



**Rural Municipality of Corman Park No. 344
Corporate Policy**

Title: Workplace Harassment Prevention Policy	Number: HR-019
<p>Policy Objectives:</p> <ol style="list-style-type: none"> 1) To ensure, insofar as is reasonably practicable, that Corman Park workers are not exposed to harassment with respect to any matter or circumstance arising out of their employment and includes: <ol style="list-style-type: none"> a) Incidents that occur outside of the usual workplace or after work hours that arise out of or are connected to a worker’s employment, such as a work-sponsored social event or conference, and; b) Conduct perpetrated by someone other than a worker, but with whom the worker is required to meet with, including clients, contractors, or members of the public. 2) To establish a corporate wide workplace harassment prevention policy and plan in accordance with <i>The Saskatchewan Employment Act</i> and <i>The Occupational Health and Safety Regulations, 2020</i>. 3) To provide Corman Park workers with sufficient training to allow them to: <ol style="list-style-type: none"> a) Adequately respond to and report harassment in the workplace, and; b) Eliminate harassment in the workplace. 	
<p>Authority: (November 20, 2023 Council Meeting, Amendment updates – attached page 12)</p>	

Application:

This Policy applies to all Corman Park workers while engaged in the service of Corman Park or while at a Corman Park sponsored function and includes the workers (Local 870 Members) bound by the Collective Agreement, the duly elected members of Council, the members of the Corman Park Police Service, and all contractors, volunteers, visitors of the organization, and members of the public.

Corman Park and the workers (Local 870 Members) shall be bound by all the provisions of the Collective Agreement between the two parties when dealing with any wording within this Policy.

Policy Statement:

The Rural Municipality of Corman Park, hereafter referred to as “Corman Park”, recognizes that every worker in Saskatchewan is entitled to employment that is free of harassment. As such, Corman Park is committed to providing and maintaining a harassment-free work environment and will make every reasonably practicable effort to ensure that no worker is subjected to harassment that may arise during their employment with Corman Park.

Harassment in the workplace is a serious offence that will not be tolerated and Corman Park will ensure that all complaints of workplace harassment are taken seriously and immediately



investigated to protect the health and safety of workers and so that timely and effective corrective actions can be taken to eliminate future harassment in the workplace. Corman Park reserves the right to take any reasonable action(s) to protect the health and safety of any individual(s) during an ongoing investigation into alleged workplace harassment until such a time that corrective actions can be implemented.

Corman Park will make every reasonably practicable effort to ensure that the individuals involved in complaints of harassment are not subject to retaliation. Retaliation is a serious offence and Corman Park will not tolerate any retaliatory act perpetrated against any individual(s) involved in a complaint of harassment. Corman Park shall ensure that any retaliatory act or conduct is immediately investigated so that timely and effective corrective actions can be implemented to protect the health and safety of workers and to eliminate future acts of retaliation.

Furthermore, if a complaint alleging workplace harassment has been determined by an investigation to be intentionally false and/or malicious or made in bad faith, Corman Park will ensure that the individual(s) who has made the intentionally false and/or malicious complaint is immediately investigated so that timely and effective corrective actions can be taken to eliminate future false reporting of workplace harassment. Corman Park will not take disciplinary action or apply sanctions against any individual(s) who has made a complaint of harassment if the investigation determines that the complaint was made in good faith, but the allegations of harassment were unsubstantiated.

When an investigation has determined that a violation of this Policy has occurred, Corman Park shall immediately take corrective action respecting any person(s) under Corman Park's direction who has violated this Policy. Corrective actions may include disciplinary action in accordance with Policy HR-005 Employee Supervision, Correction and Discipline, or the Collective Agreement. In addition, when an investigation has determined that a contractor, volunteer, visitor, or member of the public has violated this Policy, that individual(s) shall be subjected to appropriate sanctions which may include termination of contract, removal from a Corman Park worksite, or legal action. Corman Park will ensure that the names of the individual(s) involved in a complaint of harassment are not disclosed to any person not necessary to investigation or mediation processes. Corman Park will ensure that disclosure of such information is only done in accordance with applicable legislation and the confidentiality and disclosure standards within this Policy.

