



# **SAIT'S Respectful Workplace and Learning Environment Guide**





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## Introduction

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SAIT is committed to creating and maintaining a respectful, inclusive, diverse and healthy working and learning environment. A workplace and learning environment free of discrimination, harassment and bullying and where all individuals are treated with fairness, dignity and respect. All those who work for SAIT have a personal responsibility to help ensure a working and learning environment in which the dignity of all employees, students, clients and visitors is respected.

HR.4.10 Respectful Workplace and Learning Environment policy and procedure identify SAIT's commitment and ensures the SAIT community has a positive working and learning environment. The procedure also defines discrimination and harassment bullying, and outlines roles and responsibilities.

This guide presents an overview of applying HR.4.10 Respectful Workplace and Learning Environment policy and procedure, including outlining options, from informal to formal resolution processes for dealing with workplace issues. This guide provides information on how we can work together to create a respectful workplace, outlines the process of investigation, and provides information that may help you recognize behaviours that create and maintain a respectful workplace.

HR.4.10 Respectful Workplace and Learning Environment policy and procedure are available on SAIT's policy and procedures webpage on [sait.ca](http://sait.ca).

## SAIT code of ethics

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The SAIT Code of Ethics is a valuable resource for all SAIT employees. It reinforces our core values and is the foundation of our strategic priorities. Every day, in every interaction, we build and strengthen a positive campus culture by living our FIRST principles of fairness, integrity, respect, safety, and transparency. As members of the SAIT community, we are all responsible for living and embracing these principles by:

- promoting a culture of optimal physical, mental and social well-being
- showing respect in the workplace and learning environment
- acting with integrity
- ensuring ethics in our student and colleague relationships
- performing work responsibly for our shareholders

The SAIT community is a diverse environment. SAIT recognizes that conflicts can occur, and HR.4.10 Respectful Workplace and Learning Environment policy and procedure are not meant to interfere with everyday work interactions where some conflict is normal. The SAIT community is expected to refrain from causing or participating in discrimination or harassment and bullying behaviours. The SAIT community is expected to demonstrate behaviours that create and maintain a respectful workplace and learning environment and to resolve issues in a manner that contributes to a healthy and productive working and learning environment.

At times, the difference between right and wrong can appear subjective. When members of the SAIT community are not certain of what is right and what is wrong, we encourage employees to refer to SAIT policy and procedures on [sait.ca](http://sait.ca) and includes such areas:

### **Conflict of Interest**

Employees are in a position of trust and are to carry out their responsibilities in the best interest of our students and the SAIT community. Conflict of interest situations arises where an employee has a private or personal interest sufficient to appear to influence the objective exercise of the employee's responsibilities, or a situation in which an employee, directly or indirectly, competes with or aids another to compete with SAIT, or engages in a business or practice contrary to SAIT's interests, goals, objectives or business. A conflict of interest situation may arise even where there is no intention of acting unfairly or dishonestly.

**Respectful Workplace and Learning Environment**

SAIT fosters a collaborative, safe, inclusive and caring work environment for all members of the SAIT community. This policy ensures that no member of the SAIT community is subject to discrimination, harassment and bullying in the workplace and ensures SAIT meets its legal obligations under Alberta and Canadian legislation. This policy also establishes a process for dealing with complaints of disrespectful, harassing or discriminatory conduct.

**Wrongdoing**

SAIT is committed to the highest standards of ethical conduct in all of its activities. SAIT encourages members of the SAIT community to disclose wrongdoings they know of or may reasonably suspect. The wrongdoing policy defines wrongdoing and also establishes a process for dealing with complaints of wrongdoing.

**Sexual Assault/Violence**

The sexual assault and sexual violence policy supports SAIT's core values. SAIT supports survivors of sexual assault and will hold members of the SAIT community who commit acts of sexual assault and sexual violence accountable in order to ensure SAIT's orderly function and to protect the health and wellbeing of the SAIT community. The sexual assault/violence policy also establishes a process for dealing with complaints of sexual assault/violence.

