

IATSE Local 118

Bullying and Harassment

Information and Resources

*Bullying and harassment are not tolerated by the Union or our Employers.
This document helps to identify what constitutes bullying and harassment,
and provides resources and procedures for taking action and/or reporting.*

*This information and resources contained in this document shall be reviewed,
and amended as necessary, by the Executive Board of IATSE Local 118.*

Bullying and Harassment Policy

Adopted by the Membership of IATSE Local 118

March 22, 2021

Whereas, bullying and harassment are not tolerated by the Union or our Employers.

BE IT RESOLVED that the Membership of IATSE Local 118 adopt the following Policy.

IATSE Local 118 is committed to being an organization that is free from bullying and harassment. Any Members engaging in bullying and/or harassing behavior with other Members, co-workers, permittees or employees of IATSE Local 118 while engaged in union or employment activities of any kind shall be in breach of their obligations of membership as outlined in the Constitution and By-Laws of IATSE Local 118. Bullying and/ or harassing behavior shall be considered conduct unbecoming a Member of IATSE Local 118.

Further Information

Everyone deserves a safe and healthy workplace – and that includes a workplace free of bullying and harassment. While it is an Employer’s responsibility to create and enforce anti-harassment policies in their individual workplaces, the Union recognizes that it may be prohibitive for members to investigate the harassment policies for each one of our many Employers. As such, this document is designed to set the standard expectations for all Union members, regardless of the workplace in which they are working on any given day. Recognizing the breadth of our jurisdiction, it is also designed to make it easier to report harassment when working with new or unknown Employers or supervisors.

As stated on the [BC Government website](#), harassment “may be verbal, non-verbal, physical, deliberate or unintended, unsolicited or unwelcome, as determined by a reasonable person. It may be one incident or a series of incidents, depending on the context. Harassment refers to upsetting behaviour or comments that ought to reasonably be known as offensive or unwelcome.” British Columbia human rights laws, through the Human Rights Code, prohibit harassment based on race, colour, ancestry, place of origin, religion, family status, marital status, physical disability, mental disability, sex, age, sexual orientation, political belief or conviction of a criminal or summary conviction offence unrelated to their

employment. As a Union, IATSE has a longstanding commitment to equality, diversity, and anti-discrimination, which can be found on the International's website: [IATSE Equality Statement | IATSE Labor Union](#).

Harassment includes, but is not limited to:

- Actions or comments that are directed at no person in particular but that create an intimidating, demeaning or offensive work environment
- Any objectionable comment, act, or display that demeans, belittles, compromises or causes personal humiliation or embarrassment and any act of intimidation or threat
- Offensive behaviour
- Any of the above expressed or spread through electronic or social media
- Application to all employees on site, regardless of their roles or affiliations

Examples of harassment which will not be tolerated are:

- Verbal or physical abuse
- Threats
- Derogatory remarks, jokes, innuendo, or taunts about any employee's appearance, religious beliefs, colour, place of origin, mental or physical disabilities, ancestry, marital status, family status, source of income, gender, or sexual or gender identity
- Practical jokes that result in awkwardness or embarrassment

Sexual harassment, being discrimination on the grounds of gender, is a violation of the B.C. Human Rights Code. Sexual harassment can include such things as:

- Touching of any sort, including; non-consensual hugs and massages, pinching, patting, rubbing or leering
- "Dirty" jokes
- Pictures or pornographic materials
- Comments, suggestions, innuendoes, requests or demands of a sexual nature, whether indirect or explicit
- Negativity towards gender identity and/or expression

The behaviour need not be intentional in order to be considered harassment.

Please note: when an Employer or supervisor takes appropriate and respectful action to manage and direct workers, it is not bullying and harassment.

Other resources:

- Information for members and Safety Info App: <http://www.iatse.net/iatse-safety>
- WorkSafeBC's Bullying and Harassment resources: <https://www.worksafebc.com/en/health-safety/hazards-exposures/bullying-harassment>
- British Columbia Government sexual harassment laws information resources, including the Human Rights Code: <https://www2.gov.bc.ca/gov/content/careers-myhr/all-employees/working-with-others/address-issue/address-sexual-harassment>
- British Columbia Human Rights Code: https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/00_96210_01

