*HOW TO USE THE TEMPLATE*

*Please use this template as a guide for your workplace harassment, discrimination, bullying and violence prevention policy. Areas highlighted in yellow are to be filled out and customized for your company. Delete this instruction section before finalizing.*

[INSERT COMPANY LETTERHEAD]

Workplace Harassment, Discrimination, Bullying and Violence Prevention Policy

# Summary Statement

[COMPANY NAME] (the “Company”) is committed to providing a safe, healthy, equitable, and respectful workplace free from harassment (including discriminatory and sexual harassment), discrimination, bullying, and violence. (CUSTOMIZE AS PER ORGANIZATIONS COMMITMENT). Harassment, discrimination, bullying or violence, in any manner or form, is expressly prohibited by the Company.

The Company will take disciplinary measures, up to and including termination of employment, as it deems reasonable and appropriate against any person who engages in harassment, bullying, discrimination or violence, or otherwise violates this Policy.

This Policy outlines considerations pertaining to workplace harassment, bullying, discrimination or violence and the process of investigating allegations of such misconduct. It covers several different violations and circumstances that may be reported by any employee, consultant or contractor of the Company, or any third party.

This Policy should be followed when there is a complaint of harassment, discrimination, bullying or violence, as defined below.

# Scope

This Policy applies to all employees, consultants and contractors. It also applies to all other persons who attend Company premises including, but not limited to, all guests/customers, visitors, vendors, suppliers and delivery persons.

# Definitions

## WORKPLACE HARASSMENT AND BULLYING

In this Policy, workplace “harassment and bullying” includes any inappropriate conduct or comment by a person towards an individual that the person knew or reasonably ought to have known would cause them to be humiliated or intimidated.

Workplace “harassment and bullying” do not include reasonable actions relating to the management and direction of workers, including instructions or expectations, communicated professionally, concerning matters such as:

* Job duties and work to be performed;
* Workloads and deadlines;
* Layoffs, transfers, promotions, and reorganizations;
* Work instruction, supervision, or feedback;
* Performance evaluation and management; and
* Discipline, suspensions, or terminations.

Acts of harassment and bullying may include:

* spreading malicious rumours or false information;
* verbal abuse;
* potentially harmful hazing or initiation practices; and
* vandalism of personal belongings.

**Discriminatory Harassment**: is harassing conduct or communication directed at an individual and based on the following prohibited grounds: gender, gender identity, gender expression, sex, marital status, sexual orientation, race, colour, religious beliefs, origin, ancestry, age, source of income, family status, disability, political belief or conviction on a criminal or summary conviction offence that is unrelated to the employment or to the intended employment of an individual. Discriminatory Harassment creates an intimidating, offensive or embarrassing work environment.

**Sexual Harassment**: is harassing conduct that includes any offensive and/or unwelcome sexual comment, gesture, physical contact or demand of a sexual nature that is likely to cause offence or humiliation to an individual or that might on reasonable grounds be perceived by an individual as placing a condition of sexual nature on employment, or an opportunity for training or promotion. It creates an intimidating, offensive or embarrassing work environment. Sexual Harassment can take various forms. While sexual harassment is commonly targeted at women, men and transgender individuals also experience it. It includes any unwanted sexual attention or sexually oriented conduct, including (for the purpose of example only):

* Sexual flirtations, touching (including standing too close), advances or propositions;
* Verbal abuse of a sexual nature;
* Graphic or suggestive comments about an individual’s dress or body;
* Sexually degrading words to describe an individual;
* The display in the workplace of sexually suggestive objects or pictures, including nude or partially nude photographs, and photographs involving provocative poses;
* Pressure for sexual favors, an element of which may be conduct such as repeated and unwanted requests for dates;
* Direct or indirect propositions of a sexual nature;
* Remarks or questions about sexual activity, or speculations about previous sexual experiences; or
* Sexual assault.

## DISCRIMINATION

Discrimination is defined as distinguishing differences or treating someone as inferior based on their race, sex, national origin, age or other characteristics. Grounds of discrimination include, but are not limited to: race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, disability, genetic characteristics, a conviction for which a pardon has been granted

## MICROAGGRESSION

A microaggression is a statement, action, or incident regarded as an instance of indirect, subtle, or unintentional discrimination against members of a marginalized group such as a racial or ethnic minority or gender. Examples of microaggressions include inappropriate physical touching, calling a woman “honey,” or making jokes that emphasize a stereotype about a particular diversity group.

## WORKPLACE VIOLENCE

In this Policy, Workplace Violence includes sexual violence. It also includes, but is not limited to, the following:

1. Conduct against or by an individual that causes or could likely have caused physical or psychological injury or harm. This includes, but is not limited to, physical acts such as punching, hitting, kicking, pushing, damaging property or throwing objects;
2. Attempted conduct against or by an individual that could likely have caused physical or psychological injury or harm;
3. An action or statement (or series of actions or statements) reasonably believed to be a threat of physical or psychological harm or a threat to safety or security in the workplace; or
4. Bringing a weapon of any kind to Company premises or possessing a weapon of any kind while carrying out Company business or threatening to bring a weapon to Company premises.

