



Guideline for preparing a company policy on psychological harassment at work

A company policy seeks to convey the employer's commitment to preventing and putting a stop to psychological harassment. This policy helps mobilize senior management and all employees of the organization around the objectives that have been set. This guideline presents the various aspects generally found in a policy.

A company policy is part of a global vision. It will be in keeping with the values or other policies already in effect. For these reasons and also because the means available to the undertaking vary, a psychological harassment policy should be adapted to the specific context of the undertaking. Preferably, the preparation of this policy will give rise to consultations with staff members or associations representing employees.

1. Policy's objectives

The policy's objectives state the purpose of the policy, i.e. to prevent and put a stop to psychological harassment in the workplace. The objectives are clearly defined and are in line with the means listed. The policy should be applied uniformly to all personnel.

2. Employer's commitment

Senior management clearly states its willingness, which must be constant over time, to prevent and put a stop to psychological harassment in the workplace. This commitment may be stated as follows:

The employer agrees to:

- offer an environment that is free from psychological harassment;
- promote respect between individuals;
- safeguard the personal dignity of employees;
- protect the physical and psychological integrity of personnel;
- promote a harmonious work environment, etc.

3. Scope

The scope refers to the persons protected by the policy. The legislative provisions concerning psychological harassment apply to all unionized and non-unionized employees as well as to managers of all levels of the organizational hierarchy including senior managers. It is also possible to clarify which persons are protected by the company policy and by the Act respecting labour standards depending on their employment status (permanent, temporary, part-time, etc.).

It may also be specified that employees are protected by the policy, regardless of whether their work environment is the physical place where they perform their tasks or any other place where they are called upon to work.

4. Definition

It is important that the policy refer to the legislative definition that reads as follows:

Any vexatious behaviour in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures, that affects an employee's dignity or psychological or physical integrity and that results in a harmful work environment for the employee.

A single serious incidence of such behavior that has a lasting harmful effect on an employee may also constitute psychological harassment.

In order to better grasp the scope of this definition, it is advisable to mention in the policy that the definition includes sexual harassment at work as well as harassment related to one of the grounds found in section 10 of the Charter of Human Rights and Freedoms. These grounds are race, colour, sex, pregnancy, sexual orientation, civil status, age except as provided by law, religion, political convictions, language, ethnic or national origin, social condition, a handicap or the use of any means to palliate a handicap.

Examples of what does not constitute psychological harassment may be added to make it easier to understand the definition, for example a conflict at work between two employees, work-related stress, difficult professional constraints or the normal exercise of management rights (management of the regular presence of employees, organization of work, misdeeds punished by a disciplinary sanction, etc.).



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5. Roles and responsibilities

The policy will specify the roles and responsibilities assumed by the persons concerned.

For the employer, the board of directors or senior management:

- assume responsibility for the policy;
- make a commitment to prevent and put a stop to psychological harassment and adopt the means to take action;
- support managers;
- designate the person who will be assigned to the application of the policy and determine the hierarchical level he will report to.

For managers:

- make employees aware of their individual responsibility for ensuring that the workplace is free from psychological harassment;
- detect risk factors, preferably in cooperation with the employees of the work unit;
- decide on the measures to be taken to prevent identified risk situations in their work unit from leading to psychological harassment, and do a follow-up;
- intervene in an informal manner to resolve risk situations and consolidate the work unit if necessary;
- decide on the measures to be taken following an intervention.

For persons assigned to the application of the policy:

- generally receive requests for intervention or complaints on behalf of the employer;
- inform employees about the company policy on psychological harassment;
- make employees aware of their individual responsibility for ensuring that the workplace is free from psychological harassment;
- refer employees to specialized resources for support;

- intervene in an informal manner to resolve conflict situations;
- decide, following a request for intervention or a complaint, on the nature of the intervention to be made;
- designate the person who will intervene as a mediator or an investigator.

For the Human Resources Department or, in the absence of such a department, for the person designated as a specialist in this field for the undertaking:

- advise and train managers in the field of management and psychological harassment at work;
- train the employees who will act as mediator or investigator;
- manage the employee assistance program;
- refer to specialized resources for support;
- advise senior management and managers when it comes to discipline;
- coordinate the consultative committee set up to prevent psychological harassment.

For employees:

- contribute through their behaviour to ensuring a work environment that is free from psychological harassment;
- respect the persons with whom they interact as part of their work;
- participate in consultation mechanisms put in place by the employer to prevent psychological harassment.

For unions or associations representing employees:

- prevent psychological harassment in cooperation with the employer. The consultation mechanisms put in place will be adapted to the workplace according to whether it is unionized or non-unionized. It may involve a psychological harassment prevention committee, a committee on quality of life in the workplace, a professional relations committee, a health committee, etc.



6. Procedure for informing the employer

The employer informs employees of the procedure that he has put in place to be notified of a psychological harassment situation in the undertaking.

The policy should specify the possible ways of notifying the employer. The complaint or the request for intervention could be conveyed to the employer verbally or in writing, in the form of a letter or a form provided for this purpose by the employer.

The employer will make known the name of the person designated to receive requests for intervention or complaints dealing with psychological harassment. The credibility of this designated person will be established within the undertaking so that any person who believes that he is a victim will not hesitate to turn to this designated person.

In this regard, the employer could indicate that a person must not resort to this procedure with a view to laying false accusations or undermining others, due to the major prejudice that such conduct could cause to the persons in question.

7. Principles guiding the employer's interventions

The employer will announce the principles that will guide his formal or informal interventions. These guiding principles will be known to all. They will aim to establish a climate of trust and to offer guarantees to those persons who turn to the employer to put a stop to a psychological harassment situation.

8. Nature of the interventions

The employer will describe the possible types of intervention that he plans to favour to put a stop to a psychological harassment situation. Depending on the nature of the situation brought to his attention and how far it has evolved, the employer will choose the suitable type of intervention (generally mediation or investigation).

The employer will also determine if, generally, he will resort to in-house or external resources to carry out the investigations and mediation. He will also need to determine if these are resources that are already specialized or internal resources trained to intervene, upon request, in addition to their usual tasks.

In the case where the employees of the undertaking are covered by a collective agreement, the employer will determine if his interventions complement or are in parallel to those stipulated in the collective agreement in force.

9. Measures

The employer can present the type of measures that he intends to offer the persons who are coping with psychological harassment. These measures may be intended for the victim, but also the witness, the harasser or the person who – at the end of an intervention – is not considered a harasser.

It may be difficult to anticipate the measures that will be offered as they will often be chosen based on the situation experienced. These measures may help to re-establish the person's physical or psychological integrity, or contribute to the employee's reintegration in the workplace. They may consist of training, professional assistance or relate to the organization of work.

If there is an employee assistance program, the employer will offer available support services dealing with psychological harassment at work.

10. Evaluation and revision

The employer will make sure that the policy is understood, respected and used wisely.

An assessment of the application of the policy will be planned and the frequency will be determined in this chapter. The employer will evaluate if the elements of the policy produce the anticipated results and, where applicable, he will make the necessary changes. The employer may also consult employees or associations representing them to obtain their annual evaluation of the application of this policy.

Depending on the results of the assessment and evaluation, the employer will determine if he will revise certain aspects of his policy.