



RURAL MUNICIPALITY OF ST. ANDREWS POLICY AND PROCEDURES MANUAL

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HARASSMENT PREVENTION POLICY

Purpose

The Rural Municipality of St. Andrews believes every worker is entitled to work free of harassment and as the employer will ensure, so far as is reasonably practicable, that no worker is subjected to harassment in the workplace. The purpose of this policy is to establish the procedures by which the Municipality will handle allegations or incidents of harassment. This policy is updated in accordance with Section 10.2(1) of the Workplace Safety and Health Regulations.

Policy

The harassment policy of the Rural Municipality of St. Andrews is based on the principles of the Manitoba Human Rights Code and Workplace Safety and Health Regulations. In order to ensure a positive workplace environment, the Municipality will take reasonable steps to maintain a workplace free from discrimination and harassment, as outlined in the Human Rights Code. If such incidents do occur, the Municipality will address the issue fairly and expediently, as outlined in the procedures below.

As defined in the *Manitoba Human Rights Code* and *Canadian Law Site*, "harassment" means:

- a) a course of abusive and unwelcome conduct or comment undertaken or made on the basis of any characteristic referred to in subsection 9(2) (race, nationality, ethnic background, religion, age, sex, other gender-determined characteristics, sexual orientation, marital or family status, source of income, political belief and physical or mental disability).
- b) a series of objectionable and unwelcome sexual solicitations or advances; or
- c) a sexual solicitation or advance made by a person who is in a position to confer or deny any benefit to, the recipient of the solicitation or advance, if the person making the solicitation or advance knows or ought reasonably to know that it is unwelcome; or

- d) a reprisal or threat of reprisal for rejecting a sexual solicitation or advance; or
- e) verbal/emotional abuse which includes verbal attacks, such a yelling, screaming or name calling, engineered episodes of intimidation, aggressive actions or repeated gestures, all of which can lower a person's self esteem or causes them torment.

Administration of Policy:

- 1) An employee who feels they are being harassed is advised, if possible, to inform the harasser clearly and directly that they find the action(s) offensive and unacceptable.
- 2) The employee should make note of the dates, times and nature of the incidents, as well as any witnesses.
- 3) If the harassment persists, the employee being harassed should file a written complaint with the CAO. If the harasser is the CAO, the employee should make a written complaint to the Mayor. If the harasser is the Mayor or a member of Council, the employee should make a written complaint to the CAO. In all cases, the envelope containing the complaint should be marked, "Personal and Confidential." If the written complaint is submitted by e-mail or electronic means, it shall be marked "Personal and Confidential".
- 4) The complaint shall be investigated by the CAO, the Mayor or their respective designates, as the case may be, in a thorough, expeditious and confidential manner.
- 5) Following a thorough investigation, the employer will take corrective action respecting any person under the employer's direction who subjects a worker to harassment.
- 6) The employer will not disclose the name of the complainant or an alleged harasser or the circumstances related to the complaint to any person except where disclosure is (a) necessary to investigate the complaint or take corrective action with respect to the complaint; or (b) required by law.
- 7) The results of the investigation shall be compiled in a written report, outlining the findings as well as recommendations.
- 8) If disciplinary action is to take place, it shall be in accordance with the provisions of the collective agreement, Council's discipline policy, the Labour Relations Act and the Municipal Act.
- 9) A copy of the report of the investigation shall be placed in the personnel file of the complainant and the individual who is the subject of the complaint.
- 10) Records of all disciplinary action and reports of investigation shall be kept in the permanent personnel files of the Municipality.
- 11) A worker has the right to file a complaint with the Manitoba Human Rights Commission.
- 12) The employer's harassment prevention policy is not intended to discourage or prevent the complainant from exercising any other legal rights pursuant to any other law.