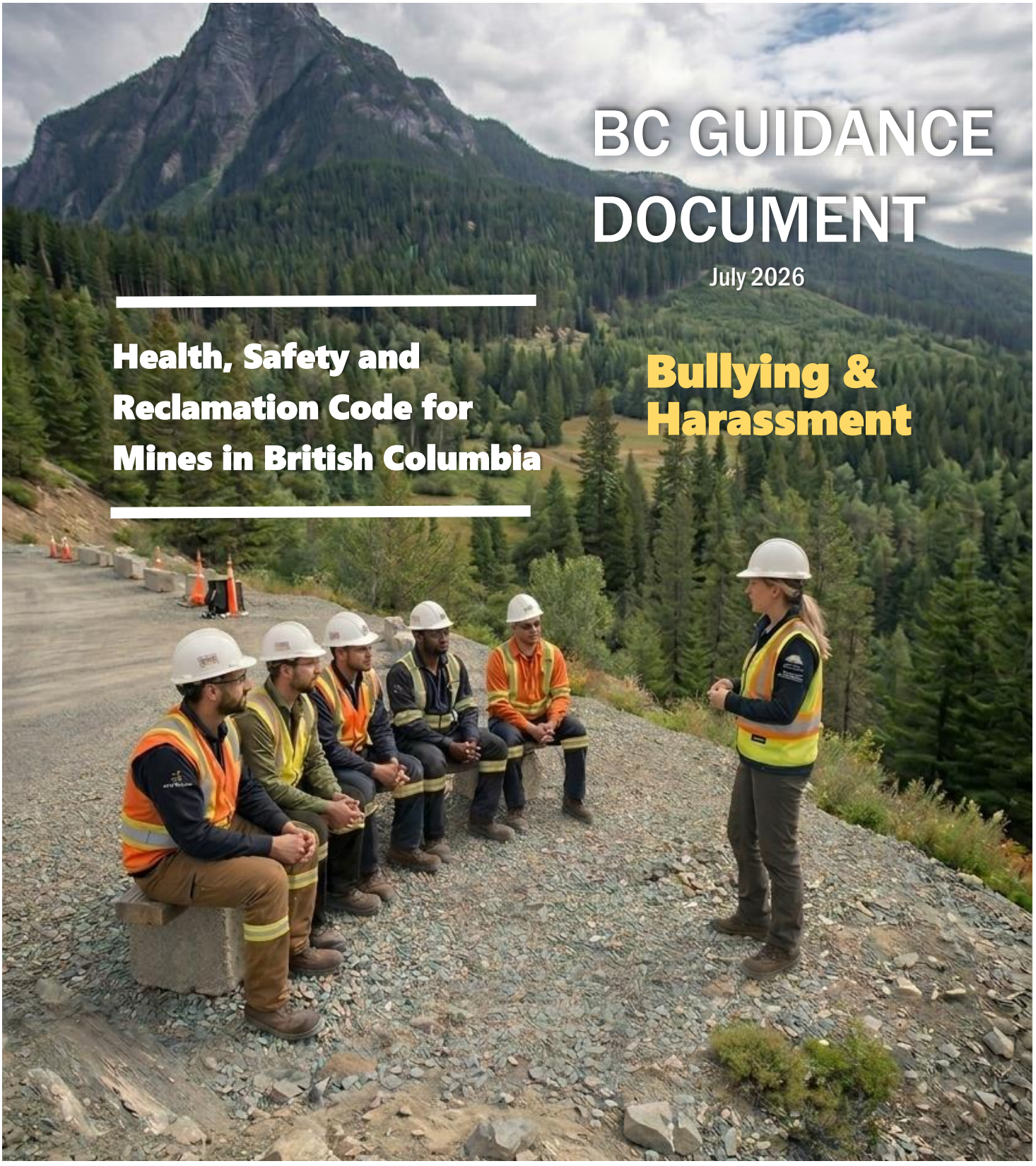
BC GUIDANCE DOCUMENT

July 2026

Health, Safety and Reclamation Code for Mines in British Columbia

Bullying & Harassment



BRITISH COLUMBIA

Ministry of Mining and Critical Minerals

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Purpose of Guidance Document

This document provides guidance regarding the revisions to the Health, Safety and Reclamation Code for Mines in British Columbia (the Code) related to bullying & harassment, sexual harassment, and violence on mine sites.

This guidance document is intended to be general and not prescriptive in nature and provides context to clarify the Code requirements. The provisions of the *Mines Act* and the Code prevail in cases where differences may occur in interpretations of the guidance.

The responsibility and authority for interpretation of this guidance document rests with the Chief Inspector or Mines.

