



The Corporation of the Town of Tecumseh

Policy Manual

Policy Number:	128
Effective Date:	April 24, 2024
Supersedes:	Policy 6 - Harassment Policy 68 - Violence and Harassment in the Workplace
Approval:	RCM (RCM **/24)
Subject:	Workplace Harassment Prevention Policy and Program

1. Purpose

The Corporation of the Town of Tecumseh (Town) is committed to providing a respectful work environment and maintaining a Workplace that is harassment-free and recognizes its obligations with respect to harassment under the Ontario Human Rights Code and *Ontario Occupational Health and Safety Act*. This document formally establishes this commitment, which is implemented through the Workplace Harassment Prevention Program (Appendix A).

2. Scope

- 2.1 This Policy applies to all employees of the Town including all supervisory and managerial employees, members of Council, student workers, volunteers, and employees of consultants and contractors.
- 2.2 This Policy applies at all Town work locations. It should be noted that Workplace Harassment can occur at off-site business-related functions (ex. conferences, site visits, social outings relating to work)

3. Cross-References

- 3.1 *Ontario Occupational Health & Safety Act*
- 3.2 Ontario Human Rights Code
- 3.3 The Town's Workplace Harassment Prevention Program (Appendix A)

4. Definitions

- 4.1 "Employer," as defined by the *Occupational Health & Safety Act* means a person who employs one or more workers or contracts for the services of one or more workers and includes a contractor or subcontractor who performs work or supplies services and a contractor or subcontractor who undertakes with an owner, constructor, contractor, or subcontractor to perform work or supply services.
- 4.2 "Supervisor," as defined by the *Occupational Health & Safety Act* means a person who has charge of a Workplace or authority over a Worker.
- 4.3 "Worker," includes the Town's employees, student workers, and any person recognized by the Town as a volunteer; as defined by the *Occupational Health & Safety Act* means any of the following:
 - a) A person who performs work or supplies services for monetary compensation.
 - b) A secondary school student who performs work or supplies services for no monetary compensation under a work experience program authorized by the school board that operates the school in which the student is enrolled.
 - c) A person who performs work or supplies services for no monetary compensation under a program approved by a college of applied arts and technology, university, private career college or other post-secondary institution.
 - d) Such other persons as may be prescribed who perform work or supply services to an employer for no monetary compensation.
- 4.4 "Workplace" as defined by the *Occupational Health & Safety Act* means any place means any land, premises, location, or thing at, upon, in or near which a Worker works.
- 4.5 "Workplace Harassment," as defined by the *Occupational Health and Safety Act* means:

- a) engaging in a course of vexatious comment or conduct against a Worker in a Workplace that is known or ought reasonably to be known to be unwelcome, or
 - b) Workplace Sexual Harassment.
- 4.6 “Workplace Sexual Harassment” is further defined by the *Occupational Health and Safety Act* as:
- a) engaging in a course of vexatious comment or conduct against a Worker in a Workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
 - b) making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the Worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.
- 4.7 The Town also considers a sexual solicitation or advance, to any Worker, regardless of their position, when the person knows or ought reasonably to know that the solicitation or advance is unwelcome, to be a form of Workplace Sexual Harassment.
- 4.8 Depending on the circumstances, harassment can take many forms. Refer to the Town’s Workplace Harassment Prevention Program for further examples.
- 4.9 A single incident may constitute Workplace Harassment as defined in this Policy, depending on the circumstances.
- 4.10 Workplace Harassment does not include performance management by a Supervisor. Reasonable action taken by the Employer or Supervisor relating to the management and direction of Workers is not Workplace Harassment.

5. Procedures

- 5.1 All acts of Workplace Harassment are strictly prohibited. This Policy also prohibits reprisals against workers acting in good faith who report incidents of Workplace Harassment or who have acted as witnesses in connection with one or more reports of Workplace Harassment. The Town will use reasonable efforts to prevent reprisals and threats of reprisal.

- 5.2 Reporting and investigation procedures for complaints of Workplace Harassment by Workers are outlined in the Town's Workplace Harassment Prevention Program.
- 5.3 All complaints or incidents of Workplace Harassment will be dealt with and investigated in a fair, respectful, and timely manner, in accordance with the Workplace Harassment Prevention Program.
- 5.4 All Workers are expected to adhere to this Policy, as well as the supporting Workplace Harassment Prevention Program. Individuals will be held responsible by the Town for non-compliance, in accordance with all applicable laws, collective agreements, or other Town policies and procedures.
- 5.5 The Town may also initiate criminal or civil proceedings against individuals who engage in Workplace Harassment.
- 5.6 Information provided about a complaint or incident will not be disclosed except as necessary to protect Workers, to investigate the complaint, to take corrective action, or as otherwise required.

