

Corporate Policies and Procedures			
DEPARTMENT: Human Resources			POLICY #: A-09 (a)
POLICY: Workplace Sexual Violence and Harassment Prevention Policy and Program			
DATE: November 2016	REV. DATE:	COVERAGE: All Employees	PAGE #: 1 of 6

POLICY STATEMENT:

The County of Renfrew is committed to providing a safe, healthy and supportive work environment for its employees with respect, fairness and sensitivity. Sexual Violence and harassment in the workplace can have devastating effects on employees' quality of life and organizational productivity. The County of Renfrew is committed to preventing Sexual Violence and Harassment in the workplace.

PURPOSE:

This policy defines behaviour that constitutes sexual workplace violence and harassment, and explains procedures for reporting and resolving such incidents. This policy is designed to familiarize all workplace parties with the related terminology as well as their individual responsibilities for prevention and corrective action. To establish this policy, the County of Renfrew has consulted the joint health and safety committee (JHSC) and the following legislation governing workplace sexual violence and harassment in Ontario:

- The Occupational Health and Safety Act*
- The Criminal Code of Canada*
- The Ontario Human Rights Code*
- The Workplace Safety and Insurance Act, 1997*
- The Compensation for Victims of Crime Act*

The County of Renfrew recognizes the potential for sexual violence and harassment in the workplace. We will therefore make every reasonable effort to identify all potential sources of such risk to eliminate or minimize them through our workplace sexual violence and harassment prevention protocol. The County of Renfrew will not tolerate any type of sexual violence or harassment within the workplace or during work related activities.

APPLICATION:

This policy applies to the conduct of all individuals in the workplace, including councillors, employees, clients, contractors, volunteers, students, visitors and others. For the purpose of this policy, the workplace includes all locations or situations in which activities of the County of Renfrew's business are carried out including but not limited to:

Corporate Policies and Procedures			
DEPARTMENT: Human Resources			POLICY #: A-09 (a)
POLICY: Workplace Sexual Violence and Harassment Prevention Policy and Program			
DATE: November 2016	REV. DATE:	COVERAGE: All Employees	PAGE #: 2 of 6

- Activities in the workplace.
- Work assignments outside of the workplace.
- Work-related social functions.
- Work-related conferences and training.
- Work-related travel.

DEFINITIONS:

The definition of workplace sexual harassment has been established as:

- a) Engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought to be reasonably known to be unwelcome; or
- b) Making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought to reasonably know that the solicitation is unwelcome.

ROLES AND RESPONSIBILITIES:

All individuals in the County of Renfrew are responsible for the reporting of sexual violence or harassment in order to enable the County of Renfrew to take appropriate action.

Employer Responsibilities

- Review the policy and procedures in consultation with the Joint Health and Safety Committee, on an annual basis to ensure that it is relevant and compliant with the needs of the County of Renfrew and its employees.
- Ensure that measures and procedures in the sexual violence and harassment prevention Policy is carried out.
- Ensure compliance by all who have a relationship with the organization's employees, such as elected officials, physicians, contractors, volunteers, etc.
- Make this policy available to all employees in the workplace and providing information on this policy to all affected persons.

Corporate Policies and Procedures			
DEPARTMENT: Human Resources			POLICY #: A-09 (a)
POLICY: Workplace Sexual Violence and Harassment Prevention Policy and Program			
DATE: November 2016	REV. DATE:	COVERAGE: All Employees	PAGE #: 3 of 6

- Establish and deliver training and education on sexual violence and harassment prevention, identification and the reporting process for incidents of sexual violence and harassment as needed.
- Investigate all reports or threats of sexual violence and/or harassment in a prompt, objective and sensitive way.
- Take necessary corrective action and response measures.

Supervisors and Managers responsibilities

- Understand, comply and enforce this policy within the County of Renfrew and ensure that employees are aware of the contents of this policy.
- Identify potential threats of workplace sexual harassment and violence and alert staff to potential hazardous situations.
- Address any and all incidents of sexual harassment or violence in the workplace that they become aware of, even if an employee has not lodged a formal complaint.
- Ensure employees are aware of who to contact regarding concerns about this policy or reporting an incident.
- Take immediate action when necessary, including but not limited to, calling the police or ambulance services.
- Investigate all reports of workplace sexual harassment and violence using the County of Renfrew Investigation Protocol.
- Treat as confidential, all information regarding incidents of workplace sexual harassment and/or violence.
- Take action to prevent workplace sexual harassment or violence from occurring, including but not limited to identifying and preventing inappropriate behavior as defined by this policy and demonstrate a willingness to discuss concerns with workers.

Worker responsibilities

- Understand and comply with this policy and respect the rights of all workers, contractors, clients, volunteers, students and program participants.
- Report any violations of this policy to your immediate supervisor/manager.
- Co-operate during investigations of sexual harassment or violence complaints.
- Seek support when confronted with threats of sexual harassment or violence.
- Communicate this policy to all affected persons.

