



## STAFF REPORT

**Title:** Human Resources Policy No. 40.0 - Workplace Harassment and Discrimination Prevention Policy

**Meeting Date:** July 9, 2019

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### **Executive Summary:**

Administration has drafted 2 new policies the Human Resources Policy No. 39.0 - Workplace Violence Prevention and Human Resources Policy 40 – Harassment and Discrimination Prevention Policy in order to enhance the current policy 25 Harassment and Discrimination due to changes in the new Occupational Health and Safety Code (OHS). The policy statement must be passed by Council and the Managerial Guidelines can be changed by the CAO. The Human Resources Policy No. 40.0 - Workplace Harassment and Discrimination Prevention is being presented for Council's consideration.

### **Background:**

OHS has recently made changes to their requirements for workers and employers with regards to harassment, discrimination and violence in the workplace. The City already had a current policy regarding Harassment, Discrimination and Violence but wishes to enhance this policy to ensure all aspects of the legislation is covered.

OHS defines harassment as any single incident or repeated incidents of objectionable or unwelcome conduct, comment, bullying or action by a person that the person know or ought reasonably to know will or would cause offence or humiliation to a worker, or adversely affects the worker's health and safety.

Discrimination (the unjust prejudicial actions or treatment) 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 persons 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.



**Key information:**

- Harassment is a workplace hazard;
- Key words are eliminate, prevent and control
- Employers must develop harassment prevention plans;
- Employers and supervisors must ensure workers are not subject to nor participate in workplace harassment or discrimination
- Workers must refrain from causing or participating in harassment or discrimination
- Excludes any reasonable conduct of an employer or supervisor related to the normal management of workers or a work site.

Management staff have had training from legal on new legislation and Administration will be presenting the policies at the Annual General Meeting to be held this month.

**Alternatives:**

Council may consider the following options:

1. Council may approve the Human Resources Policy No. 40.0 – Workplace Harassment and Discrimination Prevention as presented and repeal HR policy 25.0 Harassment and Discrimination.
2. Council may approve the Human Resources Policy No. 40.0 – Workplace Harassment and Discrimination Prevention with amendments to the Policy statement.

**Recommended Action:**

That Council accept the Human Resources Policy No. 40.0 - Workplace Harassment and Discrimination Prevention Policy as presented.

Administration recommends that Council repeal Human Resources Policy No. 25.0 - Harassment and Discrimination Policy.

**Budget Implications (Yes or No):**

No

**Submitted by:**

Kevin Nagoya, Chief Administrative Officer