## WORKPLACE ANTI-HARASSMENT

[Organization Name] is committed to ensuring a workplace free of harassment, bullying, and discrimination. In pursuit of this, [Organization Name] will not tolerate any harassment, bullying, or discrimination within the workplace. [Organization Name] is further committed to investigating any complaints regarding workplace harassment, bullying, and/or discrimination, using the method of progressive discipline, up to and including the point of termination of employment for the perpetrator(s).

Canada’s Criminal Code specifically lays out matters such as violent acts, sexual assault, threats, and behaviours such as stalking. In the event of any of the above, [Organization Name] will immediately contact the police.

DEFINITIONS

Harassment, as per the [*Prince Edward Island Occupational Health and Safety Act, Workplace Harassment Regulations*](https://www.princeedwardisland.ca/sites/default/files/legislation/o01-01-3-occupational_health_and_safety_act_workplace_harassment_regulations_0.pdf) (the Act), refers to any inappropriate conduct, comment, display, action, or gesture, including bullying, that the person responsible knows or reasonably should know can harm a worker's psychological or physical health and safety. It includes:

* Conduct based on personal characteristics such as race, creed, religion, colour, sex, sexual orientation, marital status, family status, disability, physical size or weight, age, nationality, ancestry, place of origin, gender identity, or pregnancy.
* Inappropriate sexual conduct known or reasonably should be known as unwelcome, including sexual solicitations or advances, sexually suggestive remarks, jokes or gestures, circulating or sharing inappropriate images, or unwanted physical contact.

Harassment covers both:

* Repeated instances of inappropriate conduct, comments, displays, actions, or gestures, including bullying, that harm a worker's psychological or physical health and safety.
* A single occurrence of inappropriate conduct, comment, display, action, or gesture, or bullying causing harm to a worker's psychological or physical health and safety.

Note that workplace harassment excludes reasonable actions taken by employers or supervisors related to worker management or direction in the workplace.

The types of harassment includes:

* Exclusion: The act of shunning or ostracizing a person or group by halting communication, denying presence, distancing, or purposefully omitting them from decisions, conversations, and work-related events.
* Physical harassment: Unwanted physical behavior that includes threatening or offensive gestures, physical intimidation, coercion, assault, practical jokes, or "horseplay," causing discomfort or shame.
* Poisoned workplace environment: Inappropriate behavior that creates a hostile or offensive work atmosphere, negatively impacting well-being and productivity for all. Examples include inappropriate graffiti, derogatory remarks based on sexual orientation, religion, or race, coworker abuse, physical outbursts, profanity, negative electronic messages or cyberbullying.
* Racial harassment: Unpleasant behavior motivated by race, color, citizenship, origin, ancestry, ethnic origin, or creed. Examples include negative messages, images, stereotypical behavior, derogatory remarks, or intolerance towards ethnic distinctions.
* Sexual harassment: Any rude or annoying sexual activity, remark, gesture, or contact causing offense or humiliation. It also includes imposing sexual requirements on employment, training, advancement, or services. Examples include unwelcome physical contact, inquiries about sexual lives, communication through various channels, insulting jokes, persistent advances, improper attention, and retaliation or threats.
* Verbal harassment: Inappropriate pattern of disparaging remarks that adversely affect an employee's professional reputation, including insults, slurs, obscene or insulting words, innuendoes, profanities, and unflattering stereotypes.

It is important to note that this Anti-Harassment Policy aligns with [Organization Name]'s Human Rights Policy, ensuring freedom from discrimination based on various grounds established by the [*Prince Edward Island Human Rights Act*](https://www.princeedwardisland.ca/sites/default/files/legislation/H-12%20-Human%20Rights%20Act.pdf). These grounds include age, colour, creed, disability,

ethnic or national origin, family status, gender expression, gender identity, marital status, political belief, race, religion, sex, sexual orientation, or source of income of any individual or class of individuals.

POLICY

[Organization Name] encourages any of its employees who witness or who are victim to harassment, bullying, or discrimination to bring forward the information as soon as possible so that an investigation may immediately commence.

