



COMMISSION SCOLAIRE CENTRAL QUÉBEC  
CENTRAL QUÉBEC SCHOOL BOARD

2046, chemin Saint-Louis,  
Québec (Québec) G1T 1P4

418 ☎ 688.8730

418 📠 682.5891

# PREVENTION AND MANAGEMENT OF CONFLICTS AND HARASSMENT POLICY

**April 2024**

## **TABLE OF CONTENTS**

1. OBJECTIVE OF THE POLICY AND COURSES OF ACTION.....	3
1.1 – Legal Framework.....	3
2. DEFINITIONS.....	4
.....	
2.1 Civility in the Working Environment .....	4
2.2 Prevention and Conflict Resolution Process .....	4
2.3 Risk Factors.....	4
2.4 Psychological Harassment .....	5
2.5 Sexual Harassment .....	5
2.6 Misuse of Power and Authority .....	5
2.7 Violence, Threats and Intimidation .....	5
3. SCOPE OF THE POLICY.....	6
4. COMMITMENT AND RESPONSIBILITIES OF THE SCHOOL BOARD .....	6
4.1 - Responsibilities of the School Board.....	6
4.2 - Responsibilities of the administrators.....	6
4.3 – Responsibilities of the staff ... ..	7
5. GENERAL RESPONSIBILITIES IN IMPLEMENTING THE POLICY.....	7
6. COMPLAINTS .....	7
7. CONFIDENTIALITY .....	7
8. INTERVENTION PROCEDURES WHEN THERE IS A CONFLICT .....	8
9. INTERVENTION PROCEDURES WHEN THERE IS AN HARASSMENT COMPLAINT....	9
9.1- Forms required.....	10

## **1. OBJECTIVE OF THE POLICY AND COURSES OF ACTION**

The administration of the Central Québec School Board (the "School Board") has always expressed its firm intention not to tolerate any form of harassment or incivility and to ensure a safe working environment in which everyone is respected and which is free of all incivility, violence, as well as verbal, physical, psychological and sexual threats.

In order to uphold this commitment to ensure a healthy working environment and to counter all forms of uncivil or harassing behaviour or behaviour that could lead to harassment or violence, the School Board has decided to introduce the notions of civility at work, prevention and conflict resolution processes, as well as contextual elements such as risk factors that could impact negatively on relationships. The awareness of risk factors could allow to take actions before resorting to the complaint process. The objective of the present policy is to demonstrate the seriousness of our commitment.

All the employees of the School Board must behave with dignity and respect towards each other. They are responsible for maintaining an environment that is free of all forms of incivility, violence and harassment. Our revised policy offers methods for maintaining an environment that promotes mutual respect.

To achieve these goals, priority will be given to:

- Promoting a healthy and positive working environment:
  - Maintaining a working environment fostering civility, cooperation, as well as mutual help and respect;
  - Giving priority to a conflict management process that is constructive, focusing on prevention and cooperation.
- Heightening awareness and informing School Board personnel of problems regarding incivility and harassment in general;
- Providing the necessary support to complainants and alleged harassers by establishing both internal and external procedures for assistance and recourse;
- Respecting the strictest confidentiality when dealing with complaints.

### **1.1 Legal Framework**

Canadian Human Rights Commission (Federal) and *Commission des droits de la personne et des droits de la jeunesse* (Québec)

Charter of Human Rights and Freedoms (Québec)

Canadian Labour Code

Civil Code of Québec

Collective agreements and decrees

CNESST – *Commission des normes, de l'équité, de la santé et de la sécurité du travail*

Criminal Code (Federal)

Youth Protection Act

## **2. DEFINITIONS**

### **2.1 Civility in the Working Environment**

Civility in the working environment can be described as the set of good manners and behaviours that are acceptable in a working environment. It does not differ from civility in general in our society, which means to behave in a way allowing to live harmoniously together. All the members of the staff must perform their duties adopting at all times a polite, courteous and respectful attitude towards their colleagues, members of the staff, administrators and clients, in terms of verbal, non verbal and written language.

