

 Claresholm	Workplace Violence and Harassment Policy		Policy #1.2.03
Department Owner:	Human Resources		
Policy Applies To:	Town of Claresholm Employees		
Date Created:	November 21, 2022	Date Approved By Council:	???
Version #:	3.0	Resolution #:	???
Last Review Date:	Februaru 20, 2025	Policy(ies) Replaced/Rescinded:	1.2.02 (v2.0) Respectful Workplace Policy

1. PURPOSE

The Town of Claresholm recognizes the potential for violence and harassment to occur is a hazard our **workers staff or elected officials** face. Occupational Health and Safety (OH&S) legislation also addresses this hazard and we must develop and implement violence and harassment prevention plans that include violence and harassment policies and violence and harassment prevention procedures. The prevention plan therefore has two pieces:

1. Violence and Harassment Policy
2. Violence and Harassment Prevention Procedures

Familiarizing all workplace parties about the prevention plan builds the understanding in our organization on how we shall address and control behaviors and actions that can constitute workplace violence and harassment. Controlling this hazard builds a safe, healthy, and supportive work environment promoting physical, psychological, and social wellbeing.

2. POLICY STATEMENT

The Town of Claresholm believes in the prevention of violence and harassment hazards and is committed to providing an abuse-free environment in which all people respect one another and work together to achieve common goals. We will therefore make every reasonable effort to identify all potential sources of such hazards to eliminate or control them through the engineering, administrative and personal protective equipment controls identified in the prevention plan.

Any act of violence or harassment committed by ~~or against any worker or member of the public~~ an employee or elected official of the town toward an employee or elected official within the workplace, or during ~~work-related~~ work-related activities, is unacceptable and will not be tolerated under any circumstances. ~~Furthermore, any act of violence or harassment committed by a member of the public against an employee or elected official of the town within the workplace or during related activities is unacceptable and will not be tolerated under any circumstances.~~

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No employee shall endanger their health or safety to prevent theft or property damage by confronting and attempting to prevent a perpetrator.

Everyone is obligated to uphold this policy. This includes training on the aspects within the policy and its procedures and working together to prevent workplace violence and harassment. Violation of this policy by an employee or contractor will result in an investigation and may result in disciplinary action

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up to and including immediate termination or forfeit of contract.

The Town of Claresholm will investigate and take appropriate corrective actions to address all incidents and complaints of workplace violence and/or harassment in a fair, respectful, and timely manner. In the event of an incident, the Town of Claresholm pledges to respect the privacy of all concerned as much as possible. We will not disclose the circumstances related to an incident of harassment or the names of the parties involved, including the complainant, the accused, and any witnesses, unless disclosure is necessary to investigate the incident, to take corrective action, to inform the parties involved in the incident of the results of the investigation and corrective action taken, or as required by law.

No workers will be penalized, reprimanded, or in any way criticized when acting in good faith while following this policy and the supporting procedures for addressing situations involving violence and/or harassment. In addition, those harmed by violence and/or harassment will be supported with treatment options and are entitled to wages and benefits while attending such treatment.

This violence and/or harassment policy is not meant to discourage an employee from exercising their rights under any other law, including:

- Reporting an incident of violence and/or harassment to the police,
- Pursuing a concern under any applicable legislation, including the Alberta Human Rights Act and the Alberta Occupational Health and Safety Act,
- Pursuing a concern or complying with the provisions of a professional or government association,
- Filing a grievance in accordance with an applicable collective agreement, or
- Exercising any other legal rights, the worker may be entitled to.

3. LOCATION (OR APPLICATION) OF WHERE THE POLICY APPLIES

The workplace is any location where a worker is, or is likely to be, engaged in work for the Town of Claresholm, including any vehicle or mobile equipment.

4. DEFINITIONS

a) Anonymous, frivolous, and/or vexatious complaints and/or inquiries.

These types of complaints can consume a disproportionate amount of the workers time and resources. These complaints and/or inquiries are deemed as workplace harassment when complaints are initiated with the intent to embarrass or annoy the recipient, and/or is part of a pattern of conduct by the accused that amounts to an abuse of the complaints and/or inquiry process.

b) Worker

All workers engaged in work at the Town of Claresholm worksites are protected from workplace violence and harassment regardless of who pays or employs the workers, including:

- Elected officials
- Full or Part-time workers employed by the Town of Claresholm,
- Temporary employees placed by an outside agency to work at the Town of Claresholm,
- Volunteers and Students who work at a site for free, and
- Contract labor or workers employed by contractors and/or subcontractors to perform

work at the site under a contract with the Town of Claresholm.

c) Workplace Harassment

Harassment is clearly defined in the Alberta, Human Rights Act and Occupational Health and Safety Act (OHS Act). The intent of this policy is to comply with those definitions as well as provide further clarity to our workers.