Background

The Health, Safety and Reclamation Code for Mines in British Columbia (the Code) has been updated to include new definitions and new requirements for preventing and addressing bullying and harassment, sexual harassment, and violence on mine sites. Previously, the Code did not address these types of issues. The Code Review Committee identified this as a gap and recommended this topic be undertaken to modernize the Code and align it with current workplace health and safety standards. These additions set clear expectations for mine operators to have a prevention program, training, and reporting processes in place to ensure respectful and safe work environments.

New Definitions

"Bullying and harassment" means any improper conduct, comment, display, action or gesture by a person towards another person that the person knows, or reasonably ought to know, will cause the other person physical or psychological injury or illness, or to be humiliated or intimidated, but excludes any reasonable action taken by an employer or supervisor relating to the management and direction of employees or the place of employment.

Guidance

The definition for bullying and harassment includes conduct that creates a reasonable potential to cause physical or psychological injury or illness, or to result in humiliation or intimidation, regardless of whether those outcomes occur.

Interactions that may constitute bullying and harassment may include, but are not limited to:

- Targeted practical jokes or teasing meant to embarrass, upset, or undermine a person.
- Insulting, belittling, or ridiculing someone, including name calling, mocking, or using profanity directed at them, especially in front of others.
- Spreading harmful rumours or gossip or sharing derogatory information intended to damage someone's reputation.
- Public humiliation or hostile criticism, including demeaning comments about a person's work or character that are not related to legitimate performance management.

- Sabotaging someone's work, such as interfering with tasks, altering documents, or withholding information or resources they need to perform their job.
- Excessive or unwarranted criticism, especially when persistent, personal, or intended to undermine confidence.
- Misusing authority to intimidate, such as assigning impossible deadlines or workloads as punishment or coercion (excluding reasonable management actions).
- Intimidating or threatening body language, such as hovering, standing over someone, or using gestures meant to instill fear.

Reasonable action taken by the employer or supervisor means legitimate steps taken to manage and direct employees or the workplace:

- Setting workplace expectations.
- Providing constructive feedback.
- Addressing performance issues.
- Implementing organizational changes—when these actions are fair, proportionate, follow established policies and procedures, and are delivered respectfully.

Reasonable action does **not** include behavior that humiliates, intimidates, or targets an individual, such as yelling, public shaming, personal attacks, or arbitrary decisions without due process. The key distinction is that reasonable action focuses on work-related issues and is carried out professionally; while bullying and harassment involve conduct that causes harm or humiliation.

This definition is provided to help support revisions to the health and safety program under 1.6.9 of the Code to include a bullying and harassment program.

"Sexual harassment" means

(a) any vexatious comment or conduct by a person towards another person relating to the other person's sex, sexual orientation, gender identity or gender expression that the person knows, or reasonably ought to know, will be unwelcome, or

(b) any sexual solicitation or advance by a person towards another person in circumstances in which the person

(i) knows, or reasonably ought to know, the sexual solicitation or advance will be unwelcome, and

(ii) is in a position to confer, grant or deny a job benefit or advancement to the other person.

Guidance

Interactions that may constitute sexual harassment include, but are not limited to:

- Unwelcome sexual comments, jokes, or remarks about a person's appearance; requests for sexual favors or pressure for dates.
- Displaying or sharing sexually suggestive images or materials in the workplace.

- Unwanted physical contact, such as touching, hugging, or brushing against someone.
- Repeated or intrusive questions about someone's personal or sexual life.
- Sending sexually explicit or suggestive messages, emails, or texts.
- Making threats or promises in exchange for sexual cooperation.

Sexual harassment is prohibited under the BC Human Rights Code as a form of sex discrimination, but certain behaviours can also constitute criminal offences under the Criminal Code of Canada. Employers and employees should understand that workplace sexual harassment can cross into criminal territory when it involves unwanted physical contact, threats, coercion, or actions that cause fear for personal safety.

This definition is provided to help support revisions to the health and safety program under 1.6.9 of the Code to include a bullying and harassment program.

"Violence" means

(a) any use, or attempt to use, physical force by a person towards another person that causes, or intends to cause, physical injury to the other person, or

(b) any threatening statement or behaviour by a person towards another person that gives the other person reasonable cause to believe that the other person is at risk of physical injury.

Guidance

Both acts of physical force and verbal or behavioural threats of harm are covered by the definition for violence. This definition includes situations where there is a reasonable potential for physical injury, whether arising from the use or attempted use of force or from threatening statements or behaviour, regardless of whether injury occurs.

Violent physical force includes, but is not limited to:

- Pushing, shoving, grabbing, or hitting another person.
- Kicking, tripping, or attempting to strike someone with a hand or object.
- Throwing objects directly at a person with intent to harm.
- Using tools, equipment, or weapons to apply or attempt to apply force.
- Physically restraining or tackling someone in an aggressive manner.

