

POLICY FOR A CÉGEP EXEMPT FROM INCIVILITY AND HARASSMENT

Sector in charge: Human Resources Management

ADOPTION BY THE BOARD OF DIRECTORS ON

November 26, 2002, under the title *Policy Relative to the Safety of College Community Members*.

AMENDMENTS

January 21, 2003, by modifying the title to *Policy Aiming to Counter Violence, Psychological Harassment and Abuse of Power*;

June 14, 2011, by modifying the title to *Policy on the Prevention and Management of Harassment and Violence at the Cégep de l'Abitibi-Témiscamingue*;

June 19, 2018, by modifying the title to *Policy for a CÉGEP Exempt from Incivility and Harassment* and

March 26, 2019, by modifying some information including the period to lodge a complaint to conform to the *Act Respecting Labour Standards, Chapter M-1.1*.

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Preamble

This policy was written in the spirit of the *Quebec Charter of Human Rights and Freedoms*, which recognizes that all human beings have intrinsic rights and freedoms among which we find the right to equality and dignity. It is also based on the *Act Respecting Labour Standards, Chapter M-1.1*, which prescribes the right to fair and reasonable work conditions. It ensues that any form of incivility, harassment and violence constitutes a violation of the fundamental rights of individuals.

Through this policy, the Cégep de l'Abitibi-Témiscamingue wants to raise the awareness in our environment about the phenomena of incivility, harassment and violence, define victim support and dissuade the authors of harassment. Furthermore, the CÉGEP recognizes the importance of behaviours of civility to protect and promote the psychological health of the whole college community. The CÉGEP considers that behaviours of incivility, both in person and by any other means and whether technological or of another kind, must not be tolerated since they are precursory signs of greater problems such as violence and harassment. All staff members as well as the student population to whom this policy applies must maintain and promote norms of behaviour so that work and studies can be carried out in an environment exempt from incivility, harassment and violence.

The CÉGEP wants to further highlight the importance not only of prevention but also of participation, accountability and mobilization of persons who study, work or improve themselves at the CÉGEP, an institution whose objective is to maintain a healthy and respectful environment.

No policy can cover all situations that are likely to arise. Therefore, this document does not excuse members of the college community from their responsibility to exercise judgment and civility in our community. Accordingly, each one of us is responsible through his or her actions or relationships for a pleasant living environment in the context of activities connected to the CÉGEP.

1. Policy Statement

- The CÉGEP, unions and associations recognize that all persons have the right to work and study in a healthy environment that is exempt of all forms of incivility, harassment and violence.
- Any person who believes that they are undergoing incivility, harassment or violence must be able to undertake steps in the greatest discretion, be assisted, have recourse to a measure or lodge a complaint without any prejudice or without being subjected to revenge.
- Any individual who is a plaintiff has the right to maintain or withdraw a complaint at any step of the process.
- It is necessary to do awareness-raising work within the college community to prevent incivility, harassment and violence since the CÉGEP has the responsibility to use the means to make such behaviour stop when they are brought to its attention.
- It is important to protect the integrity of the respondent until the end of the process.

2. Policy Objectives

This policy aims to

- inform about, raise awareness concerning and prevent all parties from the negative effects of incivility, harassment and violence in a work or study environment.
- implement accessible and adaptable recourse mechanisms to support persons who are victims of incivility, harassment or violence and encourage them to expose such behaviours.
- intervene rapidly in situations that infringe on or might infringe on the dignity or physical or psychological integrity of persons so as to put an end to behaviours of incivility, harassment and violence.
- endow the CÉGEP with a framework to prevent any form of incivility, harassment and violence, to process emerging cases and to ensure their follow-up.