Corman Park acknowledges that there may be a need to protect workers, Members of Council, or members of the public from unreasonable behaviour and frivolous and/or vexatious conduct perpetrated by a visitor or member of the public. As such, Corman Park will ensure that this Policy adequately protects workers, Members of Council, and members of the public from such behaviour or conduct by ensuring that this Policy is consistently and fairly applied to all visitors or members of the public. If Corman Park workers, Members of Council, or members of the public are subjected to inappropriate behaviour and frivolous and/or vexatious conduct, the Chief Administrative Officer (the "CAO") may, at their discretion, place restrictions on the level of contact or type of interaction(s) that certain individuals may have with Corman Park. The decision to implement restrictions may be made when an individual engages in a single significant incident of inappropriate, frivolous and/or vexatious behaviour or conduct or when a pattern of repeated incidents of inappropriate, frivolous and/or vexatious conduct or behavior has been identified. Circumstances that may result in restrictions can include but are not limited to:

- Situations arising from unreasonable behaviour which cause concern for the reasonable safety of other individuals on Corman Park premises.
- Situations involving verbal or written abuse or threats, insulting, derogatory, or degrading comments, jokes, or gestures, or degrading comments based on any human rights prohibited grounds.
- Situations involving unjustifiable interference with a workers or Member of Councils work or duties.
- Situations which compromise the enjoyment of Corman Park facilities for all users.
- Vexatious, frivolous and/or unreasonably persistent requests which consume a disproportionate amount of a worker's or Member of Council's time and resources and compromise their ability to provide assistance or efficiently and effectively deliver satisfactory customer service.
- Vexatious and frivolous requests which impede workers from attending to other essential issues.

Restrictions imposed on an individual(s) who violates this Policy will be proportionate to the severity of the Policy violation as determined by the CAO. Actions available to the CAO may include but are not limited to any combination of the following:

- Limiting the individual's correspondence with workers to a particular format, time or duration.
- Limiting the individual to a particular point of contact.
- Requiring any face-to-face interactions between the individual and workers to take place in the presence of another worker.
- Requiring the individual to make contact with Corman Park only through a third party, such as a solicitor.
- Limiting or regulating the individual's use of Corman Park services.
- Refusing the individual access to a Corman Park facility except by appointment or specific permission.
- Requiring that the individual produces full disclosure of documentation or information before a worker further investigates a complaint.
- Instructing workers not to respond to further correspondence from the individual regarding the complaint or a substantially similar issue, unless the correspondence relates to an Access to Information Request under LA FOIP.
- Informing the individual that further contact on a matter will not be acknowledged or replied to.
- Closing the complaint or request for service.
- Instructing workers not to investigate any complaints regarding an issue that has already been investigated or which is substantially similar to an issue that has already been investigated.

Corman Park will ensure that the workplace is free of any discriminatory practices in accordance with *The Saskatchewan Human Rights Code, 2018* and will adhere to the provisions respecting harassment in Part III of *The Saskatchewan Employment Act*, the Regulations made pursuant to Part III, and in this Policy. Nothing in this Policy shall, at any point, prevent or discourage a worker(s) from requesting the assistance of an Occupational Health Officer to resolve a complaint of harassment, from making a harassment complaint with The Saskatchewan Human Rights Commission, or from exercising any other legal rights available to them pursuant to any other law.



Corman Park is committed to implementing this Policy and ensuring that it effectively eliminates workplace harassment by implementing and maintaining effective procedures and practices governing how complaints of harassment are to be reported, investigated, resolved, and documented by Corman Park and by providing effective training to all Corman Park workers on workplace harassment prevention, this Policy, and its associated procedures and practices.

Corman Park will ensure that this Policy is posted conspicuously within all Corman Park facilities and is made readily available for reference by all workers. This Policy has been developed in consultation with Corman Park's Occupational Health Committee and meets the requirements of applicable legislation including *The Saskatchewan Employment Act*, *The Occupational Health and Safety Regulations, 2020*, and *The Saskatchewan Human Rights Code, 2018*. This Policy does not take precedence over applicable legislation.



