



POLICY 3.3

HUMAN RESOURCE MANAGEMENT

Workplace Harassment & Violence Prevention

POLICY STATEMENT

AUGSA is committed to providing a safe and healthy work environment in which all employees are treated with respect and dignity and where employees can come to work knowing that their physical, psychological, and social wellbeing are protected. Harassment and violence will not be tolerated from any person at (including virtually) or outside of the work site including students, clients, other employers, supervisors, employees, contractors, and members of the public.

This policy outlines what workplace harassment and violence are, how the Organization and all employees have a role to play in its prevention, outlines the procedures for dealing with any situations involving harassment or violence in the workplace, provides a process for employees to report incidents or raise concerns about the hazard of harassment and violence, details the Organization's response to incidents, and describes the supports available to employees if workplace violence or the threat of violence occurs.

POLICY GUIDELINES

Workplace Harassment & Violence Prevention

3.03.1. This policy applies to all employees, contractors, members of Council, and directors of AUGSA in all locations, departments, and operations, in all jurisdictions.

Responsibilities

3.03.2. All employees (i.e., anyone performing work for the Organization) are responsible to prevent, report, and stop harassment and violence from occurring in the workplace and have individual responsibility to always adhere to this policy in their work and actions. Specifically, the following responsibilities apply to employees, supervisors, and managers:

3.03.2.1. **Worker Responsibilities**

- a. Read, understand, and comply with the policy and refrain from engaging in any harassment, bullying, discrimination and/or violence as defined in this policy.
- b. Treat everyone in the workplace with dignity and respect at all times in compliance with this policy.
- c. Participate in workplace hazard assessments and attend workplace training for harassment and violence.
- d. Raise any concerns about harassment or violence in the workplace and report any incidents to the Executive Director.
- e. Ensure compliance with the confidentiality provisions of this policy.
- f. Participate in investigations undertaken pursuant to this policy, including maintaining the confidentiality of all investigations.

3.03.2.2. **Supervisor and Manager Responsibilities**

- a. All responsibilities listed above, and
- b. Ensure the workplace is free from harassment and violence and take immediate action whenever there is reason to believe it is occurring.
- c. Inform employees about this policy and provide training to prevent, minimize or eliminate workplace harassment and violence.
- d. Respond appropriately to address all incidents and complaints of workplace harassment and violence in a fair, respectful, and timely manner, and fully support any investigation according to relevant policy and procedures.
- e. Respect the privacy of all concerned as much as legally possible.
- f. Participate in workplace hazard assessments, identify any risks specific to one's area of work and attend workplace training for harassment and violence.

Harassment in the Workplace

3.03.3. Workplace harassment includes a broad range of behaviours that individuals can be subjected to, or participate in. Workplace harassment is behaviour intended to intimidate, offend, degrade, or humiliate a person or group. It is a serious issue and creates an unhealthy work environment resulting in psychological harm to employees.

3.03.4. Harassment is defined by 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. Workplace harassment can occur in-person, virtually, or online.

3.03.5. **Workplace harassment** may include, but is not limited to, the following:

- a. Verbal or written abuse or threats;
- b. Insulting, derogatory, or degrading comments or gestures;
- c. Personal ridicule or malicious gossip;
- d. Unjustifiable interference with another's work or work sabotage; and/or

e. Interference with or vandalizing personal property.

3.03.6. **Discriminatory harassment** is harassment based on one of the protected grounds as defined by Alberta Human Rights Act including race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status, and sexual orientation.

3.03.7. Examples of discriminatory harassment include, but are not limited to, the following:

- a. Epithets, remarks, jokes, or innuendos related to a protected ground;
- b. Singling out an individual through humiliating or demeaning “teasing” or jokes because they are a member of a protected group; and/or
- c. Comments ridiculing an individual because of characteristics, dress, etc. that are related to a protected ground.

3.03.8. **Sexual harassment** includes sexual comments or conduct that is known, or ought to be known, to be unwelcome, including but not limited to, the following:

- a. Unwanted sexual advances, unwanted requests for sexual favours, derogatory comments, gestures or looks;
- b. Unnecessary or unwanted verbal or physical contact, jokes, or slurs;
- c. Derogatory or demeaning material in any medium including printed matter, posters, cartoons, graffiti, drawings, or any display of sexually suggestive material;
- d. Actual or implied threats, reprisal, or discriminatory behaviour either on or off the job, for refusal to comply with a sexually oriented request; and/or,
- e. Any of the above instances that occur, not only in person, but virtually or through email or social media.

3.03.9. **Bullying** is a type of harassment involving repeated, persistent, continuous behaviour that is usually associated with a power imbalance, where the victim is made to feel inferior. Workplace bullying behaviour includes, but is not limited to:

- a. silent treatment;
- b. starting or encouraging rumours;
- c. excessive or unjustified criticism;
- d. withholding job related information or job responsibility; and/or
- e. deliberate interference with the performance of job responsibilities.

3.03.10. Reasonable action taken by the employer or supervisors relating to the management and direction of employees or a work site is not workplace harassment, including the following:

- a. **Allocation of Resources:** To get work done, supervisors may have to make unpopular decisions, such as changing work assignments or reporting

relationships. Such decisions may or may not please others, but they do not constitute harassment.

- b. **Performance Feedback:** Feedback regarding unsatisfactory work conduct and/or negative performance evaluation is not harassment. Supervisors have a responsibility to give appropriate criticism and to take appropriate corrective action when the work of a worker is not satisfactory. Such criticism should, however, be made in a reasonable manner and should be constructive.

