

32.0 RESPECTFUL AND FAIR TREATMENT POLICY

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The West Coast College of Massage Therapy is committed to ensuring that its learning Environment promotes the respectful and fair treatment of all students.

All members of WCCMT's learning community have the right to be treated and are expected to treat others with dignity and respect, refraining from engaging in violence, discrimination and harassment.

The College does not condone and will not tolerate violence, discrimination or harassment, including sexual or personal harassment which undermines the dignity, self-esteem or learning/working experience of all students.

The College considers any form of violence, discrimination or harassment of any member of the College community to be a violation of that individual's fundamental rights. The violation of an individual's fundamental rights is a serious offense which may be subject to a range of sanctions including expulsion or dismissal.

While on WCCMT premises or in the course of activities or events hosted by WCCMT the following activities are prohibited:

Violence

Violence involves the exercise, statement, or behavior of physical force by a person against another person in the learning community that causes or could cause physical harm to that person such as: physical acts e.g., hitting, shoving, pushing, kicking, sexual assault, throwing an object at another person, kicking an object at another person, or any other form of physical aggression.

Any threat, behavior or action which is interpreted to carry the potential to harm or endanger the safety of another, result in an act of aggression, or destroy or damage property

Disruptive behavior that is inappropriate in the learning environment e.g. yelling, screaming, swearing etc.

Discrimination

Discrimination is defined as the unfair, differential treatment of an individual or group on the basis of one or more of the protected categories stated under the BC Human Rights code. The protected categories include: age, ancestry, place of origin, color, race, religion, sex, unrelated criminal conviction, family status, marital status, mental or physical disability, political beliefs, sexual orientation and gender identity.

Bullying

Bullying is defined as the use of force, threat, or coercion to abuse, intimidate or aggressively dominate another. This behavior is typically repeated or has the potential to be repeated over time. A key component of bullying is the perception by the bully or by others, of an imbalance of social or physical power between the bully and the person being bullied. Behaviors used to assert such domination can include verbal harassment or threat, physical assault, or coercion, and such acts may be directed repeatedly towards particular targets. Rationalizations of this behavior sometimes include differences of social class, race, religion, gender, sexual orientation, parents, behavior, body language, personality, reputation, lineage, strength, size or ability.

Types of Bullying:

Physical Bullying

Physical bullying involves hurting a person's body or possessions. Examples of this would be: hitting, kicking, shoving, pinching, spitting, tripping, fighting, making rude hand gestures, taking or breaking someone's possessions.

Verbal Bullying

This type of bullying involves any kind of bullying behavior that is conducted by speaking. Examples would be: calling names, spreading rumors, threatening somebody, making fun of them, taunting them, making inappropriate sexual comments, etc.

Social Bullying

Social bullying is sometimes referred to as relational bullying and involves hurting someone's reputation or relationships. Examples would be: leaving someone out on purpose, telling other people not to be friends with them, spreading rumors about them, embarrassing them in public.

Cyber Bullying

Cyber bullying involves the use of technology to harass, threaten, embarrass or target another person. This includes email: instant messaging, social networking sites such as Facebook, text messages and cell phones.

Collective/Mobbing Bullying

Collective bullying occurs when bullying tactics are employed by more than one individual against a target or targets. Collective/mobbing refers to the bullying of an individual by a group, in any context, such as family, peer group, school, workplace, neighborhood, and community or online.

Harassment

Harassment is a form of discrimination prohibited under the B.C. Human Rights Code. Harassment is generally considered to be behavior that is unwelcome to the recipient and found to be offensive and/or demeaning in some way.

Harassment can be direct or indirect behavior and can include comments, remarks, gestures, or other offensive content that is not welcomed by the recipient. For behavior to be defined as harassment, it would have to be considered by a reasonable person to be offensive.

32.1 Defining the Different Forms of Harassment

32.1.1 Verbal Harassment

- derogatory remarks, innuendos or parts about a person's body, dress, physical appearance or beliefs based on a prohibited ground of discrimination
- derogatory comments, threats or jeers about race, color, ancestry or place of origin, or about the adornments and rituals associated with cultural or religious beliefs
- racial jokes and slurs
- derogatory comments about one's sexual orientation, family or marital status

32.1.2 Physical Harassment

- physical threats based on a prohibited ground of discrimination
- unnecessary physical contact, pushing shoving based on a prohibited ground
- intimidation, staring or objectionable gestures
- graffiti with obscene comments, and ethnic slurs and jokes
- practical jokes that are offensive to an individual based on physical appearance, sexual orientation, race, religion, disability, etc.,
- distribution or display of racist or offensive pictures or materials
- any action that may be perceived as showing offensive or demeaning differential treatment toward an individual or group
- hugging, kissing, patting or stroking
- unnecessarily brushing against a person
- touching or rubbing oneself sexually around another person
- following a person, standing unnecessarily close

32.1.3 Sexual-Harassment

- “wolf” whistling and catcalls
- sexual comments or innuendo

- sexual comments about a person's clothing, anatomy or looks
- turning work discussions to sexual topics
- telling sexual jokes or stories
- asking about sexual fantasies
- asking personal questions about social or sexual life
- repeatedly asking a person out who is not interested
- making kissing sounds, howling, smacking the lips
- telling lies or spreading rumors about a person's sexual life
- Non-verbal looking at a person up and down, staring
- blocking a person's path or hanging around a person
- getting personal gifts that are unwelcome
- displaying sexually suggestive visual material i.e., pinups
- making facial expressions; winking, throwing kisses, licking the lips
- making sexual gestures with hands or through body movements

