

## **Harassment Prevention Plan for Town of Port-au-Port East**

Management at the Town of Port-au-Port East is committed to providing a safe, respectful and harassment free work environment for all staff and councillors .

No one has the right to harass anyone, at work or in any situation related to employment with this organization.

### **What is harassment?**

Workplace harassment means inappropriate, vexatious conduct or comment by a person to a worker that the person knew or ought to have known would cause the worker to be humiliated, offended or intimidated. It can take place at work or in a situation connected to work; can happen repeatedly or only once; be intended or unintended; and can be written, verbal, physical, a gesture or display, or any combination of these. It can include electronic messages to a person or social media posts.

### **Examples of harassing behaviour may include:**

- Unwelcome conduct, comments, gestures or contact which causes offense or humiliation
- Misusing power or authority
- Referring to a person using terms or pronouns that do not align with the person's affirmed gender
- Physical or psychological bullying which creates fear or mistrust, or which ridicules or devalues the individual
- Excluding, intimidating or isolating individuals
- Making inappropriate gestures/comments
- Making inappropriate sexual advances
- Discriminating based on gender
- Cyberbullying, such as posting offensive or intimidating messages through social media or email
- Deliberately setting the individual up to fail

### **Town of Port-au-Port East Harassment Prevention Plan**

Reasonable and fair actions taken by an employer or supervisor, in a respectful manner, to manage and direct workers is NOT harassment. Examples of this include:

- Changing work assignments
- Scheduling, assessing and evaluating work performance
- Inspecting workplaces
- Implementing health and safety measures
- Taking disciplinary action such as dismissing, suspending, demoting, or reprimanding with just cause

Section 22 – 24.2 of the Newfoundland and Labrador OHS Regulations requires every workplace to have a harassment prevention plan.

### **Employer/Supervisor responsibilities**

Management at The Town of Port-au-Port East is committed to eliminating, where possible, or otherwise, minimizing the hazard of workplace harassment. Managers, staff, and councillors are responsible for a safe work environment, free of harassment. The employer, supervisors and managers are required to apply and comply with the harassment prevention plan and associated procedures. Reported incidents of workplace harassment will be investigated in

accordance with the procedure outlined below. The Town of Port-au-Port East will protect workers from retaliation and provide support to workers when workplace harassment occurs.

### **Worker rights and responsibilities**

Workers are entitled to work free of harassment at the Town of Port-au-Port East. Workers have the responsibility to treat each other with respect and not engage in bullying or workplace harassment. We ask that anyone who experiences harassment or sees another person harassed report it to the Town of Port-au-Port East.

### **Workers are responsible to:**

- Not engage in bullying or workplace harassment
- Report observations or experiences of bullying or harassment
- Participate in education and training
- Comply with the prevention plan and associated procedures

The Town and its managers will not identify a complainant, an alleged harasser, or any circumstances about a complaint, including personal information, to anyone, unless, it is necessary:

- for the purpose of the investigation
- for corrective action relating to the complaint
- where required by law

This plan is not intended to discourage a worker from exercising his or her rights under the Human Rights Act, 2010, the Criminal Code (Canada) or any other law of the province or of Canada. The prohibited grounds outlined in the Human Rights Act, 2010 include discrimination based on:

- Race
- Colour
- Nationality
- Ethnic origin
- Social origin
- Religious creed
- Religion
- Disability (including perceived disability)
- Age
- Sex (including discrimination on the basis that a woman is or may become pregnant)
- Sexual orientation
- Gender identity
- Gender expression
- Marital status
- Family status
- Source of income
- Political opinion Confidentiality and Workers' rights under various laws

### **Reporting procedures:**

If you believe you are being harassed, tell the person harassing you to stop, if it is safe and you feel comfortable to do so. You can do this in person or in writing. If you cannot deal with them directly, or if your request is unsuccessful, follow the procedures for reporting harassment.

Complete the Harassment Report Form (Appendix A) when making a formal complaint of harassment. Report the incident or situation to your supervisor or Mayor / Deputy Mayor.

### **Harassment by Employer/Supervisor**

Report the incident or situation to the Mayor / Deputy Mayor / Councillor. Incidents of harassment should be reported as soon as possible, but no later than 12 months after the most recent incident.

### **Investigation**

The purpose of an investigation is to gather additional information related to the reported incident of harassment and to determine whether or not harassment has occurred. Once the complaint has been received, it will be investigated thoroughly and promptly by Supervisor / Council member within the following timelines:

- When a complaint is received by the supervisor or the Council member, a meeting will be scheduled with the complainant within five days to begin the investigation process.
- Interviews with the complainant, the alleged harasser and any witnesses will be conducted to confirm the details of the alleged harassment within 15 days.
- Investigation report will be available within 90 days to the complainant and the alleged harasser.
- Both parties will have 14 days to respond to report. After this time period has expired, corrective actions may be taken.

Where this timeline cannot be met, reasons for the delay and the projected new date of completion must be documented for the file.

### **Notification of results**

When the investigation is complete, the Mayor / Deputy Mayor will inform the person who filed the complaint and the alleged harasser of the results of the investigation in a timely manner.

### **Corrective action for harassers**

Employees who harass another person will be subject to corrective action by the employer.

Corrective actions include, but are not limited to:

For minor offences, verbal reprimands may be warranted and noted on a personnel file. Should the behaviour continue, or for more serious infractions, suspensions or dismissal may be deemed necessary. Decision to be made by at least a majority vote of council of council for suspensions and dismissal.

### **Support for workers**

Employees who have been affected by workplace harassment may be supported through:

- The town will regularly check with employee / supervisor / councillor to ensure that there hasn't been a recurrence.

The Town of Port-au-Port East commits to making sure all of its employees, supervisors and councillors are aware of the Harassment Prevention Plan.

**Monitoring**

The Town of Port-au-Port East will monitor this plan, review annually and make adjustments whenever necessary. If you have any concerns with this plan, please bring them to the attention of Florence Barter - Town Clerk.

Signature Jim Cashin Date Nov 23/21