

Rural Municipality of Kellross No. 247

Harassment Policy
Resolution No. 234-2017

Dated this 8th day of August, 2017

Harassment Definition

According to Occupational Health and Safety, Part III, *The Saskatchewan Employment Act*, **Harassment** means any inappropriate conduct, comment, display, action or gesture by a person:

- 1) that either:
 - a) is based on race, creed, religion, colour, sex, sexual orientation, marital status, family status, disability, physical size or weight, age nationality, ancestry or place of origin; or
 - b) subject to subsection (3) and (4), adversely affects the worker's psychological well being and that the person knows or ought reasonably to know would cause a worker to be humiliated or intimidated; and
- 2) that constitutes a threat to the health or safety of the worker;

To constitute harassment for the purpose of paragraph (1)(b)

- a) repeated conduct, comments, displays, action or gestures must be established; or
- b) a single, serious occurrence of conduct, or a single, serious comment, display, actions or gesture, that has a lasting, harmful effect on the worker must be established.

For the purpose of paragraph (1)(b), harassment does not include any reasonable action that is taken by the employer, (Reeve or Deputy Reeve), relating to the management and direct of the employer's workers or the place of employment.

Harassment may include:

Harassment based on prohibited grounds is an objectionable act, comment or display that demeans, belittles, or causes personal humiliation or embarrassment, including acts of intimidation or threats made on the basis of prohibited grounds. Harassment can be a form of discrimination.

Sexual Harassment is unsolicited, unwelcome conduct, comment, display, action, gesture or physical contact of a sexual nature in a work-related setting that is offensive, unsolicited or unwelcome. It may include, but not limited to:

- any implied or expressed threat or reprisal for refusal to comply with a sexually oriented request,
- unwelcomed remarks, jokes, innuendoes, propositions, or taunting about a person's body, attire, Sex or sexual orientation,
- displaying pornographic or sexually explicit pictures or materials,
- unwelcome physical contact such as touching, patting or pinching, cornering, close body contact with An underlying sexual connotation,
- unwelcomed invitation or requests, direct or indirect to engage in behaviour of a sexual nature, and
- refusing to work with or have contact with employees on-th-job because of their sex, gender or sexual Orientation.

Personal Harassment is inappropriate conduct, comment, display, action or gesture by a Respondent directed at a Complainant in a work-related setting that:

- a) adversely affects the Complainant's psychological or physical well-being, and
- b) which is known or ought reasonably to be known to cause the Complainant to be humiliated or Intimidated.

Personal harassment may involve repeated conduct. It may also involve a single, serious incident that caused a harmful effect on the Complainant,. Examples of personal harassment include:

- a) verbal or written abuse or threats,
- b) insulting, derogatory or degrading comments, jokes, or gestures,
- c) bullying,
- d) personal ridicule or malicious gossip,
- e) refusing to work or co-operate with others, and
- f) interference with or vandalism of personal property.

Harassment is not:

- a) normal social contact and friendly relations between Workers and/or others that are part of the work environment, based on an objective view of mutual consent,
- b) day to day managerial/supervisory functions, decision and activities involving work assignment, performance management and instruction, workplace inspections, implementation of appropriate dress codes or disciplinary action, unless these functions are performed in a manner which constitutes harassment as defined in this policy
- c) normal physical contact necessary for performance of the work using acceptable industry standards,
- d) conduct that all parties agree is welcome and not offensive, unless it is within the context of prohibited grounds, or
- e) conflict, rudeness or disagreement in the workplace, where it does not meet the definition of harassment in this policy.

Further information on workplace harassment can be found on the Government of Saskatchewan website at:
<http://www.lrws.gov.sk.ca/harassment>.

Appendix A

Report of Harassment Form

Name of Complainant (your name): _____

Job Title/Position: _____

Department: _____

Phone Numbers: Work: _____ Home: _____ Cell: _____

Affiliation: _____ Union _____ RM of Kellross No. 247

Name of Respondent: (alleged Harasser): _____

Job Title/Position: _____

Department: _____

What is your relationship with the respondent: _____

Dates of occurrences of alleged harassment: _____

Did you report the occurrence: _____ yes _____ no

If yes, who did you report to: _____ Date reported: _____

Witness: Names(s):

_____ Phone Number: _____

_____ Phone Number _____

_____ Phone Number _____

_____ Phone Number _____

DESCRIPTION OF COMPLAINT

Describe the alleged harassment. Be sure to provide a detailed description of the event or events in question.

Please include:

- Who is the alleged harasser;
- What was the alleged harassment;
- When did the alleged harassment take place; and
- Did anyone witness the alleged harassment?

If you require more space than is available on this form, please attach additional sheets.

Signature: _____ Date: _____

This form may be submitted to the Reeve or Deputy Reeve in a sealed envelope marked "Harassment Complaint"

For more information call: Reeve John Olinik 306-675-4970

