Title:	Workplace Violence, Harassment, Bullying Policy
Policy No:	2020-03
Approval:	Village Council
Effective Date:	September 17, 2019

Supersedes Policy No: None

Policy Statement: The Village of Spring Lake is committed to ensuring that all its employees are treated with dignity, consideration, and respect in the workplace.

Purpose: To adopt a proactive approach to the prevention of Violence, Bullying and Harassment in the workplace, and outline the expectations of workers and the Village in reporting and responding to Violence, Bullying and Harassment incidents if they occur.

Scope and Guidelines:

This policy applies to the following people and places:

1. Village of Spring Lake Workers and Councillors;
2. Village buildings, facilities, sites, offices, or work environments;
3. Locations visited by employees while traveling on Village-related business; including but not limited to conferences, meetings, vendor/supplier, or customer sites; and
4. Locations of work-based social gatherings.

Definitions

1. **Bullying:** a behaviour that harms, intimidates, offends, degrades, or humiliates another person, that may be intended to intimidate, offend, degrade, or humiliate a particular person or group. Bullying may include, but is not limited to the following:

   (a) Verbal Bullying - name calling, put-downs, sarcasm, teasing, spreading rumours, persistent and excessive criticism of employees or their work without justification, religion, threats, yelling, making reference to one's culture, ethnicity, race, religion, age, disability, homophobic tendencies [prejudiced behaviour against a person's actual or perceived sexual orientation], transphobic tendencies [prejudiced behaviour against a person's actual or perceived gender identity or gender expression], or other unwanted comments.

   (b) Social Bullying - exclusion, gossip, ganging up, mobbing, scapegoating, humiliating others, gestures, or graffiti intended to put others down.

(c) Physical Bullying - hitting, poking, pinching, chasing, shoving, coercing, damaging property, or destroying.

(d) Cyber Bullying - the use of technology to intimidate, put down or spread rumours about someone, or supporting deliberate, hostile, and hurtful behaviour towards an individual or groups of individuals. It can occur within a peer group or between groups.

2. CAO: means the Chief Administrative Officer as appointed by Council for the Village of Spring Lake.

3. Discrimination: treatment or consideration of, or making a distinction in favour of or against, a person based on the group, class, or category to which the person is perceived to belong. This includes, but is not limited to, differential treatment or any action or policy having an adverse impact on an individual or group of individuals based on Protected Grounds.

4. Harassment:

(a) 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 affects the worker's health and safety.

(b) Includes, but is not limited to, unwelcome behaviour, physical contact, comments, jokes, gestures, posters, articles or treatment in general that offends, demeans, or causes personal humiliation, or embarrassment regardless of the intent of the action.

(c) Harassment does not include consensual relationships, mutually welcome social invitations or interactions, or constructive feedback about work performance. But excludes any reasonable conduct of an employer or supervisor in respect of the management of workers or a work site.

5. Protected Grounds: The Alberta Human Rights Act prohibits discrimination based on the protected grounds of race, colour, ancestry, place of origin, religious beliefs, gender, age, physical disability, mental disability, marital status, family status, source of income, sexual orientation, gender identity, and gender expression.

6. Sexual Harassment:

(a) Unwanted sexual advances, unwanted requests for sexual favours, and other unwanted verbal or physical conduct of a sexual nature.

(b) Includes but is not limited to pinching, patting, rubbing, or leering, "dirty" jokes, pictures or pornographic materials, comments, suggestions, innuendoes, requests or demands of a sexual nature.

7. **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, and includes domestic or sexual violence. Violence may include but is not limited to the following:

(a) Stranger Violence – when the individual is not known to the worker or the Village of Spring Lake, or both.

(b) Worker to Worker Violence – when the incident involves two or more Village of Spring Lake workers.

(c) Client or Customer to Worker Violence – when the individual is known to the worker or the Village of Spring Lake, or both.