6. Responsibilities

- 6.1 The Town is committed to protecting all Workers and shall take reasonable precautions to prevent Workplace Harassment.
- 6.2 Every Worker must work in compliance with this Policy and the supporting program. Supervisors are responsible for ensuring that measures and procedures are followed by Workers and that Workers have the information they need to protect themselves.
- 6.3 Do not ignore harassing behavior. If you witness or experience harassment, report the situation to a Supervisor or the Workplace Violence & Harassment Coordinator. Workers have an obligation under the *Occupational Health and Safety Act* to report harassment and other hazards in the Workplace. Reference the Workplace Harassment Prevention Program for applicable procedures, including the prohibition of reprisals.
- 6.4 False and frivolous accusations of harassment are serious offences. Workers that abuse the Workplace Harassment Prevention Program may be disciplined up to and including dismissal from employment. Reference the Workplace Harassment Prevention Program for further details on bad faith allegations.

7. Contact Information

- 7.1 Further assistance regarding the Workplace Harassment complaint process can be provided by the People & Culture Department. The Workplace Harassment & Violence Coordinator is the People & Culture Advisor and can be reached at 519-735-2184 x179.

8. Review and Posting of Policy

- 8.1 Council delegates authority to the Director of People & Culture and Chief Administrative Officer to annually review and, if applicable, revise the Policy and Program to meet legislative compliance and that, if any significant changes to these policies occur upon review, Administration will prepare and bring an information report to Council outlining the legislative amendments.
- 8.2 This Policy shall also be reviewed in consultation with the Joint Occupational Health & Safety Committee (JHSC), as often as is deemed necessary, but at least annually. This Policy shall be posted in a conspicuous place in the Workplace at all times.

Appendix A - Workplace Harassment Prevention Program

1. Purpose

- 1.1 The Corporation of the Town of Tecumseh (Town) is committed to providing a safe work environment and maintaining a workplace that is free of Workplace Harassment as required by the *Occupational Health and Safety Act*, R.S.O. 1990, c. O.1. This document supplements the Town's Workplace Harassment Prevention Policy and outlines the responsibilities associated with this program. The program will be reviewed annually by the Town, in consultation with the Town's Joint Health and Safety Committee, to ensure that it adequately implements the Town's Workplace Harassment Prevention Policy and will be revised as necessary.
- 1.2 The purpose of this program is:
 - a) To take every precaution reasonable in the circumstances to prevent Workplace Harassment.
 - b) To provide guidelines on:
 - i. how to develop preventative measures
 - ii. how to report and investigate Workplace Harassment
 - iii. how to follow-up on incidents
 - c) To assist Workers in addressing Workplace Harassment.

2. Scope

- 2.1 This program applies to all employees of the Town including all supervisory and managerial employees, members of Council, student workers, volunteers and employees of consultants and Contractors.
- 2.2 This program applies at all Town work locations. It should be noted that Workplace Harassment can occur at off-site business-related functions (ex. conferences, site visits, social outings relating to work).
- 2.3 Incidents of violence, or threats of violence should be responded to in accordance with the Town's Workplace Violence Prevention Program.
- 2.4 Additionally, this program applies to Workplace Harassment through the use of social media. For the purposes of this program, "social media" should be broadly understood to include blogs, wikis, microblogs,

message boards, chat rooms, electronic newsletters, online forums, social networking sites, and other sites, applications, and services that enable users to create and/or share information and/or content online or to participate in social networking.

3. Definitions

3.1 “Workplace Harassment”, as defined by the *Occupational Health and Safety Act* means:

- a) engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome, or
- b) Workplace Sexual Harassment

3.2 “Workplace Sexual Harassment”, is further defined by the *Occupational Health and Safety Act* as:

- a) engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
- b) making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

3.3 The Town also considers a sexual solicitation or advance, to any worker, regardless of their position, when the person knows or ought reasonably to know that the solicitation or advance is unwelcome, to be a form of Workplace Sexual Harassment.

3.4 The definition of Workplace Harassment is broader than harassment as defined by the Human Rights Code. Examples of Workplace Harassment under this definition may include, but are not limited to:

- a) Unwelcome words or actions that are known or ought reasonably to be known to be offensive, embarrassing, humiliating, or demeaning to a worker or group of workers.
- b) Behaviour that intimidates, isolates, or discriminates against a worker or group of workers.