3. Definitions

- a) **Activity:** Any authorized activity that is part of the mission or the operations of the CÉGEP in particular courses, internships and laboratory activities, other training activities, student, sports, social or cultural activities including student travel (international or not) and any other event that takes place on the CÉGEP premises or under its authority, regardless of the place where the activity occurs.
- b) **Allegations:** Declarations relative to events exposed by the plaintiff that might be subjected to an investigation.
- c) **CÉGEP:** Collège d'enseignement général et professionnel de l'Abitibi-Témiscamingue (*General and Vocational College of the Abitibi-Témiscamingue Region*).
- d) **College community:** Student population, staff members and lessees.
- e) **Complaint:** A formal step of the plaintiff that aims to expose a situation of harassment in an educational institution or a police service. An administrative complaint targets recognition of the existence of a situation of harassment in order to take disciplinary action against the respondent. Furthermore, a complaint to the police implies the possible perpetration of a criminal act.
- f) **Helping relationship:** The relationship of psychological and professional accompaniment of a person in a situation of distress who is asking for support. It includes, among others, the relationship that develops with psychologists, social workers, adapted services counsellors and technicians, guidance counsellors, career education counsellors, academic advisors, community workers or student life counsellors.
- g) **Intimate relationship:** Intimate relationships designate both love and sexual relationships.
- h) **Investigator:** Person who leads an investigation and who may come from within the institution or outside of it. This person must be competent, impartial and neutral, remain available to lead the investigation within the deadline granted, be able to write the report required and keep the whole investigation confidential. His or her role is to describe a situation according to the criteria defined by the policy.
- i) **Plaintiff:** All persons who allege that they are subjected to harassment, violence, abuse of power or breach of trust and who, acting in conformity with this policy, undertake steps to denounce the behaviour or make a complaint.
- j) **Relationship of authority:** The relationship that develops as soon as a reporting relationship exists. One must assess, among others, the general context of the relationship, its nature and the status of one to the other.
- k) **Respondent:** Any person designated by the plaintiff as the author of behaviours that have led to allegations of harassment, violent gestures, abuse of power or breach of trust.

- a) **Retaliation:** These are threats to or intimidation of a person to prevent them from making a notification, submitting a complaint, collaborating in an investigation or threats made after a complaint is lodged. Any act of retaliation against a person (plaintiff, witness or respondent) who resorts to this policy to indicate an act of sexual violence is strictly forbidden and constitutes an offence that is liable to disciplinary measures.
- b) **Notification:** According to the meaning of this policy, notification occurs when a member of the college community provides information about a situation of incivility or harassment: it is a statement about having experienced, witnessed or having been informed of a case of harassment. Notification does not necessarily lead to a complaint.

4. Scope of the Policy

Since the CÉGEP has the responsibility to offer a safe and sound work and study environment, the policy targets relationships that all members of the community have among themselves.

The policy applies to the context of work or studies, particularly

- a) on all campuses, including CÉGEP residences.
- b) during all activities connected to the CÉGEP or organized by the establishment, a member of its staff, a manager, a sports organization or a student association, even if this activity takes place off campus. These activities may be pedagogical, social or athletic in nature but are not limited to the following such as welcoming or integration activities, student travel, parties at the beginning or the end of the school year, pedagogical outings and local or external training and competitions of CÉGEP sports teams, etc.
- c) during online activities of members of the college community among themselves, which include online and distance learning, interaction on social media, texting, email, MIO messages, virtual meetings, etc.

The policy applies to the whole college community, in particular

- a) to the student population.
- b) to staff members, no matter what their status or employment group.
- c) to staff members of associations and unions presents at the CÉGEP.
- d) to any person who has a connection to the CÉGEP as a customer, guest, volunteer, member of the Board of Directors, supplier or subcontractor.
- e) to any internship environment. In case of noncompliance with the policy or a law by a person who comes from the internship environment, this place might see itself excluded from the list of those approved to receive students.

The policy might equally apply to any situation that can have negative consequences on the academic pathway or work atmosphere of a member of the college community.

This policy does not prevent plaintiffs from having recourse to other existing legal means if so desired.

5. Clauses of the Policy

5.1 Incivility

Incivility is defined as an act or a behaviour that denotes rejection of the elementary rules of social life, which constitute the reference points essential to human relationships and communications. Among these rules let us mention respect, collaboration, soft skills, politeness and self-control. Each staff member or each student has the obligation of civility, which means the respect of basic values and participation in the maintenance of a harmonious atmosphere for work and study.

Code of Civility

Civility is an obligation and not an option. It's everyone's business!

Civility is the framework that the CÉGEP has given itself that targets everyone's well-being.

