



# TOWN OF HINTON HARASSMENT IN THE WORK ENVIRONMENT POLICY

Policy No. CORP. 018

Created By: Corporate Services

Approved By: Town Council

Revised By: Town Council

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Revised On:

## **POLICY STATEMENT**

The Town of Hinton is committed to maintaining a harassment -- free work environment. Every person has the right to individuality, respect, dignity, and to be treated right in their working environment.

### **1. GOALS**

The purpose of this policy is to maintain a working environment that is free from harassment, and to inform all employees, councillors, and town volunteers that matters of harassment will be dealt with promptly, fairly and systematically.

The Town of Hinton will not tolerate harassment in our working environment. All investigations of harassment will be handled promptly, discreetly and will be kept strictly confidential in respect to everyone involved. Incidents of alleged harassment will be promptly investigated and if allegations have merit -- person or person(s) will be terminated or disciplined -- in accordance, to the severity of the incident.

The Town of Hinton will then take the necessary steps to ensure that the complainant is protected from any form of retaliation by the respondent(s) who were the subject of the complaint, employees or managerial supervisory personnel.

### **2. DEFINITIONS**

**Harassment** is defined as:

- (a) any unwanted physical or verbal conduct that offends or humiliates you. Such conduct could interfere with your ability to do a job or obtain a service. Harassment can create negative or hostile work environment which can interfere with your job performance and result in your being refused a job, a promotion or a training opportunity. (Harassment complaints can be based on race, color, national or ethnical origin, religion, sex, martial

status, family status, mental or physical disability, pardoned conviction, and sexual orientation); or

(b) any unwelcome behaviour which creates an intimidating, threatening, or hostile work environment or which threatens the employee's dignity or respect.

### **3. METHODS AND PROCEDURES**

- a) When a report of alleged harassment is made to management or person in authority the complainant(s) will be advised of their rights and respondent(s) rights in the matter.
- b) Complainant(s) will then be asked whether he/she wishes to make a formal complaint. A formal complaint occurs when complainant(s) files a complaint in writing of the incident that occurred. (ie/ date time and people involved)
- c) If complainant(s) makes a complaint about person(s) to management or person in authority, but does not wish to make a formal complaint, management or person in authority will take such action that is appropriate to the situation.
- d) For all complaints investigated (whether formal or informal), the supervisor will then meet and inform the respondent(s) of the complaint and process that will be followed.
- e) Respondents should be informed of his/her rights.
- f) Manager will then interview person(s) who have knowledge of or who might have witnessed the incident(s).
- g) Investigator will then conclude key incidents, facts, supporting materials, and conclusions of the investigation and submit confidential report to all other supervisors involved. Appropriate results will be given to respondent(s) and complainant(s).
- h) The Town of Hinton will then review the report and decide on what course of action to take. Any decision to terminate or otherwise discipline a respondent involved for harassment will be based on the seriousness of the incident(s). No written documentation will be placed in the complainant's personnel file and no disciplinary action will be taken against a complainant unless it is determined that the complaint was made for malicious purposes.
- i) The complainant and the respondent(s) will then be notified in writing of the actions arising from the investigation.

#### 4. **RESPONSIBILITIES**

#### 5. **GUIDING PRINCIPLES TO STAFF**

##### Management and Supervisory Personnel

It is the responsibility of every management and supervisory person to:

- (i) be familiar with this policy and the provisions of the Individual's Rights Protection Act or any other legislation/regulations governing human rights in the work environment;
- (ii) inform all new and old employees, councillors, and/or town volunteers of the policy;
- (iii) create a work environment where employees will come forward with complaints.
- (iv) Investigate all reports of harassment and confirm clarification from the complainant and solution (handle complaints with objectivity, fairness consistency, seriousness and sensitivity);
- (v) Inform the complainant(s) of their rights under the Individual Rights Protect Act;
- (vi) Inquire if complainant(s) wants to make a formal complaint;
- (vii) Inform complainant to maintain an awareness of any retaliation for making the complaint and to carry out his/her duties in such a manner to promote the purpose of the policy and to ensure compliance with its provision.
- (viii) Unless situation deems it inappropriate, complaints will be investigated by immediate supervisors of respondent and complainant; in consultation with department manager. Where more than one department is involved Town Manager will decide appropriate supervisor to investigate.

##### Employees, Councillors and Town Volunteers

It is the responsibility of every employee, councillor, or town volunteer to:

- (i) know the purpose of the policy, and comply with its provision and any other legislation/regulations governing human rights in the working environment;
- (ii) Have an awareness of what behaviour is appropriate and not appropriate in the work environment in respect to harassment;
- (iii) Promote a harassment -- free work environment;
- (iv) Cease any behaviour that is found offensive by another employee(s). This includes verbal behaviour, physical contact, non-verbal behaviour, visual sexual harassment and psychological sexual harassment;
- (v) Be sensitive to any situation in your working environment, which may create a sexist or hostile working environment, make management aware of these conditions.

Complainant - Must be recipient of harassment.

It is the responsibility of a complainant to:

- (i) inform the respondent(s) (ie/ the person who is harassing) that any inappropriate behaviour is unwelcome and unacceptable; preferably at the time of the occurrence;
- (ii) Keep a record of all incidents (dates, times, locations, possible witnesses, what occurred, and your response). You do not have to record any incidents in order to file a complaint, but a record can strengthen your case and help you remember details over time;
- (iii) Report your complaint to a supervisor or department manager;
- (iv) Complainant(s) may involve Union representative, and complainant should be present when complaint is presented to supervisor or department manager.

Respondent - harasser

It is the respondents responsibility to:

- (i) Know your rights;
- (ii) Report witnesses you may have;
- (iii) Respondents may involve Union but must contact Union themselves.

DATE: November 15, 1995