- c) Bullying, intimidating or offensive jokes or innuendos, displaying or circulating offensive pictures or materials, or offensive or intimidating phone calls.
- d) Repeated words or actions, or a pattern of behaviours, against a worker or group of workers in the Workplace that are known or ought reasonably to be known unwelcome.
- e) Workplace Sexual Harassment

3.5 Examples of behaviour that may constitute Workplace Sexual Harassment include:

- a) Sharing sexually inappropriate images or videos, such as pornography, with co-workers.
- b) Sending sexually suggestive letters, notes, or e-mails.
- c) Displaying inappropriate sexual images or posters in the Workplace.
- d) Telling lewd jokes or sharing sexual anecdotes.
- e) Making inappropriate sexual gestures.
- f) Staring in a sexually suggestive or offensive manner, or whistling ("catcalling").
- g) Making sexual comments about appearance, clothing, or body parts.
- h) Inappropriate touching, including pinching, patting, rubbing, or purposefully brushing up against another person.
- i) Asking sexual questions, such as questions about someone's sexual history or their sexual orientation.
- j) Making offensive comments about someone's sexual orientation or gender identity.

3.6 Workplace Harassment does not typically include:

- a) performance management or disciplinary actions by a supervisor
- b) operational directives
- c) job assignments

- d) inadvertent management errors, or
 - e) a single incident unless grave or harmful
- 3.7 “Complainant”, is any person who is a worker (including any employee whether covered by a collective agreement with the Town or employed under an individual contract of employment), and any person who is a volunteer, all of whom are entitled to submit a complaint under this program.
- 3.8 “Contractor”, is an organization, partnership, or individual engaged by the Town to provide services to the Town either personally or with the assistance of other individuals.
- 3.9 “Respondent”, is the individual or entity about whom allegations have been made.
- 3.10 “Supervisor”, as defined by the *Occupational Health & Safety Act* means, a person who has charge of a workplace and/or authority over a worker. At the Towns, supervisors may include both individuals in designated administrative positions (e.g. Directors, Managers, Supervisors) and individuals who are not in such positions but in particular contexts, may have authority in relation to others.
- 3.11 “Worker”, includes the Town’s employees, student workers, and any person recognized by the Town as a volunteer; as defined in the *Occupational Health and Safety Act* to include:
- a) A person who performs work or supplies services for monetary compensation.
 - b) A secondary school student who performs work or supplies services for no monetary compensation under a work experience program authorized by the school board that operates the school in which the student is enrolled.
 - c) A person who performs work or supplies services for no monetary compensation under a program approved by a college of applied arts and technology, Town, private career college or other post-secondary institution.
 - d) Such other persons as may be prescribed who perform work or supply services to an employer for no monetary compensation.
- 3.12 “Workplace”, for the purposes of this program, the Workplace includes but is not limited to, all Town work locations and off-site business functions (ex. Conferences, site visits, social outings related to work).

4. Responsibilities

4.1 Shared Responsibilities

To ensure the preservation of a productive, safe, and peaceful working environment:

- a) Everyone involved with the Town shares a responsibility to create and maintain an environment free of Workplace Harassment and to act respectfully to one another.
- b) Every effort must be made to work toward the resolution of complaints by all those affected.
- c) Anyone who witnesses Workplace Harassment is responsible for reporting it and for participating in the investigation of the complaint.

4.2 Supervisor Responsibilities

Supervisors are responsible for understanding what constitutes harassing behaviour and conducting themselves in accordance with the spirit and intent of the Policy. Supervisors shall:

- a) Act respectfully in their interactions with all Workers of the Town.
- b) Communicate to members of their respective areas that Workplace Harassment is not permitted and will not be condoned or ignored.
- c) Demonstrate by leadership and action a commitment to the prevention of Harassment by maintaining an environment free of Workplace Harassment.
- d) Communicate the principles of the Workplace Harassment Prevention Policy and uphold its intent.
- e) Ensure all members of their respective work areas engage in the required training.
- f) Take the steps necessary to put a stop to any harassment of which they are aware, regardless of whether a complaint has been filed.
- g) Take all complaints of harassment seriously.
- h) Promptly and diligently investigate any alleged incident.
- i) Take prompt action to resolve complaints and implement corrective measures.

