullying and harassment if a reasonable person in the same situation would have known the behaviour was humiliating or intimidating to that member. The use of this phrase ensures that anyone engaging in offensive behaviour cannot be “willfully blind” to its effects, nor can the behaviour be excused on the basis that the person engaging in the behaviour didn’t intend it to humiliate or intimidate the member.
- The use of the phrase “*that member,*” means that the characteristics of the member who is the subject of the alleged bullying or harassment need to be taken into account in determining if the conduct or comment would be humiliating or intimidating.
- Conduct or comments that one member may accept or tolerate might cause a different member to be humiliated or intimidated.

***What is not bullying and harassment?***

The definition of “bullying and harassment” specifically excludes reasonable action taken by the Association relating to the management and direction of members. Management and direction of members may include, decisions relating to the following:

- Duties or work performed as volunteers of the Association.
- Evaluation of architectural woodwork in relation to the Guarantee & Inspection Service or complaints received from stakeholders
- Evaluation of member behaviour as it relates to our by-laws and Policies & Procedures
- Discipline, probation, or termination of membership per our By-Laws, Policies & Procedures

While the Association may exercise its authority to make legitimate management or governance decisions, this does not mean that these decisions can be undertaken in a manner that would constitute bullying or harassment.

**Forms of Bullying and Harassment**

Direct Bullying or Harassment:

- A person is the intended target of bullying or harassment, either verbally or physically.

Environmental Harassment:

- A particular person is not directly targeted for bullying or harassment. Instead a hostile or offensive Association event environment is created.
- This environment can be created unintentionally by making inappropriate comments about race, sex, religion, violence, etc.
- It’s important to note that ‘intent’ does not determine whether behaviour is bullying and harassment.

## **Reasonable Steps to Address the Hazard**

The Association will take reasonable steps to prevent, where possible, or otherwise minimize, bullying and harassment at Association events, which will include the following:

1. Developing a policy that states bullying and harassment is not acceptable and will not be tolerated at Association events.
2. Taking steps to prevent where possible, or otherwise minimize, bullying and harassment at Association events.

## **Association Responsibilities**

The Association must ensure the health and safety of all members of the Association, and any other persons present at an Association event.

The Association must provide the membership with the information and directive to advocate a bully and harassment free environment for members and other persons at Association events.

## **Procedures For Dealing With Bullying And Harassment**

The following procedures are included in the AWMAC BC Chapter Bullying and Harassment Policy:

- How and when investigations will be conducted.
- What will be included in the investigation?
- Roles and responsibilities of, directors, members and others.
- Follow-up of investigation; including a description of corrective actions, time frame, dealing with adverse reactions, etc.
- Consequences
- Record keeping

## **When and How Investigations will be Conducted**

**When:** An initial investigation of any incident will begin within 24 hours of the time that it is reported. It is the responsibility of the victim of a bullying and/or harassment incident to report the incident within a reasonable period of time. Five working days will be considered a reasonable time frame to report a single incident of bullying and/or harassment. However, all reported incidents will be heard and acted upon, regardless of the time frame, particularly in the case of those incidents that are on-going in nature, and having occurred repeatedly over a significant period of time.

It is encouraged that mediation within the Association is a first resort. However, it is understood that the complainant may at any time for any reason take their complaint directly to WorkSafeBC and is not required to partake in the process laid out below, particularly in cases when a member of AWMAC BC's leadership is the alleged bully. The victim can report directly to WorkSafeBC's prevention and information line at 1.888.621.7233 **or** [www.worksafebc.com/bullying](http://www.worksafebc.com/bullying)

## **What Will be Included in the Investigation**

Each investigation will include, but not be limited to, the following:

- A Bullying and Harassment Investigation Committee (BHIC) of 2 members will be convened.

### The BHIC will be made up of

1. The AWMAC BC Executive Director, except in the event that the complaint is against the Executive Director, in which case a Director of the AWMAC BC Board will fill this position.
  2. One member of the AWMAC BC Board of Directors
- A written incident report.