The OHS Act defines harassment as any single incident or repeated incidents of objectionable or unwelcome conduct, comment, bullying or action by a person that knows or ought reasonably to know will or would cause offence or humiliation to a worker, or adversely affects the worker's health and safety, and includes:

- Conduct, comments, bullying or actions 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, any unwanted sexual act done by one person to another.

Workplace harassment can include, but is not limited to:

- Unwelcome conduct, comments, gestures or contact which causes offense or humiliation (e.g., name calling, harassing phone calls, spreading rumors),
- Deliberate mis-gendering (e.g., referring to a person using terms or pronouns that do not align with the person's affirmed gender),
- Physical or psychological bullying which creates fear or mistrust or which ridicules or devalues the individual (e.g., fist shaking, yelling),
- Exclusion or isolation of individuals,
- Intimidation (e.g., standing too close or making inappropriate gestures/comments),
- cyber bullying (e.g., posting or sending offensive or intimidating messages through social media or email),
- Deliberately setting the individual up to fail (e.g., making unreasonable demands, setting impossible deadlines, interfering with work),
- Intentionally withholding information or giving the wrong information,
- Taking away work or responsibility without cause, and
- Displaying or circulating offensive pictures or materials in print or electronic form.

Sexual harassment is often interpreted as objectionable comments or conduct of a "sexual" nature. In the broader context sexual harassment includes unequal treatment based on gender, may refer to instances where the behavior is not overtly sexual in nature, but is related to the person's gender, and demeans or causes personal humiliation or embarrassment to the recipient based.

Examples of sexual harassment are broken into two categories:

- Verbal
Degrading words, comments, suggestions, innuendoes, rude jokes, name calling, sexual demands and insulting remarks about the person's sexual orientation.
- Physical
Pinching, patting, rubbing, or leering, pictures and/or materials that are pornographic in nature.

Unwanted sexual advances, unwanted requests for sexual favors, and other unwanted verbal or physical conduct of a sexual nature constitute sexual harassment. This includes when submission to, or rejection of, such conduct by an individual affects that individual's employment.

d) What Is Not Workplace Harassment

- Any reasonable conduct of an employer or supervisor related to the normal management of workers or a work site. Reasonable actions include changing work assignments, scheduling, assessing, and evaluating work performance, inspecting workplaces, implementing health and safety measures and taking disciplinary measures such as dismissing, suspending, demoting or reprimanding with just cause.
- Differences of opinion or minor disagreements between co-workers are generally not considered to be workplace harassment, however if not resolved can turn into harassment.
- Difficult conditions of employment such as professional practice limitations, organizational changes or financial restrictions are also not considered harassment.
- Work-related stress on its own does not constitute harassment, however an accumulation of stress factors resulting from harassing behaviours may result in a harassment situation.

e) Workplace Violence

The OHS Act defines Violence as, whether at a work site or work related, to mean 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.

Workplace violence can include, but is not limited to:

- 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),
- Threatening behavior (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),
- 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). Threats of this nature generally come in three (3) forms:
 - A Direct Threat
Is a clear and explicit communication distinctly indicating that the potential offender intends to do harm (e.g., I am going to make you pay for what you did to me).
 - A Conditional Threat
Involves a condition (e.g., If you do not leave me alone you will regret it).
 - A Veiled Threat
Usually involves body language or behaviors that leave little to doubt in the mind of the worker that the perpetrator intends to cause physical harm.
- Domestic Violence is a pattern of behavior used by one person to gain power and control over another with whom a person has or has had a personal relationship (e.g., 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 when it occurs or spills over into the workplace, potentially putting the worker or co-workers at risk, and

- Sexual violence refers to any sexual act, attempt to obtain a sexual act, or other act directed against a worker's sexuality (e.g., from obscene name calling to rape, includes online forms of sexual violence and sexual exploitation).