- j) Encourage and provide opportunity for participation in education and training programs provided by the Town.
- k) Provide information to workers on various support programs/mechanisms available to them (e.g. Employee Assistance Program).
- l) Keep detailed confidential records of any incident of Workplace Harassment and/or investigations and forward to their respective senior management as required.
- m) Be aware of their roles and responsibilities as set out in the *Occupational Health & Safety Act* with respect to workplace harassment.

4.3 People & Culture Department Responsibilities

- a) Ensure that all complaints of harassment are addressed and investigated promptly.
- b) Ensure that any information received, or action taken is maintained in a separate file and take measures to protect the confidentiality of this information.
- c) Assess this Policy on an annual basis with the assistance of senior leadership and the JHSC. All continuous improvements that need to be completed will be brought up at the Joint Health & Safety Committee meetings and documented in the minutes.
- d) Ensure that all Workers are trained on this Policy.

4.4 Worker Responsibilities

- a) Workers shall:
 - i. Act respectfully in their interactions with all Workers of the Town.
 - ii. Serve as role models in the Workplace by promoting a harassment free workplace.
 - iii. Cooperate with the Town in efforts to investigate and resolve matters arising under the program (the worker may choose to request union representation where applicable).
 - iv. Be aware of and abide by the requirements of this program and applicable procedure(s).

5. Reference Documents

- 5.1 Workplace Harassment Prevention Policy
- 5.2 The Town's Policy "Workplace Harassment Prevention" states:

"The Town of the Town of Tecumseh (Town) is committed to providing a respectful work environment and maintaining a workplace that is harassment-free and recognizes its obligations with respect to harassment under the Ontario Human Rights Code and *Ontario Occupational Health and Safety Act*."
- 5.3 Ontario Human Rights Code, R.S.O. 1990, c. H.19, as amended
- 5.4 *Ontario Occupational Health & Safety Act*
- 5.5 Criminal Code of Conduct
- 5.6 The Town's Workplace Harassment/Violence Reporting Form
- 5.7 The Town's Violence Prevention Policy
- 5.8 The Town's Violence Prevention Program

6. Procedure

- 6.1 All workers will be provided information and instruction on the contents of the Policy and program with respect to Workplace Harassment prevention. This training will be completed within one week of commencement of employment and will be repeated on an annual basis.
- 6.2 Workers will receive training in the following:
 - a) Intent and content of the Violence Free Workplace and Harassment Free Workplace Policy and Program.
 - b) How to report an incident of Workplace Harassment or Workplace Sexual Harassment.
 - c) How the employer will investigate and deal with incidents, complaints, or concerns.

Supervisors will receive training in the following:

- a) Intent and content of the Violence Free Workplace and Harassment Free Workplace Policy and Program.

- b) Obligations of supervisors under the Workplace Harassment Prevention Policy and Program and relevant legislation.
- c) Investigation procedures related to harassment incidents and/or complaints.

6.3 No Reprisal

Workplace Harassment and this program are serious matters. This program prohibits reprisals against workers who have made good faith complaints or provided information regarding a complaint or incident of Workplace Harassment.

Persons who engage in reprisals or threats of reprisals may be disciplined up to and including dismissal from employment.

Reprisal includes:

- a) Any act of retaliation that occurs because a person has complained of or provided information about an incident of Workplace Harassment;
- b) Intentionally pressuring a person to ignore or not report an incident of Workplace Harassment; and
- c) Intentionally pressuring a person to lie or provide less than full cooperation with an investigation of a complaint or incident of Workplace Harassment.

6.4 Bad Faith Allegations

Although false and frivolous accusations of harassment occur in rare instances, such false accusations are serious offences because they may have serious consequences for the Respondent and can create a toxic or poisoned work environment.

The insufficiency of evidence to prove a complaint does not mean that the complaint was submitted in bad faith. A malicious or bad faith complaint means that a person who has made a complaint did so when he/she knew or should clearly have known that it was untrue.

A worker who makes a false complaint or otherwise abuses this program may be disciplined up to and including dismissal from employment. Such discipline is not a reprisal or breach of this Policy.

7. Complaint Process

7.1 Confidentiality

All reports made in the course of action taken pursuant to these procedures shall be considered to be confidential to the parties involved. This does not preclude the discreet disclosure of information in order to elicit facts or to implement and monitor terms of resolution.

Confidentiality of information disclosed at any time pursuant to this Program is maintained to the extent possible and consistent with the Town's need to respond appropriately to the situation, or as otherwise required by law. This means that information about the complaint, including identifying information about any individuals involved, will not be disclosed unless the disclosure is necessary for the purposes of investigating or taking corrective action with respect to the incident or complaint.