In pursuit of a harassment-free environment, [Organization Name] is committed to fully preventing and/or addressing any instances of harassment by:

* Providing education and training to ensure that all employees understand their rights and responsibilities regarding harassment;
* Ensuring that supervisors understand how to respond to incidents of harassment, including how to collect information, how to act, how to deal with confidentiality, how to document, and how to keep records;
* Methodically monitoring or adjusting [Organization Name]’s systems for any barriers, including any barriers regarding any protected grounds laid out in *the Prince Edward Island Human Rights Act* and [Organization Name]’s Human Rights Policy;
* Reviewing their Anti-Harassment program with the Health and Safety Committee
* Providing a procedure for complaints (outlined below) that is fair, timely, and effective; and
* Ensuring to promote appropriate standards of conduct.

This policy prohibits any person at [Organization Name] who is able to grant or deny a benefit to another employee from sexually soliciting or making advances on that person. This could include co-worker to co-worker, or supervisors and managers to employees. Further, any reprisals for the rejection of these advances are not permitted.

[Organization Name] will also not permit the creation of a poisoned work environment, as created by comments or any forms of conduct that are known to be unwelcome. [Organization Name] will investigate all complaints to prevent this poisoned environment.

In addition, any employees who experience harassment while in the course of work for [Organization Name] have the right to file a complaint without any fear of reprisal. [Organization Name] will ensure that an investigation is conducted into any incidents or complaints of workplace harassment, as appropriate.

Employee and Supervisor Responsibilities

All [Organization Name] employees have the responsibility to adhere to the contents of this policy and refrain from enacting or condoning any form(s) of harassment. Further, all employees have the responsibility of fully cooperating in any investigations into complaints of harassment.

All [Organization Name] supervisors or managers have an additional responsibility of acting immediately upon either receiving a complaint of harassment or witnessing it themselves. Supervisors and managers are responsible for the creation and maintenance of a harassment-free workplace and must immediately investigate as soon as any forms of harassment become known in the workplace.

An occupational health and safety officer appointed under the Act can order [Organization Name] to comply with the Regulation if this officer determines that the organization has established a proper harassment policy, violated the policy, failed to address complaints effectively, or contravened the Act or regulations. If workplace harassment is confirmed and the employer neglects to take corrective action, the officer can order them to remedy the situation and prevent future occurrences.

COMPLAINT PROCEDURE

At [Organization Name], complaints regarding harassment, bullying, or discrimination may be brought forward to:

* (Insert Title) at (Insert contact info) or (Insert Title) at (Insert contact info) if one of them is not available.
* An alternate report may be made to (Insert Title) at (Insert contact info) if either of the above are the alleged harasser(s).
* Immediately upon receipt of a complaint, an investigation will be started, and additional information and context will be sought. The investigation may include:
  + A review of the details of the incident;
  + Separate interview(s) with the parties involved and any witnesses;
  + Examination of any relevant documents, emails, notes, photographs, or video;
  + A decision about whether the complaint constitutes workplace harassment; and
  + The preparation of a report which summarizes the incident, the steps of the investigation, the evidence collected, and any findings
  + If needed, [Organization Name] may refer investigation of a harassment complaint to an impartial person who is not directly involved, not in a conflict of interest, and knowledgeable about workplace harassment provisions and applicable laws.
* [Organization Name] will take appropriate measures to ensure that employees and/or witnesses involved in filing the complaint are protected, as necessary. This may include temporary reassignments or shift changes. [Organization Name] will ensure that these changes do not penalize any employee who brought forward a complaint, or any witness to the complaint.
* [Organization Name] will not disclose any information regarding a complaint of harassment (including any identifying personal information of any of the individuals involved), unless the disclosure is necessary. The disclosure may become necessary for the purposes of investigating the complaint, taking disciplinary action, or as required by law.
* The employee who disclosed the complaint, as well as the alleged harasser (provided they are both employees of [Organization Name]), will be kept up to date on the investigation and will be notified of the results of the investigation and any subsequent actions to be taken.

Any reports resulting from an investigation into complaints of harassment, discrimination, or bullying are not considered to be Occupational Health and Safety reports and will not be shared with the safety committee.

Note: This policy will be in written form and posted in a conspicuous place at [Organization Name]. It will be reviewed as often as necessary, but at least annually.