



# Workplace Harassment Policy

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Quick N Quality Projects LTD  
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# Workplace Harassment Policy

## Policy Statement:

The management of Quick'N Quality is committed to providing a work environment in which all workers are treated with respect and dignity. Harassment will not be tolerated from any person at or outside of the work site including customers, clients, other employers, supervisors, workers and members of the public.

Quick'N Quality as the employer is committed to eliminating or, if that is not reasonably practicable, controlling the hazard of harassment. Everyone is obligated to uphold this policy and to work together to prevent workplace harassment.

Workplace harassment means any single incident or repeated incidents of objectionable or unwelcome conduct, comment, bullying or action by a person that the person knows or ought reasonably to know will or would cause offence or humiliation to a worker, or adversely affects the worker's health and safety, and includes conduct, comment, bullying or action because of race, religious beliefs, colour, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status, gender, gender identity, gender expression and sexual orientation, and a sexual solicitation or advance.

Reasonable action taken by the employer or supervisor relating to the management and direction of workers or a work site is not workplace harassment.

In support of this policy, we have put in place workplace harassment prevention procedures. It includes measures and procedures to protect workers from the hazard of harassment and a process for workers to report incidents, or raise concerns.

Employer will ensure this policy and the supporting procedures are implemented and maintained. All workers and supervisors will receive relevant information and instruction on the contents of the policy and procedures.

Supervisors will adhere to this policy and the supporting procedures. Supervisors are responsible for ensuring that measures and procedures are followed by workers and that workers have the information they need to protect themselves.

Every worker must work in compliance with this policy and the supporting procedures. All workers are required to raise any concerns about harassment and to report any incidents to the appropriate person.

Employer will investigate and take appropriate corrective actions to address all incidents and complaints of workplace harassment in a fair, respectful and timely manner.

Employer pledges to respect the privacy of all concerned as much as possible. Employer will not disclose the circumstances related to an incident of harassment or the names of the parties involved (including the complainant, the person alleged to have committed the harassment, and any witnesses) except where necessary to investigate the incident, to take corrective action, to inform the parties involved in the incident of the results of the investigation and corrective action taken, or as required by law.

No workers can be penalized, reprimanded or in any way criticized when acting in good faith while following this policy and the supporting procedures for addressing situations involving harassment. This harassment prevention policy does not discourage a worker from exercising the worker's right under any other law, including the *Alberta Human Rights Act*.

## Purpose

The purpose of the Workplace Harassment Policy is:

- to maintain a working environment that is free from all types of harassment/Violence;
- to alert all employees, supervisors, and management to the fact that workplace harassment/violence is against the law;
- to establish a process for receiving complaints of harassment/violence and to provide a mechanism to deal with those complaints effectively; and



- to provide an example of the steps that can be taken towards maintaining a working environment in which all employees treat each other with mutual respect.

**Protected Grounds**

Protected grounds are race, colour, religion, national origin, ancestry, place of origin, age, physical disability, marital status, sexual orientation or sex.

**Definitions**

**Abuse of Authority** - Examples of abuse of authority include but are not limited to such acts or misuse of power as intimidation, threats, blackmail or coercion.

**Discrimination** - Discrimination includes, but is not limited to:

- differential treatment having an adverse impact on an individual on the basis of any of the protected grounds;
- any action or policy which has an adverse impact on an individual based on any of the protected grounds; and
- use of stereotyped images or language (including jokes and anecdotes) which suggest that all or most employees of a particular group of people are the same.

**Harassment** - Harassment means any improper behaviour by any person employed by the company that is directed to any employee or group of employees and which a person knew or ought reasonably to have known to be unwelcome.

For the purposes of this policy, harassment in the workplace includes personal and sexual harassment, poisoned work environment, discrimination and abuse of authority.

**Personal Harassment** - Personal harassment includes, but is not limited to:

- Verbal harassment: based on any of the protected grounds; stereotypes; name calling; insults; threats; slurs; crude, degrading, suggestive, or unwelcome remarks; offensive songs or tapes; jokes or innuendoes based on any of the protected grounds;
- physical harassment/violence: unwelcome physical touching or solicitation;
- written or graphic materials: graffiti; unwanted notes or letters etc.; and
- avoidance or exclusion of any group or individual.

**Poisoned Work Environment** - A poisoned work environment is characterized by any activity or behaviour, not necessarily directed at anyone in particular, that creates a hostile or offensive workplace.

**Sexual Harassment** - Sexual harassment means any conduct, comment, gesture, or contact that:

- Might reasonably be expected to cause offence or humiliation; or
- Is a condition of employment, an opportunity for training or promotion, receipt of services or a contract.

**Rights and Responsibilities**

**Employer**

The employer is responsible for:

- Education of the policy during orientation process prior to working
- investigating all allegations of discrimination or harassment/violence and ensuring appropriate documentation of all complaints;



- administering the provisions of this policy and ensuring compliance; Education of this policy during orientation process prior to working for Quick N Quality
- providing education on harassment/violence and discrimination to all employees and to all supervisors and managers so that they will be better qualified to handle all aspects of their jobs;
- ensuring that all employees are familiar with this policy and the procedure for handling complaints under the policy;
- taking corrective action and/or disciplinary action as required;
- ensuring that the complainant and the respondent are informed, in writing, of the outcome of the investigation, including any disciplinary action to be taken, as soon as possible;
- providing status reports on the investigation at any time to the complainant and respondent;
- recording the disciplinary action taken in the respondent's personnel file;
- ensuring that under no circumstances will the remedial action taken in relation to the respondent, in a substantiated case, penalize the complainant; and
- determining the disciplinary action to be taken in the finding of a "bad faith" complaint.

### **Managers or Supervisors**

Managers and supervisors have authority to prevent or discourage harassment/violence and may be held accountable for failing to do so.