Please note: In accordance with the *Occupational Health & Safety Act*, any report created in the course of a harassment investigation is not considered an occupational health and safety report.

Unionized employees may request union representation as appropriate. All Workers including union representatives will be required to sign a confidentiality agreement related to the process.

7.2 Process

The complaint process will be fair:

- a) The Respondent will be informed of the allegations
- b) The Respondent will be provided the opportunity to respond
- c) A decision will be made by the appropriate level of management in consultation with the Director of People & Culture; or Chief Administrative Officer; if required

Addressing an Incident

There are two ways that an incident, complaint, or concern can be resolved or addressed internally under this program.

The Complainant can:

- Option A: Deal directly with the Respondent to resolve the issue on their own; or

Option B: File a formal complaint to seek resolution.

If the Complainant chooses Option B, the incident should be reported immediately (either verbally or in writing) to the Workplace Violence and Harassment Coordinator as well as the Worker's immediate (or another) supervisor.

The Workplace Harassment & Violence Coordinator is the People & Culture Advisor and can be reached at 519-735-2184 x179.

Reporting a complaint using any of these options does not preclude a Worker from filing a complaint with the Ontario Human Rights Commission or pursuing any other available avenues.

Option A: Dealing Directly with The Respondent

A Worker who experiences harassment should attempt to make it known to the person(s) responsible that the behaviour is offensive and unwelcome, and contrary to the Town's Policy and request that it stop. The Respondent(s) may not realize the behaviour is unwelcome and offensive. In many instances this will stop the offensive behaviour. Workers should keep a record of all attempts at resolving the harassment through informal procedure.

The Town recognizes that in some incidents dealing with the Respondent may be difficult or inappropriate, or the employee may have told the Respondent to stop but the offensive behaviour continues. In this case, the Complainant is advised to take immediate action as outlined in Option B.

However, when a Supervisor becomes aware of a concern, he/she must follow the procedure under Option B and ensure that the concerns are addressed and resolved in a prompt and confidential manner, as much as possible.

Option B: Initiating a Formal Complaint

Formal complaints must be filed with the Workplace Violence & Harassment Coordinator, or the appropriate person as listed below (a "Designate"). The formal complaint must be submitted in writing using the Workplace Harassment/Violence Reporting Form.

- a) If the Coordinator is the alleged harasser, the Worker may report the incident to the Director of People & Culture or the Chief Administrative Officer (CAO).

- b) If the Director of People & Culture is the alleged harasser, the Worker may report the incident to the Chief Administrative Officer.
- c) If the CAO is identified as the alleged harasser, then the Coordinator shall engage a third party who is qualified because of knowledge, training, and experience to conduct the investigation.
- d) If the CAO, Coordinator and Director of People and Culture are the alleged harassers, the Worker shall report the incident to Dunk & Associates by email to professionalsupport@systems24-7.com or by phone 1-866-754-8839, who shall in turn on behalf of the Town contract a third party who is qualified because of knowledge, training, and experience to conduct the investigation.
- e) If the alleged harasser is a Member of Council, the Coordinator shall engage a third party who is qualified because of knowledge, training, and experience to conduct the investigation.
- f) In the event the Coordinator alleges harassment by a Worker, the Coordinator shall report the incident to the Director, People & Culture.

Formal complaints will be investigated by the Workplace Violence & Harassment Coordinator, Designate depending on the circumstances. Where a Worker is unable, or under the circumstances it is unreasonable to request a written complaint, assistance will be made available to ensure that the complaint is documented on their behalf. The complaint may be documented by the Workplace Violence & Harassment Coordinator and verified in writing by the Complainant.

The Respondent will be notified of the complaint where it is determined reasonable cause exists.

The Workplace Violence & Harassment Coordinator or Designate will schedule a confidential meeting with the Worker to discuss and clarify the incident and identify steps taken to date.

The Workplace Violence & Harassment Coordinator or Designate will conduct an investigation as outlined in the next section.

8. Investigation Process

- 8.1 When a formal complaint is received, a file will be opened by the Workplace Violence & Harassment Coordinator or Designate. The Coordinator or Designate will ensure that an investigation appropriate in the circumstances is conducted when the employer, director, manager,

supervisor, or people & culture department becomes aware of an incident of Workplace Harassment or receives a complaint of Workplace Harassment.

