

Worker fact sheet

Workplace bullying and harassment

Occupational Health and Safety bullying and harassment policies

WorkSafeBC's Board of Directors approved three Occupational Health and Safety (OHS) policies under sections 115, 116, and 117 of the *Workers Compensation Act*, dealing with workplace bullying and harassment. The policies define bullying and harassment, and explain the duties of employers, workers, and supervisors to prevent and address workplace bullying and harassment.

These policies are effective November 1, 2013.

This fact sheet explains the duties of workers.

Bullying and harassing behaviour can include:

- verbal aggression or yelling
- humiliating initiation practices or hazing
- spreading malicious rumours
- calling someone derogatory names

Bullying and harassing behaviour does not include:

- expressing differences of opinion
- offering constructive feedback, guidance, or advice about work-related behaviour
- reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment (e.g., managing a worker's performance, taking reasonable disciplinary actions, assigning work)

Worker duties include the following:

- not engaging in bullying and harassment
- reporting if bullying and harassment is observed or experienced
- applying and complying with the employer's policies and procedures on bullying and harassment

Definition of workplace bullying and harassment

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

Bullying and Harassment WorkSafeBC Policy Effective November 1, 2013

Worker Duties – Workplace Bullying and Harassment D3-116-1

A worker's obligation to take reasonable care to protect the health and safety of themselves or others includes:

- (a) not engaging in bullying and harassment of other workers, supervisors, the employer or persons acting on behalf of the employer;
- (b) reporting if bullying and harassment is observed or experienced in the workplace; and
- (c) applying and complying with the employer's policies and procedures on bullying and harassment.

Practice

The definition of bullying and harassment 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.

A 'person' includes any individual, whether or not they are 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.

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..."

Resources and additional information

WorkSafeBC prevention information line
1.888.621.7233

Employers' Advisers Office
www.labour.gov.bc.ca/eao/

Workers' Advisers Office
www.labour.gov.bc.ca/wab/

WorkSafeBC has created a package of tools and resources to help workplace parties prevent and address workplace bullying and harassment. Access the online tool kit and OHS policies at www.worksafebc.com/bullying.