**Prevention of Violence**

SAIT promotes a violence-free workplace and learning environment in which all individuals respect one another and work together to achieve common goals. This policy defines workplace violence and also establishes a process for dealing with complaints of workplace violence.

**FOIP**

The Freedom of Information and Protection of Privacy Act balances the public's right to know with an individual's right to privacy. SAIT must collect, use, and disclose personal information in accordance with the rules established in the Act. All recorded information is subject to the Act.

**Proper Use of Institute Property and Resources**

SAIT property and resources are intended to be used for SAIT work and purposes. Employees are expected to use Institute property and resources responsibly and safely. Institute property and resources can be both tangible (e.g. buildings, furniture, equipment, vehicles, supplies, computer systems) as well as intangible (e.g. intellectual property, patents).

**Safety and Wellbeing**

The focus is on continuous improvement of SAIT's health and safety performance and management systems. It outlines the shared accountability of health and safety between leaders, employees, students and safety committees.

All policy and procedures can be found at: <http://www.sait.ca/about-sait/administration/policies-and-procedures>

## Behaviours that create and support a respectful working and learning environment

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Behaviours that create and support a respectful working and learning environment include:

- collaborative working and learning relationships
- positive communication and treating everyone equitably, fairly and with respect
- listening to what others have to say
- recognizing and valuing diversity in the working and learning environment
- sincerely apologizing to people when something you say or do has or may have offended another individual

HR.4.10 Respectful Workplace and Learning Environment policy and procedure source definitions of workplace discrimination and harassment in relation to Alberta's human rights legislation and occupational health and safety legislation. If it occurs within the course of the employment relationship (on or off campus, e.g. at a work-related event), there are many forms of behaviours that can constitute discrimination, harassment and bullying.

These are just some examples:

- psychological harassment which creates fear or mistrust or which ridicules or devalues an individual
- intimidation, exclusion or isolation of individuals
- serious or repeated degrading or offensive remarks, such as teasing about a person's physical appearance, put-downs or insults
- unwelcome sexual advances, physical conduct or gestures (i.e. fist shaking)
- verbal and/or written harassment through jokes, racist or sexist remarks, derogatory comments, offensive language, gossip and slander, mobile telephone ring tones
- deliberate misgendering (i.e. referring to a person using terms or pronouns that do not align with the person's affirmed gender)
- visual displays of posters, graffiti, obscene gestures, cartoons, or any other offensive material
- cyber bullying, computer screen savers, downloaded images
- isolation or non-co-operation at work, exclusion from social activities, initiations and/or pranks
- threats, intimidation or retaliation against a member of the SAIT community, including one who has expressed concerns about perceived unethical treatment in the workplace or learning environment behaviours

This behaviour can be in the form of:

- repeated or is a single serious occurrence
- verbal or non-verbal
- deliberate or unintended

Workplace discrimination, harassment and bullying does not include such things as:

- the appropriate use of authority by a manager/supervisor responsible for functions such as (but not limited to) performance appraisals, discipline, and directing the work of an employee
- opinions that may be different from your opinions
- respectful discussion about issues or concerns in the workplace without personal insults
- the appropriate use of legitimate authority by instructors and staff in determining grades, identifying and preventing inappropriate classroom behaviour, and recommending student discipline
- the establishment and application of reasonable performance and/or learning requirements
- interpersonal conflict where discrimination or harassment and bullying are not present

