

DISTRICT OF CARLETON NORTH
WORKPLACE HARASSMENT POLICY

POLICY NO: HR - 04

Category:	Human Resources
Policy Number:	04
Effective Date:	November 26, 2024
Approval by Council:	
Supersedes:	Town of Florenceville-Bristol Policy No. 23
Amended:	

1. PURPOSE:

The District of Carleton North is committed to providing a workplace where all workers are treated with respect and dignity, free from workplace violence and Harassment. Workplace Harassment or violence will not be tolerated from any person in the workplace including customers, clients, other employees, supervisors, co-workers and members of the public. This policy shall act as a Code of Practice to prevent violence and Harassment in the workplace.

For the purpose of the policy, the workplace includes and is not limited to the physical work site or building, washrooms, lunchrooms and eating areas, designated smoking areas on site, meeting rooms, training sessions and conferences, business travel, work related gatherings, virtual worksites, any physical or virtual workplace, where an employee conducts business on behalf of the District of Carleton North. The workplace may extend to events outside of work hours depending on the nature of the event.

The responsibility for creating and maintaining a respectful workplace and for being civil and respectful extends to social media platforms. If the social media communication is connected to the workplace, whether or not the communication originated from a DCN issued or private device, it may be subject to a complaint under this policy if it is deemed to be offensive, unwelcome, demeaning or belittling. The term social media includes and is not limited to Facebook, Instagram, Twitter and LinkedIn.

This policy is not intended to limit or constrain the employer's right to manage. Performance reviews, work evaluations and disciplinary measures taken by the employer for any valid reason do not constitute Harassment in the workplace.

2. DEFINITION:

“COMPLAINANT”

The person making allegations of Harassment

“HARASSMENT”

Can be physical, psychological or verbal. For the purpose of this Policy, all forms of Harassment mean:

- a) objectionable or offensive conduct, comments and/or gestures;
- b) made on a onetime (if severe and results in significant and lasting impact) or repeated basis;
- c) that is known or ought reasonably to be known to be unwelcome; and
- d) that threatens the mental and/or physical health or safety of the employee and/or demeans, belittles or causes humiliation or embarrassment.

In a place of employment, means any objectionable or offensive behaviour that is known or ought reasonably to be known to be unwelcome, including bullying or any other conduct, comment or display made on either a one-time or repeated basis that threatens the health or safety of an employee, and includes Sexual Harassment, but does not include reasonable conduct of an employer in respect of the management and direction of employees at the place of employment.

“TYPES OF HARASSMENT”:

For the purpose of this policy, the following are different forms of Harassment

- a) Personal Harassment – this form of Harassment includes bullying and/or Harassment based on protected ground under applicable human rights legislation
- b) Sexual Harassment – means objectionable or offensive behaviour of a sexual, sexualized or sexist nature that is likely to cause offence or humiliation to any employee; or that might, on reasonable grounds, be perceived by that employee as placing a condition of sexual nature on employment or any opportunity for training or promotion.
- c) Abuse by Authority – means the improper use of power and authority inherent in a position to endanger another’s job, undermine the performance of that job, threaten the person’s economic livelihood or in any way interfere with or influence a person’s career.
- d) Poisoned Work Environment – means circumstances where the work environment has become toxic because of pervasive discriminations or Harassment. It is often characterized as activity or behaviour that is not necessarily directed at anyone in particular.
A poisonous work environment arises when an organization fails to prevent or address workplace Personal Harassment, Sexual Harassment or Abuse of Authority and this leads to an overall toxic and/or hostile work environment. Employees, owners, independent contractors and even clients/customers can create a poisonous work environment.

“WORKPLACE VIOLENCE”

In a place of employment, means the attempted or actual use of physical force against an employee, or any threatening statement or behaviour that gives an employee reasonable cause to believe that physical force will be used against the employee, and includes sexual violence, intimate partner violence and domestic violence.

“INCIDENT INVESTIGATOR:

In the context of this policy shall mean the CAO or department head.

“RESPONDENT”

Is the person alleged to have engaged in Harassment

3. REPORTING:

A complainant has the right:

- a) To make a complaint and to obtain a review of the complaint;
- b) To be accompanied by a person of support during their interview, provided that person is not a co-worker or potential witness;
- c) Not to be subject to retaliation for the reason of having made a complaint under this policy; and
- d) To be informed of the results of the investigation.

A complainant is required to report any incidents of workplace Harassment to the Incident Investigator. This can be done verbally or in writing by use of a Harassment complaint form.

A Respondent is entitled to:

- a) Be informed that a complaint has been filed;
- b) Be presented with a written statement of allegations and to be afforded an opportunity to respond to them;
- c) Request a meeting with the Incident Investigator to discuss the options to resolve the complaint. A respondent to the complaint may be accompanied by a person of the employee's choice during any meeting with the Incident Investigator.