Main objective

The main objective of the *Code of Civility* is to make the minimal norms of mutual consideration that prevail in our work environment known and to guide behaviours and attitudes to adopt at work. Five basic values must guide actions in our institution:



In complete coherence with the values stated in our educational project, civility is defined here as a range of small gestures to be made to live together better.

Mutual expectations related to public spiritedness

- a) Use of courteous and professional language
- b) Adequate collaboration with others
- c) Treatment of others with consideration through demonstration of attention and listening
- d) Enforcement of zero tolerance towards each person's acts and attitudes in their work and study environments that do not conform to the *Code of Civility*
- e) Shared responsibility assumed for the development of a culture of civility in our environment
- f) Teaching and promotion of the values expressed above
- g) An apology if a person has acted incorrectly

Process to follow in a case of incivility

To tolerate or not act when faced with reprehensible behaviour means that we are sending a message that signifies that we agree with it. In this sense, each person who believes that they are a victim of incivility or who witnesses it is strongly encouraged to indicate the problem encountered and solve it, if possible, by following the steps of the *Procedure for a Cégep Exempt from Incivility and Harassment (see Summary Table in Appendix 2)*.

No formal complaint has been planned in a case of incivility since the objective is to make the behaviour cease as soon as it arises and to avoid its repetition.

5.2 Harassment

By the word harassment we mean any behaviour that strikes a blow to the dignity and respect of the person or behaviour that aims to offend, humiliate or embarrass a person. Here are the main forms of harassment:

- Psychological
- Discriminatory
- Sexual
- Mobbing
- Intimidation (bullying)

- Cyber violence
- Abuse of power and authority
- Breach of trust or abuse of power in an employee-student relationship

5.2.1 Psychological harassment

This is a kind of persecutory behaviour on the part of a person or group that is demonstrated, among others, by behaviours, spoken words, written words (emails, memos, notes, text messages) and repeated actions or gestures that are hostile or unwanted and that strike a blow to the dignity or psychological or physical integrity of the person; this behaviour leads to an unhealthy or harmful work or study environment.

A single incident of serious behaviour may constitute harassment if it strikes a blow to and produces a harmful effect on the person.

Within the framework of the current policy, the following behaviours are especially considered to be psychological harassment:

- a) To prevent the person from any possibility of expressing himself/herself: the superior refuses him/her the right to express himself/herself, screams or bellows, the person's presence is ignored, visual contact is avoided, threats are uttered, etc.
- b) To isolate the person from others in the work environment, to not talk to him/her, to prohibit colleagues from talking to him/her, to isolate the person's workstation physically, to deny his/her physical presence, etc.
- c) To discredit the person in the opinion of his/her colleagues, to speak ill of him/her, to slander him/her, to start rumours on his/her subject, to ridicule him/her, to claim that the person is mentally ill, to force him/her to do humiliating work, to question his/her decisions, to make fun of his/her personal life and origins, etc.
- d) To discredit the person's work: to force him/her to do totally useless or absurd tasks, to entrust him/her with tasks that are very inferior to his/her competencies, to give him/her new tasks constantly, to entrust him/her with tasks that require qualifications superior to his/hers so as to discredit him/her.
- e) To intimidate persons, among which those who have lodged a complaint.
- f) To use words that strike a blow to the dignity, reputation and psychological integrity of a person or group of persons such as insults, scornful, disrespectful, rude or insulting words, malicious mockery, gossip, slander, etc.
- g) To lack respect, to be scornful, to have condescending attitudes or to refuse to share information.
- h) To regularly follow someone, to constantly wait for him/her or to monitor his/her comings and goings.

Psychological harassment is not

- a) a personality or value conflict
- b) a professional or personal disagreement
- c) the normal practice of management rights
- d) the reasonable implementation of the legitimate requirements of a work relationship, a business relationship or a pedagogical context
- e) work or study constraints or
- f) stress related to work or studies.

5.2.2 Discriminatory harassment

Harassment is said to be discriminatory when it is contrary to Section 10 of the *Quebec Charter of Human Rights and Freedoms*. Any unfair action, gesture or word that ensues from distinctions based on race, colour, ethnic origin, social condition, mother tongue, religious beliefs, political opinions, sexual identity, state of pregnancy, sexual orientation, parental situation, age (except insofar as foreseen by the law), civil status, handicap or the use of a means to overcome this handicap constitutes a gesture of discriminatory harassment.

