



LLOYDMINSTER

Policy Title:	Harassment Policy		Policy Number:	012-2016	
Date of Council Approval:	November 14, 2016	Motion No.:	283-2016	Year of Review:	2017
Department Sponsored by:	People				

Purpose:

This policy is to create and maintain a harassment free workplace by having the City of Lloydminster Team, which includes elected officials, volunteers and contractors commit to a workplace where everyone is treated with dignity and respect.

Objective:

The City is committed to providing equal employment opportunity free of harassment and prohibits all forms of discrimination based upon race, colour, religion, gender, national origin, ancestry, age, sexual orientation, veteran status, marital status, disability, gender identity, gender expression, or any other basis protected by law (Saskatchewan OH&S Act and Regulations, Saskatchewan Human Rights Code, and Alberta Human Rights Act).

Definitions:

Harassment	As defined by Saskatchewan OH&S Act and Regulations, Saskatchewan Human Rights Code, and Alberta Human Rights Act
Harassment (Alberta Human Rights Act)	Harassment occurs when someone is subjected to unwelcome verbal or physical conduct. Harassment is a form of discrimination that is prohibited in Alberta under the Alberta Human Rights Act if it is based on one or more of the following <u>grounds</u> : <ul style="list-style-type: none"> • Race • Religious beliefs • Colour • Gender • Physical or mental disability • Age • An Ancestry • Place of origin • Marital status • Source of income • Family status • Sexual orientation • Gender identity • Gender expression

<p>Harassment (Saskatchewan Occupational Health and Safety Act and Regulations (1996))</p>	<p>Harassment means any inappropriate conduct, comment, display, action or gesture by a person:</p> <p>(i) that either:</p> <p style="padding-left: 40px;">(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</p> <p style="padding-left: 40px;">(B) subject to subsections (3) and (4), 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</p> <p>(ii) that constitutes a threat to the health or safety of the worker;</p>
<p>Discriminatory Harassment (2011 Saskatchewan Human Rights Commission)</p>	<p>Discriminatory harassment includes:</p> <ul style="list-style-type: none"> • Unwanted physical contact (touching, grabbing, hitting or pinching) • Written or verbal abuse or threats • Unwelcome remarks, jokes, slurs, or taunts about a person’s ancestry, national or ethnic origin, sexual orientation, or any other prohibited ground • Insulting names or comments • Jokes, cartoons, or pictures • Practical jokes that embarrass or insult someone • Ignoring, isolating, or segregating a person or group • Negative treatment because of sex, ancestry, disability or any other prohibited ground of discrimination.
<p>Prohibited Grounds (Saskatchewan Human Rights Code)</p>	<ul style="list-style-type: none"> • Religion • Creed • Marital status • Family status • Sex

	<ul style="list-style-type: none"> • Sexual orientation • Disability • Age • Colour • Ancestry • Nationality • Place of origin • Race or perceived race • Receipt of public assistance; and • Gender identity
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Scope:

This policy applies to all volunteers, contractors, elected officials, and City of Lloydminster employees.

Policy Instructions:

Dependent of where the harassment took place, the City of Lloydminster shall reference the applicable legislation, (Alberta Human Rights Act, Saskatchewan Human Rights Code, Saskatchewan Occupational Health and Safety Act and Regulations 1996)

Any complaint of harassment shall be brought to the attention of the employees direct Supervisor or General Manager, People, and documented accordingly.

Any act of harassment, including sexual harassment and bullying, committed by or against any employee of the City, individual or member of the public is unacceptable conduct and will not be tolerated in any form. In addition, employees of the City shall not subject or participate in the abuse or harassment of any other persons..

Harassment is defined as any unwanted conduct that offends or humiliates an individual or group of individuals, whether perceived or authentic. Harassment is prohibited on the following grounds: race, creed, religion, sex, marital status, sexual orientation, family status, mental and physical disability, physical size or weight, age, nationality, ancestry, gender identity, gender expression or place of origin or the receipt of public assistance. It may be verbal, physical, visual or psychological. It can include but is not limited to:

- Jokes that cause awkwardness or embarrassment
- Display of racist, sexist or other offensive material
- Sexually suggestive or obscene comments or gestures
- Offensive sexual advances and propositions
- Unwanted physical contact such as touching, patting, or pinching
- Verbal abuse, threats or intimidation
- Physical assault, including sexual assault

Note: Any threats to harm including physical or sexual assault, the City of Lloydminster will ask the threatened employee to report the incident to the RCMP.

In cases of alleged harassment the City of Lloydminster commits to:

- a) Investigate reported incidents of harassment in a prompt, objective and sensitive manner
- b) Take necessary corrective action if required

No employee shall make a complaint with intent that is frivolous, vexatious, and malicious or without foundation.

All employees are entitled to work in an environment free from unsolicited and unwelcome sexual overtures. Sexual harassment refers to behavior which is not welcome, personally offensive, undermines or weakens morale and, therefore, unreasonably interferes with the work effectiveness of its victim and their co-workers. Sexual harassment may include such conduct as:

- (1) offensive, sex-oriented verbal "kidding", jokes or abuse;
- (2) pressure for sexual activity;
- (3) offensive, unwanted physical contact such as patting, pinching or repeated brushing against another's body; and
- (4) demands for sexual favors, accompanied by implied or overt promises of preferential treatment concerning an individual's employment status.

The objective of the harassment policy is to create a positive working environment which is free from hostile, offensive, intimidating or harassing conduct that unreasonably interferes with an employee's work on account of any of the types of harassment described above. The target of the harassment policy is the prevention of unwelcome conduct. The Alberta Human Rights Act states that no one shall make a complaint with malicious intent that is frivolous or vexatious.

In some situations, a person may not realize that his or her behavior is inappropriate or unwelcome. Employees who consider any person's behavior to be in contravention with these guidelines are encouraged to tell that person that his or her behavior is considered inappropriate and request that the conduct stop. If the employee is unable to approach the person, then the employee is to contact their Direct Supervisor or the General Manager, People.

Persons that are asked to cease their inappropriate behavior should comply immediately and graciously with such requests.

The City of Lloydminster will not disclose the identity of the complainant or the alleged harasser or the circumstances of the complaint, except where disclosure is necessary for the purposes of investigating or taking disciplinary action in relation to the complaint, or where such disclosure is required by law.

Please contact the People Department for more information.

Responsibility:

City Council will review and approve all policies.

City Administration will administer the policy through the use of a supporting procedure.

Sponsoring Department is responsible for creating and amending a supporting procedure.