

**Village of Sussex Corner  
Policy #2005-01  
Harassment and Discrimination Policy**

The Village of Sussex Corner is committed to providing a safe working environment free from discrimination and harassment. No offending conduct will be tolerated!

**1) What is discrimination/harassment?**

Harassment is any unwanted physical conduct or verbal comment that offends or humiliates an individual. It can interfere with a person's ability to do work for the Village or citizens to receive services from the Village.

Harassment is a type of discrimination, and can take many forms including threats, intimidation, verbal abuse, unwelcome or sexually suggestive remarks or gestures, requests for sexual favors, unnecessary physical contact, or physical assault.

The unwelcome comment or conduct **does not have to be directed towards a specific person for that person to take offence.**

Under applicable Human Rights Legislation, discrimination/harassment means someone is being treated unfairly because of:

- race
- ancestry
- nationality
- place of origin
- handicap/disability
- same-sex partnership status
- colour
- citizenship
- marital or civil status
- family status
- ethnic origin
- language
- sexual orientation
- gender/sex/pregnancy
- receipt of public assistance/social condition
- creed/religion
- political beliefs
- age
- record of offences

## 2) What is the Village Policy?

The Village will not tolerate or condone harassment or discrimination, whether it is between employees/elected officials, or an employee/elected official and a member of the public.

Every employee, elected official and member of the public, can expect any complaint involving alleged harassment or discrimination to be taken seriously and dealt with promptly, thoroughly, fairly and in confidence.

In matters relating to the Village, every person has the right to:

- File a written complaint without fear of embarrassment or reprisal
- If an employee, ensure that his or her written complaint and any other written related documents, be excluded from his or her personnel files
- Be given all documents if and when requested, and
- Be kept informed throughout the process, and advised of the final outcome

In matters relating to the Village, any person who has had a complaint of harassment or discrimination made against him or her, has the right to:

- Be informed immediately that a complaint has been filed
- Be informed of the complaint process
- Be presented with a written statement of allegations
- Be given an opportunity to respond in writing to the written statement of allegations
- Receive fair treatment in an environment free of harassment and discrimination, and
- Be kept informed throughout the process, and advised of the final outcome

## 3) What can you do if you feel you have been discriminated against or harassed?

**Informal Process:** Immediately tell the person (alleged offender) to stop or advised your supervisor. In some cases, advising the person that his/her comment or conduct is unwelcome may resolve the issue.

**Written (formal) Process:** Provide a written detailed complaint to your supervisor and/or the Mayor, and/or a member of the Personnel Committee. If the matter is not resolved within three (3) business days, the formal investigation process will be initiated.

## 4) What does the investigation process include?

Any investigation initiated under this Policy will be conducted impartially, thoroughly, sensitively, discreetly, confidentially and in a timely manner.

The investigation will be carried out by the Personnel (HR) Committee. The Personnel Committee will:

- Interview the complainant and the respondent as soon as possible
- Review any pertinent documentation, interview witnesses, document the situation, make findings with respect to the complaint and make written recommendations
- Make complete documentary files and caution persons questioned that they must not discuss the case with anyone else
- **The Personnel Committee has the option to present the complaint to a closed meeting of Council, to determine if the alleged offender should be removed from the workplace pending the outcome of the investigation**

Based on the written recommendations from the investigation, the Personnel Committee will:

- If the complaint is substantiated, recommend to Council the appropriate corrective action and monitor implementation of any action agreed to by Council
- If the complaint is not substantiated, take no further action against the respondent
- Advise the complainant and respondent of the finds/resolution
- Retain a confidential record of the investigation in the Mayor's office
- Ensure that there are no reprisals against the parties involved

#### **5) What if you disagree with the decisions made?**

Persons who are dissatisfied with the investigation and/or the outcome of the Investigation, may apply in writing to appear before a closed meeting of the full Council which shall be arranged within five (5) business days of receipt of the application.

**The Policy of the Village of Sussex Corner does not limit the entitlement of any person to make a complaint to a provincial human rights commission or take any other step, which the person is entitled to take at law.**