

<i>The Town of Fort Frances</i>	SECTION HUMAN RESOURCES
<u>Workplace Harassment</u> <u>POLICY</u>	REVISED September 1993 September 2003
Resolution No.	Supercedes Resolution No.
Policy Number 3.8	PAGE 1 of 3

1. POLICY STATEMENT

Every employee has a right to work in an environment free from harassment. No employee may be harassed because of race, ancestry, place of origin, colour, ethnic origin, citizenship, religion, creed, sex, sexual orientation, age, record of provincial offences, marital status, family status or handicap.

In keeping with its legal and social responsibilities as an employer, the Corporation will treat any complaint of harassment as a serious matter.

2. PURPOSE

To promote and maintain a working environment that is free from all types of harassment.

3. WHAT IS WORKPLACE HARASSMENT

Workplace harassment may include comment or conduct by a supervisor, co-worker, or subordinate towards another which is intimidating, annoying, hurtful, or malicious. Any person who persists in such behaviour which he or she knows or should know is unwelcome may be guilty of harassment.

4. WORKPLACE HARASSMENT MAY INCLUDE

A. Sexual Harassment

- Unwelcome remarks, jokes, innuendos, or taunting about a person's body, attire, or sex;
- Practical jokes of a sexual nature which cause awkwardness or embarrassment;
- Displaying or emailing of pornographic pictures or other offensive material;
- Leering (suggestive staring) or other gestures;
- Unnecessary physical conduct such as touching, patting or pinching;
- Physical Assault.

B. Racial or Ethnic Harassment

- Unwelcome remarks, jokes, innuendos or taunting about a person's racial or ethnic background, colour, place of birth, citizenship or ancestry;
- Displaying or emailing of racist, derogatory, or offensive pictures or material;
- Refusing to converse or work with an employee because of his or her racial or ethnic background;
- Insulting gestures or practical jokes based on racial or ethnic grounds which cause embarrassment or awkwardness.

5. **YOU ARE HARASSING IF YOU**

- Are leering, suggestively staring or other gestures;
- Request 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.

6. **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.

7. **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. 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.

8. RESOLVING THE COMPLAINT

Upon receiving a complaint, the Division Manager and / or Superintendent will conduct an investigation 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.

9. 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.