(d) Domestic Violence – is a pattern of coercive tactics, which can include physical, psychological, sexual, economic or emotional abuse, perpetrated by one person against an adult intimate partner, with the goal of establishing and maintaining power and control over the victim.

8. **Village:** means the Village of Spring Lake.

9. **Worker:** means a paid employee of the Village of Spring Lake or a volunteer under the direct supervision of a Village of Spring Lake Supervisor.

Responsibilities

10. The Village is committed to eliminating or, as reasonably practicable, controlling the hazards of workplace Violence, Bullying and Harassment. The Village also has a duty under the Occupational Health and Safety (OHS) Code to:

(a) Develop policies and procedures respecting potential workplace Violence;

(b) Instruct workers on how to recognize workplace Violence;

(c) Communicate the policy and procedures related to workplace Violence;

(d) Conduct hazard assessments; •

(e) Develop appropriate responses to workplace Violence; and

(f) Develop procedures for reporting, investigating and documenting incidents of workplace Violence.

Standards

11. The Village is committed to working in collaboration with its management, and workers, to provide a safe workplace. All parties shall be prepared to actively work together to address the issue of workplace Violence, Bullying and Harassment.

12. Workers

(a) The Village workers shall adhere to this policy and shall not subject any other person or property to threats or Violence, or both.

(b) Acts of Harassment, Bullying, or Violence against any Village worker, by a Village worker or against Village property or member of the public are unacceptable conduct and are considered a serious offence for which discipline or appropriate action shall be imposed.

(c) Workers are obligated to refrain from causing or participating in Violence, Bullying or Harassment.

(d) Workers are encouraged to report an act of Violence, Bullying or Harassment as per Policy No. 2011-02-8.3 Discrimination and Harassment and Policy No. 2011-02-8.4 Formal Complaint and Appeal Procedure.

(e) No individual filing a complaint will be penalized nor subjected to any prejudicial treatment as a result of making a complaint. No correspondence pertaining to the complaint will be placed on the complainant's personnel file.

(f) No employee shall take retaliatory action against a complainant with the intention of dissuading or punishing an individual for participating in the complaint process. Sanctions may be imposed for any such retaliation. Retaliation against individuals participating in the complaint process should not be confused with any sanction which may be imposed for making false allegations.

(g) Whether or not any complaint has been made, when concerns regarding a worksite are brought to the attention of the Village, the Village may direct

a systemic review of any worksite, to ensure that employees are able to work free from violence, personal and or sexual harassment.

(h) This policy is not intended to discourage a worker from exercising the worker's rights pursuant to any other law, including the Alberta Human Rights Act.

13. Employer

(a) As an employer, the Village has a duty to:

(i) Warn and protect workers, contractors and the public when there is an issue, or potential issue, of Violence, Bullying or Harassment in the workplace;

(ii) Investigate reported incidents of Violence, Bullying and Harassment in an objective and timely manner;

(iii) Take necessary action when Violence, Bullying or Harassment has occurred or is likely to occur; and

(iv) Provide support for workers that fall victim to Violence, Bullying or Harassment in the workplace.

(a) Discipline or appropriate action may be taken against a worker or an individual for making a complaint if the complaint is made maliciously or without reasonable and probable grounds.

(b) All reports of Violence, Bullying or Harassment shall be resolved quickly, confidentially, and fairly via the investigations process and suitable corrective actions as per Policy No. 2011-02-8.3 Discrimination and Harassment and Policy No. 2011-02-8.4 Formal Complaint and Appeal Procedure.

(c) Throughout the complaint or investigation process, to the greatest extent possible, reasonable efforts shall be made to respect the confidential nature of a complaint. However, absolute confidentiality cannot be guaranteed owing to the need for an investigation, the need to fully inform the respondent, and the possible duty to inform an Occupational Health and Safety officer, the police or other officials as required by law.

