Policy for the Prevention of Workplace Bullying and Harassment

Implicit in upholding the value and dignity of the person is a commitment to a working environment free of bullying and harassment of any type.

A. Scope and Purpose

The Archdiocese of Vancouver (Archdiocese) is dedicated to ensuring that employees are able to complete their duties in a safe environment, without fear of bullying or harassment. As such, the Archdiocese is dedicated to preventing any instance of bullying or harassment and will not tolerate such behaviour in the workplace. All employees of the Archdiocese share in the responsibility to ensure that our workplace is a safe and welcoming Christian environment. Employees are responsible for reporting any instances of bullying or harassment, whether they were the target or they were the witness to the incident.

This policy complies with the Workers Compensation Act, Occupational Health and Safety Regulation of British Columbia.

B. Application

This policy applies to clergy, consecrated men and women, employees, interns, and contractors working on behalf of the Archdiocese and who are insured under our WorkSafe policy. The Catholic Independent Schools of Vancouver Archdiocese (CISVA) has its own policies governing these matters.

C. Definition

"Workplace bullying and harassment can take many forms, including verbal aggression, personal attacks, and other intimidating or humiliating behaviours. If workplace bullying and harassment is not addressed, it can lead to lost productivity, anxiety, and sometimes even suicidal thoughts or actions."[1]

The Workers Compensation Act, Occupational Health and Safety Regulation of British Columbia, Policy Item D3-115-2, defines bullying and harassment as follows:

"Bullying and Harassment

a. Includes any inappropriate conduct or comment by a *person* towards a worker that the *person* knew or reasonably ought to have known would cause that worker to be humiliated or intimidated, but

b. Excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment.

[1] https://www.worksafebc.com/en/health-safety/hazards-exposures/bullying-harassment

A 'person' includes any individual, whether or not he/she is a workplace party. This means that a 'person' could be a workplace party such as an employer, supervisor, or co-worker, or a non-workplace party such as a member of the public, a client, or anyone a worker comes into contact with at the workplace.

In order to determine what is reasonable in the policy, a definition below is included for a 'reasonable person'. *Black's Law Dictionary, Ninth Edition*, defines a reasonable person as follows:

> *"...a person who exercises the degree of attention, knowledge, intelligence, and judgment that society requires of its members for the protection of their own and of others' interests. The reasonable person acts sensibly, does things without serious delay, and takes proper but not excessive precautions..."*

To clarify, bullying and harassment **does not** include:

- Assigning work;
- Expressing differences of opinion;
- Offering constructive feedback, guidance or work-related advice about workplace behaviour;
- Managing an employee's performance; and
- Assessing and implementing reasonable disciplinary actions.

D. Obligations

Employees must:

- Refrain from bullying and harassing other employees, outside contractors or other workers in the John Paul II Pastoral Centre or parish; parishioners, and guests of the John Paul II Pastoral Centre or parish;
- Report bullying and harassment when observed or experienced; and
- Comply with the Archdiocese's policies and procedures on the prevention of bullying and harassment.

E. Reporting Procedures

Employees have the right and responsibility to report any incidents of workplace bullying and harassment to the employer for review. Confidentiality will be maintained to the extent practical and appropriate under the circumstances.

How to Report

Employees can report incidents or complaints of workplace bullying and harassment verbally or in writing. When submitting a written complaint, please use the Workplace Bullying and Harassment Complaint Form (Appendix I). When reporting verbally, the reporting contact, along with the complainant, will complete the complaint form.

When to Report

Incidents or complaints are to be reported as soon as possible after experiencing or witnessing an incident. This allows the incident to be investigated and addressed promptly and thoroughly.

Reporting Contact

Depending on the subject(s) of the complaint, the reporting contact changes. Please refer to Appendix IV: Reporting Contact for the appropriate person to whom to report the complaint.

What to Include in a Report

Provide as much information as possible in the report, such as the names of the individuals involved, witnesses, where the incident(s) occurred, when they occurred, and what behaviour and/or words led to the complaint. Attach any supporting documentation, such as emails, handwritten notes, or photographs. Physical evidence, such as vandalized personal belongings, can also be submitted.

These reporting procedures will be reviewed on an annual basis. These can be accessed in the Human Resources Forms section of the RCAV Intranet.

F. Investigation Procedures

Employees have the right and responsibility to report any incidents of workplace bullying and harassment to the employer for review. Confidentiality will be maintained to the extent practical and appropriate under the circumstances.

How and When Investigations will be Conducted:

All complaints are to be investigated thoroughly. Appropriate expertise will be sought to assist in the process when necessary.

Investigations will:

- Be undertaken promptly and diligently;
- Assess whether immediate action is required to ensure an employee's safety;
- Be fair and impartial, providing both the complainant(s) and respondent(s) with opportunity to present their concerns;
- Be sensitive to the interests of all parties involved;
- Be focused on finding facts and evidence and will normally include interviews of the complainant(s), respondent(s), and any witnesses; and
- Consider any need or request from the complainant(s) or respondent(s) for assistance during the investigation process.

