

Personnel and Employee Relations 7100 Employee Harassment Prevention	Administrative Application	
	Last Reviewed /Approved on:	November 6, 2025
	References:	The Saskatchewan Employment Act STF Code of Ethics LAFOIP Section 85, 87, The Education Act The Saskatchewan Human Rights Code, 2018 The Occupational Health and Safety Regulations, 2020 Canadian Charter of Rights and Freedoms Policy 2 – Role of the Board Policy 12 – Role of the Director
	Status:	Operational

Preamble

All employees, student(interns), volunteers, contracted workers and visitors are entitled to employment that is free from harassment. This includes protection from harassment that may originate not only from employees of the Division but also from third parties such as parents, guardians, community members, contractors, or other individuals who interact with the school community. Compliance with the provisions of this administrative application is a condition of employment and participation, ensuring the promotion of a safe and respectful workplace and learning environment for all.

Application

In the event of a conflict between any provisions of this administrative application and applicable law, the applicable law shall apply.

1. **Applicability of Administrative Application 7100 –Employee Harassment Prevention.**

- a. The *Employee Harassment Prevention Administrative Application* applies to all employees, student(interns), volunteers, and contracted workers of the school division.
- b. Contractors who come onto the property of the school division are expected to respect the *Employee Harassment Prevention Administrative Application*. Persons who initiate the hiring of a contractor who will perform services for the school board shall ensure that all contracts include language requiring the contractor to comply with the provisions of this administrative application. The person initiating and/or supervising the contract shall monitor compliance with the application and shall immediately report any breaches to the Director of Education.

2. Definition of Harassment

- a. Harassment: Harassment is defined in Section 3-1 (1) (I) of *The Saskatchewan Employment Act (SEA)* as:
- i. Any inappropriate conduct, comment, display, action or gesture by a person:
 - A. that either:
 - (I) is based on any prohibited ground as defined in *The Saskatchewan Human Rights Code, 2018* or on physical size or weight; or
 - (II) subject to subsections (4) and (5), adversely affects the worker's psychological or physical well-being and that the person knows or ought reasonably to know would cause the worker to be humiliated or intimidated; and
 - B. That constitutes a threat to the health or safety of the worker;
or
 - ii. Any conduct, comment, display, action or gesture by a person towards a worker that:
 - A. Is of a sexual nature; and
 - B. The person knows or ought reasonably to know is unwelcome.

(Subsection 4 of the SEA) To constitute harassment for the purposes of subparagraph (1)(1)(i) (A) (II) in the SEA, either of the following must be established:

- i. Repeated conduct, comments, displays, actions or gestures.
- ii. A single, serious occurrence of conduct, or a single, serious comment, display, action or gesture, that has a lasting, harmful effect on the worker.

(Subsection 5 of the SEA) For the purposes of subparagraph (1)(1)(i) (A) (II) in the SEA, harassment does not include any reasonable action that is taken by an employer, or a manager or supervisor employed or engaged by an employer, relating to the management and direction of the employer's workers or the place of employment.

Examples of harassment can include, but are not limited to:

- b. Personal Harassment
- c. Sexual Harassment:
Sexual harassment may include, but is not limited to:
 - i. a direct or implied threat of reprisal for refusing to comply with sexually oriented request.

- ii. Unwelcome physical contact.
- iii. Repeated and unwelcome sexual comments, suggestions that are found objectionable or offensive and cause discomfort on the job.
- iv. Unwelcome propositions, invitations, direct or indirect, to engage in behaviour of a sexual nature.
- v. unwelcome remarks, jokes, innuendos, propositions or taunting about a person's body, attire, sex or sexual orientation.
- vi. Display of sexually explicit pictures or other material.
- vii. Unwelcome emails, letters, telephone calls, or other communications.
- viii. Unwelcome inquiries and/or comments about a person's sex life or sexual orientation.
- ix. Refusing to work with or have contact with workers because of their sex, gender or sexual orientation.

3. Exclusion to the Definition of Harassment

a. Religious Discrimination

The Board reserves all constitutional rights and obligations that it has in addition to those accorded it by *The Saskatchewan Human Rights Code, 2018*. The Board reserves the right to discriminate based on religion as provided by section 16(6) of the Code which reads as follows:

"Nothing in this section deprives a.... board of education of the right to employ persons of a particular religion or religious creed where religious instruction forms or may form the whole or part of the instruction or training provided by the board of education pursuant to The Education Act, 1995."