(d) The Village shall not disclose the circumstances related to an incident of workplace Violence, Bullying or Harassment; or the names of the complainant, the person alleged to have committed the Violence, Bullying or Harassment, and any witnesses except when:

(i) A minimum amount of personal information is necessary to inform workers of a specific, general, or potential threat of workplace Violence, Bullying or Harassment.
(ii) Cases of a serious nature; where the employer is obligated by law to contact the RCMP and provide any necessary information.
(iii) Where 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.

Roles and Responsibilities

14. Workers

(a) Each worker has a responsibility to ensure that their work environment is safe and secure. Workers must report any violent acts occurring or that may occur in the workplace, including threats and warning signs of violent behaviour. Workers must immediately inform their supervisor if they:
(i) Have been threatened;
(ii) Have been subjected to a violent act, Bullying or Harassment at work or during the course of their work;
(iii) Have witnessed a threat or violent act, Bullying or Harassment against or by a worker; and
(iv) Have reason to believe that they, another worker, a member of the public or Village property may become the target of Violence, Bullying or Harassment.

(a) Workers who do not feel comfortable reporting the situation to their supervisor can report directly to CAO. If a situation presents an imminent threat to a worker's safety, a worker must call 9-1-1 and ask for assistance from the RCMP.

15. Supervisors

(a) Incidents of Violence, Bullying and Harassment shall be reported by the supervisor or manager, or both, to the CAO to ensure an effective investigation takes place and an appropriate response is developed as per Policy No. 2011-02-8.3 Discrimination and Harassment and Policy No. 2011-02-8.4 Formal Complaint and Appeal Procedure.

(b) The CAO must be advised when any legal action, criminal or civil, is related to an incident of Violence, Bullying or Harassment. (e.g.: restraining order).

(c) Where an incident of Violence, Bullying or Harassment occurs and the health, safety and welfare of workers or property is at risk, the RCMP need to be contacted immediately to intervene. Once the RCMP have been contacted, the CAO must be notified.

Investigating and Responding to Workplace Violence

16. All reported incidents or precursors of workplace Violence, Bullying or Harassment reported to the CAO, shall be facilitated by the CAO as per Policy No. 2011-02-8.3 Discrimination and Harassment and Policy No. 2011-02-8.4 Formal Complaint and Appeal Procedure.

17. Findings and recommendations identified during an investigation, shall be provided by CAO for immediate preventative action.

18. The Village shall advise a worker who, as a victim of workplace Violence, may be experiencing adverse symptoms as a result of the violent act, Bullying or Harassment that they should consider consulting with a health professional. Services are also available from the Village's Employee Assistance Program (EAP), free of charge.

Consequences of Non-Compliance

19. Workers failing to adhere to the items contained in this policy shall be subject to appropriate disciplinary action. Appropriate action shall depend on the circumstances of the incident and may range from, but not be limited to, warnings and suspensions, up to and including dismissal. Incidents may also be referred to the RCMP for investigation.

20. The Village shall take appropriate action to ensure a safe workplace. Contractors, suppliers, volunteers, and members of the public exhibiting Violence, Bullying or Harassment towards our employees will be subject to discontinuation of business with individuals or organizations, issuance of Trespass Notices or the matter being referred to the RCMP.

Policy Review Statement

21. he CAO or designate(s) shall review this policy at least every three years or more frequently if circumstances dictate, or on the earliest of the following:

    (a) When an incident of harassment or violence occurs.

    (b) If the joint work site health and safety committee or representative recommends a review.

Acknowledgement and Agreement

22. I acknowledge that I have read and understand the Workplace Bullying, Harassment and Violence Policy of the Village of Spring Lake. Further, I agree to adhere to this Policy and will ensure that employees working under my direction adhere to this policy. I understand that if I violate the rules/procedures outlined in this Policy, I may face disciplinary action, up to and including termination of employment.

Name: _____

Signature: _____

Date: _____

Witness: _____