

<i>The Town of Fort Frances</i>	SECTION HUMAN RESOURCES
<u>WORKPLACE HARASSMENT</u> <u>PROCEDURE</u>	NEW: September 1993 REVISED: September 2003, August 2010, June 2011
Resolution No. 225 (consent) 06/11	Supercedes Resolution No.
	PAGE 1 of 3

1. POLICY STATEMENT

Workplace harassment is defined in the *Occupational Health and Safety Act* as 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. The Town of Fort Frances believes that a work environment in which all individuals are treated with respect and dignity is important.

Workplace harassment includes, but is not limited to:

- Workplace bullying, which includes making rude, degrading or offensive remarks, discrediting the person, spreading rumours, ridiculing him or her, humiliating the person, calling into question a person's convictions or private life, shouting abuses etc.
- Sexual or racial harassment, or harassing someone based on any ground prohibited by human rights legislation, including: race, ancestry, place of origin, citizenship, creed, sex, sexual orientation, age, colour, pregnancy, language, ethnic or national origin or disability.
- Refusing to speak to or work with someone or treating that person differently because of his or her ethnic or racial background, sex, sexual orientation, family status, creed or citizenship, or other protected grounds listed above.
- Leering, suggestively staring or other gestures; requesting sexual favours from an employee; display racist or pornographic cartoons; continually embarrass a fellow employee in front of co-workers by telling lewd jokes and refuse to stop when requested, ostracizing an individual

We expect all of our employees and managers to maintain a workplace free of harassment. Failure to do so will give rise to disciplinary sanctions, up to and including termination of employment. We will not discriminate or retaliate against an employee because he or she has been or is perceived to be a victim of workplace harassment.

This policy is not intended to limit the reasonable exercise of management functions in the workplace. It is also not meant to interfere with everyday social relations. Harassment can be distinguished from normal, mutually acceptable socializing because it is offensive, insulting, intimidating, hurtful and malicious. Everyone in the workplace must be dedicated to preventing workplace harassment. Workplace harassment creates an uncomfortable work environment and has no place in employment relations.

2. WHERE IS THE WORKPLACE?

The workplace is not confined to the offices and buildings of the Corporation. It also includes washrooms, locker rooms, worksites, vehicles and equipment, and any other location where the business of the Corporation is being conducted.

Harassment which occurs outside the workplace but which has repercussions in the work environment, adversely affecting employee relationships, may also be defined as workplace harassment.

3. STEPS TO TAKE IF YOU ARE BEING HARASSED

Workplace harassment is unpleasant and intimidating. Fear of retaliation, embarrassment or feelings of guilt may persuade one to suppress the complaints. However, it is essential that a complaint be made if one feels harassed.

Step #1 - Ask the harasser to stop

Inform the harasser that his or her behaviour is unwelcome. An individual (although he or she should know better) may not realize that he or she is being offensive. A simple chat may resolve the problem. If the person refuses to co-operate, remind him or her that such behaviour is against Corporation policy.

Step #2 - Keep a record of the harassment

When did the harassment start? (e.g. dates, times, location). What happened? Were there any witnesses? Were there any threats or reprisal? What was your response? Failure to keep a diary of the events will not invalidate your complaint. A record will, however, reinforce it.

Step #3 - Lodge a Complaint

If the harassment continues, you should report the problem to your Supervisor as a complaint. Where the respondent is your immediate supervisor, you may submit the complaint to the Division Manager or Human Resources Manager. If a supervisor or other management employee is alleged to be harassing, no involved supervisor or management employee will participate in the investigation. Properly discharged supervisory duties, including disciplinary action, are not harassment. Conduct by a supervisor which does not interfere with a climate of understanding and respect for the dignity and work of all employees is not considered harassment.

4. RESOLVING THE COMPLAINT

Upon receiving a complaint, the Division Manager and / or Superintendent will conduct an investigation along with the assistance of the Human Resources Manager.

The investigation will include the interviewing of the complainant, the alleged harasser and any other persons who may provide information. Union members may choose to have a representative present for their interview. Information will be received in strict confidence and will be documented. If there is evidence of harassment, disciplinary measures will be taken as appropriate up to and including discharge.

Steps should be taken to prevent any recurrence of the harassment.

If the complaint is found to be not supported, no disciplinary action will be taken. Where a false charge was made with malicious intent, disciplinary action may be taken against the complainant.

It is the responsibility of the Supervisor / Division Manager to see that workplace harassment does not occur in his or her department.

5. A FRIENDLY, PROFESSIONAL WORK ENVIRONMENT

The goal of the Corporation is to create a friendly, businesslike, and satisfying working environment for its employees. It is hoped that complaints of harassment will be successfully resolved within the Corporation.

Any employee – union or non-union is free to contact the Division Manager, Superintendent, or Human Resources Manager for advice or assistance. All queries or complaints will be handled with strict confidentiality and sensitivity.

6. WORKPLACE HARASSMENT AWARENESS TRAINING

The Town of Fort Frances requires all new hires, as part of their orientation program, to undergo workplace harassment awareness training. In addition, from time to time we will conduct refresher sessions for all employees.

7. WORKPLACE HARASSMENT PREVENTION PROGRAM - COMPLAINTS

At the Town of Fort Frances, we have taken specific measures to implement this Workplace Harassment Policy. These measures are referred to as our Workplace Harassment Prevention Program.

Such measures include the following:

- Implementing procedures for reporting incidents of workplace harassment; and,
- Implementing procedures for investigating and dealing with alleged incidents of workplace harassment.

Reporting and investigation procedures are detailed in the Procedure entitled “**HOW TO COMPLAIN ABOUT VIOLENCE OR HARASSMENT.**”