



Hamlet of Fort Liard

PERSONNEL POLICY and PROCEDURES

Subject: HARASSMENT POLICY

PURPOSE

The Hamlet of Fort Liard ("Hamlet") is committed to providing a harassment free work place recognizing that employees are entitled to work harassment free.

The purpose of the ***Harassment Policy*** is to guide and direct all employees to work in a harassment free workplace and provide procedures for managerial reaction to the all forms of harassing conduct in the workplace.

To ensure the Hamlets goals and objectives are met employees are responsible for respecting the rights of others and contributing to a work environment that is free from harassment. Management will take appropriate actions to ensure that harassment is dealt with in an appropriate manner.

APPLICATION

This policy applies to all Hamlet employees.

Where there is any conflict between this policy and policies set forth in a statute of the territorial or federal government, territorial or federal statute shall supersede the provisions of this policy.

DEFINITIONS

Harassment is verbal or physical conduct that is offensive or shows hostility toward an individual because of that person's race, skin color, ancestry, nationality, religion, age, gender, national origin, marital status, family status, sexual orientation, political beliefs or association or disability.

Harassment can also occur if conduct is directed toward a person's relatives, friends or associates.

Harassing conduct includes, but is not limited to, abuse, slurs, negative stereotyping; threatening, intimidating, or hostile acts including jokes or pranks that are hostile or demeaning, and written, graphic or electronic material that is offensive or shows hostility toward an individual or group.

Sexual harassment is behavior, actions or remarks of a sexual nature that are unwarranted and unsolicited.

Sexual harassment includes, but is not limited to, sexual advances and/or verbal or physical conduct of a sexual nature, visual forms of a sexual or

offensive nature (e.g., signs and posters, material downloaded from the Internet, and sexually explicit e-mail communications).

POLICY

1. Harassment may include, but is not limited to, any and all situations described above.
2. The Hamlet will take required actions to maintain a safe and productive workplace.
3. Employees are responsible for respecting the rights of others and must contribute to a work environment that is free from harassment.
4. All harassment complaints are treated seriously and confidentially and must be investigated by the employer.
5. The employer must take required actions to maintain a safe and productive workplace while an investigation takes place.

PROCEDURES

6. All harassment complaints are treated confidentially and must be investigated by the Senior Administrative Officer (SAO) except where the complaint is against the SAO in which case the complaint will be investigated by the Mayor.
7. The complainant should keep a record of all related information surrounding the alleged harassment and details of the complaint must be made in writing, placed in an envelope marked "Strictly Confidential", and filed with the SAO or Mayor as appropriate.
8. The Investigator may decide that the accused person be suspended with pay for up to 30 days while the investigation takes place.
9. The Investigator will begin an investigation into the complaint as soon as possible. The investigation will include speaking in confidence to the complainant(s), the accused person(s), and any witnesses. Each case is considered on its merits, substantiating documents are obtained; and that the proper notification documents are prepared.
10. The Investigator must make certain that proper documentation, factual and pertinent to the case, is prepared. Fundamental to the administration of discipline is the keeping of clear and concise records. Grievances may arise from certain disciplinary actions which may ultimately involve adjudication; in such cases, management records may have to be presented to justify the disciplinary action taken.
11. Within ten working days, the Investigator will prepare a detailed report the alleged harassment.
12. If the complaint is substantiated the Investigator will make recommendations for any action of a disciplinary nature in accordance with the Progressive Discipline Policy.

13. If the complaint is found to be false or filed maliciously, the Investigator may reprimand the complainant in accordance with the Progressive Discipline Policy.
14. The Investigator is responsible for informing the employee in writing of any disciplinary action (other than an oral reprimand) taken against the accused accordance with the Progressive Discipline Policy.
15. Regardless 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 or reprisal.
16. This policy is effective January 24, 2020 and the Harassment Policy and amendments prior to this date are repealed.

This policy shall not be interpreted to contradict or violate a statute or regulation of the Federal or NWT Governments or the Hamlet Employment Bylaw.

The Hamlet Council will regularly review this policy and make any amendments considered appropriate.

Approved Motion: 2020-17