

**RESORT VILLAGE OF TURTLE VIEW**  
**HARASSMENT POLICY**

Responsible Office: Administration  
Responsible Manager: Administrator and/or Mayor  
Council Resolution #: 221/21

Date Established: December 18, 2021  
Last Revised: N/A  
Effective Date: December 18, 2021

**POLICY STATEMENT:**

The Resort Village of Turtle View is committed to make every practical effort to ensure employees and contractors working on behalf of the Resort Village are provided with a safe, healthy and respectful workplace free from destructive behaviours such as conflict, harassment of any kind, discrimination and workplace violence.

With this purpose in mind, this policy supports a safe workplace free of harassment.

This policy applies to Resort Village employees, Administration, supervisors and contractors working on behalf of the Resort Village of Turtle View.

**STATEMENT OF COMMITMENT:**

Every worker is entitled to employment free of harassment. The Resort Village is committed to ensuring a productive work environment where the dignity and worth of every person is respected. Workplace harassment will not be tolerated and the Resort Village will take all reasonable steps to prevent harassment and stop it if it occurs.

**CONDITIONS:**

The Resort Village's greatest resource is the people who work there. It is essential to our municipality that personnel are provided with, and contribute towards a respectful safe workplace free of harassment where the values of respect, trust, fairness, integrity, consideration, acceptance and dignity guide all interactions with one another.

Any form of inappropriate behaviour including, but not limited to, employee conflict, harassment of any kind, discrimination and workplace violence will not be tolerated.

In keeping with the laws of natural justice, a respondent is considered innocent of all allegations until such time as a determination to the contrary is made.

The Resort Village has the right to bypass disciplinary steps, depending on the type and severity of action and the impact on the job and fellow employees. The Resort Village may go directly to suspension and/or termination if necessary.

Nothing in this policy in anyway supersedes any Legislation or Act pertaining to Employee/Human Rights and Privileges.

**DEFINITION OF HARASSMENT:**

Harassment is any inappropriate conduct, whether verbal or physical, which denigrates or shows hostility toward an individual because of his or her gender, race, colour, religion, age, disability, marital status, national origin, or other characteristics protected by applicable law and which has purpose or effect of:

- Creating an intimidating, hostile or offensive environment;
- Unreasonably interfering with an individual's work performance or affecting an individual's employment opportunity;
- Anything that constitutes a threat to health or safety of the worker;

This type of harassment is prohibited in *The Saskatchewan Employment Act* (the Act) and *The Saskatchewan Human Rights Code*.

It also extends to sexual harassment, which is conduct, comment, gesture or contact of a sexual nature that is offensive, unsolicited and/or unwelcome.

**DEFINITION 3-1(1) (I) OF THE SASKATCHEWAN EMPLOYMENT ACT**

(I) "harassment" means any inappropriate conduct, comment, display, action or gesture by a person: (i) 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 subsections (4) and (5), adversely affects the worker's psychological or physical well-being and that the person knows or ought reasonable to know would cause a worker to be humiliated or intimidated; and
- (ii) that constitutes a threat to the health or safety of the worker.

**WORKERS' RIGHTS**

Every worker is entitled to working environment that is safe and free of harassment. Every worker has the right to request the assistance of an Occupational Health Officer (Officer) to resolve a harassment complaint. The person designated to receive harassment complaints should also bring this right to the attention of the complainant.

**EMPLOYER OBLIGATION**

No worker shall cause or participate in the harassment of another worker.

**SEXUAL HARASSMENT**

Any form of sexual harassment may include:

- A direct or implied threat of reprisal for refusing to comply with a sexually-orientated request;
- Unwelcome remarks, jokes, innuendos, propositions or taunting about a person's body, attire, sex or sexual orientation;
- Displaying pornographic or sexually explicit pictures or materials;

- Unwelcome physical contact;
- Unwelcome invitations or requests, direct or indirect, to engage in behaviour of a sexual nature or;
- Refusing to work with or have contact with workers because of their sex, gender, or sexual orientation.

### **PERSONAL HARASSMENT**

This includes any inappropriate conduct, comment, display, action or gesture by a person that:

- Adversely affects a worker's physiological or physical well-being; and
- The perpetrator knows or ought to reasonably know would cause a worker to be humiliated or intimidated.

Personal harassment may involve repeated conduct or a single, serious incident that causes a lasting harmful effect on the worker. All incidents of inappropriate conduct should be appropriately addressed to ensure that the workplace remains respectful and free of harassment.

Personal harassment may include:

- Verbal, emailed or written abuse or threats;
- Insulting, derogatory or degrading comments, jokes or gestures;
- Personal ridicule or malicious gossip;
- Unjustifiable interference with another's work or work sabotage
- Refusing to work or co-operate with others; or
- Interference with or vandalizing personal property.

### **PROCEDURE FOR DEALING WITH HARASSMENT CONCERNS**

All complaints will be taken seriously. The rights of all concerned will be respected.

Workers are encouraged to use these steps to address incidents of alleged harassment internally.

