

# How to recognize Workplace bullying and harassment

The *Workers Compensation Act* explains the rights and responsibilities of employers and workers as they relate to workplace health and safety. These obligations include preventing and addressing workplace bullying and harassment, as outlined in WorkSafeBC's Occupational Health and Safety (OHS) policies D3-115-2, D3-116-1, D3-117-2. Under these OHS policies, employers must train supervisors and workers to recognize the potential for bullying and harassment in the workplace.

## Definition

WorkSafeBC's OHS policies use the phrase "bullying and harassment" as a single term, which:

- (a) includes 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 or intimidated, but
- (b) excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment.

Intent does not determine whether the behaviour is bullying and harassment. A person cannot excuse their behaviour by saying he or she did not intend it to be humiliating or intimidating.

## Examples of bullying and harassment

Not all inappropriate, offensive, or disrespectful conduct is bullying and harassment. The behaviour must be humiliating or intimidating to be considered bullying and harassment. The following are some examples of behaviour or comments that might suggest bullying and harassment is taking place:

- verbal aggression or insults; calling someone derogatory names
- vandalizing personal belongings
- sabotaging someone's work
- spreading malicious gossip or rumours
- engaging in harmful or offensive initiation practices
- physical or verbal threats (this could also constitute "violence" or "improper activity or behaviour" under the Occupational Health and Safety Regulation)
- making personal attacks based on someone's private life and/or personal traits
- making aggressive or threatening gestures

This is not a complete list. Other, more subtle behaviours, such as patterns of targeted social isolation, might also be considered bullying and harassment if they're humiliating or intimidating, and they fit the definition of bullying and harassment set out in the OHS policies. When assessing a situation to determine if bullying and harassment is taking place, always consider the context.

If workers believe a bullying and harassment incident has occurred, they must report it. For guidance or more information, talk to a manager, a Human Resources representative, or a union representative. To report a complaint, workers should also review and follow their employer's procedures on reporting workplace bullying and harassment.

### What is not bullying and harassment?

Not every unpleasant interaction, instance of disrespectful behaviour, or workplace conflict is considered bullying and harassment. Examples of behaviours that may not be bullying and harassment, if undertaken in an appropriate manner, include:

- expressing differences of opinion
- offering constructive feedback, guidance, or advice about work-related behaviour and performance
- making a legitimate complaint about someone's conduct through established procedures

Bullying and harassment should not be confused with exercising managerial authority. Examples of reasonable management action might include decisions relating to the following:

- job duties or the work to be performed
- workloads and deadlines
- layoffs, transfers, promotions, and reorganizations
- work instructions, supervision, or feedback
- work evaluation
- performance management
- discipline, suspensions, or terminations

When it's provided in a respectful manner, appropriate feedback to help staff improve performance or behaviour is not bullying and harassment. However, managers and supervisors should ensure performance problems are identified and addressed in a constructive, objective way that does not humiliate or intimidate.

### Resources and additional information

**WorkSafeBC prevention information line**  
1.888.621.7233

**Employers' Advisers Office**  
[www.labour.gov.bc.ca/eao/](http://www.labour.gov.bc.ca/eao/)

**Workers' Advisers Office**  
[www.labour.gov.bc.ca/wab/](http://www.labour.gov.bc.ca/wab/)

WorkSafeBC has created a package of tools and resources to help workplace parties prevent and address workplace bullying and harassment. Access the online tool kit and OHS policies at [www.worksafebc.com/bullying](http://www.worksafebc.com/bullying).