Assignment of Responsibility:

Chief Administrative Officer:

- 1) Ensuring, insofar as is reasonably practicable, that Corman Park workers are not exposed to harassment with respect to any matter or circumstance arising out of their employment.
- 2) Mandating the corporate wide implementation and application of this Policy and taking corrective action where the requirements of this Policy are disregarded.
- 3) Ensuring that this Policy is effective in preventing and eliminating harassment in the workplace.
- 4) Ensuring that all complaints of workplace harassment are immediately investigated via a fair and just investigation process.
- 5) Ensuring that timely and effective corrective actions are implemented to prevent recurrence of harassment in the workplace.
- 6) Providing training and education on workplace harassment prevention and resolution to all workers.
- 7) Appointing designated person(s) to receive and handle complaints of workplace harassment.
- 8) Supporting and protecting workers who report incidents of workplace harassment or who participate in any process necessary to an investigation.
- 9) Ensuring the confidentiality and disclosure standards in this Policy are adhered to and protecting the privacy of individuals involved in investigations.

Directors:

- 1) Implementing and applying this Policy within their specific areas of responsibility.
- 2) Ensuring that supervisors and workers are aware of and comply with Part III of *The Saskatchewan Employment Act*, *The Occupational Health and Safety Regulations, 2020*, and this Policy.
- 3) Taking corrective action where the requirements of this Policy are disregarded.

Supervisors:

- 1) Ensuring, insofar as is reasonably practicable, that workers under their direct supervision are not exposed to harassment with respect to any matter or circumstance arising out of their employment.
- 2) Implementing this Policy within their specific areas of responsibility.
- 3) Modeling respectful behavior and setting a positive example.
- 4) Reporting any incidents involving harassment in the workplace.
- 5) Promoting awareness and understanding of this Policy among their workers.
- 6) Intervening promptly and appropriately when they witness or become aware of any potential or actual incidents or complaints of workplace harassment.
- 7) Cooperating with any person investigating or mediating a complaint of workplace harassment.



Workers:

- 1) Complying with this Policy.
- 2) Refraining from causing or participating in the harassment of another worker.
- 3) Cooperating with any person investigating or mediating a complaint of workplace harassment.
- 4) Reporting any incidents involving harassment in the workplace.
- 5) Seeking the assistance of a designated person to resolve a complaint of workplace harassment.

Occupational Health Committee:

- 1) Having a continuing concern for the health, safety, and welfare of workers at the place of employment.
- 2) Advising, recommending, consulting, and developing actions to improve workplace health, safety, and wellness.
- 3) Assisting and supporting Corman Park and its workers in complying with Part III of *The Saskatchewan Employment Act* and *The Occupational Health and Safety Regulations, 2020*.
- 4) Promoting workplace health and safety across all departments within the workplace and supporting Corman Park in all workplace health and safety programs and initiatives.

Confidentiality & Disclosure Standards:

Corman Park will maintain the confidentiality and privacy of all personnel who are involved in a complaint of workplace harassment. Complaints will be handled in strict confidence to the greatest extent possible without compromising the safety of Corman Park workers, hampering investigations, or affecting the resolution of complaints or incidents of workplace harassment.

All persons involved in an investigation into a complaint of workplace harassment shall treat all information related to the investigation as strictly confidential and are not to discuss the nature of the complaint or investigation with anyone not necessary to the reporting, investigation, resolution, or documentation procedures required by this Policy.

Corman Park, including persons involved in a complaint or investigation of workplace harassment shall not disclose the identities or details of any complainant(s), respondent(s), witness(s), circumstance(s), or detail(s) surrounding specific application(s) of progressive discipline to any person(s) except in the following circumstances:

- 1) When disclosure is necessary for the purposes of investigating or mediating the complaint.
- 2) When disclosure is required to take corrective action(s) with respect to the complaint.
- 3) When disclosure is required by law or for legal proceedings.
- 4) When disclosure is required to protect against threats to life or property or to mitigate a significant risk(s) to worker health and safety.
- 5) When disclosure is done in a confidential setting such as but not limited to a designated person, counsellor, physician, lawyer, mediator, or investigator.

Any document(s) or report(s) generated, acquired, or compiled during an investigation carried out in accordance with the Act or regulations made pursuant to the Act are the sole property of Corman Park and Corman Park is under no obligation to share these documents, reports, or any portion thereof with the complainant(s), respondent(s), witnesses(s), or any other individual(s). Disclosure of investigation reports or documents shall be done only in the following circumstances:

- 1) When disclosure is deemed to be necessary at the discretion of Corman Park.
- 2) When disclosure is required to mitigate an identified risk(s) to worker health and safety.
- 3) When disclosure is required to take corrective action(s) with respect to the complaint.
- 4) When disclosure is required by law or for legal proceedings.

