

“Bullying & Harassment in the Workplace”

A workshop by C. Kilfoil

(This course can be taught as a 1, 1.5 or 2-day version.)

LEARNING OUTCOMES

Participants completing the course will:

1. Understand the meaning of “human rights harassment”; “quid pro quo harassment”; “poison work environment harassment”; “personal harassment”; “psychological harassment”; and “bullying”; as those terms are used from labour relations, human rights, and occupational health and safety perspectives.
2. Understand the relationship between human rights legislation and the collective agreement, including the legal jurisdiction and authority of human rights tribunals and labour arbitrators;
3. Appreciate the broad range of conduct that labour arbitrators are likely to consider to be personal harassment, by examining a representative sample of such arbitration awards;
4. Understand the general principles applicable to workplace harassment including single-incident harassment; the concept of the “workplace” for harassment purposes; harassment via social media; third-party harassment. The employer’s harassment-related responsibilities and the employment hierarchy; harassment-related retaliation; and disciplinary consequences of harassment;
5. Understand the harassment-related rights and obligations of the Employer, the Union, the alleged harassor, the alleged target, and bystanders.
6. Have brainstormed a workplace harassment prevention program.

COURSE DESCRIPTION

This is a case-based introductory course about bullying and harassment in the workplace, intended to raise awareness and understanding of both human rights types of harassment, and personal (or non-human rights) harassment, as well as the related concepts of psychological harassment and bullying, as they arise in employment.

Specific topics covered include the variety of legal prohibitions against workplace harassment; the general principles related to both; harassment via social media; third party harassment; harassment-related responsibilities of the Employer, the Union and the worker; and the creation of a harassment prevention program.

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COURSE DESCRIPTION *(Continued)*

The initial focus will be on human rights harassment and will examine the applicable anti-harassment legislation, its relationship to the collective agreement and the general principles applicable to this type of harassment. The course will examine the grey zone between harassment and management rights and harassment and conflict, etc. Group exercises will be conducted at various times during the course, to insure that participants can apply the knowledge to concrete situations.

Though referencing same, this is NOT a conflict resolution course, nor a skills-building course. The focus is on the identification of workplace harassment and the understanding of the principles that have been developed that apply to it, referencing case law, contractual, human rights and occupational health and safety contexts.