4. Responsibilities

a. Employer

The Board and RCSD as the employer will not condone harassment in the workplace and will take all complaints of harassment seriously. RCSD is committed to making every reasonably practicable effort to ensure that no employee is subject to harassment.

- i. RCSD will work towards creating and maintaining a work environment that is productive, respectful, and free from harassment. This includes providing the harassment administrative application to all workers as part of the onboarding process and annually at the start of each school year.

- ii. RCSD shall provide training for school division personnel conducting investigations. In-service for investigators shall continue as need requires.
- iii. Harassment prevention educational programs shall be carried out on an ongoing basis in the division to support a safe and orderly environment nurturing Gospel ethos.
- iv. A copy of this application will be posted on the school division website and shall be posted in staff rooms, so it is accessible for all employees.
- v. At the beginning of the school year, the school shall ensure the RCSD commitment to a Harassment Free Environment Signs are displayed.
- vi. In keeping with its commitment to facilitate a Catholic climate conducive to both learning and working, RCSD is committed to taking appropriate corrective action respecting any employee who subjects another worker to harassment. When it is determined that harassment has occurred, the Director or delegate will take appropriate corrective action including discipline up to termination of employment with respect to the perpetrator of the harassment.
- vii. The Director and/or delegate will make every effort, consistent with the procedures outlined in this policy, to resolve harassment situations and provide support and assistance to persons subjected to harassment.

b. Supervisory Staff

- i. At the beginning of each school year Administrators shall advise staff and students of this administrative application along with appropriate protocol to assist in resolution of complaints should they arise.
- ii. All appointed supervisory staff are obligated to act quickly upon information concerning incidents of harassment. They are to be sensitive to issues relating to harassment and the effects that such behaviour has on employees and the work environment.
- iii. All supervisory staff are directed to take appropriate action as further defined in this Administrative Application when allegations of harassment are made known in the manner herein defined.

c. Occupational Health & Safety Committee

- i. Each work site Occupational Health and Safety Committee is expected to become informed concerning harassment issues and, where it is known, to provide support and information to persons at the work site who may be the subject of harassment.

- ii. In-service for Occupational Health and Safety Committee members shall be conducted as need requires.

d. Employees

In accordance with Part III of *The Saskatchewan Employment Act*, all employees have an individual responsibility to support a workplace free from harassment. Employees have a responsibility to refrain from engaging in harassing behaviour at the workplace. Employees have an obligation to change behaviour if they know, suspect, or are informed that another might consider their actions harassment.

As a first step, an employee who believes that he or she has been harassed should tell the offender OR an appropriate person in authority that he/she objects to this type of behaviour following the complaint procedure outlined below under "Reporting Procedure".

5. Prevention

Harassment varies in kind, degree and in perception of injury. It is recognized, therefore, that no single structure or process can resolve all the issues involved. RCSD recognizes the importance of the prevention of harassment and is committed to creating a respectful environment.

- a. Individuals may sometimes be unaware of the effects of their behaviour. In many cases, speaking to the person directly about the unwanted behaviour will be enough to resolve a situation.
- b. In certain instances, it may be more effective for a supervisor to speak with the respondent or to arrange and facilitate a meeting between the complainant and respondent as per Administrative Application 7130.
- c. RCSD is dedicated to clarifying its objectives with respect to harassment and through effective communication and consistent application of this policy.
- d. RCSD will support specific programs of education and awareness on harassment.

6. Reporting Procedure

RCSD encourages immediate reporting of any incidents of harassment addressed within this policy so that complaints can be quickly and fairly resolved.

