

Title: Violence and Harassment Prevention

Policy No: 2012

Effective Date: January 23, 2024

Motion Number: 24.01.28

Supersedes Policy: 2012 / 2011 / 3004

Department: Human Resources

Review Date: January, 2027



Legal References:

Alberta Freedom of Information and Protection of Privacy Act (FOIP), R.S.A. 2000, c.F-25.

Alberta Human Rights Act, R.S.A. 2000, c.A-25.5.

Alberta Occupational Health and Safety Code, Part 27.

Cross References:

Bylaw 21-893 "Council Code of Conduct"

Policy 2500 "Corporate Health and Safety Policy"

Policy 2004 "Employee Code of Conduct"

Policy 02-07 "Reporting and Investigating Violence and Harassment"

Purpose: The purpose of this policy is to foster a safe, healthy, and inclusive Workplace. It expresses Greenview's commitment to a Workplace that prevents Violence and Harassment from occurring, and it ensures that Greenview will meet its obligations and responsibilities as set out in relevant legislation.

1. DEFINITIONS

- 1.1. **Chief Administrative Officer (CAO)** means the Chief Administrative Officer of Greenview or delegate.
- 1.2. **Complainant** means a person who reports an issue of Violence or Harassment in the Workplace.
- 1.3. **Greenview** means the Municipal District of Greenview No. 16.
- 1.4. **Harassment** (whether at work or work-related) means 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 affect the Worker's health and safety. It excludes any reasonable and respectful conduct of an employer or Supervisor related to the normal management of Workers or the Workplace. Harassment can include:
 - A) Exclusion or isolation of workers.
 - B) Actions that create fear or mistrust or that ridicule or devalue a Worker such as fist shaking, yelling, verbal aggression, misuse of power or authority, spreading gossip, malicious rumours, or public ridicule.
 - C) Intimidation such as standing too close or making inappropriate gestures or comments.
 - D) Intentionally withholding or giving wrong information required for a worker to complete their work.
 - E) Taking away work or responsibilities without cause.
 - F) Unwanted touching, grabbing, brushing, kissing, pushing, or impeding or blocking movement.

- G) Cyberbullying - the use of information and communication technologies including, but not limited to, e-mail, cell phones, instant messaging, social media, and websites to post or send offensive or intimidating messages.
- H) Discrimination - any conduct, comment or action because of the age, ancestry, colour, gender, gender expression, gender identity, family status, marital status, mental disability, physical disability, place of origin, race, pregnancy, religious beliefs, sexual orientation, and/or source of income. Harassment, when connected to a protected ground, is considered Discrimination.
- I) Disrespectful Behaviour means objectionable or unwelcome conduct which may or may not have intent to cause harm and has a negative effect on the Worker or Workplace.
- J) Sexual harassment - any sexual behaviour, which is unwelcome, personally offensive, debilitates morale, and therefore interferes with work effectiveness. It includes offensive sexual flirtations, unwelcome advances, propositions, sexual solicitation, or advance, and graphic or degrading verbal comments of a sexual nature about an individual or their appearance. The display of sexually suggestive and/or inappropriate written or graphic material or objects including photos, videos or the use of degrading verbal comments creates an offensive atmosphere and is a form of Sexual Harassment. Offering an employment benefit (such as a raise or promotion or assistance with one's career) in exchange for sexual favours, or threatening an employment detriment (such as termination, demotion, or disciplinary action) for a worker's failure to engage in sexual activity.

- 1.5. **OHS** means Alberta Occupational Health and Safety.
- 1.6. **Respondent** means the person whose behaviour or action is being reported.
- 1.7. **Retaliation** means to hurt or attempt to hurt somebody in return, to deliberately harm or attempt to harm somebody in response or revenge for an action he or she has done.
- 1.8. **Supervisor** means a Worker who directs or oversees a person, group, department, organization, or operation. (e.g., CAO, Director, Manager, Assistant Manager, Supervisor, Lead Hand, etc.).
- 1.9. **Threat** means any act, gesture or statement that gives an employee, or another person, reasonable cause to believe that there is risk of injury to themselves or another person or damage to property.
- 1.10. **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. Violence can include but is not limited to:
 - A) Physical attack or aggression (e.g., hitting, shoving, pushing, or kicking a Worker, throwing an object at a Worker, kicking an object the Worker is standing on, such as a ladder).
 - B) Threatening behaviour (e.g., shaking a fist in a Worker's face, wielding a weapon at work, trying to hit a Worker, trying to run down a Worker using a vehicle or equipment such as a forklift, destroying property or throwing objects at a Worker).
 - C) Verbal or written Threats (e.g., verbally threatening to attack a worker, leaving threatening notes or sending threatening emails to express an intent to inflict harm on a Worker).
 - D) Damage to property.

- E) Domestic violence becomes a workplace hazard and is no longer limited to a personal issue when it occurs or spills over into the workplace as it may put the targeted Worker at risk and pose a threat to co-workers; and
- F) Sexual violence is any sexual act, attempt to obtain a sexual act, or other act directed against a Worker's sexuality using coercion by any person regardless of their relationship to the Worker in a workplace or work-related setting.

1.11. **Worker** means Greenview employees, contractors providing service for or to Greenview, volunteers, and members of Council.

1.12. **Workplace** means a place a Worker is, or may be, conducting work on behalf of Greenview, including:

- A) Work related conferences, training sessions, and travel.
- B) Greenview related functions and social gatherings.
- C) Greenview property, including contract sites.
- D) Virtual environment, including phone, email, social media, and other electronic means; and
- E) Working and non-working if there is a relationship to Greenview activities.

2. POLICY STATEMENT

2.1. Greenview is committed to eliminating or if not reasonably practicable, controlling the hazards of Violence and Harassment in the Workplace.