## Frequently asked questions and answers

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- Q** What is meant by workplace harassment under the Alberta Occupational Health and Safety legislation?
- A** Harassment under the OHS Act includes a broad range of harassing behaviours workers can be subjected to, or participate in. Workplace harassment includes bullying and is behaviour intended to intimidate, offend, degrade or humiliate a particular person or group. It is a serious issue and creates an unhealthy work environment resulting in psychological harm to workers.
- Q** What does psychological health mean?
- A** A state of well-being in which the individual realizes their own abilities, can cope with the normal stresses of life, can work productively, and is able to make a contribution to their community.
- Q** What is meant by psychologically healthy and safe workplace?
- A** A workplace that promotes employees psychological well-being and actively works to prevent harm to worker psychological health, due to negligent, reckless, or intentional acts.
- Q** What is meant by harassment as a form of discrimination under the Alberta Human Rights legislation?
- A** Harassment occurs when someone is subjected to unwelcome verbal or physical conduct based on any of the 15 protected grounds. Unwanted physical contact, attention, demands, jokes or insults are harassment when they occur in any of the areas protected under the Act.
- Q** How seriously does SAIT take discrimination, harassment and bullying?
- A** Discrimination, harassment and bullying, of any kind, occurring at SAIT, will not be tolerated. HR.4.10 Respectful Workplace and Learning Environment policy and procedure, and this guide, are meant to provide you information so you know what to do if incidents occur.
- Q** What can I do if I feel I'm being discriminated, harassed and bullied?
- A** All members of the SAIT community have the right to be treated respectfully. If this isn't happening, you have the right to see that the concern is addressed.
- tell the person to stop. The individual might not know the behaviour is unwelcome and unwanted
  - write down dates, times, witnesses, locations, what was said or done and by whom
  - do not ignore the problem and hope it will go away. If you feel you cannot talk to the person, send them an email or letter
  - know your resolution options
  - know and understand HR. 4.10 Respectful Workplace and Learning Environment policy and procedure
  - consult a health professional of your choice
  - speak to your manager/supervisor or an advisor per the procedure
  - contact the Office of the Registrar (relation to student complaints)
  - you may also report the situation to the SAIT discrimination and harassment hotline at 403.210.4406.

- Q** What happens to the person who puts forward a complaint of discrimination, or harassment and bullying simply to retaliate against someone that person does not like or get along with?
- A** This is not a common situation and more likely to occur when employees are not informed about what is covered under the SAIT policy and procedures. An explanation of the complaint procedure would discourage this type of complaint. Frivolous complaints could result in disciplinary procedures up to and including termination.
- Q** What do I do if I am accused of discrimination, or harassment and bullying?
- A** Take it seriously. What may seem funny or trivial to you may be hurtful or offensive to someone else.
- offer an apology
  - ask a member of management/supervisor/Office of the Registrar or a human resources advisor, Employee Services, for help in resolving the situation, if there is a misunderstanding
  - know and understand SAIT's policies and procedures
  - know your rights and responsibilities
  - participate in the process
- Q** How can the investigation be kept confidential if everyone knows what is going on?
- A** Confidentiality is identified as a concern in all interviews carried out as part of an investigation of any complaint. The grapevine is a part of every organization and certainly beyond our ability to control. It is the responsibility of the investigator to discuss the complaint only with those who might have knowledge of the situation. It is equally important that the complainants, respondents and witnesses pay attention to their role in maintaining confidentiality. We encourage those with information to support the complaint process and leave the conclusions to the investigator. Breaching confidentiality may lead to disciplinary actions.
- Q** If someone tells a dirty or ethnic joke, is that considered harassment?
- A** Yes, inappropriate humor is a form of unacceptable behaviour that could be considered harassment and discrimination. If someone objects to the ethnic or sexual nature of jokes, they have an obligation and a right to express their concern. Members of the SAIT community should use their own discretion and keep humor appropriate in the working and learning environment. A person must find the joke offensive for a joke to be harassment.
- Q** Is a picture of a nude woman/man in my locker or at my desk considered sexual harassment?
- A** Yes, such pictures have no place in a work or learning environment. Employees, students, clients or visitors may see it and be offended or humiliated. Not only are such pictures offensive to many, they also reflect poorly on SAIT's reputation.
- Q** My supervisor harassed me once and I told them to stop. They have not done it again. Is this harassment?
- A** If the supervisor has stopped the practice you are objecting to, you should consider the incident over. If it starts again in the future, you may wish to pursue options to resolve the issue.
- Q** If someone else is being discriminated, or harassed and bullied, do I have to report it or get involved as a witness? It's their problem, not mine.
- A** As an employer, SAIT is legally obligated to protect against discrimination, harassment and bullying in the work and learning environment. It is reasonable for the employer to require employees and students to disclose information they may have about workplace or learning environment issues. All members of the SAIT community share in the responsibility to eliminate discrimination, harassment and bullying of any kind from our work and learning environment. You can be compelled to become involved. A positive respectful environment benefits everyone and we must all be proactive.



