

# Town of Victoria

## HARASSMENT POLICY

### Statement of Position

The Town of Victoria believes that all elected and non-elected officials should be afforded the opportunity to work in an environment free of harassment. All elected and non-elected officials have the right to work in an environment free from all forms of discrimination and misconduct. The purpose of this policy is to ensure elected and non-elected officials are treated with respect and dignity.

Creating a harassment and discrimination-free work environment is everyone's responsibility. All elected and non-elected officials can lead by example by demonstrating mutual respect and not participating in harassing or discriminatory behaviour.

### DEFINITION

Harassment is defined as any unwanted or uninvited verbal, visual, or physical conduct, which is offensive or objectionable to the recipient. Repeated, intentional offensive comments and/or actions may include, but not limited to the following: derogatory or suggestive comments, slurs or gestures, jokes, racist graffiti and literature, and offensive posters, cartoons, pictures and drawings.

### CONDITIONS CONSIDERED HARASSING

Examples of harassment (**but not limited to**) are as follows:

- Inappropriate physical conduct
- Verbal abuse or treats
- The conduct effects or interferes with an individual's work or creates an intimidating, hostile or offensive work environment
- Practical jokes that are insulting or embarrassing
- Negative expressions or reactions when speaking, such as tone of voice or shouting
- Sexual obscene or offensive comments, jokes or slurs about or directed to an individual or class of persons, which an individual may or may not be a member
- Unnecessary physical conduct such as touching, patting, pinching or hitting
- Vandalism of any personal property, work station or vehicle
- Physical or sexual assault, displaying sexual pictures, cartoons, calendars or sexual gestures
- Staring, leering or other expressions of rudeness
- Placing an employment decision (i.e.: hiring, promotion, termination) on submission or rejection of a person's conduct
- The conduct effects or interferes with an individual's work or creates an intimidating, hostile, or offensive work environment

### COMMITTEE STRUCTURE FOR INVESTIGATING COMPLAINTS

A committee will be established and comprised of representatives from management, (town manager, town clerk, town clerk manager, or senior management), and council to investigate a complaint. If a person/s represents on the committee is the subject to the complaint or the complaint, then that persons/s will be replaced by an alternative committee member/s in that particular incident.

### COMPLAINT PRECEDURE

If you have been the recipient of harassing behavior, then you should do the following:

1. **Speak Up** – If an individual feels harassed, he/she should, where appropriate, speak directly to the harasser and state that the behaviour is unwelcome and that it must stop.
2. **Keep Notes** – Individuals are encouraged to keep a record of all incidents including, but not limited to, dates, time, descriptions, action taken by the individual, responses by the alleged

harasser, possible witnesses and any other relevant information such as the impact of the harassment on the recipient and/or other persons present.

3. **Report the Harassment** – Report the harassment immediately to the Mayor/Deputy Mayor, Councillors, supervisor, and manager or designate. It is preferable to make a complaint in writing, however; if you make a verbal complaint, you should follow up your verbal complaint with a written complaint.

Allegations of harassment will be promptly investigated, giving the due respect to the need for confidentiality.

The designated representatives, (committee), will conduct interviews with relevant witnesses and provide a report to supervisor, manager or designate upon conclusion of the investigation. The designated representatives, (committee), will review the report and provide to parties involved his/her decision with reasons. All efforts will be made to ensure confidentiality throughout the investigation while providing an opportunity to fully respond to all allegations.

### **CONSEQUENCES AND PENALTIES**

Any person/s who engages in harassing behavior shall be subject to disciplinary action, including possible termination or other actions as deemed necessary.

In the event Council or the employer cannot resolve the alleged harassment and/or disciplinary action is not adhered too, the recipient of the harassing behavior has the right to proceed with legal representation without reprisal or prevention by the Council or employer.

### **PROTECTION AGAINST RELATIATION**

Any person has the legal right at any time to raise the issue of harassment without fear of reprisal.

### **MALICIOUS AND FALSE ACCUSATIONS**

It is a serious matter to deliberately make a false accusation of harassment. If a complaint is found to have been in bad faith, the complainant will be subject to disciplinary measures.

Approval

Adopted this 13<sup>th</sup> day of June, 2005

Motion By: Councillor Frank Clarke

Second By: Deputy Mayor Barry Dooley

Motion Carried

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Mayor

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Town Clerk