

**MUNICIPALITY OF THE COUNTY OF VICTORIA**  
**WORKPLACE HARASSMENT – DISCRIMINATION POLICY**

**1. PURPOSE**

It is the policy of the Municipality of the County of Victoria to ensure a work environment is provided in which all employees are free from work place harassment and discrimination. Such actions are not tolerated and are to be remedied.

The Municipality recognizes that individuals may find it difficult to come forward with a complaint under this statement of policy and procedure because of concerns of confidentiality. Therefore, all complaints concerning workplace harassment or discrimination, as well as the names of the parties involved shall be treated as confidential. The Municipality's obligation to conduct investigation into the alleged complaint may require limited disclosure. No record of the complaint will be maintained on the personnel file of the complainant. If there is a finding of improper conduct that results in disciplinary action, it will be reflected only on file of the person who engaged in such conduct, in the same way as any other disciplinary action.

**2. OBJECTIVE**

The objective of this policy is to outline the procedures to be followed regarding workplace harassment and discrimination so that those reporting alleged incidents will know the matter will be treated confidentially and may be reported without fear of retaliation or reprisal.

**3. DEFINITIONS**

**Workplace** means any place where business or work related activities are conducted. It includes, but is not limited to, the physical work premises, work related social functions (parties, golf tournament, etc.), work assignments outside of the office, work related travel and work related conferences or training sessions.

**Harassment** means engaging in a course of upsetting comment or conduct that is known, or ought reasonably to be known, to be unwelcome. It may include unwelcome, unwanted, offensive, or objectionable conduct that may have the effect of creating an intimidating, hostile or offensive work environment; interfering with an individual's work environment; adversely affecting an individual's work performance, adversely affecting an individual's employment relationship; and or denying an individual dignity and respect. Harassment may result from one incident or a series of incidents. It may be directed at specific individuals or groups.

**Complainant** means the individual who files the harassment/discrimination complaint.

**Respondent** means the individual who is named as the alleged harasser/discriminator in the complaint.

**Bad Faith** means complaints that are fabricated with the intent of damaging the integrity of an individual or individuals.

#### 4. PROTECTION FROM RETALIATION

Retaliation or reprisals are prohibited against any employee who has complained under this statement of policy and procedure, or has provided information regarding a complaint. Any retaliation or reprisals are subject to the same complaint procedures and penalties as complaints of discrimination and harassment.

#### 5. BAD FAITH

The Municipality is committed to taking any workplace harassment or discrimination complaint seriously. Employees who make complaints that are fabricated with the intent of damaging the integrity of an individual or individuals will be subject to disciplinary action up to and including dismissal.

#### 6. RESPONSIBILITIES

##### 6.1 Council will:

- (a) ensure that the Municipality of the County of Victoria has in place a Workplace Harassment – Discrimination Policy.
- (b) review, amend, and adopt changes to the Workplace Harassment – Discrimination Policy.

##### 6.2 The Chief Administrative Officer will:

- (a) administer and implement the Workplace Harassment – Discrimination Policy of the Municipality.
- (b) identify necessary revisions to the Workplace Harassment – Discrimination Policy in consultation with other Council and managerial staff.
- (c) approve a process for the investigation and resolution of complaints concerned with violations of the Workplace Harassment – Discrimination Policy.

##### 6.3 Supervisors and Managers will ensure that staff are advised of the Workplace Harassment – Discrimination Policy

- (a) Supervisor/managers will report all incidents, both informal and formal, to the CAO.

6.4 Supervisors, Managers and employees will be familiar with, and act in accordance with, the Municipality of the County of Victoria's commitment to its Workplace Harassment – Discrimination Policy.

#### 7. PROCEDURE

##### Step 1 – Self-Help

Employees are encouraged to attempt to resolve their concerns by direct communication with the person(s) engaging in the unwelcome conduct. Where employees feel confident or comfortable in doing so, communicate disapproval in clear terms to the person(s) whose conduct or comments are offensive. Employees are encouraged to keep a written record of the date, time, details of the conduct, and witnesses, if any.

### **Step 2: Management Support and Intervention**

Employees who are not confident or comfortable with Step 1 and believe they are victims of discrimination or harassment, or become aware of the situations where such conduct may be occurring, are encouraged to report these matters to their supervisor or manager.

### **Step 3: Formal Complaint**

If informal attempts at resolving the issue are not appropriate, or proving to be ineffective, a formal complaint may be filed. To file a formal complaint:

- i. Provide a letter of complaint that provides a summary of the offensive incident (i.e. when it occurred, the persons involved, names of witnesses). The letter shall also state the remedy sought and be signed and dated by the person filing the complaint.
- ii. File the complaint with your supervisor, manager and/or the Chief Administrative Officer.
- iii. Cooperate with those responsible for investigating the complaint.

The Supervisor, Manager and/or Chief Administrative Officer will respond to the formal complaint within 5 working days and continue to investigate the formal complaint to completion in a timely manner.

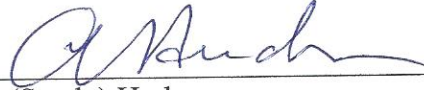
An employee who becomes aware of situations where discrimination or harassment may be occurring is expected to notify his or her supervisor/manager and/or CAO.

An unproven allegation does not mean that harassment did not occur or that there was a deliberate false allegation. It simply means that there is insufficient information to proceed or that while the complainant may have genuinely had reason to believe that there was harassment, the investigation has not borne out the complaint.

## **8. Related Policies, Procedures and Legislation**

- Employee Conduct Policy
- Collective Agreement between CUPE Local 2694 and the Municipality of the County of Victoria

I CERTIFY this to be a true copy of the "*Workplace Harassment-Discrimination Policy*" as adopted by the Council of the Municipality of the County of Victoria at a meeting held on the 25<sup>th</sup> day of January, 2016.



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A. W. (Sandy) Hudson  
Chief Administrative Officer