## Resolution

Every effort is made to resolve conflicts in a fair and respectful manner without having to resort to the formal complaint process, which is adversarial in nature. You are urged to resolve conflict through discussion with the other party as the first and least confrontational approach to dealing with the offensive behaviour.

<b>Conflict Resolution</b>	<b>vs.</b>	<b>Investigation</b>
<ul style="list-style-type: none"><li>▪ is focused on increased communication and understanding</li></ul>		<ul style="list-style-type: none"><li>▪ is focused on determining facts and findings, with no direct communications between parties</li></ul>
<ul style="list-style-type: none"><li>▪ parties participate in finding resolution directly or with guidance from a supervisor, member of management, mediator, Office of the Registrar, or Employee Services</li></ul>		<ul style="list-style-type: none"><li>▪ management or Office of the Registrar directs corrective action, if any, based on the investigation outcome</li></ul>
<ul style="list-style-type: none"><li>▪ the situations may be resolved faster, more completely, and may be less disruptive to a work or learning unit.</li></ul>		<ul style="list-style-type: none"><li>▪ the situations may be more time consuming and more disruptive to a work or learning unit.</li></ul>

SAIT encourages prevention and resolution of conflict through communication and a firm commitment to finding solutions and implementing them. The use of conflict resolution, such as one-on-one or facilitated discussion, can in many instances resolve the issue and prevent the situation from escalating to the point where filing a complaint is necessary. The following progressive conflict resolution process should be followed whenever possible:

### Steps to resolution

These steps may be taken prior to contemplating filing a formal complaint under the policy:

#### Individual problem solving

- should always be the first step as long as employee/student does not believe their safety is at risk or threatened
- only the parties involved in the conflict participate.



#### Facilitated discussion

- if individual problem solving is not possible or is not successful in resolving the issue, this should be the next step
- both parties plus a member of management, HR advisor and/or the Office of the Registrar (Advisor) participate
- if no agreement is reached, the Advisor will provide direction on future workplace or learning behaviour.

### Mediation

- the complaint is assessed to see if it fits within the mandate of the policy or directed to the appropriate policy review procedure
- mediation may still occur under any of the policy review procedures
- will require consent of both parties plus an experienced mediator
- is a form of facilitated collaborative problem solving.



### Investigation

- all other avenues should be exhausted before commencing investigation
- before investigation is undertaken, the complaint is assessed to see if it fits within the mandate of the policy and procedure or if it should be directed to the appropriate policy review procedure
- all parties will be required to participate in the investigation process.

## Filing a complaint

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- When all other resolution steps have been tried or, when it is unreasonable to try them, a formal written complaint may be made per the process outlined in the SAIT procedure and the guide.
- Complainants are encouraged to use the complaint form available online or at the end of this document.
- Report the complaint to the SAIT Discrimination and Harassment Hotline at (403)210-4406.
- The policy and procedure does not prevent the parties from pursuing other avenues of recourse.

