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## Arkay Contracting Ltd. Bullying and Harassment Policy

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**The following is required reading for all Arkay workers. If a worker has difficulty reading and understanding the following, they are to contact Arkay to ensure comprehension. The reporting of any incident is kept confidential,<sup>1</sup> as per the Personal Information Protection Act (BC).**

This site harassment awareness guide for Arkay workers has several forms and processes for any who feel they are being harassed, observe harassing behaviours, or have any concerns needing clarification. A worker who is feeling harassed cannot focus on their work. A worker observing harassment may have trouble focussing on their work. Workers are reminded to not gossip, bully, harass, discriminate, and waste time, and to develop a respectful work environment for all site workers.

In the WorksafeBC Guidelines:

- Bullying and Harassment refers to 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.
- Certain actions do not constitute Bullying and Harassment such as reasonable action taken by an employer or supervisor relating to management and direction of workers or the place of employment.<sup>2</sup>

***If harassment occurs on the site you are working on, ask yourself, are you going to do something about it or are you going to let this happen to somebody else?***

Arkay takes all forms of bullying, harassment, and discrimination seriously, as zero-tolerance behaviours, and will investigate each reported incident. **Arkay workers can report any incident to Jim Castle, Senior Operations Manager, Taylor Staples, Site Coordinator, and/or Susan Mielke, Principal, and expect that their reporting is confidential.<sup>3</sup>**

Arkay will take the necessary steps to ensure the safety and respect for the worker, and to ensure similar incidents are not repeated from lack of training/worker awareness.

Bullying, harassment, and discriminatory behaviours may result in suspension or termination and may have legal implications.

Arkay also has zero tolerance for the following behaviours: fighting, theft, alcohol or drug use and intentional site damage. Any Arkay worker who engages in these behaviours may expect:

- To be questioned,
- To participate in an investigation, if asked, and
- To explain their conduct, if asked.

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<sup>1</sup> The reporting of incidents is confidential. The investigation may result in some information being provided to investigators to assist in their investigation.

<sup>2</sup> Arkay workers are to refer to the Teachable Moment (TM) of April 2021 for additional information.

<sup>3</sup> If the incident involves minors and/or breaking the law, a worker knows that the proper authorities will be informed.

Arkay is in direct communication with its clients at site level and at the corporate level when necessary; management teams have direct access to each other. The following chart identifies expectations for Arkay management, its clients and Arkay workers:

<b><u>ARKAY</u></b>	<b><u>CLIENT</u></b>	<b><u>WORKER</u></b>
<ul style="list-style-type: none"> <li>• <a href="http://www.arkaycontracting.com">www.arkaycontracting.com</a> is a starting point for any questions a worker may have about all Arkay work environments.</li> <li>• Bullying and Harassment are defined as improper conduct by an individual, that is directed at and offensive to any event or any location related to work, and that the individual knew or ought reasonably to have known would cause harm or offense.</li> <li>• Bullying and Harassment are also defined as a series of incidents but can be one severe incident which has lasting impact on the individual.</li> <li>• <b>Arkay will keep employee information confidential when reporting an incident of discrimination, bullying and harassment in the workplace, to the extent permitted by the investigation process.</b></li> <li>• Arkay recognizes that bullying, harassment, and discrimination can take many forms and will investigate all reported incidents.</li> </ul>	<ul style="list-style-type: none"> <li>• Hires Arkay Contracting and will refer <b>all Arkay workers to contact Arkay management as their employer.</b></li> <li>• Prior to contacting Arkay, the client may have additional responsibilities including arranging for safety and calling 911 if necessary.</li> <li>• Reports any reported zero-tolerance behaviours or incidents.</li> <li>• Site management will not impede the investigation by Arkay.</li> <li>• All questions or queries about discrimination, bullying, harassment, or any zero-tolerance behaviours are to be reported to Arkay.</li> <li>• Any relevant information provided to the site will be made available to Arkay.</li> <li>• The client will address any questions it has with Arkay.</li> </ul>	<ul style="list-style-type: none"> <li>• A worker is expected to promote a hazard free, harassment free, and safe work environment and is responsible for standing up against any situations where a co-worker is harassed or bullied.</li> <li>• Arkay workers are to report any bullying, harassment, and discrimination concerns to Arkay, their employer. They may also inform site management. If they have a supervisor, they may also report to them.</li> <li>• Arkay workers can select which Arkay management team member to report bullying, harassment, and discriminatory incidents to:                         <ul style="list-style-type: none"> <li>- Jim Castle 604-202-4339</li> <li>- Taylor Staples 604-805-1697</li> <li>- Susan Mielke 604-880-4560</li> </ul> </li> <li>• Expects to have questions and concerns heard and addressed.</li> <li>• If a worker is unsure whether they are being bullied or harassed, they have the right to ask for clarification without fear of judgment.</li> <li>• Every Arkay worker can report a harassment incident to the site with the expectation that the reporting will be confidential.</li> <li>• Arkay will keep employee information confidential when reporting an incident of discrimination, bullying and harassment in the workplace, to the extent permitted by the investigation process.</li> </ul>