Excluding circumstances where disclosure is required by law or for legal proceedings, Corman Park shall take all reasonable actions to protect the privacy of the individual(s) involved in complaints of workplace harassment when disclosure is deemed necessary in accordance with the provisions in Policy. These actions can include but are not limited to:

- 1) Redacting or removing personal information from investigation reports or documents. This can include but is not limited to:
 - a) Name(s), birthday(s), gender identity, sex, social insurance number, health card number, personal health information, private address(s), driver's license information, job title(s), payroll or financial information or Workers Compensation Board information.

The failure of a worker to abide by the confidentiality or disclosure standards in this Policy will result in corrective action(s) which may include progressive discipline up to and including termination of employment in accordance with Policy HR-005 Employee Supervision, Correction and Discipline or the Collective Agreement.



Definitions:

- 1) The "Act" – *The Saskatchewan Employment Act*.
 - 2) Chief Administrative Officer – The individual appointed to the position of "Administrator" of Corman Park in accordance with *The Municipalities Act* and who holds the title of Chief Administrative Officer (CAO).
 - 3) Corman Park – The Chief Administrative Officer of the Rural Municipality of Corman Park No. 344 or their designate(s) including the group of designated persons and individual(s) appointed to conduct or oversee an investigation. The term "Corman Park" may at any time be substituted by the term "R.M." or the term "employer".
 - 4) Complaint – A report received by a designated person that alleges an incident of inappropriate behavior in the workplace.
 - 5) Complainant – A worker who has filed a complaint alleging inappropriate behavior in the workplace.
 - 6) Designated Person(s) – The individual(s) appointed by Corman Park to receive and handle complaints of inappropriate behavior and include any supervisor, human resources staff or the Chief Administrative Officer. Corman Park reserves the right to assign additional duties to a designated person(s) which can include overseeing incident investigation, reporting, and documentation processes, acting as a mediator, or acting as an investigator of a complaint of inappropriate behavior or other workplace incident.
 - 7) Harassment – Section 3-1(1) of *The Saskatchewan Employment Act* defines harassment as:
3-1(1) (I) "harassment" means:
 - (i) any inappropriate conduct, comment, display, action, or gesture by a person towards a worker:
 - (A) that either:
 - (I) is based on any prohibited ground as defined in *The Saskatchewan Human Rights Code, 2018*, or on physical size or weight; or
 - (II) subject to subsections (4) and (5), adversely affects the worker's psychological or physical well-being and that the person knows or ought reasonably to know would cause the worker to be humiliated or intimidated; and
 - (B) that constitutes a threat to the health or safety of the worker; or
 - (ii) any conduct, comment, display, action, or gesture by a person towards a worker that:
 - (A) is of a sexual nature; and
 - (B) the person knows or ought reasonably to know is unwelcome;
- 3-1(4) To constitute harassment for the purposes of subparagraph (1)(I)(i)(A)(II), either of the following must be established:
- (a) repeated conduct, comments, displays, actions, or gestures;
 - (b) a single, serious occurrence of conduct, or a single, serious comment, display, action, or gesture, that has a lasting, harmful effect on the worker.

Examples of workplace harassment can include, but are not limited to, any of the following:

- Verbal or written abuse or threats.
- Insulting, derogatory, or degrading comments, jokes, gestures.
- Personal ridicule, malicious gossip or rumours and bullying.
- Unjustifiable interference with another's work or work sabotage.
- Refusing to work or co-operate with others.
- Interference with or vandalizing private property.
- Any harassment that arises out of circumstances that are related to a worker's employment including at worker gatherings which are sponsored or sanctioned by Corman Park.
- Any form of retaliation perpetrated against a worker.
- Complaints of harassment that are deliberately false or made in bad faith.

The Act also states the following limitations with respect to the definition of harassment:

3-1(5) For the purposes of subparagraph (1)(l)(i)(A)(II), harassment does not include any reasonable action that is taken by an employer, or a manager or supervisor employed or engaged by an employer, relating to the management and direction of the employer's workers or the place of employment.