Managers are also responsible for ensuring that the rights of both the respondent and the complainant involved in a harassment/violence incident are protected. Fair and equitable procedures must be ensured for all parties.

Managers and supervisors are responsible for:

- establishing and maintaining a workplace that is free from harassment/violence and discrimination;
- refusing to condone harassment/violence or discrimination; and
- Ensuring that employees are aware of their rights and responsibilities under this policy and of the mechanisms that are in place to investigate and resolve discrimination and harassment/violence complaints.

### **Complainants**

An employee has the right to file a complaint and to obtain a review of that complaint without fear of retaliation, through the procedures established according to this policy.

Employees are encouraged to take assertive action should they feel they are being subjected to any type of discrimination or harassment/violence.

Employees are encouraged to make the feelings of harassment known to the respondent immediately by:

- advising the respondent that the behaviour is not welcome, is offensive and must cease immediately.
- Employees should:
  - maintain a record of times, dates, witnesses and the nature of the behaviour for future reference; and
  - cooperate fully with all stages of the mediation and/or investigative processes;

It is the right of the complainant, if so desired, to drop the allegations of harassment or discrimination, made in good faith, without resolution, as long as:

- the decision was made without coercion; and

- the complainant understands that, where reasonable suspicion or definite evidence of harassment or discrimination exists, the supervisor and/or manager(s) will be required to complete the investigation and remedy the situation.

Before making a decision on how to proceed, the complainant may seek both medical or legal advice and assistance.

No employee shall be subjected to retaliation because that employee has participated as a witness. Employees are obliged to maintain confidentiality with respect to the investigation.

## **Respondents**

Employees against whom a complaint has been lodged are entitled to and shall:

- be informed as soon as practical that a complaint has been filed;
- be presented with a statement of allegations and be afforded an opportunity to respond to them; have the right to speak to an impartial advisor to review options;
- be accompanied by a person of the respondent's choice, at no expense to the employer, during any interviews and investigative proceedings; and cooperate fully with all stages of the mediation and/or investigation process.

## **Procedures for Dealing with Harassment/Violence Cases**

Employees are encouraged to address alleged incidents of harassment/violence internally. When injury occurs employees will seek medical treatment of their choice.

An employee who believes that they have been subjected to harassment/violence is encouraged to clearly and firmly make known to the alleged harasser that the harassment/violence is objectionable and must stop.

Where circumstances prevent an employee from taking action, or the action taken is unsuccessful, the employee should report the alleged harassment/violence to one of the following persons designated by the Company to receive complaints of harassment/violence:

1. Immediate Supervisor
2. Management

When the employee has reported the alleged harassment to their immediate Supervisor, the Supervisor shall immediately bring the complaint to the attention of Management.

Management will notify the alleged harasser of the complaint, provide the alleged harasser with information concerning the circumstances of the complaint, and undertake a confidential investigation.

Following the conclusion of the investigation, Management will inform the employee and the alleged harasser of the results of the investigation.

## **Internal**

### **Informal resolution stage**

Informal resolution of complaints is encouraged. An employee may request the assistance of his or her supervisor or any other person in the informal resolution of a workplace harassment/violence complaint. This approach may include a mediation process to assist the parties in voluntarily reaching an acceptable solution.

### **Formal resolution stage**

Any employee may choose the formal resolution process either as a first step; on the advice of Management; or if the informal resolution process was not successful.

To proceed to the Formal Resolution Stage, the complaint must be submitted in writing and signed by the complainant before an investigation can begin. It should give an accurate account of the incident(s) of

harassment, violence or discrimination including times, places and parties involved.

The respondent against whom a complaint has been filed shall be informed, in writing, of the complaint, including the nature of the allegations and afforded an opportunity to respond.

Although Quick N Quality is committed to responding to all complaints, it is recognized that complaints not filed within a reasonable time (1 year) may be difficult to investigate or substantiate.

## **Other Options**

### **Complaints to the Human rights Commission**

At any point in the complaint procedures, the complainant has the right to file a complaint with the province's Human Rights Commission.

Complaints should normally be filed within one year from the time the harassment occurred. This does not, however, preclude the filing of the complaint at any time.

### **Complaints under the Criminal Code**

Sexual and other forms of assault are covered, under the Criminal Code. In these instances, the police may be asked to investigate. Sexual and other forms of assault are serious criminal offences that should be reported to the police.

## **Confidentiality**

All information regarding discrimination or harassment complaints shall remain confidential, at all levels. This confidentiality clause includes, but is not limited to, all files, notes, memos, correspondence, and the identities of the complainant and respondent. Information will not be disclosed except as required by law.

## **No Retaliation**

Retaliation in any form against any party involved in a discrimination or harassment investigation is prohibited.

## **Sanctions**

As discrimination and workplace harassment are serious matters, appropriate disciplinary action will be imposed where the complaint is substantiated. Each case will be assessed on its own merits and sanctions may range from written warnings to dismissal.

## **Redress**

When the decision regarding a workplace harassment or discrimination investigation is rendered, the complainant(s) and respondent(s) will be informed of both the decision and their right to appeal the result of the investigation.

## **Administration Procedures**

Due to the seriousness of allegations of harassment, violence and discrimination, it is vitally important that all levels of the complaint procedures follow strict procedures to protect confidentiality and keep accurate records for tracking incidents and their frequency.

### **Filing of written information and resolutions**

All files of the complaint process must be kept in a separate, locked and secure storage area.

Access to file information is to be restricted to those individuals directly involved with investigation process.

In the case of founded allegations, the complaint and the sanctions imposed may be included in the respondent's personnel file.

Regardless of whether the allegation is founded or unfounded, no information regarding the complaint will

appear in the complainant's file as long as the complaint was made in good faith.



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