5.2.3 Sexual harassment

Sexual harassment is a behaviour that is characterized by repeated or undesired words, actions or gestures of sexual or homophobic connotations that are intentional or not which by their very nature strike a blow to the physical or psychological dignity of a person or lead to unfavourable work and study conditions. An isolated act may constitute harassment when it is serious and produces a continual undesirable effect in the future and it affects a person's rights.

Sexual harassment arises, among other ways, but is not limited to the following behaviours:

- a) Incessant expressions of sexual interest from someone who knows or should know for a fact that such interest is unwanted
- b) Verbal overtures that have already been the subject of a refusal but that are nonetheless repeated without the consent of the person to whom they are addressed
- c) Insistent and unwanted propositions of a sexual nature
- d) Systematic or incessant remarks or comments of a sexual or homophobic nature
- e) Non-consensual physical advances such as, without being limited to, touching, caresses, brushing up, pinching or kisses

- f) Repeated or incessant remarks, comments, allusions, jokes or insults that are sexual or homophobic in nature that disrupt the work or learning atmosphere
- g) Implicit or explicit promises of rewards or special treatment for a person who accepts to comply with requests that are sexual in nature
- h) Implicit or explicit threats of punishment or unfavourable, hostile, unfair or discriminatory treatment after a refusal to comply with a request that is sexual in nature or retaliation exercised after such a refusal
- i) Voyeurism or exhibitionism
- j) Attitudes or acts of physical aggression or assault with the intention to impose unwanted sexual intimacy
- k) Sexual relationships where a relationship of authority or a bond of trust exists between the parties
- l) Repeated or unwanted contacts or attention after the breakup of a relationship
- m) Use of vulgar or sexually degrading language to describe a person and to do so in any circumstances and
- n) Any other abusive behaviour that is sexual in nature.

Sexual harassment is not a consensual relationship.

- a) In a consensual relationship without a connection of authority, the concerned parties feel perfectly free to act as they want, consent is reciprocal, and a refusal is taken seriously and respected. It is understood that sexual harassment has nothing to do with the sincere expression of desire or acceptable sexual advances. Sexual harassment begins at the moment when one of two people no longer feels free to act as he or she wishes.
- b) This being said, free and informed consent is impossible in a relationship that involves unequal power. Staff members in a pedagogical or helping relationship or a position of authority must abstain from having intimate, loving or sexual relationships with a CÉGEP student.

5.2.4 Mobbing

Collective persecution is a form of collective violence that consists in, when an unresolved conflict remains within a group, uniting against a person to make him or her a scapegoat who is persecuted and stigmatized. This may be gestures, actions or words repeated by many persons about one or many persons. Two conditions must be met to consider that we are in the presence of collective persecution: duration and repetition.

5.2.5 Intimidation (bullying)

Intimidation is defined as persecution, humiliation, acts of intimidation or other gestures that aim to exclude a person; these acts and gestures are exercised by an individual or group in order to dominate someone or to make him or her experience rejection or isolation.

5.2.6 Cyber violence

Cyber violence is an online behaviour that causes or leads to damage to the psychological, emotional, financial or physical well-being of an individual or group of individuals. Types of cyber violence include, among others, the following situations:

- a) Harassment: Repeated sending of offensive, rude or insulting messages.
- b) Denigration: The distribution of false information about someone that strikes a blow to that person's dignity through publication on a web page, by sending it through email or instant messaging or the publication or sending of digitally re-touched photos of a person.
- c) Inflammatory remarks: Fighting online through use of electronic messages that contain hateful or vulgar language.
- d) Identity theft: Access without authorization to an email account or social network and the use of the online identity of the owner of the account in order to send or publish vicious or embarrassing content addressed to other people or that concerns other people.
- e) Public revelations and deceit: Sharing embarrassing secrets, information or photos (of a sexual nature) about someone or making someone reveal embarrassing secrets, information or photos (of a sexual nature) through trickery and then sharing these with other people.
- f) Cyber intimidation: Repeated sending of messages that contain threats to the physical integrity, that are highly intimidating or that make online gestures which lead a person to fear for his or her safety. These messages might be illegal according to their content.
- g) "Sextortion" or extortion: extortion of funds by blackmail after retrieval of photos or videos on the Internet that represent a nude person (Examples: threatening to send a photo or even other images to other people if one refuses to send money).