Harassment in the Workplace

Similarly, while it is the Employer's responsibility to receive and respond to complaints or allegations of harassment, the Union recognizes that it can be difficult to identify the Employer representative onsite. Workers may only have met their Employer once, twice, or not at all, and might not have the level of trust or confidence to be able to discuss vulnerable topics such as harassment. In fact, difficulty in finding an Employer representative to report to on site may add further cause for concern. As such, the Union has created the following list of ways in which harassment may be reported:

1. **If safe to do so**, the first step is can be telling the alleged harasser or bully to stop their unwanted actions
2. A direct report to the Employer representative or supervisor on the call
3. A direct report to the Head Carpenter or Crew Chief on the call
4. A direct report to the Shop Steward for the call
5. The IATSE International Safety Hotline
 - 1-844-422-9273 (844-IA-AWARE)
6. The Worksafe BC Hotline
 - 1-888-967-5377
7. An email to the Executive Board as a whole
 - executive@iatse118.com
8. An email to one of our Members-at-Large or any other member of the [Executive](#)

A complaint must be in writing for it to be pursued officially and investigated. A complaint should include the location and date of the incident, as well as the names of both the complainant and the person at whom the complaint is directed. If possible, the complaint should also include the names of anyone who may have witnessed the incident occur.

Witnesses have responsibility to come forward and everyone onsite has a responsibility to cooperate with an investigation.

Complaints received by any of the individuals listed above will be forwarded directly and confidentially to the Employer. Unfortunately, because many of our Employers' individual harassment policies do not allow for anonymous complaints, the Union will only be able to assist with anonymous complaints in exceptional circumstances. If the Employer representative who would be receiving the complaint is the person perpetuating the harassment, the Union can assist by either finding the best person in the organization to contact or (if warranted) by filing a grievance on behalf of the member(s) impacted.

Because Employers are ultimately responsible for the adjudication and resolution of harassment claims, the process for each complaint will be dependent on that Employer's individual policies. However, members facing harassment are encouraged to reach out to the Union for help whenever they feel uncomfortable or unsafe in the workplace.

The Union **will**:

- Pass along complaints to the Employer
- Provide guidance and support to workers in interpreting an Employer's harassment policy or procedure

- Defend workers' rights to a safe working environment through the grievance procedure
- Investigate opening a grievance if the aggrieved employee is not satisfied with the Employer's response
- Maintain a record of any harassment-related disciplinary action by our Employers

The Union **will not**:

- Broker meetings between members due to on-site conflicts
- Mediate harassment settlement or resolution due to on-site conflicts
- Take action on on-site harassment complaints without discipline from an Employer, or without the accused being found guilty by Trial of violating this Policy or the Local's Constitution & Bylaws

Harassment Outside the Workplace

In the event of a harassment-related issue arising between two members outside of the workplace during union activities including but not limited to Union and Union Committee Meetings, and events the members in question may request that one or more individuals on the above list assist them with the informal resolution of the conflict.

When an official written complaint involving a member is issued to the Union from another member and no formal charges are brought forward, the following procedures will be followed:

- a. The member against whom the allegations are made will be notified of the complaint and will receive a copy of the complaint, along with a letter from the Union, stating that the matter is under consideration for investigation and possible action.
- b. Should the member agree with the formal complaint and any conditions set forth by the person making the allegations, a copy of the complaint shall be placed in the member's file and noted as resolved. However, if the Executive feels that the matter is more severe and may need more attention, or the member in question does not agree with any part of the formal complaint the matter shall continue to Article C.
- c. Prior to any disciplinary action being taken, a basic investigation must occur. The investigation must be conducted by a neutral party, who is agreeable to both the member who has received the formal complaint and the Executive. The person who is investigating will then have the right to interview all parties involved and receive a copy of all documentation.
- d. Once an investigation report is completed, a copy will be sent to the members involved, along with a letter stating the decision of the Executive to either proceed with disciplinary discussions or not. The member will then be advised of any disciplinary action or directives to be taken.
- e. It is understood that only basic discipline and remediation action can be issued by the Union. Depending on the severity, if the matter warrants a more severe form of discipline, the Executive or a member needs to formally charge the member in question and/or refer the matter to law-enforcement agencies.
- f. All matters of this nature need to be reported to the membership, but names and personal details shall be kept private and confidential

Throughout this document, permittees shall be understood to have the same rights, protections, and obligations as full members. This document will be posted publicly and applied equitably to anyone working under a Local 118 collective agreement.

March 2021