

Red Seal Recruiting Solutions Ltd

Policy No.:	5 - 001	Title:	Anti-Harassment Policy
Subject Area:	Human Resources	Effective Date:	February 23, 2017

Policy Statement

Red Seal is committed to fostering a harassment-free workplace where all employees are treated with respect and dignity.

The BC Human Rights Code protects employees from discrimination and harassment based on race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical disability, mental disability, sex, sexual orientation, age, criminal conviction, lawful source of income, and retaliation.

Discrimination and Harassment at Red Seal is not tolerated. Employees who are found to have harassed another individual may be subject to disciplinary action.

This includes any employee who: interferes with the resolution of a harassment complaint; retaliates against an individual for filing a harassment complaint; or files an unfounded discrimination or harassment complaint intended to cause harm.

Application

This policy applies to all current employees of Red Seal, including full and part-time, casual, contract, permanent and temporary employees. This policy also applies to applicants applying for internal jobs at Red Seal.

This policy applies to all behaviour that is in some way connected to work, including during off-site meetings, training and on business trips.

Definitions

Discrimination is:

- refusing to employ or refusal to continue to employ a person; or
- discriminating against a person regarding employment or any term or condition of employment;

because of the:

- The race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, age of that person or because that person has been convicted of a criminal or summary conviction offence that is unrelated to the employment or to the intended employment of that person.

Harassment and Bullying is:

- any inappropriate conduct or comment by a person towards a worker that the person knew or reasonably ought to have known would cause that worker to be humiliated, offended, threatened or intimidated; or
- making unwelcome jokes or comments about someone's race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability or pardoned conviction.

Sexual harassment is:

- offensive or humiliating behaviour that is related to a person's sex;
- behaviour of a sexual nature that creates an intimidating, unwelcome, hostile or offensive work environment; or
- behaviour of a sexual nature that could reasonably be thought to put sexual conditions on a person's job or employment opportunities.

Responsibilities and Expectations**Red Seal** is responsible for:

- ensuring the health and safety of its workers
- providing all employees a discrimination and harassment-free workplace.

General Manager is responsible for:

- ensuring that this policy is applied in a timely, consistent and confidential manner;
- determining whether or not allegations of harassment are substantiated; and
- determining what corrective action is appropriate where a harassment complaint has been substantiated.
- the administration of this policy;
- reviewing this policy annually, or as required; and
- making necessary adjustments to ensure that this policy meets the needs of the organization.
- fostering a harassment-free work environment and setting an example about appropriate workplace behaviour;
- communicating the process for investigating and resolving harassment complaints made by employees;
- dealing with harassment situations immediately upon becoming aware of them, whether or not a harassment complaint has been made;
- taking appropriate action during a harassment investigation, including separating the parties to the harassment complaint, when appropriate; and
- ensuring harassment situations are dealt with in a sensitive and confidential manner

Employees and All Management are responsible for:

- treating others with respect in the workplace;
- reporting harassment to the General Manager;
- cooperating with a harassment investigation and respecting the confidentiality related to the investigation process;

Employees can expect:

- to be treated with respect in the workplace;
- that reported discrimination or harassment will be dealt with in a timely, confidential and effective manner;

- to have their rights to a fair process and to confidentiality respected during a discrimination or harassment investigation; and
- to be protected against retaliation for reporting discrimination or harassment or cooperating with a harassment investigation.

Procedures for Addressing and Filing a Complaint

Stage 1: Internal Procedure

An employee may file a discrimination or harassment complaint by contacting the General Manager. The General Manager will meet with and advise the complainant. If the complainant wishes to move beyond the advice stage, the General Manager may informally investigate and attempt to resolve the complaint.

The complaint may be verbal or in writing. If the complaint is made verbally, the General Manager will record the details provided by the employee. The employee will review and sign off on the recorded details to confirm accuracy. The employee should be prepared to provide details such as what happened; when it happened; where it happened; how often and who else was present (if applicable).

In accordance with the BC Human Rights Code, complaints should be made as soon as possible but no later than within 6 months of the last incident of perceived harassment, unless there are circumstances that prevented the employee from doing so.

The General Manager will tell the person that the harassment complaint has been made against, in writing, that a harassment complaint has been filed. The letter will also provide details of the allegations that have been made against him or her.

Every effort will be made to resolve harassment complaints within 7 days. The General Manager will advise both parties of the reasons why, if this is not possible.

If either party to a harassment complaint believes that the complaint is not being handled in accordance with this policy, he or she should contact the General Manager.

Stage 2: Formal External Procedure:

If the complaint is not resolved through the Internal Procedure, the complainant can request that the General Manager or President refer the complaint to Stage 2.

Mediation

Wherever appropriate and possible, the parties to the harassment complaint will be offered mediation prior to proceeding with a harassment investigation.

Mediation is voluntary and confidential. It is intended to assist the parties to arrive at a mutually acceptable resolution to the harassment complaint.

The mediator will be a neutral person, agreed upon by both parties. The mediator will not be involved in investigating the complaint.

Each party to the complaint has the right to be accompanied and assisted during mediation sessions by a person of their choosing.

Investigation

If mediation is inappropriate or does not resolve the issue, a harassment investigation will be conducted. All investigations will be handled by an individual who has the necessary training and experience. In some cases, an external consultant may be engaged for this purpose.

The investigator will interview the person who made the complaint, the person the complaint was made against and any witnesses that have been identified. All people who are interviewed will have the right to review their statement, as recorded by the investigator, to ensure its accuracy.

The investigator will prepare a report that will include:

- a description of the allegations;
- the response of the person the complaint was made against;
- a summary of information learned from witnesses (if applicable); and
- a decision about whether, on a balance of probabilities, harassment did occur.

This report will be submitted to the General Manager. Both parties to the complaint will be given a copy.

Final Stage: Substantiated Complaint

If a harassment complaint is substantiated, the General Manager and/or President will decide what action is appropriate.

Corrective action for the employee found to have engaged in harassment may include: a reprimand; a suspension; a transfer; a demotion; and/or dismissal.

Both parties to the complaint will be advised, in writing, of the decision.

Other Redress

An employee who is not satisfied with the outcome of the harassment complaint process may file a discrimination complaint with the *BC Human Rights Commission* or, where appropriate, Canadian Human Rights Commission.

Privacy and Confidentiality

All parties to a harassment complaint are expected to respect the privacy and confidentiality of all other parties involved and to limit the discussion of a harassment complaint to those that need to know.

All harassment complaints will be handled with respect, in a timely manner and with dignity for the parties involved. Records of a complaint and outcome will be held in the electronic employee files of both employees.

Review

Red Seal will review this policy and procedures on an annual basis, or as required, and will make necessary adjustments to ensure that it meets the needs of all employees.

Enquiries

Enquiries about this policy and related procedures can be made to the General Manager.

Acknowledgement & Agreement

I, _____(Employee Name), acknowledge that I have read and understand the Anti-harassment Policy of Red Seal Recruiting Solutions Ltd. I agree to adhere to this policy and will ensure that employees working under my direction adhere to this Policy.

Signature: _____ Date: _____