

Sample harassment policy



Alberta Human Rights
and Citizenship Commission

INFORMATION SHEET

This harassment policy is intended to be a **sample** only. It is not intended to reflect the needs of all employers. Rather it is meant to provide employers with a general guideline for the major provisions which should be included in an effective policy in order to make it sound, workable, accepted and used. Employers will need to adapt this policy or create entirely separate policies which best suit their individual organizations.

The Alberta Human Rights and Citizenship Commission can help develop or review your harassment policy.

Sample: Alpha Company

Alpha Company, in co-operation with our unions, is committed to a healthy, harassment-free work environment for all our employees. Alpha Company has developed a company-wide policy intended to prevent harassment of any type, including sexual harassment, of its employees and to deal quickly and effectively with any incident that might occur.

Definition of harassment

Harassment occurs when an employee is subjected to unwelcome verbal or physical conduct because of race, religious beliefs, colour, place of origin, gender, mental or

physical disability, ancestry, marital status, family status, source of income, or sexual orientation. Alberta human rights laws prohibit harassment in the workplace on these grounds.

Examples of harassment which will not be tolerated in Alpha Company are: verbal or physical abuse, threats, derogatory remarks, jokes, innuendo or taunts about any employee's appearance, religious beliefs, colour, place of origin, mental or physical disabilities, ancestry, marital status, family status, source of income or gender. Alpha Company also will not tolerate the display of pornographic, racist or offensive signs or images; practical jokes that result in awkwardness or embarrassment; unwelcome invitations or requests, whether indirect or explicit.

Definition of sexual harassment

Sexual harassment, being discrimination on the grounds of gender, is a violation of the *Human Rights, Citizenship and Multiculturalism Act*. Unwanted sexual advances, unwanted requests for sexual favours, and other unwanted verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. submission to such conduct is made either explicitly or implicitly a term of, or condition of, an individual's employment; or
2. submission to, or rejection of, such conduct by an individual affects that individual's employment.

Sexual harassment can include such things as pinching, patting, rubbing or leering, “dirty” jokes, pictures or pornographic materials, comments, suggestions, innuendoes, requests or demands of a sexual nature. The behaviour need not be intentional in order to be considered sexual harassment.

All harassment is offensive and in many cases it intimidates others. It will not be tolerated within our company.

Procedure

If you are being harassed:

1. Tell the harasser his/her behaviour is unwelcome and ask him/her to stop.
2. Keep a record of incidents (date, times, locations, possible witnesses, what happened, your response). You do not have to have a record of events in order to file a complaint, but a record can strengthen your case and help you remember details over time.
3. File a complaint. If, after asking the harasser to stop his/her behaviour, the harassment continues, report the problem to one of the following individuals:
 - a) Department Manager
 - b) Director of Personnel
 - c) Union Representative


You also have the right to contact the Alberta Human Rights and Citizenship Commission to file a complaint of sexual harassment and, if circumstances warrant it, a charge of assault may be filed with the police.

Dealing with a complaint

1. Once a complaint is received, it will be kept strictly confidential. An investigation will be undertaken immediately and all necessary steps taken to resolve the problem. If appropriate, action taken may include conciliation. If a complaint is filed through the union as a grievance, a meeting will be held with the union representative before and after the investigation.
2. Both the complainant and the alleged harasser will be interviewed, as will any individuals who may be able to provide relevant information. All information will be kept in confidence.
3. If the investigation reveals evidence to support the complaint of harassment, the harasser will be disciplined appropriately. Discipline may include suspension or dismissal, and the incident will be documented in the harasser’s file. No documentation will be placed on the complainant’s file where the complaint is filed in good faith, whether the complaint is upheld or not.
4. If the investigation fails to find evidence to support the complaint, there will be no documentation concerning the complaint placed in the file of the alleged harasser.
5. Regardless of the outcome of a harassment complaint made in good faith, the employee lodging the complaint, as well as anyone providing information, will be protected from any form of retaliation by either co-workers or superiors. This includes dismissal, demotion, unwanted transfer, denial of opportunities within the company or harassment of an individual as a result of her/his having made a complaint or having provided evidence regarding the complaint.

Responsibility of management

It is the responsibility of a director, manager, or any person within this company supervising one or more employees to take immediate and appropriate action to report or deal with incidents of harassment of any type whether brought to their attention or personally observed. Under no circumstances should a legitimate complaint be dismissed or downplayed nor should the complainant be told to deal with it personally.

Alpha Company seeks to provide a safe, healthy and rewarding work environment for its employees. **Harassment will not be tolerated within this company!** If you feel you are being harassed, contact us. We want to hear from you. 

Contact the Commission

For more information, please contact the **Alberta Human Rights and Citizenship Commission**. We are an independent commission of the Government of Alberta. Our mandate is to foster equality and reduce discrimination. We provide public information and education programs, and help Albertans resolve human rights complaints.

Northern Regional Office

800 Standard Life Centre
10405 Jasper Avenue
Edmonton, Alberta T5J 4R7
(780) 427-7661 Confidential Inquiry Line
(780) 427-6013 Fax

Southern Regional Office

Suite 310, 525 – 11 Avenue SW
Calgary, Alberta T2R 0C9
(403) 297-6571 Confidential Inquiry Line
(403) 297-6567 Fax

To call toll-free within Alberta, dial 310-0000 and then enter the area code and phone number.

For province-wide free access from a cellular phone, enter *310 (for Rogers-AT&T) or #310 (for Telus).

TTY service for persons who are deaf or hard of hearing

(780) 427-1597 Edmonton
(403) 297-5639 Calgary
1-800-232-7215 Toll-free within Alberta

E-mail humanrights@gov.ab.ca

Web site www.albertahumanrights.ab.ca

Please note: A complaint must be made to the Alberta Human Rights and Citizenship Commission within one year after the alleged incident.

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