



Workplace Violence, Bullying and Harassment

Authority: Town Manager

Effective Date: March 5, 2019

Signature: 

Future Review Date: 2022

Responsibility: Human Resource Services

Last Review: New

References: Occupational Health and Safety Code Part 27, *Occupational Health and Safety Act*

Replaces: Workplace Violence, Bullying and Harassment Policy C-HS-018

1.0 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 Town in reporting and responding to Violence, Bullying and Harassment incidents if they occur.

2.0 Scope: This policy applies to all Town of Stony Plain Workers in the following places:

- a) Town buildings, facilities, sites, offices or work environments;
- b) Locations visited by Workers while traveling on Town-related business; including but not limited to conferences, meetings, vendor/supplier or customer sites; and
- c) Locations of work-based social gatherings.

3.0 Definitions:

Bullying: a conscious, willful, deliberate, repeated and hostile activity or behaviour that may be marked by the intent 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, religion, threats, making reference to one's culture, ethnicity, race, 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.

Discrimination: is treatment or consideration of, or making a distinction in favor 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.

Harassment:

- a) Is a form of Discrimination and includes any behavior or practice, including Sexual Harassment, which is deemed inappropriate by its adverse effect on an individual's employment, job performance or personal dignity.
- b) Includes, but is not limited to, unwelcome behavior, 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.

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.

Sexual Harassment:

- a) Unwanted sexual advances, unwanted requests for sexual favours, and other unwanted verbal or physical conduct of a sexual nature;
- b) Sexual Harassment can include such things as pinching, patting, rubbing or leering, "dirty" jokes, pictures or pornographic materials, comments, suggestions, innuendoes, requests or demands of a sexual nature.

Violence: the threatened, attempted or actual conduct of a person that causes or is likely to cause physical injury or, a mental injury that results in a medically-diagnosed incapacity for that person to work. Violence may include but is not limited to the following:

- a) Stranger Violence – when the individual is not known to the Worker or the Town of Stony Plain, or both.
- b) Worker to Worker Violence – when the incident involves two or more Town of Stony Plain Workers.
- c) Client or customer to Worker Violence – when the individual is known to the Worker or the Town of Stony Plain, 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.

Worker: means a person engaged in an occupation, including a person who performs or supplies services for no monetary compensation for an organization or employer and, for greater certainty, includes a self-employed person, but does not include a student in learning activities conducted by or within an educational institution for which no compensation is paid to the student.

4.0 Statement: The Town of Stony Plain (“the Town”) is committed to eliminating or, as reasonably practicable, controlling the hazards of workplace Violence, Bullying and Harassment. The Town 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.

5.0 Standards:

- 5.1 Town of Stony Plain Workers shall adhere to this policy and shall not subject any other person or property to threats or Violence, or both.
- 5.2 The Town is committed to working in collaboration with its management, Workers, and union to provide a safe workplace. All parties shall be prepared to actively work together to address the issue of workplace Violence, Bullying and Harassment.
- 5.3 Acts of Harassment, Bullying, or Violence against any Town Worker, by a Town Worker or against Town property or member of the public are unacceptable conduct and are considered a serious offence for which discipline or appropriate action shall be imposed.
- 5.4 As an employer, the Town has a duty to:
 - a) Warn and protect Workers, contractors and the public when there is an issue, or potential issue, of Violence, Bullying or Harassment in the workplace;
 - b) Investigate reported incidents of Violence, Bullying and Harassment in an objective and timely manner;
 - c) Take necessary action when Violence, Bullying or Harassment has occurred or is likely to occur; and
 - d) Provide support for Workers that fall victim to Violence, Bullying or Harassment in the workplace.
- 5.5 Workers failing to report an act of Violence, Bullying or Harassment may be subject to disciplinary measures as outlined in the People Policy Manual.
- 5.6 Workers shall not be penalized, reprimanded, or in any way criticized when acting in good faith while following the procedures set forth for addressing situations involving workplace Violence, Bullying or Harassment.

- 5.7 Discipline or appropriate action may be taken against a Worker for making a complaint if the complaint is made maliciously or without reasonable and probable grounds.
- 5.8 All reports of Violence, Bullying or Harassment shall be resolved quickly, confidentially and fairly via the investigations process and suitable corrective actions.
- 5.9 The Town 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:
- a) A minimum amount of personal information is necessary to inform Workers of a specific, general or potential threat of workplace Violence, Bullying or Harassment;
 - b) Cases of a serious nature; where the employer is obligated by law to contact the RCMP and provide any necessary information;
 - c) 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.
- 5.10 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.

Roles & Responsibilities

5.11 Workers:

- 5.11.1 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 behavior. Workers must immediately inform their supervisor if they:
- a) Have been threatened;
 - b) Have been subjected to a violent act, Bullying or Harassment at work or during the course of their work;
 - c) Have witnessed a threat or violent act, Bullying or Harassment against or by a Worker;
 - d) Have reason to believe that they, another Worker, a member of the public or Town property may become the target of Violence, Bullying or Harassment.
- 5.11.2 Workers who do not feel comfortable reporting the situation to their supervisor can report directly to any member of their business unit's management group, their union, or Human Resources. 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.

5.12 Supervisors:

- 5.12.1 Incidents of Violence, Bullying and Harassment shall be reported by the supervisor or manager, or both, to the Manager of Human Resources to ensure an effective investigation takes place and an appropriate response is developed.

- 5.12.2 Human Resources must be advised when any legal action, criminal or civil, is related to an incident of Violence, Bullying or Harassment. (e.g.: restraining order).
- 5.12.3 Where an incident of Violence, Bullying or Harassment occurs and the health, safety and welfare of Workers or Town property is at risk, the RCMP need to be contacted immediately to intervene. Once the RCMP have been contacted, Human Resources must be notified.

5.13 Investigating and Responding to Workplace Violence

- 5.13.1 All reported incidents or precursors of workplace Violence, Bullying or Harassment reported to Human Resources, shall be facilitated by Human Resources.
- 5.13.2 If underlying causes of an incident are identified during an investigation, recommendations shall be provided for immediate preventative action.
- 5.13.3 The Town shall advise a Worker who, as a victim of workplace Violence, Bullying or Harassment may be experiencing adverse symptoms, that they should consider consulting with a health professional. Services are also available from the Town's Employee & Family Assistance Program (EFAP), free of charge.
- 5.13.4 Applicable information from investigations shall be reported to the Occupational Health and Safety Coordinator to comply with OH&S Legislation.

5.14 Consequences of Non-Compliance

- 5.14.1 Workers failing to adhere to the items contained in this policy shall be subject to discipline or appropriate action. What appropriate action is 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.
- 5.14.2 The Town 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.

6.0 Policy Review Statement: This administrative policy shall be reviewed within three years of being implemented, with any changes being submitted to the Town Manager for approval.

References:

Workplace Violence, Bullying and Harassment Safety Procedure
Formal Abuse Report
Town of Stony Plain Social Media Policy