## Assessing a complaint

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- The complaint will be assessed by an advisor, as defined in the SAIT procedure and is to include:
  - if the allegation(s) falls within the mandate of HR.4.10 Respectful Workplace and Learning Environment policy or if it should be directed to another appropriate policy review procedure
  - whether or not there is a reasonable alternate remedy to a formal investigation or if an investigation is warranted
  - advising to consult a health professional if they are experiencing workplace related harassment
  - if the complaint relates to workplace harassment SAIT must conduct an investigation.
- When assessing the complaint, the first step is to ensure the complaint is properly understood. This may require speaking to the complainant to clarify areas of the complaint that are unclear or that require elaboration. The complaint assessor may also request supporting documentation in relation to the complaint, such as notes taken by the complainant and the names of witnesses, etc.
- The advisor who assesses the complaint will advise the appropriate parties as listed in the policy for example:
  - Student vs student complaints will follow the Student Code of Conduct policy

- In instances where an investigation is not pursued, alternate resolution measures may be recommended by the advisor.
- The advisor will forward any and all information gathered to the appointed investigator. The investigator will advise the complainant and the respondent, separately, of the complaint and next steps, as necessary.
- The advisor will communicate with the SAIT discrimination and harassment hotline advisor accordingly.

## **Mediating a complaint**

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- Mediation may be attempted at any time during the complaint process. Both parties must agree to mediation.
- A person with mediation skills who is acceptable to the complainant and respondent and SAIT will mediate the dispute.
- Mediators are expected to mediate conflict as authorized by SAIT, in a professional and timely manner.
- Mediators are expected to declare a conflict of interest if they are not able to maintain impartiality when dealing with a complaint.

## **Investigating the complaint**

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- Investigations are conducted by a SAIT appointed investigator. An investigator may either be an internal or external investigator. SAIT will maintain full discretion to appoint an investigator. There may be more than one investigator appointed to conduct an investigation.
- An advisor may be appointed to conduct investigations.
- The investigator(s) will remain impartial and will not prejudge the matter or the person(s) involved.
- The investigation should be completed within 30 days from receipt of the formal written complaint. However, the 30-day timeline may be adjusted as required by the investigator.
- All parties to an investigation can expect fair, unbiased treatment.
- The investigator advises the complainant and the respondent of the right to have a supporter in any investigative interview, per the applicable Collective Agreement or Student Code of Conduct procedure.
- The investigator advises the complainant and the respondent of the pending investigation.
- The investigator will provide the complaint allegations to the respondent.
- The investigator(s) is responsible for explaining the process to both the complainant and respondent. This includes informing them of their rights and responsibilities regarding the investigation and ensuring that they are aware of the process.
- The investigator(s) will interview the complainant, respondent, and any pertinent witnesses identified by the complainant and respondent. Investigators may also identify other witnesses as the investigation proceeds.
- All persons interviewed are counselled on the importance of keeping the matters discussed in such interviews confidential.
- Investigators inform applicable persons interviewed that their identity and interview statement may be disclosed in the interest of due process or as required by law.

- Investigators gather information as applicable. In addition to interviews, this may include, but is not limited to:
  - pertinent documents, any notes, etc.
  - email documents, screen copies from electronic devices, etc.
  - reviewing information submitted by any participants in the investigation
- The final steps of the investigation include assessing the information gathered as a whole and writing a confidential report that will be provided to the applicable member of management, Employee Services and/or the Office of the Registrar. The report will include the investigation's findings and recommendations (as applicable).
- On completion of the investigation, the investigator or a member of management, or in some cases Employee Services or Office of the Registrar, will inform the complainant and respondent separately, but as close in time as possible of the findings (allegations founded or not founded).
- The investigator(s) may also bring to SAIT's attention any other workplace or learning environment issues that come to light during the course of the investigation, but which were not investigated, and provided under a separate confidential written report.
- All documents obtained during the course of an investigation, including the final report are the property of SAIT. Confidentiality and all documents obtained will be maintained throughout the process to the extent appropriate under the circumstances, and as permitted by law.
- All documents obtained during the course of the investigation will be maintained and managed per the SAIT document management process and applicable legislation.

