

# Village of Prud'homme

## Harassment Policy

### Statement of Commitment

Every worker is entitled to employment free of harassment. The Village of Prud'homme is committed to ensuring a productive work environment where the dignity and worth of every person is respected. Workplace harassment will not be tolerated and The Village of Prud'homme will take all reasonable steps to prevent harassment and stop it if it occurs.

### Definition of Harassment

This harassment policy covers the following:

#### **1. Harassment Based on Prohibited Grounds**

This includes any inappropriate conduct, comment, display, action or gesture by a person that:

- is made on the basis of race, creed, religion, colour, sex, sexual orientation, marital status, family status, disability, physical size or weight, age, nationality, ancestry or place of origin; and
- constitutes a threat to the health or safety of the worker. This type of harassment is prohibited in The Saskatchewan Employment Act (the Act) and The Saskatchewan Human Rights Code. It also extends to sexual harassment, which is conduct, comment, gesture or contact of a sexual nature that is offensive, unsolicited or welcome.

**Sexual harassment** may include:

- a direct or implied threat of reprisal for refusing to comply with a sexually-oriented request;
- unwelcome remarks, jokes, innuendos, propositions or taunting about a person's body, attire, sex or sexual orientation;
- displaying pornographic or sexually explicit pictures or materials;
- unwelcome physical contact;
- unwelcome invitations or requests, direct or indirect, to engage in behavior of a sexual nature; or
- refusing to work with or have contact with workers because of their sex, gender or sexual orientation.

#### **Personal Harassment**

This includes any inappropriate conduct, comment, display, action or gesture by a person that:

- adversely affects a worker's psychological or physical well-being; and
- the perpetrator knows or ought to reasonably know would cause the worker to be humiliated or intimidated.

Personal harassment must involve repeated conduct or a single, serious incident that causes a lasting harmful effect on the worker. All incidents of inappropriate conduct should be appropriately addressed to ensure that the workplace remains respectful and free of harassment.

Personal harassment may include:

- verbal or written abuse or threats;
- insulting, derogatory or degrading comments, jokes or gestures;
- personal ridicule or malicious gossip;
- unjustifiable interference with another's work or work sabotage;
- refusing to work or co-operate with others; or
- interference with or vandalizing personal property.

## ***2. What is Not Harassment***

This harassment policy does not extend or apply to day-to-day management or supervisory decisions involving work assignments, job assessment and evaluation, workplace inspections, implementation of appropriate dress codes and disciplinary action.

These actions are not harassment, even if they sometimes involve unpleasant consequences. Managerial actions must be carried out in a manner that is reasonable and not abusive.

The policy also does not extend to harassment that arises out of circumstances unrelated to the worker's employment. For example, harassment is not covered if it occurs during a social gathering of co-workers that is not sponsored by the employer. However, harassment that occurs while attending a conference or training session at the request of the employer is covered.

Other situations that do not constitute harassment include:

- physical contact necessary for the performance of the work using accepted industry standards;
- conduct which all parties agree is inoffensive or welcome; or
- conflict or disagreements in the workplace, where the conflict or disagreement is not based on one of the prohibited grounds.

Harassment can exist even where there is no intention to harass or offend another.

Every person must take care to ensure his or her conduct is not offensive to another.

The Village of Prud'homme and council and staff will take all complaints of harassment seriously. We are committed to implementing this policy and to ensuring it is effective in preventing and stopping harassment, as well as creating a productive and respectful workplace.

This commitment includes:

Informing all persons in the workplace of their rights and obligations

- A copy of the harassment policy will be provided to all employees and council.

