

DEPARTMENT: HEALTH & SAFETY

SECTION:

SUBJECT: WORKPLACE HARASSMENT

EFFECTIVE DATE: SEPTEMBER 2010

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## **POLICY:**

It is the policy of Tri-County Mennonite Homes to promote a harassment-free workplace for all employees.

## **PURPOSE:**

Occupational Health and Safety legislation provides a 'general duty provision' which requires the employer to take all reasonable precautions to protect the health and safety of employees. This provision would include protecting employees from a known risk of workplace harassment.

## **DEFINITIONS:**

**Workplace Harassment** is defined by the *Human Rights Commission* as “engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome.” In the *Human Rights Code* it indicates that ‘every person has a right to equal treatment with respect to employment’ and that ‘an employee has a right to freedom from harassment in the workplace by the employer or agent of the employer or by another employee.’

**Personal Harassment** is any unwelcome behaviour, conduct or communication that is directed at and is offensive to any employee and is based on an employee's sex, marital status, race, colour, religion, ethnic or national origin, ancestry, age, physical or mental disability or sexual orientation. Any form of behaviour that is perceived to be insulting, frightening, and or embarrassing can be considered personal harassment.

**Sexual Harassment** includes any unwelcome, unsolicited sexual comments, gestures, physical contact, or demands for sexual favours. Sexual harassment is defined as any comment or conduct of a sexual nature that is likely to cause an employee offence or humiliation. Sexual harassment is not gender specific.

**Bullying** can be defined as the repeated less favourable treatment of a person by another or others in the workplace, which may be considered unreasonable and inappropriate workplace practice. This can include behaviour that intimidates, offends, degrades or humiliates a worker, possibly in front of co-workers, clients or customers.

## **RESPONSIBILITIES:**

Management will be responsible to:

- ensure safe work procedures are in place to prevent harassment,
- train staff to:
  - Recognize and react when faced with a situation of workplace harassment. The most important message is that the “victim” must clearly tell the offender to “STOP”.

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- Respond to incidents and obtain assistance, and
- Report, investigate and document incidents.
- make staff aware of:
  - the nature and extent of the risks they may face at work, and
  - Customers, delivery personnel and others who could pose a risk. Staff should know each person's name and the nature of the risk. This information should not be used indiscriminately. It will therefore only be given to staff who are likely to meet these people.

All staff will be responsible to:

- follow the procedures to prevent harassment,
- attend the provided training, and
- immediately report all incidents to their supervisor.

## COMPLAINT PROCEDURE:

1. **Reporting Response** - when a supervisor receives a report they will do the following:
  - a. Complete a Report Form with the staff member reporting.
  - b. Report the incident to the Executive Director.
  - c. Begin the investigation process, ensure to take witnesses names and contact information.
  - d. Meet confidentially with persons as required.
2. An **Investigation** will be performed by the supervisor immediately on all incidents of reported workplace harassment. Special considerations for privacy and sensitivity must be considered. If a particular supervisor needs assistance in either performing this type of investigation or dealing with the issue at hand they are to seek that help from the appropriate persons within our organization.
3. **Actions** required in preventing re-occurrences or to this policy and procedure will be made as required. The investigation process will identify the required actions and these will be acted upon by the appropriate persons to the appropriate employees. At all times striving to maintain the highest levels of respect and dignity.

## TRAINING:

This policy will be communicated to all Employees annually through our safety program and annual health & safety in-service.

The above noted communication shall be considered the training regarding this policy.

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## **EVALUATION:**

This policy will be evaluated at a minimum on an annual basis. If concerns are raised the Policy will be reviewed as necessary.