3.03.11. In addition, physical contact necessary for the performance of required work using accepted industry standards does not constitute harassment and, mutually acceptable workplace flirtation does not constitute sexual harassment.

Violence in the Workplace

3.03.12. Violence, whether at a work site or work related including virtually or online, is defined as the threatened, attempted, or actual conduct of a person that causes or is likely to cause physical or psychological injury or harm and includes, but is not limited to:

- a. Physical attack or aggression;
- b. Threatening behaviour;
- c. Verbal or written threats;
- d. Domestic violence; and/or
- e. Sexual violence.

3.03.13. **Domestic violence** can become workplace violence when it occurs or spills over into the workplace. It may put the targeted worker at risk and may pose a threat to coworkers. Domestic violence is violent, threatening or extremely coercive behaviour perpetrated by a partner in a current or formerly intimate relationship with a worker. It can consist of a pattern of ongoing abuse or an isolated incident. Domestic violence includes, but is not limited to, the following:

- a. Actual or threatened physical violence or harm, up to and including incidents of serious assault;
- b. Sexual assault (i.e., forcing someone into sexual activities against their will is a crime, even where the parties are married/common-law);
- c. Stalking and other forms of harassment and intimidation;
- d. Threats of harm or actual harm perpetrated against others (i.e., the victim's children, friends, family, co-employees, etc.); and/or
- e. Damaging, destroying, or threatening to destroy property belonging to the victim or individuals who are closely associated with the victim.

3.03.14. Utmost respect is given to employees' privacy and AUGSA does not want to intrude into the personal lives of its employees. However, if the Organization becomes aware of the existence of domestic violence, or where such violence is suspected and the consequences of domestic violence are likely to spill over into the workplace, the

Organization may have a legal obligation to intervene in the interests of the individual concerned and other employees.

Incident Reporting Procedures

3.03.15. Individuals who have been the subject of workplace harassment or violence should respond in the following manner:

- a. The individual affected (“the Complainant”) is encouraged to make their objections known to the harasser or aggressor directly when it is possible and safe to do so. Communicate the objection verbally, or in writing, and state clearly what unacceptable behaviour or action occurred and request that it stop immediately.
- b. The Complainant should create a written record of the incident, including all pertinent information and using the Organization’s Incident Report Form (Appendix B):
 - Date and time;
 - Nature of the harassment or violence;
 - Name of person(s) involved;
 - Name of person(s) witnessing if any;
 - Full description of the incident, including frequency; and,
 - Supporting documents if available.
- c. The Complainant should inform and discuss the situation with the Executive Director as soon as possible to determine further action and response. In the case of the Executive Director, the Complainant should inform a member of AUGSA Council.
- d. Once information has been received, an investigation will begin in a timely, sensitive, and confidential manner.
- e. The Complainant, together with the Executive Director, or a member of AUGSA Council, will report to the police where the situation warrants it.
- f. Note that the reporting contact, the Executive Director, should never be under the direct control of the alleged harasser or aggressor or be the alleged harasser or aggressor themselves. If this is the case, the reporting contact should be a member of AUGSA Council.

Investigation Procedures

3.03.16. Any incident or complaint that involves workplace harassment or violence is a hazard to the health and safety of employees and all individuals in the workplace. AUGSA commits to:

- a. Investigate all incidents of harassment and violence;
- b. Take corrective action to address the incident and to prevent it from happening again;
- c. Prepare a report which outlines the circumstances of the harassment or violence;

- d. Retain documents and records for at least three (3) years in a confidential manner; and,
- e. Cooperate with regulatory bodies on requests for information and documentation.

3.03.17. Where appropriate, AUGSA may elect to retain external investigation resources in particularly sensitive or difficult situations. Investigations will have a target timeline for completion of 90 days.

Privacy and Confidentiality

3.03.18. All records of harassment and violence and subsequent investigations are considered confidential and are strictly prohibited from being disclosed to anyone except to the extent required by law.

3.03.19. In cases where criminal proceedings are forthcoming, the organization will assist police agencies, lawyers, insurance companies and courts to the fullest extent and will do everything it can to protect the privacy of the individuals involved and to ensure that complainants and respondents are treated fairly and respectfully. The Organization will protect this privacy so long as doing so remains consistent with the enforcement of this policy and adherence to the law.

No Reprisal

3.03.20. No individual shall be penalized, reprimanded, or in any way criticized when acting in good faith while following this policy and procedure for addressing situations involving harassment or violence in the workplace.

Worker Support

3.03.21. AUGSA will offer support to employees (e.g., time off to attend appointments) who are affected by an incident of harassment or violence in the workplace. Affected employees will be advised to consult a health professional (of the worker's choice) for treatment or referral.

Worker's Rights

3.03.22. The Workplace Violence and Harassment Prevention Policy is not intended to discourage a worker from exercising rights pursuant to any other law including, but not limited to the Alberta Human Rights Act.

Fraudulent or Malicious False Claims

3.03.23. Unfounded, frivolous, or fraudulent allegations of harassment and violence may cause both the accused person and the Organization significant damage and will not be tolerated. Any individual who files a complaint of harassment or violence and, after a thorough investigation has been conducted, is found to have made a false claim, will be subject to the appropriate discipline, up to and including termination.

Prevention Plan Administration and Review

3.03.24. AUGSA's Harassment and Violence Prevention Policy will be reviewed at minimum every three (3) years by the Executive Director.

RELATED REFERENCES AND POLICIES

This Policy References

This Policy is Referenced by

POLICY RESPONSIBILITY

Executive Director

POLICY HISTORY

Original Approval Date: December 6, 2023

Last Review Date: December 6, 2023

Review by Date: December 6, 2026