

**CATEGORY:** Human Resources

**POLICY NO.:**

**SUBJECT:** Occupational Health & Safety  
Workplace Harassment Policy

**PAGES:** 6

**APPROVED BY:** [Click here to enter text](#)

**DATE:** 13-Sep-17

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## PURPOSE

To ensure that all employees of [Click here to enter text](#) have a work environment that is free of bullying, discrimination, and harassment (personal or sexual) and to outline procedures to be followed in the event of such incidents.

## POLICY STATEMENT

[Click here to enter text](#). is committed to providing a work environment in which all workers are treated with respect and dignity. Workplace harassment will not be tolerated from any person in the workplace (including customers, clients, other employers, supervisors, workers and members of the public, as applicable).

Reasonable action taken by the employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.

## DEFINITIONS

### Workplace Harassment

Workplace harassment means engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome, or workplace sexual harassment.

### Workplace Sexual Harassment

Workplace sexual harassment means:

- engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or

- making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome

## Workplace

Means any land, premises, location or thing at, upon, in or near which a worker works

## Workplace Bullying

Repeated and persistent negative acts towards one or more individuals, which involve a perceived power imbalance and create a hostile work environment. Behavior that may constitute bullying includes:

- Spreading malicious rumors, gossips, innuendo that is not true;
- Excluding or isolating someone socially;
- Intimidating a person;
- Teasing or gestures, which can cause embarrassment;
- Removing areas of responsibility without cause;
- Establishing impossible deadline setting an individual to fail;
- Withholding necessary information or purposefully giving the wrong information;
- Making jokes that are obviously offensive by spoken word or email;
- Criticizing a person persistently or constantly; or
- Belittling a person's opinion.

## Discrimination

The differential treatment of an individual or group of individuals which is based, in whole or in part, on one of more than one of the prohibited grounds of discrimination, and which thus has an adverse impact on the individual or group of individuals.

# ROLES & RESPONSIBILITIES

## Employer

- Shall prepare a written policy with respect to workplace harassment and develop and maintain a program to implement the policy. The policy must be reviewed as often as is necessary, but at least annually.
- Ensure the Workplace Harassment policy is posted at a conspicuous place.
- Deal with situations involving harassment in an expeditious manner and fair treatment of all parties involved in a harassment complaint
- Managers, supervisors and workers are expected to adhere to this policy, and will be held responsible by the employer for not following it.
- Address any systemic harassment issues through such mechanisms as education, provision of counseling services, and apply the corrective action process when applicable

## Manager/Supervisor

- Provide a worker with information and instruction that is appropriate for the worker on the contents of the policy and program
- Investigate and deal with all complaints or incidents of workplace harassment in a fair and timely manner.
- Information provided about an incident or about a complaint will not be disclosed except if necessary to protect workers, to investigate the complaint or incident, to take corrective action or as otherwise required by law.
- Implement this policy and communicate to all employees that harassment in all of the forms outlined above, is prohibited by [Click here to enter text](#). Any individual(s) in violation of this policy will be subject to discipline up to and including termination.

## Workers, Contract Labour, Volunteers, & Students

All workers in the workplace, up to and including the Employer, as well as those individuals working for [Click here to enter text](#). on a contract, temporary or volunteer basis will ensure the following:

- Promptly report any incidents of workplace harassment to (specify the person)
- Understand and comply with the workplace harassment prevention policies and related procedures.
- Participate in education and training programs pertaining to harassment in the workplace

Participate in the investigation of harassment complaints.

Workers will not to be penalized or disciplined for reporting an incident or for participating in an investigation involving workplace harassment.

If a worker needs further assistance, he or she may contact [insert union (if any), JHSC or health and safety representative (if any), Human Rights Legal Support Centre or employee assistance program if available].

## Joint Health & Safety Committee (JHSC) and Health & Safety Representative (H&S Rep)

- To be consulted about the development, establishment and implementation of harassment prevention measures and procedures.
- Make recommendations to the employer for developing, establishing and providing training in prevention measures and procedures.
- At least once a year, take part in a review of the workplace harassment prevention program.