## **Retaliation from filing a complaint**

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- A person who believes that they have been subjected to retaliation or reprisal, either as a result of filing a complaint or being party to the investigation of a complaint, should advise an applicable member of management. When doing so, the person should outline, in writing, the nature of the retaliation, reprisal or threat that they feel they have experienced.
- The applicable member of management will assess the allegation of retaliation or reprisal, seeking the assistance of Employee Services or the Office of the Registrar as necessary.
- An investigation into the allegations of retaliation or reprisal may be implemented by SAIT.
- If the allegations of retaliation or reprisal are substantiated, the applicable member of management will determine what corrective action is required. When disciplinary action is required, the applicable member of management will work with Employee Services or the Office of the Registrar.
- Any disciplinary actions taken will follow either HR. 4.1 Corrective Action procedure or AC.3.4.1 Student Code of Conduct procedure.

## **Investigators**

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- Investigators are expected to lead by example and to act respectfully in all dealings with employees, students and other persons involved in the process.
- Investigators are expected to treat all persons involved with respect and maintain a non-bias approach, and declare a conflict of interest if they are not able to maintain impartiality when dealing with a complaint.

- Investigators are expected to provide complainants, respondents, and witnesses with:
  - an explanation of the investigation process
  - a copy of the policy upon request to complainant and respondent
  - an explanation of the rights and responsibilities, as applicable, to the individuals involved.
- Investigators are expected to conduct comprehensive, respectful, professional, timely investigations, and to make sound findings based on the information gathered.
  
- Investigators are expected to provide the applicable member of management with a confidential investigation report that is clear, concise and founded on the information gathered.

## **Witnesses**

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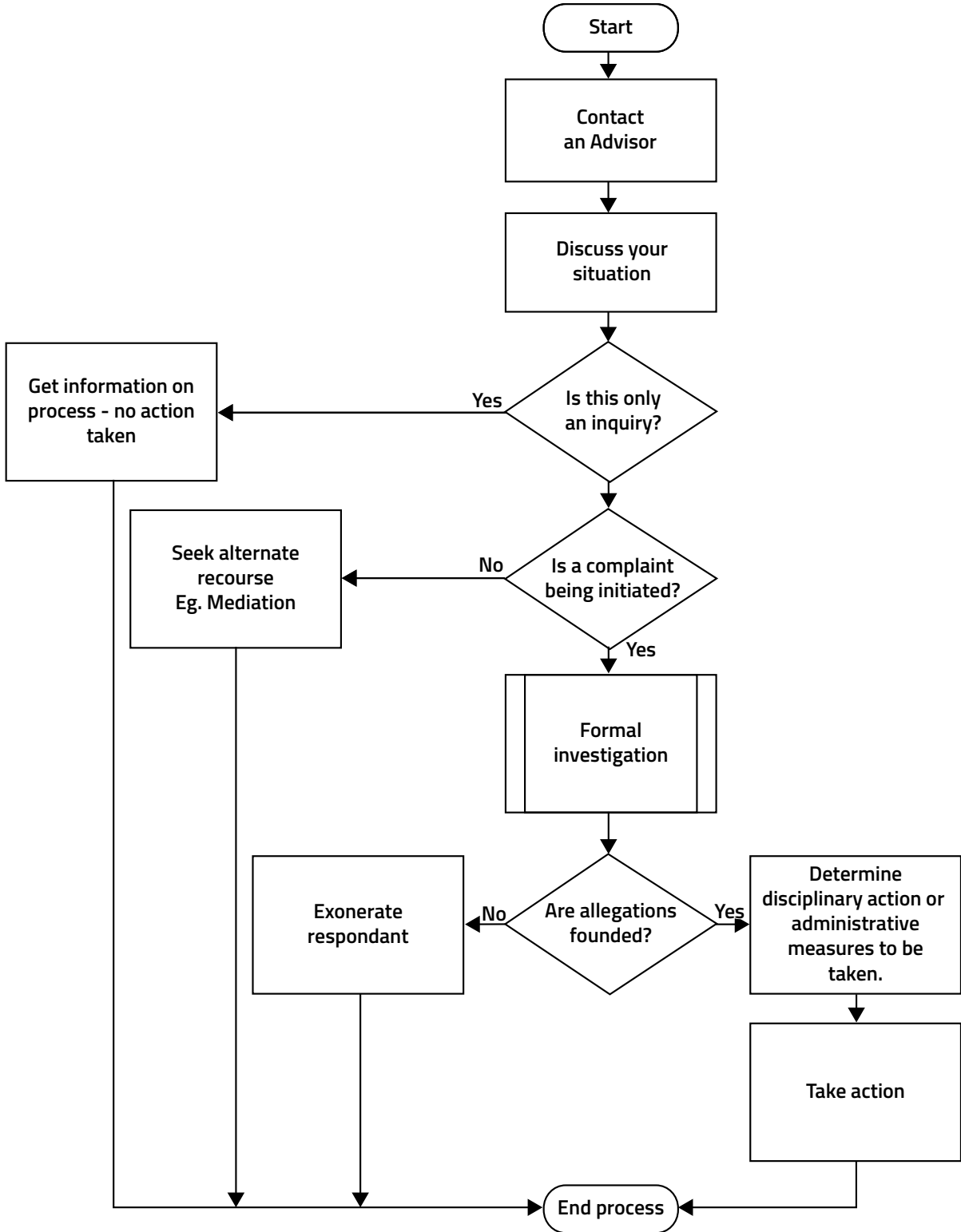
- Witnesses are expected to cooperate in an investigation, and provide all information they have regarding the situation.
- Witnesses are expected to keep their knowledge of a complaint, and involvement in any investigation or resolution process confidential.
- Witnesses can seek clarification or explanation of their rights and responsibilities in relation to the investigation.

