

YAEP Violence and Harassment Policy

Policy Statement: The Yukon Association of Education Professionals is committed to providing a workplace in which all persons can expect to be treated with dignity and respect. Violence and harassment shall not be tolerated from any person in the workplace, including supervisors, employees, members and members of the public. All reports of harassment of elected and non-elected YTA staff shall be addressed in a timely manner through a clear and respectful process. The YAEP will apply and comply with the Violence and Harassment Policy and will ensure that its procedures and principles are followed.

1. Scope of Policy

- a. This policy is intended to protect all non-elected employees and elected YEAP officials.
- b. Harassment is any improper or offensive behavior that, whether physical, verbal, cyber or by innuendo, interferes with an individual's work performance or advancement or creates an intimidating, hostile or offensive work environment. Harassment can take many forms, including personal harassment, sexual harassment and abuse of authority. It may be physical or verbal in nature. It may involve one incident or a series of incidents.
 - i. Personal harassment means any unwarranted, offensive behaviour that is known or ought reasonably to be known to be unwelcome. It includes any comment, conduct, gesture or display that demeans, intimidates or causes embarrassment to another person. Personal harassment includes but is not limited to harassment on the basis of race, religion, creed, colour, sex, sexual orientation, gender identity, marital status, ethnic or national origin, age, physical or mental health condition or political belief.
 - ii. Sexual harassment means any conduct, comment, gesture or contact of a sexual nature that is likely to cause offense, embarrassment or humiliation to the recipient or that might, on reasonable grounds, be perceived by the recipient as placing a condition of a sexual nature on employment or on any opportunity for training or promotion, or on receipt of a service or benefit provided by the YAEP.
 - iii. Abuse of authority means an individual's use of power and authority inherent in the position held in a manner which serves no legitimate work purpose, and which ought reasonably to be known to be inappropriate. It includes misuses of power, which are intimidating, coercive or demeaning.
 - iv. Workplace violence includes any threatened, attempted or actual application of physical force towards an individual that is likely to cause harm or lead an individual to believe that they are likely to be harmed. Violence can cause physical or psychological injuries.

The legitimate and proper exercise of authority for a legitimate work purpose, including but not limited to supervising or managing through performance reviews, work evaluation and/or disciplinary measures does not constitute harassment under this policy.

- c. Anyone raising a concern under this policy must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a serious issue. Any allegations that prove to have been made maliciously or that were known to be false shall be viewed as a serious disciplinary offense.

Click [here](#) to view the full Violence and Harassment policy.

- d. This policy does not replace the YAEP Code of Ethics for issues between YAEP members nor does it provide two avenues for complainants by YAEP elected officials. YAEP elected officials may report a complaint either through this policy or under the YAEP Code of Ethics, if the respondent is a member of the YAEP, but may not change the process once initiated nor seek redress under the other process if not satisfied.
- e. The YAEP prohibits any form of retaliatory action against a person who participates in a harassment investigation, including a person who files a complaint of harassment or provides evidence about harassment. Retaliatory actions include but are not limited to placing undue pressure on or attempting to influence a participant, making negative changes to their conditions of employment, engaging in personal harassment or denying a professional or other work opportunity.
- f. A finding in favour of the complainant(s) may result in disciplinary action ranging from, but not confined to: verbal or written reprimand, referral to the YAEP Ethics Committee (if applicable), requirement to complete relevant training, suspension, termination of employment, or, in accordance with YTA Bylaws, remove a respondent from office.

2. Prevention of Violence and Harassment

- a. Violence and harassment in the workplace are prohibited.
- b. Every individual is entitled to a workplace free of violence and harassment.
- c. The YAEP is committed to eliminating or, if not practical, controlling the risks of violence and harassment in the workplace.
- d. All YAEP staff and elected YAEP officials have the right to bring complaints of violence or harassment to the YAEP or, if the person alleged to have committed violence or harassment is a member of management at the YAEP, to another person as set out in this policy.
- e. The YAEP will not disclose the circumstances related to an incident or complaint of violence or harassment or the names of the complainant/victim, the person alleged to have committed the violence or harassment, or any witnesses, except:
 - i. where to do so it would be necessary to
 - (1) investigate the incident or complaint;
 - (2) take corrective action;
 - (3) inform the persons involved in the incident or complaint of the results of the investigation and any corrective action to be taken to address the incident or complaint; or
 - (4) to inform individuals in the workplace of the nature and extent of the risk of violence or harassment there; or
 - ii. as required by law.
- f. Any personal information that is disclosed under paragraph 2(E) in respect of an incident or complaint or violence or harassment will be the minimum amount necessary for the purpose for which it is being disclosed; and