- The company's policy statement on harassment will be posted in a location that is visible to all staff and the public.
- Council or the administrator will review the policy with new employees or newly elected council as part of their orientation.
- All Village of Prud'homme employee's and councillors will be asked to set a good example and help foster a respectful workplace.
- Harassment complaints and investigations will be held in the strictest of confidence except where disclosure is necessary to investigate the complaint, take corrective action required by law.
- Action will be taken to prevent reprisal against people who make a harassment complaint in good faith, which may mean informing complainants and alleged harassers of this commitment. Promptly taking action necessary to stop and prevent harassment
- Appropriate action, sufficient to ensure the harassment stops and does not happen again, will be taken against people who are or were engaged in, or participated, in harassment.

### Complaint Procedure

This policy sets out three types of complaint procedures that may be used following instances of harassment.

Step 1: The individual reports an incident or concern to a member of council or the administrator.

- The complaint should be in writing in a form consistent with the harassment complaint form attached to this policy. Where an informal resolution is sought, the complainant should indicate the type of resolution sought such as an apology, supervisory counselling, a facilitated meeting with the alleged harasser,

Step 2: The person receiving the complaint reviews the procedures with the complainant.

- The person receiving the complaint will also meet privately with the alleged harasser to review the complaint and determine whether there is agreement on a resolution or resolution process.

Step 3: Action is taken to address the complaint.

Such action may include:

- having meetings to discuss and review the policy; or
- providing workshops or resource materials on the prevention of harassment such as videos, brochures and guides.

*Confidentiality: Village of Prud'homme council or staff, or anyone acting on their behalf, should not disclose the complainant's name or other identifying information to any person. However, in certain circumstances, the complainant may agree to release identifying information to implement the harassment policy, the resolution process or the resolution itself.*

## Taking Action to Stop and Prevent Harassment

In taking action to stop harassment and prevent its reoccurrence, Village of Prud'homme will be guided by the following:

- People may not be aware of the effects of their behavior. In many cases, speaking to the person in private about the inappropriate behavior will help resolve a situation.
- Policy Complainants should not be encouraged to confront the alleged harasser if they are reluctant, if the alleged harassment is of a serious nature or if the alleged harasser denies the alleged conduct.

The severity of discipline will depend on:

### ***Seriousness of the Alleged Conduct***

- whether the conduct is an offence under the criminal code;
- whether the conduct is an offence under the Act or The Saskatchewan Human Rights Code;
  - the extent of the mental or physical injury caused to the complainant;
- whether the harasser persisted in behavior that was known to be offensive to the complainant; or
- whether the harasser abused a position of authority.

### ***Risk of the Harasser Continuing with Similar Harassment of the Complainant or Others***

- whether the harasser acknowledges that conduct was unacceptable and makes a commitment to refrain from future harassment;
- whether the harasser has apologized to the complainant or taken action to repair any harm; or
- whether the harasser has agreed to participate in awareness sessions, training or other recommended counselling or treatment.

## Third-party Harassers

This policy covers harassment connected to any matter or circumstance arising out of the worker's employment.

Customers, clients, ratepayers, contractors or their workers and others invited to the workplace could harass an employee.

The Village of Prud'homme may have limited ability to investigate or control their conduct. However, The Village of Prud'homme shall take reasonably practicable action to stop or reduce the risk to its workers of being harassed by third parties.

This action may include:

- posting the harassment policy in a location visible to third parties; and
- Where a client or customer has been asked to stop abusing or harassing a worker and does not, workers are authorized to:

- Contact RCMP;
- end telephone conversations and/or politely decline service; and
- ask the customer or client to leave the workplace.

*Where an investigation finds a complainant has knowingly made a false allegation, the complainant will be subject to appropriate discipline.*

#### Other Options for Complainants

Nothing in this policy prevents or discourages a worker from referring a harassment complaint to the Saskatchewan Occupational Health and Safety Division under The Saskatchewan Employment Act and regulations.

A worker may also file a complaint with the Saskatchewan Human Rights Commission under The Saskatchewan Human Rights Code.

A worker also retains the right to exercise any other legal avenues available.

This policy will come in to effect this \_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_

Mayor

\_\_\_\_\_

Adminstrator