### **2.2 Prevention and Conflict Resolution Process**

It consists of an approach to conflict management focusing on prevention and information, as well as the promotion of an informal and preventive resolution of the conflicts before they lead to formal complaints or disputes.

- Mentioning that there is a problem or a lack of understanding
- Engaging in an open discussion that can lead to a reassessment of working methods enhancing performance and commitment of the team
- Having honest discussions about visions can lead to a clarification of objectives
- Fostering innovation and conflict resolution

### **2.3 Risk Factors**

Risk factors can be defined as situational, organisational or personal circumstances, which, through a cause-and-effect relation, create a risk that unhealthy situations develop. Here are a few examples:

- Presence of clans or cliques dividing the group;
- Perception of unfairness or inequity in the working environment;
- Imbalance between efforts made and recognition of these efforts in the working environment;
- Weak social support from colleagues or superiors, creating a lack of cooperation and mutual help, as well as a working environment promoting that each person works for himself or herself;
- Rumors about a person or a group of persons in particular;

## **2.4 Psychological Harassment**

Vexatious (hurtful) conduct manifested by either repeated behaviour, words, actions or gestures that are hostile and unwelcome, and undermine the dignity, or the psychological or physical integrity of an employee for whom the workplace becomes a hostile environment.

A single serious action can constitute psychological harassment if this action is undermining and has an on-going negative effect on the employee.

## **2.5 Sexual Harassment**

Conduct manifested by repeated and unwelcome words, actions or gestures of a sexual nature that are liable to undermine a person's dignity, physical or psychological integrity, or that are liable to lead to unfavourable working conditions for an employee.

## **2.6 Misuse of Power or Authority**

A form of harassment which occurs when a person unduly exercises the authority, the seniority and/or the power linked to his or her job title, with the intention of compromising a person's job, impeding his or her work performance or putting his or her means of subsistence in jeopardy. This type of harassment includes intimidation, threats and blackmail.

Management rights: This definition of misuse of power or authority must not restrict the authority of persons who have management responsibilities in fields such as work relations, performance evaluation and the implementation of disciplinary rules.

## **2.7 Violence, Threats and Intimidation (in person, via internet, cellular phones, etc.)**

An action, comment or gesture which undermines a person's dignity, or physical or psychological integrity, or is liable to make a person act against his or her will, by using force, threats or intimidation. Violence can be physical, verbal or psychological.

### Examples of physical manifestations

A physical assault aimed at injuring, intimidating a person such as hitting, pushing, kicking, twisting or grabbing someone's arm, pulling hair, choking, spitting or biting, etc.

### Examples of verbal, non verbal and written manifestations

Proffering insults or making defamatory, threatening or degrading remarks to a person or a group of persons, verbally or non verbally (for example, to roll one's eyes), or on social media, text messages and emails.

### **3. SCOPE OF THE POLICY**

This policy applies to all persons working for or in association with the School Board regardless of their occupation, as well as all persons providing services to or receiving services from the School Board.

### **4. COMMITMENT AND RESPONSIBILITIES OF THE SCHOOL BOARD**

#### **4.1 Responsibilities of the School Board**

The School Board believes that every employee has the right to a working environment that is free of incivility, harassment and violence. Consistent with this moral and legal obligation, the School Board is committed to:

- Taking all possible steps to maintain a healthy working environment that is free of all forms of incivility and harassment;
- Promoting a conflict resolution process that is constructive, so that all parties find solutions corresponding to their needs and interests;
- Working in cooperation with all employees, in order to control, reduce and even eliminate all the risk factors;
- Ensuring that no employee is the victim of incivility, harassment or violence;
- Ensuring that the parties concerned are treated in all fairness and equality;
- Putting in place appropriate corrective measures if there is incivility, harassment or violence. These measures can include termination of employment;
- Should the Director General be the object of a complaint, referring the complaint to the chair of the Council of Commissioners.

