

The Village of Birds Point
BOARD OF DIRECTORS/EMPLOYEE POLICY

Policy Name: Harassment

Policy Type: Governance Process

Date Approved: 11/23/20

Latest Revision: Policy #01

The Resort Village of Birds Point provides an environment free from harassment where all people are treated with respect and fairness. This includes Administrator, volunteers, staff, and Council members

1. Purpose

- 1.1. To encourage an understanding of harassment, recognizing that bullying, and abuse of power are forms of harassment
- 1.2. To create an awareness of the policy position and to take positive measures of prevention as well as effectively dealing with harassing behaviours
- 1.3. To provide an atmosphere which promotes equity and prohibits discriminatory practices as outlined in The Saskatchewan Human Rights Code
- 1.4. To enforce management and supervisory obligations to diligently and continuously take measures which promote a harassment free workplace and effectively respond to incidents which may occur

2. Statement

- 2.1. Harassment is a violation of human rights
- 2.2. Harassment of any nature negatively affects the well-being and productivity
- 2.3. Harassment poisons the environment of the workplace
- 2.4. Harassment is illegal under The Occupational Health and Safety Act and The Saskatchewan Human Rights Code

3. Definition of Harassment

Harassment is defined as any unwanted, uninvited comment or conduct of a personal or sexual nature that is known or ought to be reasonably known to be unwelcome. Due to the complexities and further boundaries of harassment it is acknowledged that harassment of any nature may be less than or exceed the boundaries of this definition.

The Saskatchewan Human Rights Code stipulates that individuals have the right to be free from discrimination and harassment on the following grounds:

- Religion ⁱ
- Creed
- Marital status
- Family status
- Sex ⁱⁱ
- Sexual orientation
- Disability ⁱⁱⁱ
- Age
- Colour
- Ancestry
- Nationality
- Place of origin
- Race or perceived race
- Receipt of public assistance ^{iv}

i “Religion” includes all aspects of religious observance and practice as well as beliefs

ii “Sex” means gender and includes discrimination on the basis of pregnancy or pregnancy-related illnesses.

iii “Disability” means any degree of physical disability, infirmity, malformation or disfigurement and includes: epilepsy, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impediment, deafness or hearing impediment, physical reliance on a service animal, wheelchair or other remedial appliance or device.

iv Means receipt of assistance under The Saskatchewan Assistance Act or The Saskatchewan Income Plan Act.

Types of behaviour that may constitute harassment on a prohibited ground include, but are not limited to:

- Racial or ethnic slurs
- Written or verbal abuse
- Threats or reprisals, or implied threats or reprisals
- Unwelcome sexual remarks, invitations or requests for sexual favors
- Abuse of authority
- Bullying

- Unwelcome remarks, jokes, taunts, suggestions about a person's body, attire, age, marital status, etc
- Displays of pornographic, sexist, racist or other offensive or derogatory material (including graffiti or pictures)
- Practical jokes or humour that results in embarrassment, humiliation or insult
- Leering (suggestive staring) or other offensive gestures
- Physical or sexual assault (criminal offense)

NOTE: Lack of intent on the part of the harasser is not a defence. Impact of the behaviour on the recipient is of primary importance.

4. Resort Village of Birds Point Responsibility

Everyone has a responsibility to ensure his/her work environment or area of service is free of harassment. Condoning inappropriate behaviour can have the effect of creating an intimidating, hostile, an offending or a poisoned (not free from harassment) environment. Village of Birds Point responsibility is to ensure that its Administrator, volunteers, staff, and Council members do not harass others nor allows them to be harassed. All instances of harassment should be reported.

5. Harassment Process

The Village of Birds Point has a process in place for handling all harassment issues.

Procedure for dealing with harassment concerns

All complaints will be taken seriously. The rights of all concerned will be respected. Employees are encouraged to use these steps to address incidents of alleged harassment internally.

1. An employee who believes that he or she has been subjected to harassment is encouraged to first clearly and firmly make known to the alleged harasser that the harassment is objectionable and must stop.
2. Where this cannot be done, or is unsuccessful, the employee should report the alleged harassment to the Mayor. In the event that the complaint is against the Mayor, the employee should report the alleged harassment to a member of Council who will then take the action indicated below for the Mayor.
3. Once a report is received, the Mayor or Council member shall immediately notify the alleged harasser of the complaint; provide the alleged harasser with information concerning the circumstances of the complaint; and undertake a confidential investigation.

4. Following the conclusion of the investigation, the Mayor will inform the complainant and the alleged harasser of the results of the investigation.

Resolution and corrective action

Where harassment has been substantiated, the Mayor or Council member will take appropriate corrective action to resolve the complaint. Where harassment has not been substantiated, no action will be taken against an employee who has made a complaint in good faith.

Confidentiality

The Mayor or Council member will not disclose the identity of the employee or others or of the circumstances of the complaint, except where disclosure is necessary for the purpose of investigating or taking disciplinary action in relation to the complaint, or where such disclosure is required by law.

External complaints

Nothing in this policy prevents or discourages an employee from referring a harassment complaint to the Occupational Health and Safety Division under: *The Occupational Health and Safety Act, 1993*; particularly sections 3 and 4; and *The Occupational Health and Safety Regulation, 1996*; particularly section 36. A worker may also file a complaint with the Saskatchewan Human Rights Commission under *The Saskatchewan Human Rights Code*, particularly sections 16, 17, 18 and 27. A worker retains the right to exercise any other legal avenues available. For more information, contact the Department of Labour, Occupational Health and Safety Division, at (306) 787-4496.

SEAL

MAYOR

ADMINISTRATOR

Adopted by Council of The Resort Village of Bird's Point this 23 day of November, 2020