The Workplace Violence & Harassment Coordinator will determine who will conduct the investigation into the incident or complaint of Workplace Harassment. In some circumstances, the Coordinator or Designate will refer the investigation to an external investigator to conduct an impartial investigation.

The investigation shall be completed in a timely manner and within 90 days or less unless there are extenuating circumstances (i.e. illness, complex investigation) warranting a longer investigation.

The person conducting the investigation whether internal or external to the Workplace will, at minimum, complete the following:

- a) The investigator must ensure the investigation is kept confidential and identifying information is not disclosed unless necessary to conduct the investigation. The investigator should remind the parties of this confidentiality obligation at the beginning of the investigation.
- b) The investigator must thoroughly interview the Complainant and the Respondent if the alleged harasser is a worker of the Town. If the alleged harasser is not a worker, the investigator should make reasonable efforts to interview the alleged harasser.
- c) The Respondent(s) must be given the opportunity to respond to the specific allegations raised by the Complainant. In some circumstances, Complainant should be given a reasonable opportunity to reply.
- d) The investigator must interview any relevant witnesses employed by the Town who may be identified by either the Complainant, the Respondent(s) or as necessary to conduct a thorough investigation. The investigator must make reasonable efforts to interview any relevant witnesses who are not employed by the Town if there are any identified.
- e) The investigator must collect and review any relevant documents.
- f) The investigator must take appropriate notes and statements during interviews with the Complainant, Respondent(s), and any witnesses.

- g) The investigator must prepare a written report summarizing the steps taken during the investigation, the complaint, the allegations of the Complainant, the response from the Respondent, the evidence of any witnesses, and the evidence gathered. The report must set out findings of fact and come to a conclusion about whether Workplace Harassment was found or not.

8.2 Results of the Investigation

The completed investigation report will be shared with the appropriate senior leadership team and a decision will be made by the appropriate level of management in consultation with the Director of People & Culture; and/or Chief Administrative Officer.

8.3 Harassment Complaint Supported

Where the results of the investigation support a specific complaint of harassment, or where the results suggest the existence of systemic problem(s) in the work environment which caused or contributed to the incident, the following, without limitation, may be recommended forms of remedial action:

- a) Education and training;
- b) Review and modification of policies, procedures, programs, and practices;
- c) Disciplinary action up to and including dismissal;
- d) Documentation on Workers personnel file, as appropriate; and/or
- e) Continuous monitoring.

Where deemed reasonable and appropriate, the Workplace Violence & Harassment Coordinator in consultation with the parties involved in the complaint, may propose, and develop a more comprehensive strategy for the elimination and/or prevention of Workplace Harassment to improve the culture of the overall workplace.

In an effort to ensure that the incident has been addressed, the investigation file will remain open for a reasonable period of time to allow for the monitoring of actions to be taken and subsequent updates, as appropriate, to be placed on the file.

8.4 Harassment Claim Unsupported

Where the results of the investigation do not support the allegations of harassment made by the Complainant, the complaint shall not proceed and there will be no documentation placed in the Worker's file.

Where the results of the investigation do not support the specific complaint, but where the investigation suggests the existence of systemic problems in the work environment which may cause, contribute to, or encourage harassment, the Workplace Violence & Harassment Coordinator may further investigate and make recommendations for change.

8.5 Communication of Investigation Results

Within 10 days of the investigation being completed, the Complainant and the Respondent(s) will be informed in writing of the results of the investigation and any corrective action taken or what will be taken by the employer too address the Workplace Harassment.

9. Record Keeping

The Town will keep records of the investigation including:

- a) a copy of the complaint or details about the incident;
- b) a record of the investigation including notes;
- c) a copy of the investigation report (if any);
- d) a summary of the results of the investigation that was provided to the Complainant and the Respondent, if a worker of the employer;
- e) a copy of any corrective action taken to address the complaint or incident of Workplace Harassment.

All records relating to the investigation, including all notes and materials and final report will be kept in confidence and shall be filed separate from any personnel files, with the Workplace Coordinator to ensure confidentiality. Records will be kept not less than five years from the conclusion of the investigation.

10. Follow Up

The Workplace Harassment and Violence Coordinator will follow up periodically with both parties and/or their supervisors to ensure that the Workplace is safe

and harassment free, including free from reprisal for having sought protection pursuant to the Act.

11. Contact Information

Further assistance regarding the Workplace Harassment program can be provided by the People & Culture Department. The Workplace Harassment & Violence Coordinator is the People & Culture Advisor and can be reached at 519-735-2184 x179.