

Town of Naicam Policy Manual

POLICY TITLE: HARASSMENT & ZERO TOLERANCE POLICY	POLICY NUMBER: 10/2017	EFFECTIVE DATE: June 13, 2017
ORIGIN: Administration	ADOPTED BY COUNCIL ON: June 13, 2017	AMENDED DATE:

Purpose:

To provide a guideline for staff and council with regards to harassment and tolerance of aggressive or abusive language and behavior.

1. Definition (Section 3-1(1)(I) of the Saskatchewan Employment Act (SEA)):

“Harassment” means any inappropriate conduct, comment, display, action or gesture by a person:

(i) that either:

(A) is based on race, creed, religion, colour, sex, sexual orientation, marital status, family status, disability, physical size or weight, age, nationality, ancestry or place of origin; or

(B) subject to subsections (4) and (5), adversely affects the worker’s psychological or physical well-being and that the person knows or ought reasonably to know would cause a worker to be humiliated or intimidated; and

(ii) that constitutes a threat to the health or safety of the worker.

2. Worker Right

Every worker is entitled to a working environment that is free of harassment

3. Employer Obligation

The Town of Naicam will ensure that no worker is subjected to harassment at this place of employment

4. Worker Obligation

No worker shall cause or participate in the harassment or another worker.

5. Procedure for dealing with harassment concerns

All complaints will be taken seriously. The rights of all concerned will be respected. Workers are encouraged to use these steps to address incidents of alleged harassment internally.

5.1 Any worker who believes that he or she has been subjected to harassment is encouraged to file a complaint and must stop.

5.2 Where this cannot be done, or is unsuccessful, the worker should report the alleged harassment to the Administration. In the event the complaint is against the administrator, or the administrator is reporting alleged harassment, the worker should report the alleged harassment to the Mayor who will then take the action indicated below for the administrator.

5.3 Once a report is received, the Administrator shall immediately notify the alleged harasser of the complaint; provide the alleged harasser with information concerning the circumstances of the complaint; and undertake a confidential investigation.

5.4 Following the conclusion of the investigation, the Administrator will inform the complainant and the alleged harasser of the results of the investigation

6. Resolution and Corrective Action

Where harassment has been substantiated, the Administrator will take appropriate corrective action to resolve the complaint. If the alleged harassment has taken place and involves a member of the public, the police may be brought in to investigate and lay charges.

7. Confidentiality

The Administration will not disclose the identity of the worker or the circumstances of the complaint, except where disclosure is necessary for the purpose of investigating or taking disciplinary action in relation to the complaint, or where such disclosure is required by law.

8. External Complaints

Nothing in this policy prevents or discourages a worker from referring a harassment complaint to Occupational Health and Safety or The Saskatchewan Human Rights Commission. An employee also retains the right to exercise any other legal avenues available.

For more information, contact WorkSafe Saskatchewan at 1-800-667-7590.

ZERO TOLERANCE

We understand that people can become angry when they feel that matters about which they feel strongly are not being dealt with as they wish.

If that anger escalates into aggression towards our staff we consider it unacceptable.

We adopt a "zero tolerance" approach to anti-social, abusive, aggressive or violent behaviour. Our staff have the right to ask anyone to leave the premises and/or refuse service to any person who is aggressive or abusive towards a staff member, another customer, or who damages property.

Aggressive or abusive behaviour includes:

- language (verbal or written) that may cause staff to feel afraid, threatened or abused
- personal verbal abuse
- profanity and derogatory remarks and rudeness
- inflammatory statements
- remarks of a racial or discriminatory nature
- unsubstantiated allegations

It is an offence under Section 175(1) of the Criminal Code of Canada for anyone not in a dwelling house to cause a disturbance in or near a public place, by fighting, screaming, shouting, swearing etc.