

**SOUTHGATE CONDOMINIUM ASSOCIATION**

**POLICY RESOLUTION NO. 02-2023**

**(Bullying & Harassment Policy)**

**WHEREAS**, Article XI, Section 5 of the Bylaws grants the Board of Directors the authority to adopt and amend any reasonable Rules and Regulations; and

**WHEREAS**, the Board of Directors has determined that there is a need to amend its Rules and Regulations;

**FURTHERMORE**, it is to the benefit of all owners and residents that the Association adopt and implement a written policy regarding bullying & harassment.

**NOW, THEREFORE, BE IT RESOLVED:**

The Board hereby amends the Rules and Regulations to include bullying & harassment policy.

**Southgate Bullying and Harassment Policy**

Southgate is committed to providing a working environment that is free of harassment and bullying and where everyone is treated and treats others with dignity and respect. Southgate will not permit or condone any form of bullying or harassment.

This policy covers bullying or harassment of or by anyone engaged in working at Southgate and also by third parties such as Southgate residents, customers, or suppliers. The policy encompasses bullying or harassment that occurs in the workplace.

**What is harassment?**

Harassment is any unwanted physical, verbal, or non-verbal conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment for that person. A single incident of this nature can amount to harassment if sufficiently serious.

Unlawful harassment may involve sexual harassment, or it may be related to any other of the Protected Characteristics detailed in our Equal Opportunities policy (age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, color, nationality, ethnic or national origin, religion or belief, sex or sexual orientation). Southgate's stance is that harassment is unacceptable, whether or not it is targeted at any of these categories.

Examples of harassment may include (but are not limited to) the following:

- Display or circulation of sexually suggestive material or material with racial overtones;
- Use of slang names for racial groups, age groups, or for disabled persons;
- Professional or social exclusion;
- Unwanted physical conduct, such as touching, pinching, pushing, and grabbing;
- Unwelcome sexual advances or suggestive behavior;
- Offensive emails, text messages, or social media content.

It is important to note that harassment occurs even if the harasser perceives their behavior as harmless, without malice, or 'just a bit of fun.' What matters is how the behavior makes the recipient feel and not what the

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perpetrator's intentions were. Also, a person may be harassed even if they are not the intended 'target' of the behavior. For example, a man may be harassed by sexist jokes about women if the jokes create an environment that is offensive to him.

### **What is bullying?**

Bullying is a sustained form of psychological abuse. It is defined as offensive, intimidating, malicious, or insulting behavior involving the abuse or misuse of power, which has the purpose or effect of belittling, humiliating, or threatening the recipient.

Workplace bullying usually takes one of three forms: physical, verbal, or indirect. It can range from extreme forms, such as violence and intimidation, to less obvious actions, such as professional or social exclusion.

Examples of bullying may include (but are not limited to) the following:

- Shouting or swearing at people in public or private;
- Spreading malicious rumors;
- Inappropriate derogatory remarks about someone's performance;
- Physical or psychological threats;
- Constantly undervaluing effort;
- Rages, often over trivial matters;
- Ignoring or deliberately excluding people;
- Overbearing and intimidating levels of supervision;
- Deliberately sabotaging or impeding work performance.

Legitimate, reasonable, and constructive criticism of a team member's performance or behavior, or reasonable instructions given to an employee in the course of their employment, will not amount to bullying on their own.

### **Formal procedure**

When a team member feels that they need to deal with an issue of harassment or bullying formally, they should contact the Southgate Board of Directors.

Southgate Board of Directors will investigate complaints in a timely, confidential, and sensitive manner. Details of the investigation, and the names of the people involved, will only be disclosed on a 'need to know' basis. Southgate BOD will consider whether any steps are necessary to manage the ongoing working relationship between you and the person accused during the investigation.

Once the investigation is complete, Southgate will inform both parties (separately) of our decision. Whether or not your complaint is upheld, we will consider how best to manage any ongoing working relationship between you and the person concerned.

### **Consequences of a breach of this policy**

If after the Southgate BOD investigates that a team member has been harassed or bullied by an employee, the matter will be dealt with under the disciplinary procedure as a case of possible misconduct or gross misconduct. The person concerned may be suspended on full pay during the disciplinary investigation until any eventual disciplinary proceedings have been concluded. If the complaint of bullying or harassment is upheld, a disciplinary penalty may be imposed up to and including dismissal, depending on the seriousness of the offense and all relevant circumstances.

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If it is found that a third party has harassed an employee, such as a Southgate resident, customer, supplier, or independent contractor, Southgate will take such steps as are reasonably practicable to prevent any recurrence. For example, the 3<sup>rd</sup> party may be prohibited from visiting the Southgate management office without a pre-approved appointment that will include the attendance of a Southgate BOD member.

**Protection and support for those involved**

Team members who make complaints in good faith or participate in any investigation must not suffer any form of retaliation or victimization. Any employee engaged in retaliation will be subject to disciplinary action.

**How we can all help to stop bullying and harassment**

We all have a shared responsibility to help create and maintain a working environment free of bullying and harassment. You can do this by:

- Considering how your behavior may affect others and changing it;
- Being receptive, rather than defensive, if asked to change your behavior;
- Treating your colleagues with dignity and respect;
- Taking a stand if you think inappropriate jokes or comments are being made;
- Making it clear to others when you find their behavior unacceptable;
- Intervening, if possible, to stop harassment or bullying and giving support to victims;
- Reporting harassment or bullying to the Southgate BOD;
- Being open, honest, and objective in any investigation of complaints.

**EFFECTIVE DATE OF RESOLUTION**

The effective date of this Resolution shall be \_\_\_\_\_ July 31, 2023 \_\_\_\_\_.

I hereby certify that this Administrative Resolution was duly adopted by the Board of Directors on \_\_\_ July 31, 2023 \_\_\_\_\_.

SOUTHGATE CONDOMINIUM ASSOCIATION

BY: James S. Teklinski  
James S. Teklinski, Board President

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Duly adopted by the Board of Directors on July 31, 2023.

Motion by: Jodi MacMillan

Seconded by: Andrew Leser

<i>VOTE:</i>	<i>YES</i>	<i>NO</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>James Teklinski, President</i>	X			
<i>Brenda Baker, Vice President</i>	X			
<i>Andrew Leser, Secretary</i>	X			
<i>Jodi MacMillan, Treasurer</i>	X			
<i>Mary Suelzer, Director</i>	X			