Witnesses are obliged to meet with the Incident Investigator and to cooperate with all those responsible for the investigation of the complaint. No person shall be subject to retaliation because they have participated as a witness.

Employees are obligated to maintain confidentiality with respect to the investigation.

4. IMPLEMENTATION:

The CAO is responsible for implementation and administration of this policy.

5. INVESTIGATION:

The Incident Investigator is required to:

- a) Ensure the respondent has received a written statement of the allegations;
 - b) Interview the parties concerned and any relevant witnesses;
 - c) Collect all pertinent information;
 - d) Use informal resolution processes where appropriate;
 - e) Respect confidentiality
 - f) Prepare a report; and
 - g) Ensure the investigation is completed in a timely manner;
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The Incident Investigator must provide the investigation results in writing to the affected employees.

6. WITHDRAWAL OF COMPLAINT

It is the right of the complainant, if so desired, to withdraw the allegation of Harassment, made in good faith, without resolution, as long as:

- a) The decision was made without coercion;
- b) The complainant understands that if there is clear initial evidence of Harassment or discrimination, the CAO can choose to continue the investigation and remedy the situation in order to ensure due diligence in identifying and stopping Harassment or eliminating a poisoned work environment.
- c) If the complainant wishes to withdraw a complaint but the respondent insists an investigation proceed for the purpose of establishing that no Harassment occurred, an investigation shall proceed.

7. CORRECTIVE MEASURES:

The Incident Investigator and the affected department will implement corrective measures identified in the investigation. Notices will be put on employee bulletin boards if there are new or revised procedures to follow.

8. WORKPLACE RISK ASSESSMENT

An assessment has been completed of the work areas, and have identified areas that may be at risk for violence:

- a) Building security: The NCCC, R. G. "Bun" Veysey Active Living Centre, Town Office, Shogomoc Rentals, and Western Valley Multiplex, are public buildings. There is no key card required for entrance.
- b) Reception: Visitors to the Town Office sometimes enter when nobody is sitting at the Reception desk.
- c) Handling money: All locations listed, plus the Bath Finance Office collect payments, which can include cash.
- d) Working alone: Occasionally, staff will work alone in a building (normally after hours), which can be a hazard for workplace violence including sexual violence.
- e) Domestic/intimate partner violence: When domestic/intimate partner violence follows a victim to work, it becomes a workplace issue. An aggressor can present a risk to the victim or others in the workplace itself.

9. WORKPLACE CODE OF PRACTICE TO PREVENT RISK OF VIOLENCE

Following the Workplace Risk Assessment, the following codes of practice shall be followed to prevent the risk of violence in the workplace:

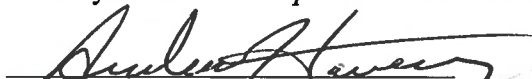
- a) **Building security:** Since it is not practical to have a key card access to public buildings, all efforts shall be made to have two people working together at any given location. When this is not possible, staff shall make themselves familiar Appendix A: Working Alone at the Northern Carleton Civic Centre and the R. G. “Bun” Veysey Active Living Centre. This document has tips on ensuring staff safety, as well as emergency contact numbers. The tips would be applicable for any building.
- b) **Reception:** A sensor chime sounds whenever someone enters the front door at the Town Office building and Centreville Office building to alert staff and a door buzzer with camera at the Bath Office building.
- c) **Handling money:** The amount of cash on hand at any location should be kept to a minimum. Cash at the Town Office, Recreation Department, Centreville Office and the Bath Office is kept in a safe location (safe or lockbox) until Finance picks it up for deposit. The addition of debit and credit card transactions has reduced the amount of cash on hand.
- d) **Working alone:** Outside of normal building hours, the doors should always be locked when there is only one person in the building. For clarity, when staff are working alone after hours, they would re-lock the door once they enter. Similarly, the second to last person who leaves the building at the end of the workday would lock the door behind them. One-on-one meetings should be booked during regular working hours.
- e) **Domestic / intimate partner violence:** To ensure all employees have a safe and healthy workplace including protection of all employees from the risk of domestic violence in the workplace, staff who may be at risk should talk to their supervisor or a co-worker. The District’s benefit package includes Employee Assistance Program (EAP), which may also be a good resource for the person at risk to receive help. The District will work with the employee to develop a safety plan that is tailored to the situation to ensure all employees are safe.

10. SUMMARY:

All employees at the District of Carleton North including managers, supervisors, temporary employees, students, Council and subcontractors are to adhere to this code of practice, report an incident of Harassment as soon as possible and will not be penalized or disciplined for reporting an incident or for participating in an investigation. Harassment does not include reasonable management decisions, such as scheduling and shifts, work assignments, deadlines, work evaluation, performance management or disciplinary actions.

Certification for District of Carleton North Policy Manual:

I certify that this *Workplace Harassment Policy* was adopted by Council as indicated above.



 Mayor



 Clerk



 November 26, 2024
Date of Council Resolution

 November 26, 2024
Date Policy in Effect