

Schedule "A" to By-law 6-2002
The Corporation of the Town of Deep River

STATEMENT OF POLICY

(Schedule 'A' to By-law No. 6-88)

Title: Harassment

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Number: H00-2

Effective Date: March 6, 2002

By-law Number 6-2002

Application: This policy applies to all employees of the Corporation of the Town of Deep River

POLICY STATEMENT:

No employee will be subject to or will subject another employee to harassment because of sex, race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, record of offences, marital status, family status or handicap. Any such harassment will be regarded as a serious offence and will be subject to disciplinary action. Any reprisal or threat of reprisal by an employee against another employee because of a harassment complaint or because of participation in a complaint investigation will also be subject to disciplinary action.

DEFINITION

Harassment based on sex, race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, record of offences, marital status, family status or handicap is not only prohibited by Town policy, it is prohibited by the Ontario Human Rights Code. As defined in the Code, "harassment" is engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome. It includes any comment, conduct, gesture or contact by any employee against any other employee that offends, intimidates or causes humiliation, and that is based on one of the prohibited grounds.

PROCEDURE

1. Complaints of harassment will be handled in the following way:

(a) Step 1

It is incumbent upon an employee who feels that she/he has been harassed to make her/his concern known to the person responsible for the alleged harassment. In most cases this means the employee should politely but directly inform the person that his/her conduct or comment is offensive and must stop.

(b) Step 2

If the situation is not satisfactorily resolved at Step 1, the employee may report the circumstances verbally or in writing to her/his Division Head. When an employee makes a verbal or written complaint, it must be clearly communicated that it is a complaint under Step 2 of this policy. The person receiving the complaint must acknowledge that a complaint has been received.

The Division Head will promptly take appropriate action, using the utmost discretion to maintain confidentiality and to respect the rights and dignity of all parties involved. Appropriate action will include:

- (i) Documenting the case.
- (ii) Interviewing the complainant to obtain all pertinent facts. This includes asking the complainant if she/he has followed Step 1. It also includes asking if she/he wants a representative of the union involved.
- (iii) Interviewing and informing the alleged offender with respect to the complaint. It is important to ensure that the alleged offender is aware of the Town's harassment policy, including the policy with respect to reprisals, as well as their rights under any applicable collective agreement.
- (iv) Interviewing any witnesses.
- (v) Consulting with the Clerk-Administrator before recommending any action in accordance with the Town's policy on discipline.

(c) Step 3

If the situation is not satisfactorily resolved at Step 2, or if the alleged offender is the complainant's Division Head, the employee may submit the complaint in writing directly to the Mayor for investigation and recommendation to Town Council. In such cases, the Mayor may engage consulting services from outside the corporation to assist with processing the complaint.

If the complainant is not satisfied with the resolution achieved through the above internal procedure, the employee is entitled to file a complaint at any time with the Ontario Human Rights Commission.

2. Division Heads have a responsibility to deal with harassment by employees in their areas of responsibility, even if a formal complaint has not been lodged by an employee. Prompt action shall be taken as outlined in Step 2.
3. Any reprisal or threat of reprisal against an employee making a complaint or participating in the investigation of a complaint will be immediately reported to the alleged offender's Division Head or the Mayor if a Division Head is involved. If, upon investigation, there is sufficient supporting evidence of such a threat, appropriate action under the Town's discipline policy will be taken with respect to the person making the threat.