Corporate Policies and Procedures			
DEPARTMENT: Human Resources			POLICY #: A-09 (a)
POLICY: Workplace Sexual Violence and Harassment Prevention Policy and Program			
DATE: November 2016	REV. DATE:	COVERAGE: All Employees	PAGE #: 4 of 6

PROCEDURE:

1. Reporting an incident

Employees must be aware that when a complaint is lodged the manager/supervisor (or designate) will conduct an investigation that includes interviews with the complainant, the alleged offender and any witnesses which may result in disciplinary action up to and including discharge, or action through the courts. The County of Renfrew will conduct an investigation into all incidents or complaints of sexual harassment or violence in the workplace. There will be no reprisal or threat of reprisal against any employee making a complaint in good faith or participating in an investigation.

- a) Employees are to report all incidents of sexual harassment or violence to their immediate supervisor/manager in oral and written form. This initial report can be made confidentially at the employee's request. If the manager or supervisor is absent the report should be made to the acting manager or supervisor or to the Director of Human Resources.
- b) Should the report of sexual harassment or violence be against the employee's immediate supervisor/manager, the employee should make this report orally and in writing to the appropriate Director, Director of Human Resources or Chief Administrative Officer.
- c) Should a complaint be directed against the position of Chief Administrative Officer/Clerk or the Director of Human Resources the procedures is as follows:
 - Complaint against the Chief Administrative Officer/Clerk:
You may present your complaint in an oral and written presentation to the Warden. The Warden will investigate the complaint and then present it to the Finance & Administration Committee and Council as appropriate.
 - Complaint against the Director of Human Resources:
You may present your complaint in an oral and written presentation to the Chief Administrative Officer/Clerk of the Corporation.

Corporate Policies and Procedures			
DEPARTMENT: Human Resources			POLICY #: A-09 (a)
POLICY: Workplace Sexual Violence and Harassment Prevention Policy and Program			
DATE: November 2016	REV. DATE:	COVERAGE: All Employees	PAGE #: 5 of 6

- d) Information about an incident or complaint, including identifying information of the individuals involved, will not be disclosed unless necessary for investigation or corrective action purposes.
- e) Any complaint made with a malicious intent or in bad faith is regarded as a serious offence and is subject to disciplinary action.
- f) When a complaint has been received in writing, the manager/supervisor (or designate) will acknowledge receipt of the complaint and commence appropriate action within 2 (two) working days or 36 (thirty six) hours using the utmost discretion to maintain confidentiality and to respect the rights and dignity of all parties involved.
- g) Employees maintain the right to file a grievance with the appropriate bargaining unit, or to pursue complaints under other available processes (i.e. Criminal Court, the Ontario Human Rights Code).

2. Response and Investigation

Following the report of an incident or complaint of sexual harassment and/or violence, the manager/supervisor or appropriate Director with the assistance of the Human Resources Department shall:

- (a) Coordinate an immediate investigation, in co-operation with police services or through a trained investigator, when any incident or potential incident of sexual harassment or violence is reported, in order to assess the risk or continued risk to County employees:
 - (i) Investigations may include interviews with the employee, significant other, supervisors, and other employees; a review of previous incidents if available, and consultations with the Health and Safety Committee Co-Chairs.
 - (ii) Where a Bargaining Unit employee makes a claim against any employee outside of the Bargaining Unit, the Bargaining Unit representative will not be involved in the investigation meetings.
- (b) If sexual harassment or violence or threats are found to have occurred, take immediate steps to eliminate the risk and any possible recurrence.

Corporate Policies and Procedures			
DEPARTMENT: Human Resources			POLICY #: A-09 (a)
POLICY: Workplace Sexual Violence and Harassment Prevention Policy and Program			
DATE: November 2016	REV. DATE:	COVERAGE: All Employees	PAGE #: 6 of 6

- (c) Develop or recommend, and monitor, the implementation of an action plan until there is a final resolution of the risk of violence.
- (d) Document any information received or action taken in a separate file and take measures to protect the confidentiality of this information.
- (e) A summary of the incident will be kept in the personnel file and all other related documents will be kept in a separate confidential file.
- (f) The manager/supervisor (or designate) will inform the employee and alleged harasser in writing of the results of the investigation, including any corrective action that has been taken.
- (g) Coordinate the provision of assistance to employees who were the target of sexual harassment or violence or witnesses to violence and who may suffer adverse effects from the situation.
- (h) Ensure that all employees receive a copy of this policy and coordinate general training as well as specific training in response to identified needs.

Support for Employees affected by Workplace Sexual Harassment or Violence

- a) Interventions that may form part of a risk assessment or plan of action for a County employee who is the subject of a report or investigation may include referral to the employee's physician, referral to Employee Assistance Program, use of short term disability or temporary leave of absence, referral to counseling and other services, fitness for duty evaluation and other appropriate interventions.
- b) The County staff that have witnessed or experienced a traumatic event may require special support. Their special needs will be acknowledged and accommodated. The Human Resources Department can offer a list of appropriate sources for alternative support. The Director of Human Resources or Designate will advise affected staff of their support options and assist in coordinating any special assistance required.