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DID YOU KNOW ...

There are several laws and policies that define inappropriate behaviour inside and outside the school.

FULL DOCUMENTS AVAILABLE

www.ataunion.org

www.etsb.qc.ca

Below are some highlights of these acts and policies.

What is in place at ETSB?

- **Policy for the Protection of Dignity of Employees in the Workplace (P028)**

Affirms the right of all employees to work and learn in an environment free of violence, harassment and verbal insults.

The ETSB shall protect all its employees from harassment, violence and verbal insults, as such behavior is contrary to an atmosphere of respect and is prohibited by law.

The ETSB shall actively investigate all reports submitted in accordance with established procedures (see Procedures for the Investigation of Sensitive Inter-Personnel incidents) and shall take appropriate action where complaints are justified.

- **Procedure for the Investigation of Sensitive Inter-Personnel Incidents (P028-1)**

The purpose of this procedure is to present to ETSB employees a clear process to follow should they become the victims of violence, sexual or psychological harassment or verbal insults.

- **Safe School Policy (P035)**

That schools/centres have effective ***protocols for responding to school-wide or board-wide emergencies or threats*** (ie: threats of violence, fires, bomb threats, natural disasters, etc.) This section of the policy applies to all employees (please refer to the *Policy for the Protection of the Dignity of Employees in the Workplace*) as well as to all students.

- **Safe School Procedure (P035-1)**

This protocol is usually included in the school's code of conduct. This code of conduct should delineate typical behavioural mistakes from major infractions. This protocol, as indicated in the *Safe School Policy*, deals with person(s) to person(s) violations.

- **Policy on Telecommunications, Network and Computer Resource Usage (P024)**

Forbidden actions

- Using the computer resources for purposes of propaganda, harassment, any kind of threat or playing jokes on a third party;
- Using the computer resources to damage the reputation of any individual;
- To send undesired and anonymous e-mail, to use the name of another person when sending e-mail
- Disrespect other individuals, their personal privacy, and to communicate personal information about another person;

Penalties and Sanctions

Users who contravene the clauses of this policy or the directives of the School Board to ensure the policy's application may be subject to penalties and sanctions under relevant laws and regulations, disciplinary measures under regulations and collective agreements governing personnel and those of establishments governing the rules of conduct and behaviour of its students. These measures may include dismissal or expulsion.

Imposing Sanctions

The employee's immediate superior, ICT Department manager or the Human Resources director is responsible when the user is a staff member. The establishment director is responsible when the user is a student or parent.

All students, or parents in the case of elementary school students, must sign a code of conduct* regarding use of computer resources.

- **Code of Conduct – Elementary Students Consent Form (P024-1)**

May be disciplined according to the school's rules of conduct, depending on how serious my actions are.

- **Code of Conduct – Secondary, Adult Education, Vocational Education Consent Form (P024-2)**

I am also aware that the School Board may at any time access the files I've saved on the computer or server's hard drive, and that I cannot consider those files confidential.

If I fail to respect these promises, sanctions may be imposed against me, including the loss of computer equipment privileges and suspension or expulsion, depending on the seriousness of my actions.

- **Code of Conduct – ETSB Personnel Consent Form (P024-3)**

If I fail to respect these promises, sanctions may be imposed against me, including the loss of computer equipment privileges and suspension or dismissal, depending on the seriousness of my actions.

INDIVIDUAL SCHOOLS MAY ALSO HAVE CODES OF CONDUCT, POLICIES AND PROCEDURES.

LABOUR STANDARDS

For the purpose of this act “psychological harassment” means any vexatious behavior in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures, that affects an employee’s dignity or psychological or physical integrity and that results in a harmful work environment for the employee.

(81.18)

Every employee has a right to a work environment free from psychological harassment.

Employers must take reasonable action to prevent psychological harassment and, whenever they become aware of such behaviour, to put a stop to it.

(81.19)

EDUCATION ACT

The word violence means any intentional demonstration of verbal, written, physical, psychological or sexual force which causes distress and injures, hurts or oppresses a person by attacking their psychological or physical integrity or well-being, or their rights or property.

(Article 13)

CRIMINAL CODE

Criminal harassment is behaviour that causes the other person to reasonably fear for their safety or the safety of others. This includes, following the person, repeatedly contacting the person directly or indirectly, stalking the person, and threatening conduct towards the person or their family.

(s. 264)

It is an offense to make repeated phone calls with the intent to harass someone.

(s. 372(3))

Assault is harming someone directly or indirectly or using threats of harm to the other person or someone else. This section includes all forms of assault, which may range from verbal threats to very serious crimes like aggravated sexual assault.

(s. 265)

Theft is taking something from someone either permanently or temporarily with the intent to deprive the owner of it.

(s. 322)

Uttering threats include threats of death or bodily harm to any person, to damage real or personal property, or to cause harm to a pet.

(s. 264.1)

Mischief includes not only willful destruction of property but can also include interference with the use, enjoyment or operation of property.

(s. 430)

HUMAN RIGHTS ACT

Sexual harassment is a violation of the Human Rights Code. The Code also protects against discrimination and harassment based on characteristics such as race, colour, sex, religion, marital status, sexual orientation and disability.

(c. H-11)