5.2.7 Abuse of power and authority

The abuse of power and authority consists in using power and authority inappropriately, illegitimately or in an unjustified manner to hinder development and output, threaten, influence and act negatively on various elements connected to the work or learning of a person or group of persons. These behaviours might compromise employment, hinder output, threaten means of subsistence or impede studies or career.

The following behaviours are especially considered to be abuse of power and authority:

- a) To force a person to do dangerous tasks or tasks that are harmful to one's health
- b) To surveil a person unjustifiably or excessively to find any error, loss of productivity or any idle time
- c) To set unrealistic objectives that maintain a situation of failure, burnout at work or school and systematic criticism, etc.
- d) To isolate someone, including refusal to talk to them, or to say things that aim to discredit a person in the opinion of colleagues through initiation of rumours or provision of information about his or her personal life that is not relevant to work or studies
- e) To say things and make decisions that aim to discredit a salaried person in his or her work by withdrawing his or her tasks or making him or her execute humiliating tasks in light of the normal tasks of his or her work category
- f) To manage through fear by threatening with failure, expulsion, firing, layoff, non-rehiring, demotion, transfer, loss of privileges related to work or study conditions or considerable changes to these without a reasonable motive
- g) To threaten the manipulation of students' grades

Abuse of power is not,

- a) in the case of staff members, the pertinent use of authority by the immediate supervisor who has the responsibility to make assessments, give advice and training, use disciplinary measures and see to it that norms are respected.
- b) in the case of students, the pertinent use of authority by a teacher or staff member who has the obligation to assess, aid or give advice.

5.2.8 Breach of trust or abuse of power in an employee-student relationship

The nature itself of the employee-student relationship implies an unequal power relationship in which the notion of free consent cannot exist. The opinion of the CÉGEP is that intimate relationships between a member of its staff and a female or male student goes against the pedagogical mission of the institution. A relationship of trust must exist between students and staff members, and the will of the CÉGEP is to protect this.

To avoid potential abuse of authority or breach of trust, the CÉGEP asks all of its staff to abstain from any form of intimate, love or sexual relationship with its male and female students. Close friendships between employees and students are not recommended. Accordingly, staff members must maintain a professional relationship with CÉGEP students all of the time.

If an intimate, love or sexual relationship exists prior to the student's admission or the hiring of a CÉGEP staff member, a statement must be completed and handed over to the concerned authority as soon as possible thanks to the form planned for this purpose.

5.3 Violence

5.3.1 Physical violence

Physical violence remains the most demonstrative and apparent form of violence. It consists in actions or threats made or uttered by an individual or group of individuals that strike a blow, voluntarily or involuntarily, to the physical or psychological integrity or security of an individual or group of individuals.

The following behaviours are considered to be physical violence:

- Threats that strike a blow physically to an individual or those close to him or her,
- Threats of damage to a person's property,
- Physical aggression, even light physical aggression, such as pushing, grabbing, shoving, hitting, throwing an object at someone or in the direction of someone and
- Wrongdoings on property of the CÉGEP, an individual or a group.

5.4 Terms of intervention

All situations must be treated with the same attention, which means in a discreet, diligent and impartial way, no matter what administrative unit is concerned. In this respect, all persons involved in the notification or complaint treatment process must respect the strictest confidentiality concerning its content.

It is important that the person who feels that he or she has been wronged act as soon as possible to avoid deterioration of the situation.

One must refer to this effect to the *Procedure for a Cégep Exempt from Incivility and Harassment (see Summary of Appendix 2)*, which summarizes the steps of the process and describes the rights and responsibilities of various parties involved in a situation in a more exhaustive manner.

6. Clauses of the Policy

Any member of the college community who witnesses or who is informed of a situation of incivility, harassment or violence must take reasonable means to intervene within the limits of his or her responsibilities and concern for safety. He or she should support any person who

speaks to him or her in search of solutions concerning the aforementioned policy and collaborate with actions that target resolution of the situation. He or she may request help from the Human Resources Directorate.