<ul style="list-style-type: none"> <li>• Criteria Arkay uses to establish whether there was bullying, harassment or discrimination:             <ul style="list-style-type: none"> <li>- BC Labour Code.</li> <li>- Section 13 of BC Human Rights Code prohibits discrimination in the workplace.</li> <li>- The WorkSafeBC Guideline D3-115-2 requires employers to adopt written policies and procedures, and to provide training.</li> </ul> </li> <li>• Harassment and Bullying are zero tolerance behaviours.</li> </ul>	<ul style="list-style-type: none"> <li>• Arkay is the employer. It is the responsibility of the client to inform Arkay of any issues with its workers.</li> <li>• Clients have access to the Arkay OSH manual.</li> <li>• Clients are responsible for promoting a harassment and bully free working environment.</li> </ul>	<ul style="list-style-type: none"> <li>• Arkay suggests the 5 W's (Who, What, Where, When, Why) as well as any other questions or concerns.</li> <li>• The worker will provide accurate and truthful information in their reporting.</li> <li>• Arkay workers have access to the Arkay OSH manual.</li> <li>• Workers are responsible for promoting a harassment and bully free working environment.</li> </ul>
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**Arkay Contracting Ltd.**  
**Workplace bullying and harassment**  
**reporting procedures**

Arkay workers are to follow the steps listed below. All reporting is confidential. Harassment and bullying are part of Arkay’s zero tolerance behaviours. A zero-tolerance behaviour is one where there is no circumstance in which to rationalize, condone or make an excuse for. **All zero tolerance behaviours are to be reported.**

**1. How to report**

Arkay workers can report incidents or complaints of workplace bullying and harassment verbally or in writing. When submitting a written complaint, use the workplace bullying and harassment complaint form. When reporting verbally, the reporting contact, along with the complainant, completes the complaint form.

**2. When to report**

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

**3. Reporting contact**

Report any incidents or complaints to:

Jim Castle	604-202-4339	<a href="mailto:jim@arkaycontracting.com">jim@arkaycontracting.com</a>
Taylor Staples	604-805-1697	<a href="mailto:taylor@arkaycontracting.com">taylor@arkaycontracting.com</a>

**4. Alternate reporting contact**

If the employer, the complainant’s supervisor, or the reporting contact named in Step 3 is the person engaging in bullying and harassing behaviour, contact the site superintendent who will assist.

**5. What to include in a report**

Provide as much information such as the names of people involved, witnesses, where the events occurred, when they occurred, and what behaviour and/or words led to the complaint. Attach any supporting documents such as emails, handwritten notes, or photographs. Physical evidence, such as vandalized personal belongings, can also be submitted.

**6. Annual review**

Reporting procedures will be reviewed on an annual basis. All workers will be provided with a copy.

<b>Date created:</b>	<b>Annual review date:</b>
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## **Arkay bullying and harassment complaint form**

Complete this form or write your own notes and prepare your own documentation to ensure the incident is investigated properly.

<b>Name and contact information of complainant:</b>
<b>Name of alleged bully or bullies:</b>

### **Personal statement**

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 (behaviour and/or words used)
- 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 should also be submitted.

<b>Signature:</b>	<b>Date:</b>
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**Workers are responsible for promoting a harassment and bully free working environment**

List of reports, records, documents related to incident:

**If a worker feels threatened, they are to call 911.**

If workers have any questions, or they want to learn more:

- [www.worksafebc.com](http://www.worksafebc.com)
- Jim Castle, Senior Operations Manager 604-202-4339 [jim@arkaycontracting.com](mailto:jim@arkaycontracting.com)
- Taylor Staples, Site Coordinator 604-805-1697 [taylor@arkaycontracting.com](mailto:taylor@arkaycontracting.com)
- Susan Mielke, Principal [arkay@telus.net](mailto:arkay@telus.net)





## **ARKAY WORKER HOW TO DOCUMENT INCIDENTS OF WORKPLACE BULLYING AND HARASSMENT**

**Workers are to report if bullying and harassment is observed or experienced in the workplace.**

It is the responsibility of a worker to report incidents of workplace bullying and harassment. When reporting bullying or harassment incidents or complaints, workers are encouraged to fill-in the form below and email it to [arkay@telus.net](mailto:arkay@telus.net). The report is confidential. If the report is required by the site or authorities, the worker will be informed.

Date, time, location	People involved (include witnesses)	Describe the situation (words, tone, actions, etc.) and the impact (humiliated, intimidated, etc.)