32.1.4 Personal Harassment

Sexual-harassment also includes personal harassment. Personal harassment is behavior that does not fall under one of the prohibited grounds identified in the Human Rights Code that is unacceptable in the study and work environment. Personal harassment (including bullying) is unwelcome behavior that would be considered by a reasonable person to be offensive. Examples of personal harassment include:

- hostile, intimidating or threatening behavior
- demeaning, insulting, excessively critical or disrespectful comments, actions or gestures
- ignoring behavior or deliberate exclusion
- bullying behavior
- cyber-bullying, or targeting demeaning someone through online activities such as email, text messaging, or social networking
- unwanted physical contact (pushing, punching, slapping, touching)
- loud, angry outbursts or expressions of anger directed at an individual or group
- creation of a hostile environment
- any behavior that a reasonable person would consider offensive in the study or work environment

32.2 Procedure

1. In the case of an instance of violence, discrimination, or harassment in the learning community the first thing to do is to respond immediately by reporting this behavior to the Colleges Human Rights Officer (Official Legal representative of the College such as Dr. Cidalia Paiva, Director of Compliance)

If any member of WCCMT's learning community is unsure as to whether the nature of any activity may pose a risk of harm and violate this policy, they may seek advice or guidance from the Human Rights Officer.

The College recognizes that students, faculty, staff, clinic clients/patients are not expected to be experts in recognizing and responding to potential instances of harm. However, they do have a duty to;

- Be alert and responsive to problems which may reasonably be perceived to be indicators of physical, mental or emotional abuse or harm
- Be alert and responsive to the risks which individual abuses or potential abuses may pose to any member of our learning community
- Be alert and responsive to situations and activities which may potentially place any member of our learning community at risk of abuse or harm

It is important that RMT's note the fact that they have legal obligations to report professional misconduct, criminal charges and convictions, child abuse, and medical service plan misuse, under various legislation. RMT's must also be aware of their reporting obligations under the Health Professions Act, the Criminal Records Review Act, the Child and Family and Community Service Act, the Medicare Protection Act and the Adult Guardianship Act.

A healthcare professional who does not fulfill their duty to report professional misconduct in any environment they are employed in including as an instructor or administrator at a learning institution will be subject to disciplinary measures which may be taken by their regulatory College (CMTBC) and may also be the subject of a complaint filed by the regulatory College to which the other professional belongs.

2. Any student wishing to report a complaint regarding any instance of violence, discrimination or harassment must make an appointment to meet with the Colleges Human Rights Officer. The Colleges Human Rights Officer will listen to the complaint; try to understand the origin of the problem, the current situation and the impact on the complainant. She/he may reject a complaint if she/he has reasonable grounds to believe that the complaint is frivolous, vexatious or malicious. She/he will take the students statement in writing and have the student read, verify and sign the contents of the complaint statement document which the Colleges Human Rights Officer will keep for the record.
3. The burden is on the complainant to establish that violence; discrimination or harassment has occurred. The complainant must allege facts which if proven satisfy the definition of violence, discrimination or harassment cited in this policy. If the complainant's allegations meet this threshold the complaint will be investigated, and the Human Rights Officer will determine on

reasonable grounds having gathered all the evidence during the investigation whether violence, discrimination or harassment has occurred.

4. If the Human Rights Officer believes there is reasonable grounds to proceed with the complaint she/he will forward a copy of the record of the complaint to the College's Management Committee, the College body that will formally hear the complaint. Depending on the nature of the complaint, efforts at informal resolution may be made first in dealing with this complaint.
5. The College's Human Rights Officer and the College's Management Committee will deal with the complaint objectively, impartially and maintain confidentiality with all parties. Because allegations of harassment or discrimination often involve the disclosure of sensitive information, confidentiality is essential so that those who allege they have been harmed, discriminated or harassed against feel free to come forward. Confidentiality is also required so that the reputation and integrity of the person accused of violence, discrimination or harassment is also protected.
6. The Human Rights Officer will make every reasonable effort to deal with the complaint in a timely and effective manner.
7. The person who is the subject of the complaint and allegation will be provided with an opportunity to respond to the complaint in person at a formal Management meeting which will be scheduled as soon as possible. A record of his/her response will be maintained in the Management Committee minutes.
8. Retaliation against any person who, in good faith, files a complaint or is otherwise involved in a complaint of discrimination or harassment under this policy will not be tolerated by the College and may result in disciplinary measures.
9. If necessary The Human Rights Officer, acting on behalf of the Management Committee, may undertake an investigation in order to obtain further information. The documentation pertaining to the investigation will include the name of the complainant and respondent, the details of the incident(s) including dates, time, place, the signature and date of witnesses or persons providing relevant information.
10. The College's Human Rights Officer will communicate the results of the investigation to the Management Committee and the Management Committee will make a decision with regard to the complaint. The decision of the Committee is final and binding and will be provided to the complainant and the respondent of the allegation both in person and in writing.
11. If the College finds that the complaint was valid and that violence, discrimination or harassment has occurred and is of a sufficiently serious nature, the College may take appropriate sanctions including expulsion or dismissal in the case of a student or termination of an employee in the case of a faculty or administrative staff member.
12. All reports of violence, discrimination or harassment will be retained on record by the Colleges Human Rights Officer for a period of five years.
13. The College's official reporting document will contain a description of the violence, discrimination or harassment, the name of the complainant(s), the name of person alleged to

have violated this policy, the investigation undertaken and the manner in which the incident was dealt with.

14. The College's Respectful and Fair Treatment Policy will be reviewed annually by the College's Health and Safety Committee with input from the College's Advisory Committee with respect to reviewing the Colleges compliance and making recommendations as necessary for any proposed changes or modifications.