Note that all intervening parties in files concerning incivility, harassment and violence are held to confidentiality. The names of persons involved must not be broadcast or communicated within or outside of the CÉGEP except to legal or administrative entities called upon to judge these cases.

Concerned parties have the responsibility to collaborate all of the time with persons in charge of the investigations.

6.1 Committee for the Prevention of Incivility, Harassment and Violence

The CÉGEP forms a committee to this effect composed of two voluntarily involved representatives from each association who are appointed by their respective union or association. The role of the committee consists in collaboration to carry out this policy.

The committee has the responsibility, among others, to

- a) implement awareness-raising and prevention activities annually
- b) analyze the statistical data on the types of problems and types of intervention conducted
- c) endow itself with a self-regulatory mechanism to assess the process continuously
- d) establish a training program to supply the different intervening parties and ensure its proper functioning
- e) establish an information program and
- f) submit recommendations to the General Directorate of the CÉGEP.

6.2 Accompanying party

By his or her resolutely partial role with concerned persons, the accompanying party cannot fulfill the duties of mediator or investigator. He or she is chosen because of the bond of trust that he or she has with concerned persons and for his or her availability and capacity to interact in the context of a helping relationship.

The accompanying party

- a) accompanies and supports the plaintiff, witness or person who is the subject of a complaint (respondent) throughout the informal and formal processes.
- b) guides the person to available support measures (Employee Assistance Program, psychosocial intervening parties, social representatives and union representatives for example).

- c) guides the person to the CÉGEP administrative authority and police authorities if need be.
- d) cannot act as a substitute for the plaintiff.

6.3 Administrative Authority

The administrative authority can be found at one of the four following levels:

- a) The Human Resources Directorate is in charge of complaints relative to situations of breach to the *Code of Civility*, harassment or violence lodged by staff members or persons from outside of the CÉGEP organization.
- b) The Student Affairs and Communications Directorate is in charge of complaints relative to situations of breach to the *Code of Civility*, harassment or violence lodged by CÉGEP students.
- c) The General Directorate of the CÉGEP is in charge of the treatment process of complaints relative to situations of breach to the *Code of Civility*, harassment or violence that involve management and nonmanagement staff.
- d) The chairman of the Board of Directors of the CÉGEP is in charge of the treatment process of complaints relative to situations of breach to the *Code of Civility*, harassment or violence that involve the person who is occupying the position of Director General.

6.4 Parity Committee

This committee is used when there are demonstrations of incivility or during informal procedures. It is composed of representatives of the following directorates according to needs and situations of incivility experienced: Directorate of Student Affairs and Communications, Directorate of Studies, Directorate of Human Resources, immediate supervisors, AGECA (student association) and the involved union.

Its objective is to settle problematic situations before they deteriorate.

7. Entry into Force and Revision

7.1 Entry into force

This policy enters into force at the time it is adopted by the Board of Directors.

7.2 Revision

This policy will be revised as needed or five years at the latest after its implementation.

APPENDIX I—SUMMARY TABLE (DEFINITIONS AND RESOURCES)

Policy for a Cégep Exempt from Incivility and Harassment—Summary Table (Definitions and Resources)

