

HARASSMENT & BULLYING POLICY

Subject: Personal Conduct

Ref: Staff

Code: 18

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The County of Northern Lights
is committed to, [in co-operation with the
employee's union], providing a healthy,
harassment-free work environment, supportive of
the dignity, self-esteem and productivity of all its
employees.

The County of Northern Lights
proposes to do this by deeming harassment and
bullying, in all forms, as unacceptable behavior
and not tolerating it in the workplace.

Signed: 
Chief Elected Official

Signed: 
Chief Administrative Officer

PROCEDURE:

The County of Northern Lights has developed a policy intended to prevent harassment of any type, including sexual harassment, and bullying of its employees and to deal quickly and effectively with any incident that might occur. See also *Administrative Directive #HS009 – Workplace Bullying, Harassment and Violence* and *#HS009.1 – Workplace Bullying, Harassment and Violence Response/Reporting Procedures*.

Definition of Harassment

Harassment occurs when an employee is subjected to unwelcome verbal or physical conduct because of race, religious beliefs, colour, place of origin, gender, mental or physical disability, ancestry, marital status, family status, sexual orientation, or source of income. Alberta Human Rights laws prohibit harassment in the workplace on these grounds.

Examples of harassment which will not be tolerated in the County of Northern Lights are: relentless criticism or belittling, yelling, screaming or raging, verbal or physical abuse, threats, derogatory remarks, jokes, innuendo or taunts about any employee's appearance, religious beliefs, colour, place of origin, mental or physical disabilities, ancestry, marital status, family status, sexual orientation, source of income or gender. The County also will not tolerate the display of pornographic, racist or offensive signs or images; practical jokes that result in awkwardness or embarrassment; unwelcome invitations or requests, whether indirect or explicit or condescension that undermines self-respect.

Legitimate, constructive and fair feedback on an employee's performance or behavior is not considered harassment or bullying. An assertive management style is acceptable provided staff are treated with respect and dignity.

Definition of Sexual Harassment

Sexual harassment, being discrimination on the grounds of gender, is a violation of the Alberta Human Rights, Citizenship and Multiculturalism Act. Unwanted sexual advances, unwanted requests for sexual favours, and other unwanted verbal or physical conduct of a sexual nature constitute sexual harassment when:

- a) submission to such conduct is made either explicitly or implicitly as a term of, or condition of, an individual's employment; or
- b) submission to, or rejection of, such conduct by an individual affects that individual's employment.

Sexual harassment can include such things as pinching, patting, rubbing, flashing, mooning, or leering, telling or circulating "dirty" jokes, displaying pictures or pornographic materials, comments, suggestions, innuendoes, and/or requests or demands of a sexual nature. The behaviour need not be intentional in order to be considered sexual harassment.

All harassment is offensive and in many cases it intimidates others. It will not be tolerated within the County workplace.

Definition of Bullying

Workplace bullying is a repeated pattern of negative behavior aimed at a specific person or group. Although it can include physical abuse or the threat of abuse, workplace bullying usually causes psychological rather than physical harm.

Workplace bullying can involve sexual harassment and discrimination. The most harmful forms of bullying are usually subtle rather than direct, and verbal rather than physical.

Workplace bullying can involve such things as rudeness and hostility that disrespects the target, threats and intimidation, including the abuse of power, deliberate acts that interfere with the target's work. Bullying is spreading rumours and gossip, making offensive jokes or comments, verbally or in writing, insults and put downs, blaming, scolding, criticizing and belittling, excluding or isolating, intimidating by standing too close or making inappropriate gestures, making unreasonable demands, disciplining or threatening job loss without reason, withholding information or giving the wrong information, taking away work or responsibility without cause, pestering, spying or tampering with personal belongings and equipment, physically abusing or threatening abuse.

Bullying is **not**: enforcing workplace policies and procedures, evaluating or measuring performance, providing constructive feedback, discussing disciplinary action in private, dismissing, suspending, demoting or reprimanding with just cause.

1. Procedure if you are being harassed or bullied:

- A. Tell the harasser/bully his/her behaviour is unwelcome and ask him/her to stop.
- B. Keep a record of incidents (date, times, locations, possible witnesses, what happened, your response). You do not have to have a record of events in order to file a complaint, but a record can strengthen your case and help you remember details over time.
- C. File a complaint. If, after asking the harasser/bully to stop his/her behaviour, the harassment continues, report the problem to one of the following individuals:

your immediate Supervisor
Chief Administrative Officer
Union Representative

You also have the right to contact the Alberta Human Rights and Citizenship Commission to file a complaint of sexual harassment and, if circumstances warrant it, a charge of assault may be filed with the police.

2. Dealing with a Complaint

- A. Once a complaint is received, it will be kept strictly confidential. An investigation will be undertaken immediately and all necessary steps taken to resolve the problem. If

appropriate, action taken may include conciliation. If a complaint is filed through the union as a grievance, a meeting will be held with the union representative before and after the investigation.

- B. Both the complainant and the alleged harasser will be interviewed, as will any individuals who may be able to provide relevant information. All information will be kept in confidence.
- C. If the investigation reveals evidence to support the complaint of harassment, the harasser will be disciplined appropriately. Discipline may include suspension or dismissal, and the incident will be documented in the harasser's file. No documentation will be placed on the complainant's file where the complaint is filed in good faith, whether the complaint is upheld or not.
- D. If the investigation fails to find evidence to support the complaint, there will be no documentation concerning the complaint placed in the file of the alleged harasser.
- E. Regardless of the outcome of a harassment complaint made in good faith, the employee lodging the complaint, as well as anyone providing information, will be protected from any form of retaliation by either co-workers or superiors. This includes dismissal, demotion, unwanted transfer, denial of opportunities within the municipality or harassment of an individual as a result of her/his having made a complaint or having provided evidence regarding the complaint.

3. Responsibility of Management

- A. To ensure a copy of this policy is available to all and clearly posted in the workplace.
- B. To provide a work environment free from harassment and bullying.
- C. It is the responsibility of a lead hand, director, manager, or any person within this municipality supervising one or more employees to take immediate and appropriate action to report or deal with incidents of harassment of any type whether brought to their attention or personally observed. Under no circumstances should a legitimate complaint be dismissed or downplayed nor should the complainant ever be told to deal with it personally.
- D. Investigating the complaint and following the complaint procedure.
- E. Maintaining the confidentiality of the individuals concerned, except where disclosure is necessary for the purposes of investigating the complaint or taking disciplinary measures in relation to the alleged complaint if discipline is being imposed.
- F. Ensuring the known harassment/bullying ceases and that appropriate resolution is in place.