



TOWN POLICY

COUNCIL POLICY:

Harassment Policy

POLICY NUMBER: H-2-1

RESOLUTION NUMBER: 2020-223

ADOPTED: October 27, 2020

REFERENCE: Occupational Health and Safety Act

SUPERSEDES: H-2

PREPARED BY: Chief Administrative Officer

DATE: October 27, 2020

UP FOR REVIEW: February 4, 2030

Policy Statement:

The Council of the Town of Cardston is committed to maintaining a harassment-free environment within the council, the Town employees, and as they engage with the public. Every person has the right to individuality, respect, and dignity, and to be treated appropriately.

The Town of Cardston 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 persons will be terminated or disciplined in accordance to the severity of the incident.

The Council of the Town of Cardston will take the necessary steps to ensure complainants are protected from any form of retaliation by the respondent(s) who were the subject of the complaint, employees, or managerial supervisory personnel.

The purpose of this policy is to:

The purpose of this policy is three fold: first to maintain an environment that is free from harassment; second to inform all employees, Councillors, and Town volunteers that matters of harassment will be dealt with promptly, fairly, and systematically; and third to outline the process in which matters of harassment will be dealt.

Definition

“Harassment” is defined as:

- (a) Any unwanted physical or verbal conduct that offends or humiliates a person. Such conduct could interfere with the ability to do a job or obtain a service. Harassment can create a negative or hostile work environment which interferes with job performance,





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potential promotions, or training opportunities. (Harassment complaints can be based on race, colour, national or ethnic origin, religion, sex, marital status, family status, mental or physical disability, pardoned conviction, and sexual orientation); or

- (b) Any unwelcome behavior which creates an intimidating, threatening, or hostile environment, or which threatens a person's dignity or respect.

Responsibilities

1) Management and Supervisory Personnel

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

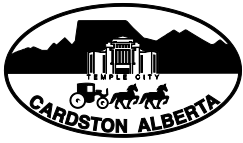
- (a) Be familiar with this policy and the provisions of the Individuals Rights Protection Act or any other legislation/regulations governing human rights in the work environment;
- (b) Inform all current and new employees, counselors, and/or Town volunteers of the policy;
- (c) Create a work environment where employees will come forward with complaints;
- (d) Investigate all reports of harassment and handle complaints with objectivity, fairness, consistency, seriousness, and sensitivity;
- (e) Inform the complainant(s) of their rights under the Individual's Rights Protection Act;
- (f) Inquire if the complainant(s) wants to file a formal complaint;
- (g) Inform the complainant(s) to maintain an awareness of any retaliation for making the complaint, and to carry out their duties in such a manner that reflects the purpose of the policy, and to ensure compliance with its provisions;
- (h) Unless the situation deems inappropriate, the investigation will be by the immediate supervisors of respondent and complainant after consultation with department manager. Where more than one department is involved, the Town Administrator will decide the appropriate supervisor for the investigation.

2) Employees, Councillors, and Town Volunteers

It is the responsibility of every Employee, Councilor, or Town Volunteer to:

- (a) Know the purpose of the policy, and comply with its provision and any other legislation/regulations governing human rights in the work environment;
- (b) Have an awareness of what behavior is appropriate and not appropriate in respect to harassment;
- (c) Promote harassment-free interactions with everyone;
- (d) Cease any behavior that is found offensive by another employee(s). This includes verbal behavior, physical contact, non-verbal behavior, visual sexual-harassment, and psychological sexual harassment;
- (e) Be sensitive to any situation in your working environment, which may create a discriminatory or hostile working environment. Make management aware of these conditions.





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3) Complainant (must be recipient of harassment)

It is the responsibility of a complainant to:

- (a) Inform the respondent(s) (i.e. the person who is harassing) that any inappropriate behavior is unwelcome and unacceptable; preferably at the time of the occurrence;
- (b) Keep a record of all incidents (dates, times, location, 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 to remember details over time;
- (c) Report your complaint to a supervisor or Department manager;
- (d) Complainant(s) may involve an Employee Association representative, and the complainant should be present when the complaint is presented to supervisor or department manager.

4) Respondent (Harasser)

It is the respondent's responsibility to;

- (a) Know their rights;
- (b) Report witnesses they may have;
- (c) Respondents may involve the Employee Association, but must contact the Association themselves.

Procedures for Reporting and Investigating Harassment

- 1) When a report of alleged harassment is made to management or person in authority the complainant(s) will be advised of their rights in the respondent(s) rights in the matter.
- 2) 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. (i.e. date, time, and people involved).
- 3) 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.
- 4) 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.
- 5) Respondents should be informed of their rights.
- 6) The administrator will then interview the person(s) have knowledge of or who might have witnessed the incident(s).
- 7) The administrator will then conclude key incidents, facts, supporting materials, and conclusions of the investigations and submit a confidential report to all other supervisors involved. Appropriate results will be given to the respondent(s) and complainant(s).





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- 8) The administrator will then review the report and decide on what course of action to take. Any decision to terminate or otherwise disciplined respondent involved for harassment will be based on the seriousness of the incident(s). No written documentation will be placed in the complainants personnel file and no disciplinary action will be taken against the complainant unless it is determined that the complaint was made for malicious purposes.

The complainant and the respondent(s) will then be notified in writing of the actions arising from the administrator.

