



City of Lloydminster

Policy

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| Policy Title: | Workplace Violence & Harassment Prevention Policy | Policy Number: | 135-03 |
| Date of Adoption: | June 22, 2020 | Motion Number: | 215-2020 |
| Date of Amendment: | | Motion Number: | |
| Sponsoring Department: | Employee Relations | | |

1. Purpose:

- 1.1. To ensure a safe, respectful, and Harassment free workplace for all Employees.
- 1.2. To ensure preventative practices are established for Workplace Violence and Harassment.
- 1.3. To provide appropriate support and confidentially to Employees that are impacted by Workplace Violence or Harassment.
- 1.4. To ensure proper documentation, investigation, and correction of incidents.
- 1.5. To ensure legislative compliance.

2. Objective:

- 2.1. The City is committed to providing equal employment opportunity free of Workplace Violence or Harassment and prohibits all forms of discrimination.
- 2.2. This policy is not intended to discourage any Employee from exercising rights pursuant to any law.

3. Definitions:

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| City | The corporation of the City of Lloydminster. |
| City Manager | The individual appointed under section 147(1) of the Lloydminster Charter as Commissioner. |
| Employee | Any person employed by the City of Lloydminster, which includes and is not limited to: any person employed in the capacity of a full-time, part-time, casual, seasonal, summer, contract employee, volunteer of the City, or any member of Council elected pursuant to <i>The Local Government Election Act (Saskatchewan)</i> . |
| Formal Complaint | A Formal Complaint of Workplace Violence or Harassment is a written and detailed complaint, signed by the complainant. |

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| Harassment | <p>In Alberta, Harassment is defined as any single incident or repeated incidents of objectionable or unwelcome conduct, comment, bullying or action by a person that the person knows or ought reasonably to know will or would cause offence or humiliation to a worker, or adversely affects the worker’s health and safety, and includes:</p> <ul style="list-style-type: none"> (i) conduct, comment, bullying or action because of race, religious beliefs, colour, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status, gender, gender identity, gender expression and sexual orientation, and (ii) a sexual solicitation or advance, but excludes any reasonable conduct of an employer or supervisor in respect of the management of workers or a work site. <p>In Saskatchewan, Harassment is defined as any inappropriate conduct, comment, display, action or gesture by a person:</p> <ul style="list-style-type: none"> (i) that either: <ul style="list-style-type: none"> (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 (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 (ii) that constitutes a threat to the health or safety of the worker; <p>The City of Lloydminster considers either of the definitions to be considered Harassment, whether it takes place in either Alberta or Saskatchewan</p> |
| Harm | Any actual or perceived physical or psychological threat that is deliberately inflicted. |
| Supervisor | The individual an Employee reports to. |
| Workplace Violence | In Alberta, Workplace Violence is defined as, whether at a work site or work-related, the threatened, attempted or actual conduct of a person that causes or is likely to cause physical or psychological injury or harm and includes domestic or sexual violence. |

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| | <p>In Saskatchewan, Workplace Violence is defined as the attempted, threatened or actual conduct of a person that causes or is likely to cause injury and includes any threatening statement or behaviour that gives a worker reasonable cause to believe that the worker is a risk of injury.</p> <p>The City considers either of the definitions to be considered Workplace Violence, whether it takes place in either Alberta or Saskatchewan.</p> |
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4. Scope:

- 4.1. This policy applies to all Employees of the City.

5. Policy Instructions:

- 5.1. The City shall apply applicable legislation for any incidents of Harassment or Violence, based upon where the incident has taken place.
- 5.2. Notwithstanding the conditions of the Respectful Workplace Directive, any complaint of Workplace Violence or Harassment shall be brought to the attention of Employee Relations and documented in accordance to the Workplace Violence Directive and Harassment Directive.
- 5.3. Any act of Workplace Violence or Harassment, no matter the nature or intent, committed by or against any Employee or member of the public is unacceptable conduct and will not be tolerated in any form.
- 5.4. Any Employee threatened of Harm of any kind will be asked to report the incident to the RCMP.
- 5.5. In cases of alleged Workplace Violence or Harassment, the City commits to:
 - 5.5.1. Investigate Formal Complaints of Workplace Violence and Harassment in a prompt, objective and sensitive manner; and
 - i. A 3rd party investigator may be consulted to provide assistance depending on the severity of a Formal Complaint
 - 5.5.2. Take necessary corrective action when required.
- 5.6. No Employee shall make a complaint with intent that is frivolous, vexatious, malicious, or without foundation.
- 5.7. All Employees are entitled to work in an environment free from unsolicited and unwelcome sexual overtures of any kind.
- 5.8. In some situations, a person may not realize that their behavior is inappropriate or unwelcome.

5.8.1. Employees who consider any behavior to be in contravention with this policy are encouraged to speak with that person and request that the conduct stop.

5.8.2. Should the Employee be uncomfortable approaching the person, then the Employee shall contact their immediate Supervisor or Employee Relations.

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

5.10. The City will not disclose the identity of the complainant, the alleged person(s), 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.

6. Penalty:

6.1. Any Employee found to be in violation of this policy may be subjected to a disciplinary action. Such action may be dependent upon the nature of the breach of this policy; discipline may range from a verbal warning to dismissal with cause.

6.2. Any Member of Council found to be in violation of this policy may be dealt with utilizing the "Code of Conduct Bylaw" or provisions of "The Lloydminster Charter".

7. Responsibility:

City Council will review and approve all policies.

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

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