2.2. Greenview supports the prevention of Violence and Harassment and promotes a Violence and Harassment free Workplace in which all people are treated with respect and dignity and work together to achieve common goals.

2.3. Any act of Violence or Harassment committed by or against any Worker is unacceptable conduct and will not be tolerated.

2.4. This policy applies to Workers and Workplaces as defined in sections 1.11 and 1.12.

2.5. This policy is not intended to discourage a Worker from exercising their rights pursuant to any other law (e.g., contacting police, human rights complaint, etc.).

2.6. In support of this policy, Violence and Harassment Prevention procedures have been developed. These include measures and procedures to protect Workers from the hazards of Violence and Harassment and the processes for reporting, investigating, and documenting incidents and concerns.

3. FALSE OR FRIVOLOUS COMPLAINTS

3.1. Complaints that are found to be false, frivolous, or made in bad faith will not be tolerated and will be subject to the appropriate disciplinary action or denial of Greenview service.

4. RETALIATION

4.1. Everyone has the right to report, in good faith, incidents of Workplace Violence and Harassment without fear of Retaliation.

4.2. Retaliation by any person against anyone involved in an informal or formal complaint process will not be tolerated and will be subject to discipline, up to and including dismissal or denial of Greenview services.

5. CONSEQUENCES OF NON-COMPLIANCE

- 5.1. Workers failing to adhere to the items contained in this policy and the supporting procedures will be subject to appropriate disciplinary action. Depending on the circumstances of the incident and outcome of any investigation, may range from, but not limited to, warnings and suspensions, up to and including dismissal. Incidents may also be referred to the Police for investigation.
- 5.2. Contractors, suppliers, volunteers, and members of the public are expected to adhere to this policy. If Violence or Harassment occurs, Greenview will take appropriate action to ensure a safe Workplace. This could include discontinuing business, issuing trespass notices, or referring the matter to the Police.

6. EMPLOYER RESPONSIBILITIES

- 6.1 OHS prohibits acts of Violence and Harassment in the Workplace. Employer responsibilities are set out in Part 27 of the OHS Code.
- A) Greenview must identify and assess risks at Greenview Workplaces, including the hazards of Violence and Harassment.
 - B) Greenview must ensure that Workers are not subject to or do not participate in Violence or Harassment in the Workplace.
 - C) Greenview must develop and implement a Violence and Harassment Prevention Plan that includes Violence and Harassment procedures.
 - D) Greenview must develop and implement the Violence and Harassment Prevention Plan in consultation with the Joint Workplace Health and Safety Committee.
 - E) Greenview must ensure that Workers are trained in:
 - i. The recognition of Violence and Harassment.
 - ii. The policies, procedures, and Workplace arrangements that have been developed and implemented to eliminate or control the hazards of Violence and Harassment.
 - iii. The appropriate response to Violence and Harassment including obtaining assistance and,
 - iv. The procedures for reporting, investigating, and documenting incidents of Violence and Harassment.
 - F) Greenview must investigate any incidents of Violence or Harassment and take corrective action.
 - G) Greenview must not disclose the circumstances related to an incident of Violence or Harassment or the names of the Complainant, the Respondent, or any witnesses, except:
 - i. When necessary to investigate the incident or to take corrective action, or to inform the parties involved in the incident of the results of the investigation and any corrective action to be taken to address the incident.
 - ii. Where necessary to inform Workers of the specific or general Threat of Violence or potential Violence.
 - iii. As required by law.
 - H) Greenview must only disclose the minimum amount of personal information under clause 6.1(G)(ii) that is necessary to inform Workers of a specific or general Threat of Violence or potential Violence.
- 6.2 When Greenview is aware a Worker is or is likely to be exposed to Domestic Violence at a Workplace, Greenview must take reasonable precautions to protect the Worker and any other persons at the Workplace likely to be affected.

- 6.3 All documentation produced during an investigation including the incident report, notes, emails, outcome, summaries, etc. are to be filed under investigations in the confidential human resources section of Greenview’s electronic filing system for a minimum of two (2) years.
- 6.4 Greenview must review the Violence and Harassment prevention plan and revise the plan, if necessary, in consultation with the Joint Health and Safety Committee. The review must take place on the earliest of the following:
 - A) When an incident of Violence or Harassment occurs.
 - B) If the Joint Health and Safety Committee recommend a review of the plan; or
 - C) Every three (3) years.

7. SUPERVISOR RESPONSIBILITIES

- 7.1. Supervisor responsibilities include:
 - A) Ensuring Workers under their supervision are not subject to Harassment or Violence at the Workplace.
 - B) Being a role model.
 - C) Ensuring Workers are aware of, and compliant with, this policy and supporting procedures.
 - D) Taking appropriate action in a prompt, impartial and confidential manner when Violence or Harassment allegations come to your attention.
 - E) Supporting all parties involved in resolving allegations under the Violence and Harassment prevention policy with the appropriate option for resolution.
 - F) Ensuring no person suffers reprisal or Retaliation as a result because of making a complaint in good faith or for providing information in good faith; and
 - G) Consulting with Human Resources as necessary.

8. WORKER RESPONSIBILITIES

- 8.1. Worker responsibilities include:
 - A) Learn to identify warning signs of Violence and Harassment.
 - B) Refrain from Violence and Harassment.
 - C) Being familiar with and following this policy and supporting procedures.
 - D) Ensuring behaviour is always respectful and appropriate.
 - E) Accepting responsibility for actions, reactions, and behaviours and impact on others.
 - F) Making concerns known promptly if something is troubling.
 - G) Reporting incidents of Workplace Violence and Harassment as soon as possible; and
 - H) Being a part of the solution by engaging in steps to resolve the matter.