Violent verbal threats include, but are not limited to:

- Stating an intention to physically harm someone (e.g., "I'm going to hurt you").
- Threatening to hit, push, or otherwise attack another person.
- Implied threats of harm, such as saying, "You'll regret this" in a menacing tone.
- Threatening to damage someone's property as a means of intimidation.
- Using aggressive language that communicates a credible risk of physical injury.

Violent behavioural threats include, but are not limited to:

- Advancing toward someone aggressively, such as stepping into their personal space with clenched fists.
- Raising a hand, fist, or object in a striking position, even if no contact is made.
- Throwing or slamming objects near someone in a way that implies potential harm.
- Blocking a person's exit while acting aggressively.
- Following or cornering someone in a menacing manner.
- Gesturing violently, such as mimicking hitting, choking, or grabbing.
- Staring someone down with intimidation, combined with aggressive body language (e.g., puffed chest, tense posture).
- Driving or operating equipment in a threatening way, such as intentionally revving, edging forward, or using it to intimidate.

Violent acts can also constitute criminal offences under the Criminal Code of Canada. While workplace violence policies address threats and physical force as safety hazards, behaviours such as assault, including attempts or threats to apply force without consent, and uttering threats to cause bodily harm or death, are criminal offences.

This definition is provided to help support revisions to the health and safety program under 1.6.9 of the Code to include a bullying and harassment program.

New Code Language

Revisions to the Health & Safety Program under 1.6.9

1.6.9 (1) The manager must ensure that a Mine Health and Safety Program is developed and implemented that includes the following sections

NEW

1.6.9 (1) (i) a program to address bullying and harassment, sexual harassment, and violence, which program includes

- (i) establishing procedures for reporting and investigating complaints,
- (ii) training supervisors and workers about the program,
- (iii) a process to ensure that, after the training referred to in subparagraph (ii), supervisors and workers are kept aware of the program,
- (iv) educating visitors about the program on entering the mine, and
- (v) ensuring contractors are trained about the program on or before entering the mine.

(2) The manager must ensure that the OHSC

- (a) reviews the Mine Health and Safety Program, including OHSC Training, for completeness and effectiveness on an ongoing basis, and
- (b) submits its findings to the manager.

Guidance:

1.6.9 (1) (i) The Bullying and Harassment, Sexual Harassment, and Violence Program

This section of the Code requires that a program addressing bullying and harassment, sexual harassment, and violence is included as part of the Mine Health and Safety Program.

Because bullying, harassment, sexual harassment, and violence can present in different ways within a mining environment, having a clear and well understood program that focuses on prevention, training, ongoing education as well as reporting can help workers and supervisors recognize behaviors of concern early and respond in a thoughtful and supportive manner.

Integrating these concepts into the broader health and safety framework can contribute to a culture where respectful interactions are reinforced and where individuals feel supported in bringing forward concerns.

1.6.9 (1) (i) (i) Reporting and Investigating Complaints

A strong program benefits from having clear and accessible ways for workers to raise concerns related to bullying, harassment, sexual harassment, or violence. When workers know that there are established avenues for bringing forward concerns, it can help foster confidence that issues will be acknowledged and taken seriously. This clarity can also contribute to an environment where individuals feel supported in speaking up.

Providing information about how complaints are reviewed and followed up can help promote consistency and fairness within the program. Describing the general principles that guide this process, such as impartiality, appropriate communication, privacy considerations, and follow-up expectations, can contribute to a transparent approach that supports everyone involved. Together, these elements may help reinforce a respectful environment where concerns are acknowledged and addressed in a timely and considerate manner.

1.6.9 (1) (i) (ii) Training Supervisors and Workers

Training can play an important role in helping supervisors and workers understand the purpose and expectations of the bullying, harassment, sexual harassment, and violence prevention program. Providing information about the purpose of the program and the behaviors it is intended to address can help build a shared understanding across the workforce. When individuals are familiar with the concepts of bullying, harassment, sexual harassment, and violence, they may be better equipped to recognize concerns and understand the importance of raising them.

Training can also help reinforce the mine's commitment to a respectful and safe workplace. Ensuring that workers and supervisors are aware of the program's intent, expectations, and the principles that guide it can contribute to a culture where respectful interactions are valued and concerns are taken seriously.

1.6.9 (1) (i) (iii) Ongoing Awareness

Ongoing awareness activities can help keep the program visible and reinforce expectations over time. Keeping the program visible over time can help reinforce expectations and ensure that workers remain familiar with the principles it promotes. Regular reminders or communication can support continued understanding of the behaviours addressed by the program and the importance of speaking up when concerns arise. Examples of ways to maintain ongoing awareness of the program may include periodic refreshers, toolbox talks, posters, digital reminders, or other approaches determined by the mine.