## Visitors & General Public

All visitors and general are expected to treat all employees with respect. Harassment in the workplace is unacceptable and will not be tolerated from anyone.

## HARASSMENT REPORTING PROCEDURE

Workers shall report a workplace harassment incident or complaint on the Workplace Harassment Complaint Form (Appendix A) to [Click here to enter text](#).

If the worker's supervisor or reporting contact is the person engaging in the workplace harassment, contact [Click here to enter text](#).

If the employer is the person engaging in the workplace harassment, contact [Click here to enter text](#). (Note: The person designated as the reporting contact should not be under the direct control of the alleged harasser.)

Human Resources [**or designated person**] shall be notified of the workplace harassment incident or complaint so that they can ensure an investigation is conducted that is appropriate in the circumstances.

If the incident or complaint involves the employer, Board of Director or [Click here to enter text](#), an external person qualified to conduct a workplace harassment investigation who has knowledge of the relevant workplace harassment laws will be retained to conduct the investigation.

## INVESTIGATION

[Click here to enter text](#).will ensure that an investigation appropriate in the circumstances is conducted when the employer, human resources, a manager or supervisor becomes aware of an incident of workplace harassment or receives a complaint of workplace harassment.

[Click here to enter text](#).will determine who will conduct the investigation into the incident or complaint of workplace harassment. If the allegations of workplace harassment involve [Click here to enter text](#).the employer will refer the investigation to an external investigator to conduct an impartial investigation.

## TIMING OF THE INVESTIGATION

The investigation will be completed in a within 90 days or less unless there are extenuating circumstances (i.e. illness, complex investigation) warranting a longer investigation.

## INVESTIGATION PROCESS

1. The investigator will ensure the investigation is kept confidential and identifying information is not disclosed unless necessary for the investigation.
2. The investigator will thoroughly interview the worker who allegedly experienced the workplace harassment and the alleged harasser(s), if the alleged harasser is a worker of the

employer. If the alleged harasser is not a worker, the investigator will make reasonable efforts to interview the alleged harasser.

3. Any relevant witnesses employed by the employer who may be identified by either the worker or the alleged harasser(s) or as necessary to conduct a thorough investigation will be interviewed.
4. The investigator will collect and review any relevant documents and prepare a written report
5. The final report will conclude whether workplace harassment was found or not.

## **RESULTS OF THE INVESTIGATION**

Within 10 days of the investigation being completed, the worker and the alleged harasser, if he or she is a worker of the employer, will be informed in writing of the results of the investigation and any corrective action taken or that will be taken.

## **CONFIDENTIALITY**

Information about complaints and incidents shall be kept confidential to the extent possible unless disclosure is necessary to protect workers, to investigate the complaint or incident, to take corrective action or otherwise as required by law.

While the investigation is on-going, the worker, the alleged harasser(s) and any witnesses shall not discuss the incident or complaint or the investigation with each other or other workers or witnesses unless necessary to obtain advice about their rights.

## **RECORD KEEPING**

The employer (human resources or designated person) will keep records of the investigation including:

1. a copy of the complaint
2. a record of the investigation including notes
3. a copy of the investigation report (if any)
4. a summary of the results of the investigation that was provided to the worker who allegedly experienced the workplace harassment and the alleged harasser
5. a copy of any corrective action taken to address the complaint or incident of workplace harassment.

All records of the investigation will be kept confidential.

Records will be kept for a period of 3 years.

## TRAINING & COMMUNICATION

Every employee of [Click here to enter text.](#) will be required to attend training on the Workplace Harassment Policy and Procedures.

## EVALUATION

[Click here to enter text.](#) shall review the Workplace Harassment Policy annually in consultation with the Joint Health & Safety Committee / Health and Safety Rep..

**Signature:** \_\_\_\_\_

**Print Name:** \_\_\_\_\_

**Date:** \_\_\_\_\_