

## TOWN OF STETTLER ADMINISTRATIVE POLICY

Prepared by: Joint Health & Safety Committee      Number: Admin H/V Plan  
Original Policy: Safety Manual

Adopted by: CAO      Current Policy: Admin H/V Plan – January 2021

Title:                              **Harassment & Violence Prevention Plan**

Harassment Prevention Policy & Procedures

Purpose:

1. Ensure a workplace that is free from discrimination, harassment and bullying in compliance with Alberta Human Rights Act and Occupational Health and Safety Legislation.
2. Recognize workplace harassment as a hazard for the purpose of hazard assessment to determine, understand, and prevent harassment in the workplace.
3. Create a respectful workplace environment that embraces the safety, well-being, dignity, diversity and productivity of all.
4. Be supportive of employees faced with disrespectful behavior. Foster respectful and courteous interactions.
5. Address disrespectful behavior in the Workplace and empower employees to resolve issues of perceived disrespect.

Harassment Definition (for the purposes of the OHS Code as defined in the OHS Act):

Harassment is any single or repeated incident(s) 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 affect the worker's health and safety, and includes:

- 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;
- A sexual solicitation or advance, but excludes any reasonable conduct of an employer or supervisor in respect of the management of workers or the work site.

#### Harassment Prevention Administrative Policy Statement:

The Town of Stettler believes that harassment is a serious issue which has a negative effect on workplace culture. The Town of Stettler, together with all workers, is dedicated to promoting a harassment-free workplace based on mutual respect and cooperation, and to the prevention of harassment. Any act of harassment committed by or against any worker or member of the public is unacceptable conduct and will not be tolerated. Retaliation or unfounded complaints will not be tolerated and will be subject to disciplinary and/or corrective action.

The Town of Stettler is committed to:

- (a) Eliminating the hazard of harassment, or controlling it if elimination is not reasonably practicable.
- (b1) Investigating reported incidents and complaints of harassment in an objective and timely manner;
- (b2) Taking necessary corrective action to address incidents and complaints to an appropriate degree under the circumstances. Additional training, education, and counselling services will be employer-sponsored if considered reasonably necessary as a further preventative measure.
- (c1) Protect privacy by stating only circumstances related to an incident or complaint of harassment.
- (c2) Not disclosing the names of the complainant, the alleged perpetrator, or any witnesses except:
  - (i) Where necessary to investigate the incident or complaint and take corrective action, or to inform involved parties of investigation results and

actions to be taken, or

- (ii) As required by law
- (d) Where and when identified, inform workers of a specific or general threat of harassment or potential harassment from an external source.
- (e) Supporting that this harassment prevention administrative policy is not intended to discourage a worker from exercising their rights pursuant to any other law (e.g. contacting police, union grievance, etc.), including the Alberta Human Rights Act.
- (f) Supporting regular plan reviews and employee communication/cooperation to prevent workers or any other individual affiliated with this organization from subjecting any other person to harassment.
- (g) Supporting the Joint Health and Safety Committee's endeavor to make available employee harassment prevention training opportunities, when considered appropriate.

Harassment Prevention Administrative Procedure:

The Town of Stettler is committed to the following procedures:

- (a) Preparation of a hazard assessment to understand and eliminate the hazard of harassment, or control the hazard of harassment if elimination is not reasonably practical.
- (b) Encouraging all workers to report harassment immediately to a Supervisor, Department Head, CAO or Assistant CAO. Upon receiving a complaint, it will be communicated to the CAO or Assistant CAO who may, under the circumstances of the complaint or incident, request that a written report is compiled to document the incident of harassment. The report should carefully record all relevant details of the alleged harassment, the names of any alleged perpetrators and/or witnesses, and any actions taken so far to alleviate the harassment.
- (c) Ensuring that workers affected by workplace harassment are advised to consult a health professional of their choice, and if treatment takes place during regular work hours, not to deduct any pay or benefits from the worker for their time spent attending treatment.

- (d) In a timely manner the CAO or Assistant CAO will review the report and any other circumstances related to the incident or complaint. The CAO or Assistant CAO will subsequently determine the degree of further investigation considered appropriate, and the level of training or experience considered necessary to conduct a suitable investigation with recommendations and/or corrective actions. If considered appropriate and warranted given the severity of the circumstances, the investigation may be undertaken utilizing the police and/or a qualified contracted service provider.
- (e) Given the relative nature of the harassment complaint or incident, and the genuine cooperative efforts of the workers involved, a mutually accepted corrective action may be expedited to prevent further unacceptable conduct. However, reported documentation may be required and filed for future consideration by the CAO or Assistant CAO should further hazard prevention, compliance, and/or disciplinary measures become required.
- (f) Department Heads, Managers and Supervisors, in cooperation with the Joint Health and Safety Committee will be tasked to organizationally implement any measures to eliminate or control the hazard of harassment which are identified during an investigation.
- (g) The CAO or Assistant CAO, under the circumstances of the incident or complaint, will determine how and when information will be shared, who it will be shared with, and how confidentially will be maintained.
- (h) The CAO, Assistant CAO or designate will advise and update the Joint Health and Safety Committee that a harassment complaint procedure is in process, and of any corrective action determined appropriate from the investigation. Specific details will generally not be made available to the Committee unless the CAO, Assistant CAO or designate deems it appropriate under the circumstances.
- (i) Harassment incidents and complaints are taken seriously by the Town of Stettler and can occur in many clear or complicated forms. This policy is intended to help prevent harassment and will not tolerate a worker who makes harassment accusations against another worker for malicious or vindictive motives. Additionally, it is recognized that the consideration of factors such as unsubstantiated, inadvertent, miscommunication, unintentional, genuine, reasonably frivolous, mutual consent, opinion, mistake and recognition of poor behaviour can make investigations and the determination of an appropriate and responsible corrective action more reasonable or unreasonable under the circumstances.