| Incivility | | Harassment | | | | | | |
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| Definition | An act or a behaviour that denotes rejection of the elementary rules of social life, which constitute the reference points essential to human relationships and communications. Among these rules let us mention respect, collaboration, soft skills, politeness and self-control. | | Any behaviour that strikes a blow to dignity and respect that aims to offend, humiliate or embarrass a person | | | | | |
| Types | Psychological | | Discriminatory | Sexual | Mobbing | Intimidation (Bullying) | Cyber Violence | Abuse of Power or Authority |
| Precise Definitions | This is a kind of persecutory behaviour on the part of a person or group that is demonstrated, among others, by behaviours, spoken words, written words (emails, memos, notes, text messages) and repeated actions or gestures that are hostile or unwanted and that strike a blow to the dignity or psychological or physical integrity of the person; this behaviour leads to an unhealthy or harmful work or study environment. <i>A single incident of serious behaviour may constitute harassment if it strikes a blow to and produces a harmful effect on the person.</i> | | Any unfair action, gesture or word that ensues from distinctions based on race, colour, ethnic origin, social condition, mother tongue, religious beliefs, political opinions, sexual identity, state of a pregnancy, sexual orientation, parental situation, age (except insofar as foreseen by the law), civil status, handicap or the use of a means to overcome this handicap constitutes a gesture of discriminatory harassment. | Behaviour that is characterized by repeated or undesired words, actions or gestures of sexual or homophobic connotations that are intentional or not which by their very nature strike a blow to the physical or psychological dignity of a person or lead to unfavourable work and study conditions. <i>*An isolated act may constitute harassment when it is serious, produces a continuous undesirable effect in the future and affects a person's rights.</i> | Form of collective violence that consists in when an unresolved conflict remains within a group, uniting against a person to make him or her a scapegoat who is persecuted and stigmatized. (Two conditions: duration and repetition) | Persecution, humiliation, acts of intimidation or other gestures that aim to exclude a person; these acts and gestures are exercised by an individual or group in order to dominate someone or to make him or her experience rejection or isolation. | Online behaviour that causes or leads to damage to the psychological or emotional, financial or physical well-being of an individual or group of individuals. | inappropriate, illegitimate or unjustified use of power and authority to hinder development and output, threaten, influence and act negatively on various elements connected to the work or learning of a person or group of persons. These behaviours might compromise employment, hinder output, threaten means of subsistence or impede studies or career. <i>*To avoid abuse of power or breach of trust, the Cégep asks all of its staff to avoid any form of intimate, love or sexual relationship with its students.</i> |
| Non-limitative Examples | Discourteous language that lacks professionalism Treatment without consideration, listening or attention Not excusing oneself after a lapse Gossiping Slamming a door Not greeting or saying hello to people Having a condescending tone Hindering the concentration of other colleagues by noises Interrupting or monopolizing a conversation without taking colleagues' words into account Answering calls during a meeting | | Preventing a person from any opportunity to express himself/herself; isolating a person in his/her work environment; discrediting the person about his/her work; using words that strike a blow to the dignity, reputation and psychological integrity of a person; lacking respect, showing contempt, having condescending attitudes towards a person and refusing to share information; regularly following someone, constantly waiting for him or her or monitoring his/her comings and goings | Insistent expressions of unwanted sexual interest (verbal overtures, insistent propositions, remarks or comments, jokes, insults, implicit or explicit promises of rewards or special treatment); non-consensual physical advances such as, without being limited to, touching, caresses, brushing up, pinching or kisses; implicit or explicit threats of punishment or unfavourable, hostile, unfair or discriminatory treatment after a refusal to comply with a request that is sexual in nature or retaliation exercised after such a refusal; voyeurism or exhibitionism; attitudes or acts of physical aggression or assault with the intention to impose unwanted sexual intimacy; sexual relationships where a relationship of authority or a bond of trust exists between the parties; repeated or unwanted contacts or attention after the breakup of a relationship; | Repetitive expressions of unwanted sexual interest (verbal overtures, insistent propositions, remarks or comments, jokes, insults, implicit or explicit promises of rewards or special treatment); non-consensual physical advances such as, without being limited to, touching, caresses, brushing up, pinching or kisses; implicit or explicit threats of punishment or unfavourable, hostile, unfair or discriminatory treatment after a refusal to comply with a request that is sexual in nature or retaliation exercised after such a refusal; voyeurism or exhibitionism; attitudes or acts of physical aggression or assault with the intention to impose unwanted sexual intimacy; sexual relationships where a relationship of authority or a bond of trust exists between the parties; repeated or unwanted contacts or attention after the breakup of a relationship; | Repeated sending of offensive, rude or insulting messages; distribution of false published information; publication or sending of digitally retouched photos; public revelations or trickery | Forcing a person to do dangerous tasks or tasks that are harmful to one's health; keeping watch over a person unjustifiably or excessively; setting unrealistic objectives that maintain a situation of failure or burnout at work or school and systematic criticism, etc.; saying things that aim to discredit a person in the opinion of colleagues through the initiation of rumours or provision of information about his or her personal life that are not relevant to work or studies; saying things and making decisions that aim to discredit a salaried person in his or her work by withdrawing his or her tasks or making him or her execute humiliating tasks in light of the normal tasks of his or her work category; managing through fear by threatening with failure, expulsion, firing, layoff, non-hiring, demotion, transfer, loss of privileges related to work or study conditions or considerable changes to these and to do so without a reasonable motive; the threat of manipulation of students' grades also constitutes an abuse of power. | |
| Process | Informal process only Objective: to make the uncivil behaviour stop as quickly as possible | | Informal steps (intervention and facilitation) and formal process (filing a written complaint) | | | | | |
| Resources | For the student population: - AGECAT - Intervening parties from the Psychosocial Aid Service of the Cégep | | For staff members - Employee Assistance Program (EAP) - Cégep de l'Abitibi-Témiscamingue unions | | | | | |