- A. A worker who believes that he or she has been subjected to harassment is encouraged to first clearly and firmly make known to the alleged harasser that the harassment is objectionable and must stop.
- B. Where this cannot be done, or is unsuccessful, the worker should give a detailed report, in writing, of the alleged harassment to the Mayor or Administrator. In the event that the complaint is against the Mayor, the worker should provide the written report of the alleged harassment to a member of the Human Resources (HR) Committee who will then take the action indicated below.
- C. Once a written report is received, the Mayor or member of the HR Committee, as the case may be, shall immediately notify the alleged harasser of the complaint and provide the alleged harasser a copy of the information concerning the circumstances of the complaint and undertake a confidential investigation.

No member of HR Committee shall disclose the complainant's or other identifying information to any person.

- D. Investigators must act in accordance with the following guidelines:
- a. The investigation commences and concludes as soon as reasonably possible.
  - b. Witnesses are interviewed separately and written witness statements are prepared.
  - c. Witnesses are asked to review and sign their written statements.
  - d. Witnesses are advised to keep the investigation and the identity of the complainant and alleged harasser in confidence, unless required by law to disclose them.
  - e. The complainant and alleged harasser are entitled to legal or union counsel.
  - f. During the investigation, both the complainant and the alleged harasser are entitled to be informed of all allegations and allowed to respond.  
**This does not mean either party is entitled to see or receive copies of the complete witness statements. However, both are entitled to see or receive an adequate summary of the evidence to make a full response.**
  - g. Once the investigation is complete, investigators will prepare a written report setting out a summary of the evidence, a description of any conflict in the evidence, conclusions and reasons for reaching those conclusions, as well as the recommended corrective action if harassment has occurred.
  - h. Following the conclusion of the investigation the Mayor or a member of the HR Committee, as the case may be, will inform the complainant and the alleged harasser, in writing, of the results of the investigation.
  - i. After corrective action has been taken, the HR Committee follows up with the complainant to ensure that the corrective action was effective. If the complainant indicates harassment has not ended, or suffers reprisals, the HR Committee should take additional or alternative corrective action. Further investigation may be necessary.

## COMPLAINT PROCEDURES

Any employee of the Resort Village whom believes that they have been or are being harassed should, if feasible, inform the harasser the conduct is unwelcomed and must stop. If this course of action is not feasible, or it is unsuccessful, the employee should report, in writing, the alleged incident(s) and the name(s) of the individual(s) involved to the employee's supervisor. If, for any reason, an employee is uncomfortable about bringing the matter to the attention of their immediate supervisor, the employee should report the matter directly to the HR Committee. The Resort Village encourages prompt

reporting of complaints so that rapid response and appropriate action may be taken. Confidentiality of complaints will be maintained to the extent that is reasonable possible, consistent with the Resort Village's obligation to conduct an investigation. An individual making a complaint must put the complaint in writing. Individuals who believe that they have been or currently are being harassed should maintain all records of objectionable conduct in order to prepare and collaborate their allegations. All reported occurrences of harassment will be promptly and thoroughly investigated. As warranted, the Resort Village will take appropriate disciplinary action, up to and including termination of employment.

The Resort Village recognizes that false accusations of harassment can have serious effect on innocent people any false accusation of harassment will not be tolerated. Nonetheless, the Resort Village understands the individuals may have different perceptions of particular behaviours and encourages employees who feel they are experiencing personnel harassment to bring it to the attention of the appropriate personnel as soon as they perceive such problems.

#### **DUTIES OF EMPLOYEES**

Any employee of the Resort Village who observes or becomes aware of harassment should immediately advise their supervisor or the HR Committee. It is important that these matters are promptly dealt with in a professional manner.

#### **RESOLUTION AND CORRECTIVE ACTION**

Where harassment has been substantiated, the Mayor in consultation with the HR Committee, will take appropriate corrective action to resolve the complaint. Where harassment is not substantiated, no action will be taken against a worker who has made a complaint in good faith.

Written warning to be acknowledged by the employee in writing and a copy must be retained in the individual's personnel file.

Personnel who violate the standards concerning respectful workplace conduct or who intentionally misuse the processes described in this policy may be subject to corrective action up to and including termination.

#### **THIRD PARTY**

Where a complaint has been investigated and substantiated against a client, customer or rate payer and the individual(s) have been asked to stop abusing or harassing and they do not, workers are authorized to:

- End telephone conversations;
- Politely decline to provide service;
- Ask the individual(s) to leave the workplace.

If behaviour or harassing continues, the Resort Village may take corrective action up to and including but not limited to banning the third party from the workplace.

### **EXTERNAL COMPLAINTS**

Nothing in this policy prevents or discourages a worker from referring a harassment complaint to the Occupational Health and Safety Division under Part III of *The Saskatchewan Employment Act*. A worker may also file a complaint with the Saskatchewan Human Rights Commission under the *Saskatchewan Human Rights Code*, particularly section 10, 16, 17, 18, and 27.

A worker retains the right to exercise any legal avenues available. For more information, contact the department of Labour, Occupations Health and Safety Division, at (306) 787-4496.

### **CONFIDENTIALITY**

The Resort Village of Turtle View, or anyone acting on behalf of the company, should not disclose the name of the complainant or the alleged harasser, nor any information that may identify them. However, the disclosure of such information may be necessary to conduct the investigation, implement corrective action or pursue other legal remedies.

All documents and statements obtained during the course of the investigation, including names and copies of witness statements, should not be disclosed to any person unless required by law.