5. RESPONSIBILITIES

a) The Town of Claresholm (Employer) Responsibilities

- Developing and implementing a violence and harassment policy that includes training, plans and procedures for identifying, assessing and controlling violence and harassment.
- Developing and implementing procedures for reporting and investigation reported incidents.
- Ensuring that the violence and harassment policy and prevention plans and procedures are shared with Worker's and available to them on the worksites.
- Establishing and delivering training and education for all employees related to this Policy.
- Ensure compliance by Managers, Workers and all who have a relationship with the organization, such as contractors and volunteers.
- Investigating reported incidents of violence and harassment in an objective and timely manner and taking corrective action to address the incidents.
- Protecting the confidentiality of individuals and information related to the investigation.
- Addressing the rights and responsibilities of both the victim and the alleged abuser.
- Facilitating appropriate medical support for victims as required.
- Immediately reporting a death or critical injury to an OH&S inspector, the police (as required), the Joint Health & Safety Committees (JHSC) and investigate with JHSC. Report the circumstance to all parties in writing within 48 hours. Include information and particulars prescribed by the regulations.
- Ensure the workplace violence and harassment policy is reviewed at least once a year in consultation with the JHSC.

b) Supervisors Responsibilities

- Adhering to and enforcing this policy and procedures and monitoring worker compliance.
- Assisting in assessing the risk of workplace violence and harassment for employees under their supervision.
- Ensuring workers have the information they need to protect themselves.
- Identifying and alerting staff to violent persons and hazardous situations.
- Receiving reports of violence and/or harassment, and relaying information to Human resources and/or management in a timely manner.
- Investigating or participating in investigations of all reports of workplace violence and/or harassment.
- Cooperating with police, company investigators or authorities as required during any investigation related to workplace violence or harassment.
- Facilitating appropriate medical support for victims as required

c) Worker Responsibilities

- Working in compliance with this policy.
- Treating co-workers, clients and the public with respect and dignity.
- Participating in education and training opportunities.
- Participating in completion of risk assessments and review of this policy annually.

- Reducing incidents of violence and harassment by practicing principles of prevention.
- Reporting incidents of violence, domestic violence, threats of violence and harassment against themselves or others, to their supervisor, manager, JHSC or the Human Resources manager immediately.
- Being aware of the procedure for filing an incident.
- Consulting with a medical professional for treatment or referral for an injury or adverse symptom is suffered from an incident of workplace violence and/or harassment.
- Cooperating with the policy, company investigators or authorities as required during any investigation related to workplace violence or harassment

d) Contractors, Subcontractors, Volunteers and Students Responsibilities

- Working to the same standard as Town of Claresholm employees, ensuring they comply with all aspects of applicable legislation and this policy and associated procedures while completing work for volunteering for the Town of Claresholm.

e) The Joint Health and Safety Committee (JHSC) Responsibilities

- Consulting with the Town of Claresholm in the development of a policy and procedures to protect workers from the hazards of workplace violence and harassment.
- Supporting the implementation of violence and harassment policy and procedures.
- Reporting incidents of violence and harassment to the appropriate Manager, or the Human Resources Manager (HR) immediately.
- Aiding the Town of Claresholm with the identification, assessment and control of workplace violence and harassment.
- Making recommendations to the Town of Claresholm regarding training in violence and harassment prevention measures and procedures.
- Participate in investigations and reporting measures as required. Which may include investigating critical violence-related injuries, and/or reviewing reports of critical injury or death.

f) ACCOUNTABILITY

All workplace parties are accountable for complying with the policy and procedures related to workplace violence and harassment prevention plan.

At orientation, workers shall be made aware of the violence and harassment hazards (e.g., violent clients, who have been identified as having a history of violence or violent incidents).

g) CONFIDENTIALITY

All parties to a violence and/or harassment complaint are expected to respect the privacy and confidentiality of all other parties involved, and to limit the discussion of a violence and/or harassment complaint to those that need to know.

The Town of Claresholm and all individuals involved in the violence and/or harassment complaint process will comply with all requirements of the Freedom of Information and Protection of Privacy Act (FOIP).

h) POLICY REVIEW

This Policy and its accompanying Procedure's is to be reviewed by management and the Joint Health and Safety Committee, and updated as necessary:

- After an incident.
- Upon recommendation of the health and safety representative.

- At least every three years.

Date: April ____, 2023

Signed: _____
Chief Administrative Officer