## 25.0    Harassment & Discrimination

| Topic: | Effective Date: July 1, 2004 |
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| **Harassment & Discrimination** | Approved by CAO Kevin Nagoya: |
| Subject Area: | Date of Next Review: |
| Human Resources | Date last Revised: October 13, 2009, April 11, 2019 |

**Policy Statement:**

The City of Cold Lake is committed to ensuring a safe workplace for all employees.  The City will not tolerate harassment, discrimination or any form of retaliation in response to a complaint, and such behaviours are cause for disciplinary action including dismissal.

**Definitions:**

Discrimination: is prohibited on the basis of race, religious beliefs, colour, gender expression, gender identity, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation of that person or class of persons or of any other person or class of persons. It is not discrimination if there is a bona-fide occupational requirement or when there is any policy, program or activity whose objective is to improve conditions related to disadvantaged persons. The other exemptions for discrimination in the Alberta Human Rights Act apply.

Harassment: Occurs when a person is subjected to unwelcome verbal or physical conduct on the basis of race, religious beliefs, colour, gender expression, gender identity, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation of that person or class of persons or of any other person or class of persons.

Sexual Harassment: Is a form of discrimination based on the ground of gender, including transgender, which is prohibited under the Alberta Human Rights Act. Sexual harassment is any unwelcome sexual behaviour that adversely affects, or threatens to affect, directly or indirectly, a person's job security, working conditions or prospects for promotion or earnings; or prevents a person from getting a job, living accommodations or any kind of public service.

Workplace Violence: Is any act in which a person is abused, threatened, intimidated or assaulted in his or her employment. Examples of workplace violence include but are not limited to threatening behaviour, verbal or written threats, harassment, verbal abuse, or physical attacks.

**Managerial Guidelines:**

25.1    The City of Cold Lake is committed to having a workplace that promotes a respectful workplace. Discrimination, harassment, sexual harassment, or workplace violence will not be tolerated.

25.2    Consideration is given to the context of an incident related to a respectful workplace, discrimination, harassment, sexual harassment, and workplace violence.

25.3    An employee who has a complaint of, discrimination, harassment, sexual harassment, or workplace violence has a responsibility to document the incident and advise the offender that their actions are unacceptable. It is imperative that the alleged offender be made aware that the behaviour is offensive, and be given a chance to cease and correct such behaviour.

25.4    If an employee is uncomfortable or feels intimidated about confronting the offender, the employee must report the incident directly to their immediate Supervisor, Manager, Department General Manager, Human Resources Manager, or the Chief Administrative Officer.

25.5    In the event an investigation supports the complaint of, discrimination, harassment, sexual harassment, or workplace violence, disciplinary action may be taken up to and including termination of employment.

25.6    The City will not tolerate any form of retaliation against an employee who makes a complaint of, discrimination, harassment, sexual harassment, or workplace violence.

25.7    If an employee acts in bad faith in making a complaint of, discrimination, harassment, sexual harassment, or workplace violence, disciplinary action may be taken up to and including termination of employment.

25.8    All complaints of, discrimination, harassment, sexual harassment, or workplace violence will be dealt with promptly and in a confidential manner.