



TOWN POLICY

POLICY NUMBER: 1301

REFERENCE:

212.06.17

ADOPTED BY

Town Council
21 June 2017

PREPARED BY: Administration

DATE: 21 June 2017

TITLE: Respectful Workplace Policy

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POLICY STATEMENT:

The Town of Strathmore is committed to providing a respectful and safe work environment. Workplace bullying and harassment; including sexual harassment, discrimination, and violence are unacceptable and will not be tolerated. This corporate-wide policy affirms our commitment and establishes the procedure for dealing with incidents and complaints.

THIS POLICY APPLIES TO:

All Town of Strathmore Employees, including job applicants
Contractors providing service to the Town of Strathmore
Suppliers to the Town of Strathmore
Volunteers
The CAO
Members of Town Council
Members of the public who are accessing Town of Strathmore services or Town of Strathmore operated facilities.

DEFINITIONS:

Discrimination means any unjust or prejudicial treatment including harassment based on one or more of the following grounds protected by the Alberta Human Rights Code: race, colour, ancestry, place of origin, religious beliefs, gender, gender identity, gender expression, age, physical disability, mental disability, marital status, family status, source of income, and sexual orientation.

Harassment means a form of discrimination that can involve any unwanted physical or verbal behaviour that offends, threatens, intimidates, or humiliates; generally, harassment is a behaviour that persists over time, although serious one-time incidents can also be considered harassment.

Sexual Harassment means any unwanted sexual advances, unwanted requests for sexual favours, and other unwanted verbal or physical conduct of a sexual nature. Sexual harassment can include such things as pinching, patting, rubbing or leering, jokes, pictures or pornographic materials, comments, suggestions, innuendoes, requests or demands of a sexual nature. The behaviour need not be intentional to be considered sexual harassment. Behaviour that is acceptable to both parties involved would not be considered sexual harassment.

Workplace Bullying is a repeated pattern of negative behaviour aimed at a specific person or group, although it can include physical abuse or threat of abuse, bullying usually causes psychological rather than physical harm. Bullying can involve harassment, sexual harassment, and discrimination. Examples of bullying include: spreading rumours and gossip, making offensive jokes or comments, verbally or in writing, using insults or put downs, blaming, scolding, criticizing and belittling, excluding or isolating, intimidating by standing too close or making unreasonable demands, constantly changing guidelines, setting impossible deadlines and interfering with work, discounting achievements and stealing credit for ideas or work, disciplining or threatening job loss without reason, withholding information or giving the wrong information. Taking away work responsibility without cause, blocking requests for training, leave or promotion. Using offensive language, yelling, or screaming, pestering, spying, talking or tampering with personal belongings and equipment, physically abusing or threatening abuse.

Expressing a difference of opinion, offering constructive feedback, guidance or advice about work-related behaviour and performance are not workplace bullying. Workplace bullying should not be confused with a leader, manager, or supervisor exercising authority as part of their job, which may include decisions relating to duties, workloads, deadlines, transfers, reorganizations, work instructions or feedback, work evaluation, performance management, or disciplinary actions.

Workplace Violence means any act that results in injury or threat of injury, real or perceived, by an individual or group, including but not limited to: acts of aggression, verbal or written threats, vandalism of personal property.

Complainant means the person who is reporting an alleged breach of the Respectful Workplace Policy.

Respondent means the person alleged to have behaved in contravention of the Respectful Workplace Policy.

Good Faith means a sincere belief or motive without any malice or the desire to defraud others, by making a misrepresentation of a fact knowing it to be false, or making it recklessly without regard to whether it is true or false, with the intent that the misrepresentation may cause harm or damage to another individual.

Retaliation means any adverse action taken against an individual for filing a complaint, or supporting another individual's complaint. Examples include but are not limited to; dismissal,

demotion, unwanted transfer, denial of opportunity, or harassment of an individual as a result of their having made a complaint or having provided evidence regarding the complaint.

Individual means any employee, contractor, supplier, CAO, member of Town Council, or member of the public.

PROCEDURE:

Individuals, who believe that they have or may have experienced or observed a breach of this Policy, have an obligation to report it to Human Resources.

If you believe that you have not been treated with respect as outlined in this Policy, tell the individual that their behaviour is unwelcomed and ask them to stop; this can be either verbally or in writing.

Keep a record of incidents (date, times, locations, possible witnesses, what happened and your response) you do not have to keep a record of events in order to make a complaint, but a record can help you to remember details over time.

Make a complaint: if after putting forth best efforts to ask the individual to stop; their behavior continues, report the complaint to Human Resources or to one of the following individuals who will report the incident to Human Resources:

- A Senior Manager
- A Director

- The CAO

Procedure for Handling Complaints

The CAO will ensure that all complaints are taken seriously and that they are investigated promptly, in a respectful, fair, and thorough manner, and will fully support Human Resources with the investigation process, and with providing necessary resources as deemed required to resolve any complaints that are brought forward. To the extent possible, confidentiality will be maintained, when a complaint is investigated. Identities of the complainant and respondent will be shared only with those who need to know, where it is necessary to the investigation, resolution, decision making and disciplinary action implementation, or as required by law.

If the investigation reveals evidence to support the allegations, the respondent will be subject to consequences, as the CAO in consultation with Human Resources deems appropriate for the situation, up to and including termination of employment, discontinuing business, or barring an individual from facilities. Documentation of the breach of this Policy will be recorded on the respondent's record.

If the investigation fails to find evidence to support the allegations, there will be no documentation concerning the complaint placed on the respondent's record. If an individual is found to have made a complaint, knowing that, the complaint was false, the CAO in consultation with Human Resources will impose consequences as the CAO deems appropriate, up to and including termination of employment, discontinuing business, or barring an individual from facilities.

Consequences may be imposed, as the CAO in consultation with Human Resources deems appropriate, upon anyone who is found to have interfered with an investigation, an individual who is aware of a breach of this Policy and who fails to take appropriate action and anyone who gives a false statement in the course of an investigation.

Regardless of the outcome of a complaint, an individual who reports a complaint in good faith, and any individual who provides information in good faith, will be protected from any form of retaliation as a result of making a complaint. In addition, no documentation of the complaint will be recorded on the individual's record.

Any individual who may find themselves in potentially harmful or violent situation are strongly encouraged and supported to remove themselves from the situation in the workplace or at any off-site business related functions. Any such situations must be immediately reported to Human Resources.

Consequences of Non-Compliance

Any employee who violates this policy, will be subject to appropriate disciplinary action up to and including termination of employment.

Members of the public, visitors to the Town of Strathmore facilities or individuals conducting business with the Town of Strathmore, are expected to adhere to this policy. This includes refraining from any behaviour in contravention of this Policy towards employees, elected officials, and persons acting on behalf of the Town of Strathmore. If behaviors, which are in contravention of this Policy, occur, the CAO in consultation with Human Resources will take appropriate action to ensure a respectful and safe workplace. This could include barring the person from facilities or discontinuing business with contractors or suppliers.

Where behaviour may constitute a criminal offence, a report of such instances will be made to the RCMP.

Responsibility of Management

It is the responsibility of the CAO to oversee this policy and direct any Director, Manager, or person who supervises one or more employees to take immediate and appropriate action to report or deal with incidents of workplace bullying, harassment, sexual harassment, discrimination, or violence, whether brought to their attention or personally observed. Under no circumstance should a legitimate complaint be dismissed or downplayed nor should the complainant be told to deal with it personally.

This policy does not prevent an individual from filing a complaint of non-compliance with the appropriate legal bodies.

END OF POLICY