Sustained awareness also provides opportunities to share updates or changes to the program as they occur. This ongoing visibility can help maintain a consistent and supportive environment where respectful conduct is emphasized.

1.6.9 (1) (i) (iv) Educating Visitors

This requirement includes providing visitors with information about the program when they enter the mine. Offering visitors a brief overview of expected conduct and the mine's commitment to a respectful environment can help ensure that everyone on site is aware of the standards in place. Even a short introduction can support consistency in how behaviors are understood and addressed.

By making visitors aware of the program, the mine reinforces its expectations for respectful interactions among all individuals on site. This contributes to a workplace atmosphere where inappropriate behaviours are recognized as unacceptable, regardless of a person's role or duration of stay.

1.6.9 (1) (i) (v) Ensuring Contractors Are Trained

Contractors often work alongside mine employees and can benefit from receiving information about the program before beginning their activities on site. This emphasizes the expected conduct of contractors is no different than that of other employees and that contractors are empowered to report concerns to the mine as well.

Providing contractors with information about the program helps support consistent expectations across all personnel working on site. When contractors understand the behaviors addressed by the program and the mine's commitment to a respectful environment, it can contribute to a cohesive and supportive workplace culture.

Ensuring that contractors are familiar with the program before beginning work can also help promote alignment between contractor practices and the mine's broader health and safety expectations. This shared understanding supports respectful interactions and helps create a safer and more inclusive work environment.

1.6.9 (2) (a) Review by Occupational Health and Safety Committee (OHSC)

Regular review of the Mine Health and Safety Program by the OHSC can help ensure that the program continues to reflect current conditions, practices, and needs within the mine. When the committee is engaged to contribute to the program's content and intent, it can better identify areas that may benefit from clarification, enhancement, or further attention.

Ongoing review also supports continuous improvement. As workplace conditions evolve, the committee's observations and insights can contribute to keeping the program relevant, comprehensive, and aligned with the mine's overall approach to health and safety.

1.6.9 (2) (b) Occupational Health and Safety Committee Findings

Sharing the committee's observations with the manager helps ensure that the results of the review are communicated clearly and are taken into account during health and safety decision-making. This exchange of information supports transparency and helps maintain alignment between the committee's work and the mine's broader health and safety objectives.

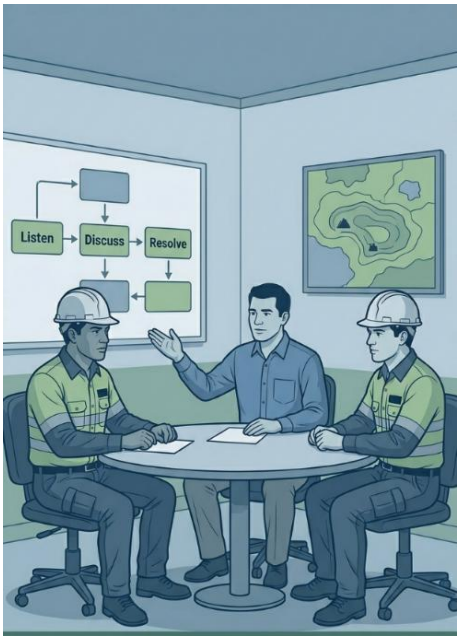
Providing findings to the manager also reinforces the collaborative nature of the OHSC's role. When the committee's perspectives are formally communicated, it can help support ongoing dialogue about potential improvements and contribute to a shared understanding of the program's effectiveness.

Revisions to Improper Conduct under 3.1.3

Improper Conduct

3.1.3 A person must not engage in any improper or foolhardy behavior such as bullying and harassment, sexual harassment, violence, horseplay, scuffling, fighting, playing practical jokes, or other conduct that might create or constitute a hazard to the person or any other person.

Guidance: This requirement addresses issues related to improper conduct at mine sites. Recognizing the impact that behavior can have on health and safety helps reinforce the importance of maintaining a respectful and responsible workplace. When individuals understand that certain actions can introduce risk, whether physical risk or psychosocial risk, it supports a shared commitment to conduct that protects both themselves and those around them. This awareness contributes to a work environment where safety is upheld not only through procedures and equipment, but also through day-to-day interactions.



Highlighting the types of behavior that may create hazards can also help set clear expectations across the workforce. When workers are familiar with the kinds of actions that fall under improper conduct, it can encourage thoughtful decision making and reduce the likelihood of situations that compromise safety. This clarity supports a culture where respectful and safe behavior is consistently reinforced.