- a. Complainants have three recommended courses of action: personal contact, an oral report, or a written report.
- b. Reports of incidents of violence against employees can be made directly to any of the following:
 - i. The employee's direct supervisor; or
 - ii. A member of administrative council (superintendent, or director)

- c. Because it is often best if allegations of personal harassment are resolved closest to the source of harassment, it is recommended that the complainant first approach the respondent to attempt to resolve the alleged harassment.
- d. If the complainant believes personal contact would not satisfactorily resolve the situation, the complainant may report the incident orally to his or her immediate supervisor.
- e. If the report is made to a person listed above, other than the superintendent of human resources, the recipient of the report shall immediately provide the superintendent of human resources or designate with the details of the incident(s) in writing (a report involving a member of administrative council shall be made directly to the director).
- f. Notwithstanding the preceding procedures, the complainant may submit a formal, written complaint to his or her School Superintendent. In the event the respondent is the School Superintendent, the written complaint is to be submitted to the Director of Education or delegate. In the event the respondent is the Director of Education, the written complaint is to be forwarded to the Board Chair. The complaint must be recorded in writing.
- g. Where third party harassment has been reported, Regina Catholic School Division may have limited ability to investigate or control their conduct. However, Regina Catholic School Division shall take action to stop or reduce the risk to its employees of being harassed by third parties.
- h. Where an individual has been asked to stop abusing or harassing an employee and does not, employees are authorized to end telephone conversations, politely decline service, limited contact, suspension of volunteer privileges and to ask the individual to leave the workplace.

7. Investigation Process

- a. Both the respondent and the complainant may be offered assistance through the Employee and Family Assistance Program and either one may be removed from the workplace on a temporary basis while the incident is being investigated. In cases where an external investigation is also being carried out, the division will continue its own investigation and co-operate with external authorities where required.
- b. The complainant, respondent and any witnesses, if necessary, will be interviewed separately.
- c. During the investigation process, both the complainant and the respondent are entitled to be informed of all the allegations made against them and allowed the opportunity to make full statement in response.

- d. This does not mean that either party is entitled to see or receive copies of the complete statements. However, both are entitled to see or receive a summary of the findings.
- e. The Superintendent of Human Resources or delegate shall provide a written report to the Director of Education. The written report shall include a summary of the evidence, a description of any conflict in the evidence, the conclusions on the facts and reasons for reaching those conclusions, as well as the recommended action where harassment has been found to have occurred.
- f. The Director of Education and/or delegate shall meet with the complainant and the respondent, separately, to review the findings of the investigation.

8. Access to Other Proceedings

Nothing in this policy shall be construed as discouraging or preventing an employee from exercising any other legal rights when dealing with an incident of harassment. These legal rights include:

- a. Filing a complaint with the Saskatchewan Human Rights Commission. Discriminatory practices are prohibited by sections 10, 16, 17, 18, and 31 of *The Saskatchewan Human Rights Code, 2018*.
- b. Filing a complaint with an Occupational Health Officer in accordance with the harassment provisions and sections 3-1, 3-8, 3-9, 3-10, and 3-54 of *The Saskatchewan Employment Act*.
- c. Reporting the incident to the police or other authorities if the circumstances so warrant.
- d. Taking any other steps available under any other statute or law.

9. Corrective Action

If the alleged harassment is determined to be true, the respondent may be subject to corrective action as determined by the Director of Education and/or delegate, which may include disciplinary action up to termination of employment.

10. Records/Documents Relating to the Complaint and Investigation

All records and documents relating to the complaint and investigation shall be forwarded in confidence to the Superintendent of Human Resource Services for retention. All records will be kept confidential except where disclosure is required. Such records shall be retained for seven (7) years.

11. Retaliation

RCSD will not retaliate against individuals for filing a complaint in good faith and will not permit retaliation by other employees. If retaliation is proven to have occurred, disciplinary action may take place.

12. Complaints Made in Good Faith

Disciplinary action will not be taken against an employee whose complaint of harassment has not been substantiated and where such complaint was made in good faith.

13. Malicious and/or Frivolous Complaints

Malicious and/or frivolous complaints of harassment will be viewed as serious offences by the Board and may result in disciplinary action against the complainant and a record of such disciplinary action will be documented in the personnel file of the complainant.

14. Confidentiality

- a. Receipt of a complaint will be held in strict confidence.
- b. The name of a complainant or an alleged harasser or the circumstances related to the complaint will not be disclosed to any person except where disclosure is:
 - i. Necessary for the purposes of investigating the complaint or taking corrective action with respect to the complaint.
 - ii. Required by law.