**APPROVED LEVEL: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ APPROVAL BY: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**ANTI-HARASSMENT POLICY**

**Purpose**

[BUSINESS NAME] is committed to fostering a harassment-free workplace where all employees are treated with respect and dignity.

The Alberta Human Rights Act protects employees from harassment based on race, religious beliefs, colour, gender, gender identity, gender expression, disability, age, ancestry, place of origin, marital status, source of income, family status, or sexual orientation[[1]](#footnote-1).

Workplace harassment is a hazard under the Occupational Health and Safety Code and employers are required to have a policy that sets overall expectations that harassment is not tolerated in the work environment[[2]](#footnote-2). [BUSINESS NAME] is committed to eliminating the hazard of harassment.

**Scope**

Harassment at [BUSINESS NAME] is not tolerated. Employees who are found to have harassed another individual may be subject to disciplinary action up to and including termination of employment. This includes any employee who: interferes with the resolution of a harassment complaint; retaliates against an individual for filing a harassment complaint; or files an unfounded harassment complaint intended to cause harm.

This policy applies to all employees of [BUSINESS NAME], including full and part-time, casual, contract, permanent and temporary employees.

**Definitions**

What it is not:

* Constructive feedback to an employee to help them improve their work performance done in a respectful, fair, consistent and accountable manner
* Expressing an opinion in a team environment, providing constructive feedback to a team member in a respectful manner
* Spontaneous, unexpected outburst that are out of character for an individual providing that the individual acknowledges that their behaviour was inappropriate[[3]](#footnote-3)

Harassment is:

* offending, bullying or humiliating someone physically verbally or non-verbally;
* threatening or intimidating someone; or
* making unwelcome jokes or comments about someone’s race, religious beliefs, colour, gender, gender identity, gender expression, disability, age, ancestry, place of origin, marital status, source of income, family status, or sexual orientation.

Sexual harassment is:

* offensive or humiliating behaviour that is related to a person’s sex;
* behaviour of a sexual nature that creates an intimidating, unwelcome, hostile or offensive work environment; or
* behaviour of a sexual nature that could reasonably be thought to put sexual conditions on a person’s job or employment opportunities.

Bullying is:

* any repeated or systematic behaviour, physical, verbal or psychological including shunning, which would be seen by a reasonable person as intending to: belittle, intimidate, coerce or isolate another person.

Cyberbullying:

* involves the use of communication technologies such as the Internet, social networking sites, websites, email, text messaging and instant messaging to repeatedly intimidate or harass others.

The [BUSINESS NAME] has a zero tolerance policy with respect to harassment and bullying. Harassment in any form is strictly prohibited and may be grounds for disciplinary action including termination.

**Responsibilities and Expectations**

[BUSINESS NAME] is responsible for providing all employees a harassment-free workplace.

Management is responsible for:

* ensuring that this policy is applied in a timely, consistent and confidential manner;
* determining whether or not allegations of harassment are substantiated; and
* determining what corrective action is appropriate where a harassment complaint has been substantiated.

Human Resources (if applicable) is responsible for:

* the administration of this policy;
* reviewing this policy as required; and
* making necessary adjustments to ensure that this policy meets the needs of the organization.

Managers are responsible for:

* fostering a harassment-free work environment and setting an example about appropriate workplace behaviour;
* communicating the process for investigating and resolving harassment complaints made by employees;
* dealing with harassment situations immediately upon becoming aware of them, whether or not a harassment complaint has been made;
* taking appropriate action during a harassment investigation, including separating the parties to the harassment complaint, when appropriate; and
* ensuring harassment situations are dealt with in a sensitive and confidential manner.

Employees are responsible for:

* treating others with respect in the workplace;
* reporting harassment to Management;
* cooperating with a harassment investigation and respecting the confidentiality related to the investigation process;

Employees can expect:

* to be treated with respect in the workplace;
* that reported harassment will be dealt with in a timely, confidential and effective manner;
* to have their rights to a fair process and to confidentiality respected during a harassment investigation; and
* to be protected against retaliation for reporting harassment or cooperating with a harassment investigation.

**Progressive procedures for Addressing a Harassment Complaint**

Where possible the first approach to a complaint will be an informal meeting with the employee that the complaint is against. The employee will be asked to offer an explanation of the incident. They will be reminded about expectations for respectful conduct towards other employees of the [BUSINESS NAME].

An employee may also contact their immediate supervisor if they wish to discuss a harassment situation without filing a complaint.

**Filing A Complaint**

An employee may report a harassment complaint by contacting their immediate supervisor. In the event that the complaint is against the employee’s immediate supervisor, the employee should contact another Manager or Clinic leader. The complaint may be verbal or in writing. If the complaint is made verbally, Management will record the details provided by the employee.

**Formal Meeting**

The employee should be prepared to provide details such as what happened; when it happened; where it happened; how often and who else was present (if applicable).

Complaints should be made as soon as possible but no later than within one

year of the last incident of perceived harassment, unless there are circumstances that prevented the employee from doing so.

Management will tell the person that the harassment complaint has been made against, in writing, that a harassment complaint has been filed. The letter will also provide details of the allegations that have been made against him or her.

This policy is not intended to discourage an employee from exercising rights pursuant to any other law, including the Alberta Human Rights Act.

Every effort will be made to resolve harassment complaints as soon as possible. Management and Human Resources (if applicable) will advise both parties of the reasons why, if this is not possible.

If either party to a harassment complaint believes that the complaint is not being handled in accordance with this policy, he or she should contact Human Resources or clinic leader.

**Mediation**

Wherever appropriate and possible, the parties to the harassment complaint will be offered mediation prior to proceeding with a harassment investigation.

Mediation is voluntary and confidential. It is intended to assist the parties to arrive at a mutually acceptable resolution to the harassment complaint.

The mediator will be a neutral person, agreed upon by both parties. The mediator will not be involved in investigating the complaint.

Each party to the complaint has the right to be accompanied and assisted during mediation sessions by a person of their choosing.

**Investigation**

If mediation is inappropriate or does not resolve the issue, a harassment investigation will be conducted. All investigations will be handled by an individual who has the necessary training and experience. An external consultant may be engaged for this purpose.

The investigator will interview the person who made the complaint, the person the complaint was made against and any witnesses that have been identified. All people who are interviewed will have the right to review their statement, as recorded by the investigator, to ensure its accuracy.

The investigator will prepare a report that will include:

* a description of the allegations;
* the response of the person the complaint was made against;
* a summary of information learned from witnesses (if applicable); and
* a decision about whether, on a balance of probabilities, harassment did occur.

This report will be submitted to Management. Both parties to the complaint will be given a copy.

**Substantiated Complaint**

If a harassment complaint is substantiated, Management will decide what action is appropriate.

Corrective action for the employee found to have engaged in harassment may include: a reprimand; a suspension; a transfer; and/or dismissal.

Both parties to the complaint will be advised, in writing, of the decision.

**Privacy and Confidentiality**

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

[BUSINESS NAME] and all individuals involved in the harassment complaint process, will comply with all requirements of provincial privacy legislation to protect personal information.

The [BUSINESS NAME] will not disclose the circumstances related to an incident of harassment or the names of the complainant, the person alleged to have committed the harassment, and any witnesses, except;

* 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, or
* as required by law.

1. Alberta Human Rights Act, section 7 [↑](#footnote-ref-1)
2. Occupational Health and Safety Code , Part 27 [↑](#footnote-ref-2)
3. Managing Disruptive Behaviour in the Healthcare Workplace – Health Quality Council of Alberta [↑](#footnote-ref-3)