Investigations will include:

- Interviews with complainant(s), respondent(s), witnesses and anyone who may be able to provide insight into the incident(s) or what may have led to the incident(s); and
- A review of any evidence, such as emails, handwritten notes, photographs and physical evidence (e.g. vandalized objects).

Roles and Responsibilities

The Chancellor is responsible for ensuring workplace investigation procedures are followed in complaints about Clergy. For all other complaints, the Human Resources Director is responsible.

Employees have an obligation to cooperate with the investigation and provide any details of incidents they have experienced or witnessed. Once the investigation has been completed, a written report will be prepared with findings and recommendations and will be submitted to the appropriate reporting contact as outlined in Appendix IV: Reporting Contact.

Follow-up

The complainant(s) and respondent(s) will be advised of the outcome of the investigation. Following the investigation, workplace procedures will be reviewed and changes made when necessary.

Record-keeping Requirements

Ongoing investigation documentation will be kept in a locked cabinet in the Office of the Chancellor or the Office of Human Resources. Once the investigation is complete the file will be transferred to the Archives of the Archdiocese of Vancouver for permanent retention.

These procedures will be reviewed annually.

G. Questions

Any questions regarding this policy should be addressed to the Office of Human Resources.

Approved: **Our Lady of Fatima**
May 13, 2025

+ J. Michael Miller CSB

✞ J. Michael Miller, CSB
Apostolic Administrator
Archdiocese of Vancouver

The following policy is hereby superseded:
Policy for the Prevention of Workplace Bullying and Harassment, effective September 8, 2017.

Commitment Statement

By my signature below, I affirm that I have read, understand and agree to comply with the Policy for the Prevention of Workplace Bullying and Harassment.

Name: _____
Please print

Title: _____
Please print

Signature: _____

Date: _____ _____ _____
YYYY MMM DD

Appendix I: Complaint Form

This form is to be completed when an employee feels that an incident(s) has occurred that meets the definition of workplace bullying and harassment. Please include as much relevant detail as possible. Employees are discouraged from discussing the incident(s) with co-workers and others in order to ensure a thorough and fair review.

Name and contact information of complainant:

Name of the person the complaint is about:

Personal Statement

Please describe in as much detail as possible the bullying and harassment incident(s), including:

- The names of the parties involved;
- Any witnesses to the incident(s);
- The location, date, and time of the incident(s);
- Details about the incident(s) (behavior and/or words used); and
- Any additional details that would help with an investigation.

Attach any supporting documents, such as emails, handwritten notes, or photographs. Physical evidence, such as vandalized personal belongings, can also be submitted.

(Use additional sheets as required.)

Signature Date: YYYY MMM DD

Appendix II: Investigation Report

Name(s) of Complainant(s)	
Last Name	First Name
Last Name	First Name
Last Name	First Name
Name(s) of Respondent(s)	
Last Name	First Name
Last Name	First Name
Last Name	First Name
Incident Occurrence	
Location	Date: YYYY MMM DD
Investigator	
Last Name	First Name
Phone(s)	Email
Signature	

Person Interviewed	Other People Involved	Description of the Situation
	• e.g. alleged bully, witnesses	• dates, words, actions, etc. • impact e.g. humiliated, intimidated

Based on the investigation, did workplace bullying and harassment occur? ☐ Yes ☐ No

Appendix III: Investigation Guidelines

The Archdiocese of Vancouver is committed to both justice and compassion in dealing with allegations of workplace bullying or harassment. Upon receipt of an allegation of workplace bullying or harassment, the Human Resources Director and/or Chancellor will conduct a complete and thorough investigation into the allegation to determine whether workplace bullying or harassment has occurred. All complaints of workplace bullying or harassment will be investigated promptly, impartially and thoroughly, as discreetly as possible.

Interview of Complainant

1. The Person(s) receiving the complaint will interview the employee making the complaint, informing the employee that the Archdiocese takes these matters seriously, is appreciative of the fact that the employee came forward regarding the complaint, and that the allegations will be investigated.
2. The investigator will take detailed notes regarding the incident(s) (nature, frequency, dates, etc.), the relationship of complainant to alleged harasser, the response of the complainant to the alleged harasser, and whether or not anyone else witnessed the incident(s) or were made aware of the incident(s); whether or not they feel safe at this point. Questions may include:
    - Who, what, when, where, and how: Who committed the alleged harassment? What exactly occurred or was said? When did it occur, and is it still ongoing? Where did it occur? How often did it occur? How did it affect the person?
    - How did the person react? What response did s/he make when the incident(s) occurred or afterwards?
    - How did the harassment affect the person? Has her/his job been affected in any way?
    - Are there any persons who may have relevant information? Was anyone present when the alleged harassment occurred? Did s/he tell anyone about it? Did anyone see her/him immediately after episodes of alleged harassment?
    - Did the person who committed the alleged harassing behavior harass anyone else? Does the person making the complaint know whether anyone complained about harassment by that person?
    - Are there any notes, physical evidence, or other documentation regarding the incident(s)?
    - How would the person making the complaint like to see the situation resolved?
    - Does s/he know of any other relevant information?
3. The investigator will tell the employee that s/he will begin the investigation, inasmuch possible, within the next 24 hours; and that s/he will also keep the complaint and investigation on a "need-to-know" basis as part of the investigation. Some information will have to be revealed to the person accused, in order to adequately investigate the incident(s).