- Verbal and written statements from the victim, the accused and witnesses detailing what occurred.
- A determination by the BHIC that bullying and harassment has or has not occurred.
- If it has been determined that no bullying or harassment has occurred the investigation will be terminated.
- If it has been determined that bullying or harassment has occurred
  - a short term Plan of Action will be discussed and will aim to deal with the immediate cessation of the bullying and/or harassment.
  - a long term Plan of Action will be written and will detail any consequences for the accused, as well ensure that harassment and/ or bullying does not occur again. This will be signed by the BHIC, the victim and the accused.
- The BHIC will convene again within a reasonable time frame to ensure that the Plan of Action is effective and discuss any further actions, if necessary.

### **Roles and Responsibilities of, the Association, Directors and Others**

The AWMAC BC Chapter has a zero-tolerance policy with regards to incidents of bullying and harassment.

### **Management**

It is the responsibility of the Conformity Officer of the AWMAC BC Chapter to prevent incidents from occurring and to support and enforce the zero-tolerance policy.

### **Membership & Directors**

It is the responsibility of all members and directors to prevent, and not partake in, harassment and bullying within the Association. Furthermore, if a member or director is a witness to an incident of bullying and/or harassment, it is that person's responsibility to step in and report the incident if the victim does not do so themselves.

### **Mediator/ Bullying & Harassment Investigation Committee (BHIC)**

In the case of an incident, it is the responsibility of the BHIC to keep the AWMAC BC Board of Directors informed of a bullying or harassment situation. It is also the responsibility of the BHIC to keep tabs on the victim's situation in the week(s) following the incident.

### **Follow-up Investigation**

After the initial investigation, follow-up investigations will occur periodically to ensure that the incident of bullying and/ or harassment has not persisted. The follow-up investigation will also ensure that the victim of the incident(s) has not experienced any subsequent mental disorders (such as anxiety of returning to work, or depression, etc.) as a result of the bullying and/ or harassment incident(s).

Upon each follow-up, the Conformity Officer will determine if any further actions are required.

The interval and scope for each follow up will be, but not limited to, the following:

- Next day: Ensure the victim and the accused are OK (emotionally stable?).
- 1 Week: Ensure that no psychological or emotional issues have arisen for the victim which would prevent a return to their regular work duties. Ensure that bullying and/or harassment has not continued.
- 1 Month: Ensure that bullying and/ or harassment has not continued.
- 3 Months: Ensure that bullying and/ or harassment has not continued.

## **Consequences**

The AWMAC BC Chapter has a zero-tolerance policy regarding incidents of bullying and harassment. The consequences concerning any incidents of bullying and/ or harassment will be in compliance with both WorkSafeBC and local, regional and federal workers rights and regulations.

- In the case of a single incident of bullying or harassment, the accused member will be given a written and verbal warning. The written warning, along with the all other documents concerning the incident, will be kept in the Membership file indefinitely.
- If a member violates the bullying and harassment policy three times the Board of Directors will take appropriate disciplinary action, up to and including termination of membership
- Also, if any one incident of bullying and/or harassment is of sufficient severity, the Board of Directors will take appropriate disciplinary action, up to and including termination of membership

## **Record Keeping**

All documents concerning the bullying and/or harassment incident (s), including statements, incident reports, and follow-up reports, etc. will be kept in the Association files of the members involved in the incident (s), including the victim and the accused.

All incidents, regardless of the degree of severity, will be kept on file. This is important for monitoring and assessing any repeat offences by the same individual (s).

## **PROCEDURES FOR REPORTING BULLYING AND HARASSMENT**

Bullying and harassment are serious matters and must be reported as soon as possible.

If an incident of bullying or harassment occurs take the following steps

1. Report the incident(s) to the Conformity Officer, or, if the bullying is allegedly coming from the Conformity Officer, then to the president of AWMAC BC or the Executive Director.
2. The Conformity Officer, Executive Director (or AWMAC BC President) will form a Bullying and Harassment Investigation Committee (BHIC)
3. The BHIC will begin an investigation within 24 hours of the complaint being filed, if possible.

Report the incident as soon as you can. It is important to deal with cases of bullying and harassment immediately. If you are witness to a situation, and the victim does not report it themselves, step in and report it for them.

It's important to note, that bullying and harassment can come in many forms, sometimes in forms that other people do not recognize. If you are feeling personally victimized in any way, you need to find a way to report it to AWMAC BC, or if you are not comfortable doing that, then directly to WorkSafeBC.