#### **4.2 Responsibilities of the administrators**

All administrators must, as far as possible, make sure that work relations within their work unit are harmonious and free of all forms of incivility, harassment and violence. If a conflict arises, administrators must adopt a preventive approach and deal with the situation in a constructive way. Administrators must pay particular attention to risk factors that could exist in the work environment and eliminate them, to prevent the development of one form or another of conflict or harassment.

In the case of complaints brought to their attention, administrators must process them with diligence and in all confidentiality. In order to do so, they may call upon the services of the Human Resources Department.

#### **4.3 Responsibilities of the staff**

Each member of the staff must behave in a civilized and respectful way, using appropriate politeness in his or her working environment. Each employee must avoid creating interpersonal conflicts and strive to maintain harmonious relationships in the working environment. Each member of the staff must be aware of the potential risk factors (see the section "Definitions") that could lead to an unhealthy situation.

If a conflict arises, the employee must:

- try to have a constructive discussion about the source of the conflict with the person or persons concerned;
- see if the situation can be improved, by eliminating an existing risk factor personally (refer to section 2.3), or with the person or the persons concerned, with the work team, or superior;
- Try to bring about a change in a behaviour or attitude in order to solve the conflict;
- Refer to section 8, if there is no resolution.

### **5. GENERAL RESPONSIBILITIES IN IMPLEMENTING THE POLICY**

The Director General is responsible for implementing the policy.

Exceptional measures:

In a serious or urgent situation, the Director General can adopt and apply, with regard to an employee of the School Board towards whom serious allegations of harassment have been made, exceptional measures when the latter are deemed necessary to ensure the protection of every person.

### **6. COMPLAINTS**

The internal procedures for processing complaints provided for in the present policy in no way deprive individuals of their right to file a complaint, dependent on their status, to a grievance arbitrator at the "Commission des normes, de l'équité, de la santé et de la sécurité du travail" or to bring the case directly to the courts.

All conduct considered as uncivil, harassing, or violent is punishable by disciplinary actions up to and including termination of employment.

### **7. CONFIDENTIALITY**

All information relating to the management process of conflicts or complaints, as well as the identity of the persons concerned, must be kept confidential by all parties involved unless this information is required for managing the conflict or processing the complaint or for taking administrative or disciplinary actions.

Subject to the aforementioned, no information will be recorded in the employee's file of persons who believe themselves to be the subjects of incivility or harassment or the victims of violence, provided they acted in good faith. With regard to the person accused of incivility, harassment or violence, information is recorded in the employee's file only if the complaint is justified.

## **8. INTERVENTION PROCEDURES WHEN THERE IS A CONFLICT ISSUE**

The employee who has a conflict is strongly advised to follow the logical progress of each intervention step.

### First step

At the first step, if the conflict is not resolved between the persons (see section 4.3: Responsibilities of the staff), it can be brought to the attention of the immediate supervisor or to the Human Resources Department (if the conflict involves an administrator).

### Objective

To accompany the person through each of the steps.

### Resource Person

The immediate superior or the Human Resources Department

In the case of a conflict involving an administrator, the Director General or the Human Resources Department, according to the delegation of roles and powers.

### Roles

- Meet and listen to the complainant. Provide assistance and encouragement;
- Provide information about the present policy, focusing on the definitions found in the prevention and conflict resolution process and the risk factors, and see if an action could be taken to eliminate the source of the conflict issue;
- If there is a conflict with another person, offer a supervised meeting/mediation session. A meeting between two colleagues can be organised with the immediate superior, an employee of the Human Resources Department or an external consultant acting as mediator.

The immediate supervisor cannot act as a substitute for the employee involved and cannot proceed contrary to the employee's wishes. However, the employee can move directly to the second level if the employee deems it necessary.



### Second step

At this step, a complaint can be made in writing and addressed to the Director of the Human Resources Department (without going through the intervention of the immediate superior). The objectives and the roles are the same as those described for the first level of intervention.

## **9. INTERVENTION PROCEDURES WHEN THERE IS AN HARASSMENT COMPLAINT**

A complaint can be made in writing and addressed to the Director of the Human Resources Department.