## **Additional information and assistance**

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- Sometimes we need assistance figuring out what to do to address workplace or learning environment issues. Some resources available to you are:
  - a direct supervisor/manager
  - a member of SAIT management
  - human resources advisor or another member of the employee services department
  - office of the registrar
  - student development & counselling at 403.284.7023
  - employee & family assistance, Homewood Health 1.800.663.1142
  - SAIT discrimination and harassment hotline at 403.210.4406

# Do you feel you have been subjected to discrimination, harassment and bullying?





# Appendix









# Discrimination, Harassment and Bullying Complaint Information form

Policy Reference: [HR.4.10.1](#)

This form can be used to provide information on situations involving discrimination, harassment and bullying behaviour(s) that were not resolved through the informal issue resolution process.

Prior to completing this form, please consider which of the following informal resolution options you have explored:

Have you spoken directly to the individual(s) involved with the situation?

Have you spoken to your manager/supervisor, academic chair, dean/director, etc regarding the situation?

Who did you speak to? \_\_\_\_\_

Have you spoken to your human resources advisor, or another member of Employee Services or the Office of the Registrar, regarding the situation?

Who did you speak to? \_\_\_\_\_

Have you requested that your supervisor or manager, human resource advisor, or another appropriate resource mediate the situation in order to reach a resolution?

None of the above – submitting to the formal complaint process

Other / additional information:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If you chose to move forward with submitting this form, please note that every effort will be made to maintain confidentiality; however, anonymity cannot be guaranteed. The complainant should be aware that anonymous disclosures are more difficult to investigate and limit an investigator’s ability to investigate the allegations.

### Complainant Contact Information

Name	Role at SAIT (ie: employee or student)
Date	School/Department or Program
Phone	Email
Immediate supervisor/manager/program academic chair name	Immediate manager/supervisor position or program area at SAIT

### Respondent Contact Information

Please complete the following information for any respondent(s) associated with this complaint.

Name	Role at SAIT (ie: employee or student)
School/department	Manager/supervisor/program academic chair name
Phone	Email
Working/learning relationship to complainant	



Please use the following space to outline your desired outcome related to the above-noted situation.

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**Next Steps**

Once this form has been completed in its entirety, please print, sign and send the report or email the report directly, to the attention of the intake advisor who you are working with as per the procedure. You will be contacted to discuss next steps once this form has been reviewed. Making bad faith complaints may result in disciplinary action. Please reference the SAIT policy and procedures for more information.

Complainant signature	Date
Intake advisor name (complaint received by)	School/department
Position	
Date complaint received	