## Violence Prevention Policy & Procedures:

### Purpose:

1. Create a respectful workplace environment that embraces the safety, well-being, dignity, diversity and productivity of all.
2. Recognize workplace violence as a hazard for the purpose of hazard assessment to determine, understand, and prevent violence in the workplace.
3. Be supportive of employees faced with violent behavior.
4. Address violent behavior in the Workplace and empower employees to report acts of violence.

### Violence Definition (for the purposes of the OHS Code as defined in the OHS Act):

Violence, whether at a work site or work-related, means 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.

Domestic violence may include physical violence, sexual abuse, financial control, emotional and psychological intimidation, verbal abuse, stalking and using electronic devices to harass and control. Domestic violence becomes a workplace hazard, and is no longer limited to a personal issue, when it occurs or spills over into the workplace, or there is reason to believe that it could occur at the workplace. It may put the targeted worker at risk, and may pose a threat to co-workers.

### Violence Prevention Administrative Policy Statement:

The Town of Stettler believes in the prevention of violence and promotes a violence-free workplace in which all people respect one another, treat each other with dignity, and work together to achieve common goals. Any act of violence committed by or against any worker or member of the public is unacceptable conduct and will not be tolerated.

The Town of Stettler is committed to:

- (a) Eliminating the hazard of violence, or controlling it if elimination is not reasonably practical.

- (b1) Investigating reported incidents of violence in an objective, impartial and timely manner;
- (b2) Taking necessary corrective action and further preventative measures, when considered reasonable.
- (c1) Protect privacy by stating only circumstances related to an incident of violence.
- (c2) Not disclosing the names of the complainant, the alleged perpetrator, or any witnesses, except:
  - (i) Where necessary to investigate the incident and take corrective action, or to inform involved parties of investigation results and actions taken,
  - (ii) If necessary, to inform workers of a threat of violence or potential violence, or
  - (iii) As required by law; and
- (d) Disclose the minimum amount of personal information necessary to inform workers of a specific or general threat of violence or potential violence.
- (e) Supporting that this violence prevention administrative policy is not intended to discourage a worker from exercising their rights pursuant to any other law (e.g., contacting police, union grievance, human rights complaint, etc.)
- (f) Supporting regular plan reviews and employee communication/cooperation to prevent workers or any other individual affiliated with this organization from subjecting any other person to violence.
- (g) Supporting the Joint Health and Safety Committee's endeavor to make available employee violence prevention training opportunities, when considered appropriate.

### Violence Prevention Administrative Procedure:

The Town of Stettler is committed to the following procedures:

- (a) Preparation of a hazard assessment to understand and eliminate the hazard of violence, or control the hazard of violence if elimination is not reasonably practical.
- (b) Provide information and training appropriate to the nature and extent needed to address the hazard of violence and prevention at the work site.
- (c) Disclose information related to an incident of violence or a threat of potential violence in compliance with subsections 390.1(c) and (d) (ensuring privacy and restricting personal information disclosure to a minimum).
- (d) Provide immediate assistance when an incident of violence occurs through communication with a direct Supervisor, Manager, Department Head, CAO or the Assistant CAO. The Town of Stettler will ensure that workers affected by workplace violence are advised to consult a health professional of their choice and, if treatment takes place during regular work hours, not to deduct any pay or benefits from the worker for their time spent attending treatment.
- (e1) Facilitate and encourage the immediate reporting of incidents of violence in the workplace. Concerned or impacted workers will communicate in a safe and protected manner with their direct Supervisor, Manager, Department Head, CAO or the Assistant CAO.
- (e2) Workers have the right to independently report violence to the police, union, OHS, and/or another regulatory body that has jurisdiction to address the matter (e.g, Human Rights Commission where violence is associated with a protected human right). The Town of Stettler may also contract for investigations to be completed by external investigators who are not connected to the employer.
- (f) The CAO, Assistant CAO or designate will be responsible to ensure incidents of violence are documented and investigated. After providing assistance during or immediately after an incident, the CAO, Assistant CAO or designate will ensure that an initial report of the facts relating to the incident is compiled. This requires the complainant and witnesses to carefully record details of the incident including the date and time, nature of the violence and names of those who may have witnessed the violence. It is expected that

further investigations, if necessary, will be undertaken by individuals with suitable training, a qualified contracted service provider, or by the police when deemed appropriate. The investigation should take place as soon as possible after an incident.

- (g) Department Heads, Managers and Supervisors, in cooperation with the Joint Health and Safety Committee will be tasked to organizationally implement any measures to eliminate or control the hazard of violence which are identified during an investigation.
- (h) The CAO or Assistant CAO, under the circumstances of the incident or complaint, will determine how and when information will be shared, who it will be shared with, and how confidentially will be maintained.
- (i) The CAO, Assistant CAO or designate will advise and update the Joint Health and Safety Committee that a violence complaint procedure is in process, and of any corrective action determined appropriate from the investigation. Specific details will generally not be made available to the Committee unless the CAO, Assistant CAO or designate deems it appropriate under the circumstances.
- (j) The CAO, Assistant CAO or designate has the authority to determine appropriate discipline for a worker in accordance with the Town of Stettler Safety Policy. Given the serious nature of violence, discipline of a worker may also include that relevant, employer-sponsored training be completed by the worker. Other employment-related measures may be selected as required. Given that investigations can take some time to complete, including appropriate recommendations, the CAO, Assistant CAO or designate may act immediately respecting employment-related disciplinary measures, corrective action, and worker safety as is considered appropriate.

#### Policy Review

This policy is to be reviewed every two (2) years by the Joint Health & Safety Committee