4. The investigator will tell the employee that s/he will keep her/him apprised of the progress of the investigation such as interviews, etc.
5. The investigator will document all of this, and draw up a plan for the investigation.

Interview of Respondent ("the accused")

1. As soon as possible, the investigator will arrange to interview the accused in a private place that is not within close proximity to the complainant.
2. At the beginning of the interview, the investigator will let the accused know that a complaint was received regarding her/his conduct, and that the investigator will need to conduct a confidential interview to investigate the claim. Questions may include:
    - What is your response to the allegations?
    - If the accused claims that the allegations are false, ask why the complainant might lie.
    - Are there any persons (i.e., witnesses) who have relevant information?
    - Are there any notes, physical evidence, or other documentation regarding the incident(s)?
    - Do you know of any other relevant information?
3. The investigator will inform the accused that:
    a. S/he will – and that the accused needs to – keep the complaint and investigation confidential on a "need-to-know" basis as part of the investigation;
    b. S/he to continue to perform her or his job in a professional manner and that retaliation against the complainant is unacceptable
    c. The investigator is committed to coming to a resolution and conclusion as quickly as possible, and will keep her/him informed.
4. The investigator will document all of this, then review and see if there are any gaps or conflicting versions of relevant events.

Addressing Conflicting Accounts/Testimonies with Credibility Assessment:

In the event of conflicting accounts or versions of events, the investigator will need to make a credibility assessment and document that assessment for both the accused and the complainant. A suggested format for this assessment is below:

Factor	Complainant	Respondent
Is the testimony believable on its face? Does it make sense?		
Did the person seem to be telling the truth or lying?		
Did the person have a reason to lie?		
Is there witness testimony[2] or physical evidence[3] that corroborates the party's testimony?		
Did the alleged harasser have a history of similar behavior in the past?		

Determination if Harassment Occurred

1. After completing the investigation and addressing conflicting accounts and testimonies the Human Resources Director or Chancellor will need to make a determination as to whether or not harassment has occurred. This involves:
    - Reviewing all interviews
    - Making credibility assessment if necessary
2. If the conclusion is that harassment has occurred, corrective and other actions need to be immediately taken and communicated to the accused and to the claimant.
3. If there is a lack of conclusive evidence to make a determination, additional preventive measures may be implemented to ensure that harassment does not take place (i.e., monitor behaviors, additional training classes)
4. If there are too many contradictions and lack of eye-witness corroboration to reach a determination, a determination may be based on the credibility assessment.
5. If there is a determination that harassment has NOT occurred (although this can usually be determined at the stage of the complaint), that needs to be communicated to both parties. training for the complainant may be in order to help understand what behaviors constitute harassment and what behaviors do not.

[2] Examples: eye-witnesses of the incident, people who saw the complainant soon after the alleged incident(s), people who discussed the incident(s) with the complainant around the time the incident(s) occurred.
[3] Examples: written documentation

Corrective Action

If an investigation confirms that workplace bullying or harassment has taken place, appropriate disciplinary action should result. Disciplinary actions should normally be preceded by seeking advice from the Office of Human Resources and/or legal counsel.

In the event that disciplinary action of clergy needs to be taken, this will be handled by the Vicar General and/or Chancellor.

Appendix IV: Reporting Contact

For verbal or written complaints, depending on the subject(s) of the complaint, refer to the table below for the appropriate contact to whom to submit the **complaint**.

Subject of Complaint	Report to	Contact Information
Clergy	Rev. Joseph Le, Chancellor	(604) 683-0281 ext. 265 jle@rcav.org
	Rev. Msgr. Gregory Smith	(604) 683-0281 ext. 444 gsmith@rcav.org
	Mrs. Marisa Ruggier-Andrews Director, Human Resources	(604) 683-0281 ext. 426 mruggierandrews@rcav.org
Parish Employee	Pastor	Pastor at specific Parish phone
	Mrs. Marisa Ruggier-Andrews Director, Human Resources	(604) 683-0281 ext. 426 mruggierandrews@rcav.org
JPII Employee	Mrs. Marisa Ruggier-Andrews Director, Human Resources	(604) 683-0281 ext. 426 mruggierandrews@rcav.org
Human Resources Employee	Mr. James Borkowski Delegate for Operations	(604) 683-0281 ext. 433 jcborkowski@rcav.org

Depending on the subject(s) of the complaint, refer to the table below for the appropriate contact to whom to submit the **investigation report**. Once the investigation is completed the investigative report is submitted as indicated.

Subject of Complaint	Written Investigation Report Submission
Clergy	Rev. Msgr Gregory Smith Vicar General
Parish Employee	Mrs. Marisa Ruggier-Andrews Director, Human Resources
	Mr. James Borkowski Delegate for Operations
JPII Employee	Mr. James Borkowski Delegate for Operations
Human Resources Employee	Mr. James Borkowski Delegate for Operations