### Objective

Receive the complaint and judge if the complaint is receivable. To establish that a case actually involves psychological harassment and is "receivable", it is necessary to prove the presence of all of the elements of the definition: 1) Vexatious behavior 2) Repetitive in nature 3) Verbal comments, gestures or behaviours that are hostile or unwanted 4) Affect the person's dignity or integrity 5) Harmful work environment.

If the complaint is deemed receivable, make an inquiry in cooperation or not with a consultant and write down a report.

### Resource Persons

The director of the Human Resource Department and/or a consultant

### Role

- Receive and examine the complaint filed;
- Write down a letter to inform the complainant of the receivability of the complaint and, if it is the case, to inform the complainant of the next steps;
- Meet with the complainant and the alleged harasser individually and begin making inquiries;
- Analyse the situation;
- Attempt to resolve the problem to the satisfaction of both parties in accordance with an agreement;
- Write down the agreement between both parties.

### Follow up

- In the case where an agreement is reached, the Director of the Human Resources Department takes charge of the intervention and informs those concerned.

### **9.1 Forms required to file a complaint for harassment**

These forms are available on the intranet, in the schools and centre and on the School Board's website.

#### Form 1 – Complaint Form - Appendix 1

For all persons working for or in association with the School Board as well as all persons providing services to or receiving services from the School Board

#### Form 2 – Appendix 2

Example of a letter summoning the alleged harasser

#### Form 3 – Work Tools and Reference Material – Appendix 3

Example of a work tool for the meeting with the complainant

#### Form 4 – Work Tools and Reference Material – Appendix 4

Example of a work tool for the meeting with the alleged harasser

#### Form 5 – Situation Analysis - Appendix 5

- Chronological list of procedures undertaken by the Director of the Human Resources Department/the consultant
- Written report and recommendations of the Director of the Human Resources Department/the consultant

**STRICTLY PERSONAL AND CONFIDENTIAL**

***COMPLAINT FORM***

*For all persons working for or in association with the School Board, as well as all persons providing services to or receiving services from the School Board*

***INFORMATION ON THE PERSON FILING THE COMPLAINT\****

Name: \_\_\_\_\_  
*Please print*

Address: \_\_\_\_\_  
*Number, street name*

\_\_\_\_\_  
*City, province, postal code*

Telephone: \_\_\_\_\_  
*work home*  
*(Please specify the number where you prefer to be contacted)*

Job title or occupation: \_\_\_\_\_

Place of work: \_\_\_\_\_  
*address telephone*

Status: \_\_\_\_\_  
*Regular, permanent, part-time, volunteer, other, etc.*

Working hours: \_\_\_\_\_

**Note: \*In the case of a complaint filed by more than one person, please complete one form by complainant.**

***INFORMATION ON THE ALLEGED HARASSER\*\****

Name: \_\_\_\_\_  
*Please print*

Address: \_\_\_\_\_  
*Number, street name*

\_\_\_\_\_  
*City, province, postal code*

Telephone: \_\_\_\_\_  
*(if known)work home*  
*(Please specify the number where you prefer to be contacted)*

Job title or occupation: \_\_\_\_\_  
*(if known)*

Place of work: \_\_\_\_\_  
*address telephone*

Status: \_\_\_\_\_  
*(if known)Regular, permanent, part-time, volunteer, other, etc.*

Working hours: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Send e-mail to the Human Resources Department (Nancy.lheureux@cqsbc.qc.ca), marked "CONFIDENTIAL".

**Note: \*\*If a complaint involves more than one person, please complete one form for each alleged harasser.**

## DESCRIPTION OF EVENTS

[illegible]

**STRICTLY PERSONAL AND CONFIDENTIAL**

*Example of a letter summoning the alleged harasser*

Date

Name of alleged harasser

Address

We hereby inform you that a complaint has been filed against you for harassment (psychological or other). The Director of the Human Resources Department requests a meeting with you on (date) at (time) at (place). You may contact your union or association.