Examples of things not considered workplace harassment or situations where this Policy does not apply include, but are not limited to, any of the following:

- Enforcement of a dress code.
 - Day-to-day management or supervision decisions related to work assignments.
 - Workplace inspections.
 - Job assessments or evaluations.
 - Disciplinary action.
 - Physical contact necessary for the performance of the work using accepted industry standards.
 - Conduct which all parties agree is inoffensive or welcome.
 - Disagreements or conflict in the workplace that are not based on prohibited grounds.
 - Any harassment that arises out of circumstances that are unrelated to a worker's employment including at worker gatherings which are not sponsored or sanctioned by Corman Park.
- 8) Inappropriate Behavior – Any combination or form of negative conflict, harassment, violence, retaliation, discrimination, or false reporting in the workplace and includes any unreasonable, vexatious, frivolous or adverse action or conduct that involves a worker while engaged in the service of Corman Park and has a defined complainant and respondent.
 - 9) Incident – A single event or occurrence of an accident, near miss, or inappropriate behavior that occurred in the workplace and involves a worker while engaged in the service of Corman Park.
 - 10) Investigation – The process of formal inquiry and systematic examination or research into an incident or complaint that is founded on due process and the presumption of innocence.
 - 11) Investigator – The individual(s), including a 3rd party, who have been appointed by Corman Park to investigate a complaint or workplace incident.



- 12) Mediation – The process wherein a complainant and respondent meet with an impartial and neutral mediator with the goal of finding a resolution that is acceptable to both parties regarding a complaint or other incident.
- 13) Mediator – The individual(s), including a 3rd party, who have been appointed by Corman Park to mediate a complaint.
- 14) Occupational Health Committee – An occupational health committee established pursuant to section 3-22 or 3-23 of the Act or the Regulations made pursuant to Part III of the Act.
- 15) Occupational Health Officer – A person appointed as an occupational health officer pursuant to section 3-6 of the Act.
- 16) Prohibited Ground – *The Saskatchewan Human Rights Code, 2018*, defines a prohibited ground as meaning one of the following prohibited grounds of discrimination:
 - Religion, creed, marital status, family status, sex, sexual orientation, disability, age, colour, ancestry, nationality, place of origin, race or perceived race, receipt of public assistance or gender identity.
- 17) The “Regulations” – *The Occupational Health and Safety Regulations, 2020*.
- 18) Respondent – A worker who has allegedly displayed inappropriate behaviour in the workplace.
- 19) Retaliation – Inappropriate behaviour conducted by an individual in response to a complaint or incident in the workplace.
- 20) Supervisor – An individual who is authorized by Corman Park to oversee or direct the work of a Corman Park worker and includes but is not limited to the CAO and any Director, Manager, Superintendent, Foreman, or Lead Hand.
- 21) Witness – A worker who has provided a statement regarding the events of a workplace incident to an investigator.
- 22) Worker – An individual, including a supervisor, who is engaged in the service of Corman Park and includes a person who is enrolled in a secondary or post-secondary educational institution and who:
 - a) Is permitted by Corman Park, directly or indirectly, to perform work or services.
 - b) Is being trained by Corman Park.
 - c) Is a member of a prescribed category of individuals.
 - d) Is a volunteer that Corman Park permits, directly or indirectly, to perform work or services.
 - e) Is an independent or dependent contractor.
 - f) Is not an inmate, as defined in *The Correctional Services Act, 2012*, of a correctional facility as defined in that Act who is participating in a work project or rehabilitation program within the correctional facility.
 - g) May be referred to at any time as an “employee” or “staff”.

Policy Review:

Corman Park will ensure that this Policy achieves its stated objective(s) and shall review and, if necessary, revise this Policy or its associated procedures and practices at the following intervals:

- 1) Every 3 years.
- 2) Following the conclusion of an investigation into a complaint of workplace harassment.
- 3) Upon recommendation by the Occupational Health Committee.
- 4) After changes to applicable Acts or Regulations are made.
- 5) After a change of circumstances that may affect the health or safety of workers.

All revisions to this Policy shall be made in consultation with the Occupational Health Committee in accordance with *The Saskatchewan Employment Act*.

Policy Owner:

The Council of the Rural Municipality of Corman Park No. 344 is the owner of this Policy and, as the owner, hereby designates responsibility for this Policy's overall implementation and effectiveness to the Chief Administrative Officer who is designated as the "employer" for the purposes of Part III of *The Saskatchewan Employment Act* and as the "Administrator" for the purposes of *The Municipalities Act*.


Kerry Hilts, Chief Administrative Officer