Employees experiencing violence outside of the workplace (e.g., domestic violence) that may create a risk of danger to themselves or others in the workplace are required to report it to the Company. While this may be uncomfortable for the person experiencing the violence and they might feel shame, it is necessary so that the Company can take reasonable preventive steps to safeguard them and others in the workplace.

# Responsibilities and Obligations

All employees must:

* comply with this procedure at all times;
* refrain from causing or participating in workplace harassment, bullying, discrimination or violence;
* report to the Company any workplace harassment, bullying, discrimination or violence that is witnessed or observed. In the case of an extreme or imminent threat of physical harm to themselves or any person, the worker should contact the police;
* participate in training regarding this procedure and any other Company procedures relating to workplace harassment, bullying and violence; and
* fully cooperate in any investigation into a complaint or incident of workplace harassment, bullying, discrimination or violence or breaches of this procedure.

Employees seeking information or clarification regarding this procedure or wishing to have an informal discussion regarding a possible complaint are encouraged to contact [INSERT CONTACT NAME]. Such inquiries will be held in confidence to the extent possible.

# Procedure

## Reporting Requirements

This Policy requires that complaints of workplace harassment, bullying, discrimination or violence be reported in accordance with the procedure outlined below.

### Who should an employee report Complaints to?

Complaints may be reported to the Company, in accordance with this Policy, by contacting [INSERT CONTACT NAME].

In the event that a complaint concerns this individual, employees are free to report the complaint to another member of senior management whom is not the subject of the complaint.

## Procedure

### INFORMAL RESOLUTION

Step 1:

Object (i.e. Say “No”) – An employee should not ignore perceived undesirable behaviour but instead should, where they feel safe doing so, make known their discomfort to the alleged offender in a clear manner. Making the offender aware of the unacceptable actions allows them to change their behavior.

Step 2:

Seek Guidance – An employee must report to the Company any workplace harassment, bullying, discrimination or violence that they experience or witness. When an employee believes they may have experienced or witnessed any action or behavior in violation of this policy but is unsure, they should approach [INSERT CONTACT NAME] for guidance.

Step 3:

File a Formal Complaint – An employee may file a written complaint with the Company.

### FORMAL RESOLUTION

All incidents of workplace harassment, bullying, discrimination, violence or reprisal must be reported to the Company. If feasible, incidents should be reported as soon as possible after experiencing or witnessing an incident. This allows the incident to be investigated and addressed promptly.

All complaints and incidents are to be recorded in writing by the reporting person/employee, and the representative of the Company receiving the complaint. Where the complainant declines to put the complaint in writing, it still must be investigated if the information provided by the complainant is sufficiently detailed and warrants an investigation.

Provide as much information as possible in the report, such as the names of people involved, witnesses, where the events occurred, when they occurred, and what behaviour, conduct and/or comment led to the complaint. Include supporting documents, such as emails, handwritten notes, or photographs. Physical evidence, such as vandalized personal belongings, can also be submitted.

If an incident of workplace violence involves a person who is not an employee of the Company, the Company may report the incident to that person’s employer and/or such other person as the Company determines is appropriate in the circumstances.

## Investigation

All complaints or incidents of workplace harassment, bullying, or violence will be promptly investigated by the Company. The nature and scope of the investigation will vary depending on the nature of the allegation. The complainant, respondent, and witnesses will be informed of the requirement to keep the investigation confidential.

Information provided by employees to the Company will be handled with care and discretion. All reasonable efforts will be made to safeguard confidentiality throughout the process to the extent possible. In some circumstances, disclosure may be necessary for the purposes of investigating, reporting to law enforcement, taking disciplinary action with respect to the complaint, or where required by law.

In cases where a conflict of interest may exist, the Company will ensure an impartial consideration of the complaint. No alleged perpetrator will take part in investigating the complaint or determining the complaint outcome.

At the conclusion of the investigation, the Company may prepare a written report that summarizes the complaint, evidence, findings of fact and conclusion. Only a summary of the findings and conclusions from the report will be shared with the complainant, respondent and any other worker affected by it. The background investigation materials will only be shared to the extent required by law or as required to allow the Company to complete their investigation.

# No Reprisal/Retaliation

This Policy prohibits reprisals against employees who have made good faith complaints or provided information in good faith regarding a complaint or incident of workplace harassment, bullying, discrimination or violence. Employees who engage in reprisals or threats of reprisals may be disciplined up to and including dismissal from employment for cause.

# Procedure Review

At least annually, the Company will review:

* this procedure, including reporting and investigation procedures; and
* steps taken to prevent or minimize workplace harassment, bullying and violence.