The objective of the meeting is to:

- Inform you of the nature of the complaint;
- Hear your version of the events;
- Explain the procedures provided for in the “Prevention and management of conflicts and harassment policy”; and
- Ensure you are treated fairly.

We thank you for your cooperation.

The Director of the Human Resources Department

## WORKING TOOLS AND REFERENCE MATERIAL

### GATHERING INFORMATION

#### *Meeting with the complainant*

1. For each situation, indicate the circumstances, date and place. If possible, record the reactions caused by the harassment. PLEASE BE SPECIFIC:
  - a) Please give a detailed description of the nature of the harassment:
    - race
    - colour
    - gender
    - pregnancy
    - sexual orientation
    - civil status
    - age except when prescribed by the law
    - religion
    - political beliefs
    - language
    - ethnic or national origin
    - social status
    - handicap or the use of aids to remedy this handicap
    - physical appearance
    - physical and mental abilities
    - other (please specify)
  - b) Describe the events.
  - c) When did these events take place? (please give the dates)
  - d) What was your reaction?
2.
  - a) If there were threats, of what nature were they? (please describe)
  - b) How were these threats worded?
  - c) Describe the events.

APPENDIX 3 CONTINUED

- d) When did these events take place? (please give the dates)
  - e) What was your reaction?
- 3.
- a) If there were promises, of what nature were they?
    - Salary increase
    - Cash advance
    - gifts
    - retaining employment
    - promotion
    - other (please specify)
  - b) Describe the events.
  - c) When did these events take place? (please give the dates)
  - d) What was your reaction?
- 4.
- a) Have these events had repercussions on your situation at work?

If so, what were the repercussions? (please check each of the following that applies to your situation)

For example:

    - difficult working environment (please specify)
    - dismissal
    - suspension
    - transfer
    - refusal of promotion
    - demotion
    - social relations at work
    - other (please specify)
  - b) What were the reasons given to justify this situation?
  - c) Do you have any comments regarding the reasons that were given?
5. Have these events affected your physical or psychological health? If so, how have you been affected?
6. Have you received medical or professional advice or treatment because of the harassment?



APPENDIX 3 CONTINUED

7.
  - a) To the best of your knowledge, is this the first time that this person or these persons have behaved in this manner? (If not, please specify)
  - b) Can you give the names of other people who have been the object or may have been the object of this behaviour? (Name, address, telephone, place of work)
8. What procedures have you undertaken to date?
9. Do you have witnesses who saw or heard what happened or who were also the object of harassment by the same individual?
  - a) Can you give the name, address and telephone number of these individuals?
  - b) In your opinion, would these individuals agree to meet with the Director of the Human Resources Department?

**The Director of the Human Resources Department can add to this file the versions given by witnesses if contacted.**

10. What do you believe would be a satisfactory agreement?

For example:

- changes to the working environment (ex. transfer, schedule change, promotion, etc.)
- apologies
- resumption of work (if there was interruption of work)
- another agreement (please specify)

## **WORKING TOOLS AND REFERENCE MATERIAL**

### **GATHERING INFORMATION**

*Meeting with the alleged harasser*

What is your reaction to this complaint?

---

---

---

Please give your version of the events.

---

---

---

Were there any witnesses?

---

---

---

Does the agreement proposed by the complainant seem acceptable to you? If not, what would you suggest?

---

---

---

## SITUATION ANALYSIS

*Chronological list of procedures undertaken by the  
Director of the Human Resources Department/the consultant.*

The Director of the Human Resources Department/the consultant must write down each step in the procedures up to the final agreement, indicating the following for each step:

- the date
- the name of persons contacted
- their occupation and telephone number
- the content of each meeting and telephone conversation

*Written report and recommendations of  
the Director of the Human Resources  
Department/the consultant*

The report must contain the following elements:

- the nature of the complaint (description)
- the name of the parties involved
- the procedures undertaken to reach an agreement
- the nature of the agreement (if applicable)
- conclusions and recommendations
- the date and signatures