

Harassment Policy for Thomson Lake Regional Park

Statement of Commitment:

Every employee is entitled to employment free of harassment. Thomson Lake Regional Park Authority is committed to a harassment-free workplace where everyone is treated with dignity and respect. Achievement of a harassment free workplace requires mutual respect, cooperation, professional conduct and understanding of all employees.

Thomson Lake Regional

Park Authority is committed to ensuring all employees receive and understand the policy.

Definition of Harassment:

Pursuant to *The Occupational Health and Safety Act, 1996* (OHS Act):

Harassment means any inappropriate conduct, comment, display, action or gesture by a person that :

- is directed at a worker
- is made on the basis of race, creed, religion, color, sex, sexual orientation, marital status, family status, disability, physical size or weight, age, nationality, ancestry or place of origin; or
- 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
- constitutes a threat to the health and safety of the worker.

Harassment is an expression of perceived power or superiority by an individual(s) over another person(s), usually for reasons over which the harassed individual(s) has little or no control. It includes physical or verbal action on an individual or repeated basis which humiliates, insults, degrades or threatens the individual at whom it is directed. While not a complete list, examples of harassment actions may include but are not be limited to:

- Verbal or written abuse or threats
- Unwelcome remarks, jokes, innuendos or taunting about a person's body, attire, age, marital status, character, ethnic or national origin, religion, sex or sexual orientation
- Displaying of pornographic, racist, or other offensive/derogatory pictures
- Practical jokes which cause awkwardness or embarrassment
- Unwelcome invitations or requests, whether indirect or explicit, intimidation
- Condescension or patronizing which undermines self-respect
- Unwelcome physical contact such as touching, patting, pinching, punching
- Physical assault
- Insulting, derogatory or degrading comments, jokes or gestures
- Personal ridicule or malicious gossip
- Unjustifiable interference with another person's work or work sabotage
- Refusing to work or co-operate with others
- Interference with or vandalizing personal property
- Threats of loss of one's job or other forms of reprisal if one does not comply with

request for sexual favors. Furthermore, harassment may manifest itself as bullying,. Bullying goes beyond the protected grounds of the Human Rights Code and is defined as follows:

- Bullying (at work) is the repeated, malicious verbal mistreatment of a target (the recipient) by a harassing bully (the perpetrator) that is driven by the bully's desire to control the target. Bullying also includes "psychological" harassment. Bullying tactics can include, but are not limited to:

- abuse of power
- abuse of authority
- threatening (person, career, property)
- relentless criticism, belittling, rumors
- raging

Sexual harassment, which is conduct, comment, gesture or contact of a sexual nature that is offensive, unsolicited or unwelcome, is also prohibited.

What is Not Harassment:

Day-to day management or supervisory decisions are not considered to be harassment even if they sometimes involve unpleasant consequences. These include:

- work assignments
- job assessments and evaluations
- workplace inspections
- implementation of appropriate dress codes; and
- disciplinary actions.

Managerial actions must be carried out in a manner that is reasonable and not abusive.

Workplace Harassment:

Thomson Lake Regional Park Authority, its managers and supervisors, will make every reasonable effort to ensure that no worker is subjected to harassment or bullying in the workplace. All employees have a duty to refrain from causing or participating in the harassment of another employee. Thomson Lake Regional Park Authority will take corrective action as set out in this policy respecting any person under its direction who subjects any worker to harassment.

Employees are encouraged to assist in the solution of workplace harassment or bullying issues. If an employee is being harassed the situation cannot be ignored. The guidelines below must be followed:

- Communication of the incident to those not directly involved is inappropriate. Allow the resolution process to substantiate or not substantiate the allegations. Unfounded allegations of harassment are a reality. Significant damage can be done to an individual falsely accused.
- Employees in a management/supervisory position have the added responsibility to expeditiously address any complaints directed to them for resolution in accordance with the procedures outlined. Failure to do so may result in disciplinary action.
- If an employee has witnessed an alleged offense, be prepared to support your fellow employee by providing a statement of the events you witnessed. If an investigation is initiated, this statement may be supportive of the complainant or the alleged harasser.

Employee's Duty:

In accordance with Section 4 of the OHS Act, all employees, including managers and supervisors employed by Thomson Lake Regional Park Authority, shall refrain from causing or participating in the harassment of another employee, and co-operate with any person investigating harassment complaints.

Complaint Procedure:

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. This may be verbal or written. It is beneficial to record the events to help the employee remember details over time (dates, times, locations, witnesses, what happened and responses). Lack of such a record does not prevent the lodging of a complaint. If this process is successful, no record will be maintained on the personnel file of either employee.

Where the first step cannot be done, or is unsuccessful, the employee should report the alleged harassment within three (3) days to their immediate supervisor/manager, or to one of the persons designated by the employer to receive complaints of harassment:

Park Operations Manager
Park Administrator

In a case where the complaint is against the Park Operations Manager or Park Administrator, the employee should report the alleged harassment to the Chairperson of the board of directors.

Once a person designated by the employer to receive complaints of harassment receives a complaint, that person shall immediately bring the complaint to the attention of the employer. The employer or employer representative will discuss options to resolve the complaint with the complainant. Where the conflict cannot be promptly resolved in a matter satisfactory to the complainant, the employer or employer representative will request that the complaint be submitted in writing describing the situation, including an account of the proceedings thus far. Said complaint shall be submitted on the prescribed form. The employer or employer representative will immediately proceed with a confidential investigation. The investigation will include notifying the alleged harasser of the complaint, provide the alleged harasser with the information concerning the circumstances of the complaint. The investigation will also include interviewing or obtaining statements from all parties concerned and any witnesses involved. Where harassment has been substantiated, the employer or employer representative will take appropriate corrective action to resolve the complaint and a record of the offense and decisions will be retained in the personnel file of the accused individual (s). Corrective or disciplinary action in proven harassment complaints may include counseling, suspension, dismissal or progressive disciplinary action. Similar actions may be taken against someone who is proven to have intentionally filed a false complaint. Following the conclusion of the investigation, the employer or employer representative will inform the complainant and the accused individual (s) in writing of the findings and outcome of the investigation.

Responsibility

The Park Operations Manager or Park Administrator are responsible for ensuring that any discipline required is enforced (unless the complaint is against either of them or they are in conflict of interest, in which case the board of directors will be responsible for such action as may be required).

Confidentiality

Thomson Lake Regional Park Authority will not disclose the identity of the complainant or alleged harasser 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.

Referral

Nothing in this procedure is intended to discourage or prevent a worker from referring a harassment complaint to the Occupational Health and Safety Division pursuant to *The Occupational Health and Safety Act, 1996*, exercising their right to request the assistance of an occupational health officer to resolve a harassment complaint or initiating a complaint under the Saskatchewan Human Rights Code or exercising any other legal right available under other law.