APPENDIX II—SUMMARY TABLE OF STEPS

Policy for a Cégep Exempt from Incivility and Harassment—Summary Table of Steps

See Procedure for a Cégep Exempt from Incivility and Harassment for details

| Informal | Formal |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Incivility or Harassment | Harassment |
| <p>Step 1 : Say NO</p> <ul style="list-style-type: none"> Indicate to the respondent that these behaviours or schemes are inadequate and ask him or her to stop <i>"This intervention can be carried out with an accompanying party as needed (union, student association or other representative).</i> | <p>Step 1: Written Complaint</p> <ul style="list-style-type: none"> File the written complaint (see complaint form) to the <ul style="list-style-type: none"> Student Affairs Directorate (student population) or the Human Resources Directorate (staff members) |
| <p>Step 2: Get Advice</p> <ul style="list-style-type: none"> If the plaintiff does not feel comfortable enough to carry out step 1 alone, he or she may request a meeting with <ul style="list-style-type: none"> his or her immediate superior or the Human Resources Directorate (for staff members) the Student Affairs Directorate (for the student population) to discuss facts, possible solutions, communication tools to use and expectations about behaviour. The plaintiff can return to step 1 or go on to step 3 according to the established plan | <p>Step 2: Consideration of Eligibility</p> <ul style="list-style-type: none"> Analysis within 5 business day of filing the complaint Whether the complaint is deemed admissible or not, the two parties will be met. If the complaint is deemed inadmissible, there will be no investigation and the parties will be notified of this. The plaintiff can return to the Informal Process or Parity Committee if he or she wishes to do so. If the complaint is deemed admissible, there will be an investigation, and the parties (accompanied if they so wish) will be notified of their rights and responsibilities as well as the progression of the process. |
| <p>Step 3: Intervention</p> <ul style="list-style-type: none"> by the immediate superior or the Directorate of Human Resources (staff members) or by the Student Affairs Directorate or the Directorate of Studies if a teacher is concerned (student population) accompanied by the plaintiff if possible. He or she intervenes with the respondent. Available mechanisms: advice and support, conflict management, management of misconduct and the offer of a meeting with a facilitator | <p>Step 3: Investigation</p> <ul style="list-style-type: none"> Appointment of an investigator: The investigation begins within a 15-business day time limit following complaint filing. The investigator meets parties individually (accompanied or not) and witnesses to get their version of the facts and their statements. The investigator writes the investigation report and turns in his or her recommendations 45 days at the latest after his or her nomination. The HRD (staff members) or the SACD (student population) <ul style="list-style-type: none"> Individual follow-up with parties (accompanied or not), sharing of conclusions and implementation of adequate supervision, if need be, so as to avoid that concerned parties undergo prejudice or retaliation. Written account handed over to parties. |
| <p>Step 4: Subsequent Offence</p> <ul style="list-style-type: none"> The Human Resources Directorate is solicited. Suggested recommendations or application of a measure if need be In case of harassment, we refer the file to the formal process. | <p>Step 4: In case of retaliation</p> <ul style="list-style-type: none"> During the process, we refer to the <ul style="list-style-type: none"> Student Affairs Directorate (for the student population) Directorate of Human Resources (for staff members). After the process, a new complaint if filed. |