

Sample harassment prevention policy



INFORMATION SHEET

This harassment prevention policy is a **sample only, developed by the Alberta Human Rights Commission for educational purposes**. It is not intended to reflect the needs of all employers. Rather it is meant to provide employers with a general guideline for the major provisions that should be included in an effective policy to make it sound, workable, accepted and used. Employers will need to adapt this policy or create entirely separate policies that best suit their individual organizations.

The Alberta Human Rights Commission can review or help your company develop your harassment prevention policy.

Sample Harassment Prevention Policy: Alpha Company

Alpha Company, in co-operation with our unions, is committed to a healthy, harassment-free work environment for all our employees. Alpha Company has developed a company-wide policy intended to prevent harassment of any type, including sexual harassment, of its employees, customers and clients and to deal quickly and effectively with any incident that might occur.

Definition of harassment

Harassment that is covered under the *Alberta Human Rights Act* occurs when an employee is subjected to unwelcome verbal or physical conduct because of race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation. Alberta human rights law prohibits workplace harassment based on these grounds. Harassment that is not linked to one of these protected grounds is not covered under the *Act*. The behaviour need not be intentional in order to be considered harassment.

Examples of harassment that will not be tolerated in Alpha Company are: verbal or physical abuse, threats, derogatory remarks, jokes, innuendo or taunts related to any employee's race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation. Alpha Company also will not tolerate the display of pornographic, racist or offensive signs or images; offensive jokes based on race, gender or other grounds protected under the *Act* that result in awkwardness or embarrassment; and unwelcome invitations or requests, whether indirect or explicit.

Definition of sexual harassment

The *Alberta Human Rights Act* prohibits discrimination based on the ground of gender. Protection from sexual harassment is included under the ground of gender. Unwanted sexual advances, unwanted requests for sexual favours, and other unwanted verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
2. submission to, or rejection of, such conduct by an individual affects that individual's employment.

Sexual harassment can include such things as pinching, patting, rubbing or leering, "dirty" jokes, pictures or pornographic materials, comments, suggestions, innuendoes, requests or demands of a sexual nature. All harassment is offensive and in many cases it intimidates others. It will not be tolerated within our company.

A) How to proceed if you are being harassed

1. If it is possible, tell the harasser that their behaviour is unwelcome and ask them to stop.
2. Keep a record of incidents (date, times, locations, possible witnesses, what happened, your response). You do not have to have a record of events in order to make a complaint, but a record can strengthen your case and help you remember details over time.

3. Make a complaint. If, after asking the harasser to stop their behaviour, the harassment continues, report the problem to one of the following individuals:
 - a. Department Manager (if possible)
 - b. Director of Human Resources
 - c. Union Representative

You also have the right to contact the Alberta Human Rights Commission to make a complaint of harassment that is based on any of the grounds protected from discrimination under the *Alberta Human Rights Act*. The protected grounds are: race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status and sexual orientation. Visit the Commission's website at albertahumanrights.ab.ca for contact information. You can also report any incident of assault that has occurred to the police.


B) Internal harassment complaint process

1. Once an internal complaint is received by Alpha Company, it will be kept strictly confidential. Appropriate action will be undertaken immediately to deal with the allegations. Action taken may include mediation. If a grievance is filed through the union, the union will advise you of the steps they will be taking.
2. The Department Manager or Director of Human Resources will interview you as well as the alleged harasser and any individuals who may be able to provide relevant information related to your allegations. All information collected will be kept in confidence.

3. If appropriate, Alpha Company will attempt to resolve the complaint by mediation. If mediation is not successful, an investigation will be undertaken by an investigator designated by Alpha Company.
4. If the investigation reveals evidence to support the complaint of harassment, the harasser will be disciplined appropriately. Discipline may include suspension or dismissal, and the incident will be documented in the harasser's file. No documentation will be placed on the complainant's file when the complaint has been made in good faith, whether or not there was a finding of harassment.
5. If the investigation fails to find evidence to support the complaint, there will be no documentation concerning the complaint placed in the file of the alleged harasser.
6. Regardless of the outcome of a harassment complaint made in good faith, the employee lodging the complaint as well as anyone providing information will be protected from any form of retaliation by either co-workers or superiors. This includes dismissal, demotion, unwanted transfer, denial of opportunities within the company or harassment for having made a complaint or having provided evidence regarding the complaint.

C) Responsibility of management

It is the responsibility of a director, manager, director of human resources or any other person within this company who supervises one or more employees to take immediate and appropriate action to report or deal with incidents of harassment of any type, whether brought to their attention or personally observed. Under no circumstances should a complaint be dismissed or downplayed, nor should the complainant be told to deal with it personally.

Alpha Company seeks to provide a safe, healthy and rewarding work environment for its employees, clients and customers. Harassment will not be tolerated within our company. If you feel that you are being harassed, contact us. We want to hear from you. 

Contact us

The Alberta Human Rights Commission is an independent commission of the Government of Alberta. Our mandate is to foster equality and reduce discrimination. We provide public information and education programs, and help Albertans resolve human rights complaints.

**Hours of operation: 8:15 a.m. to 4:30 p.m.
Monday to Friday (holidays excluded)**

Northern Regional Office (Edmonton)
800 – 10405 Jasper Avenue NW
Edmonton, Alberta T5J 4R7
780-427-7661 Confidential Inquiry Line
780-427-6013 Fax

Southern Regional Office (Calgary)
200 J.J. Bowlen Building
620 – 7 Avenue SW
Calgary, Alberta T2P 0Y8
403-297-6571 Confidential Inquiry Line
403-297-6567 Fax

To call toll-free within Alberta, dial 310-0000 and then enter the area code and phone number.

TTY service for persons who are deaf or hard of hearing
1-800-232-7215 Toll-free within Alberta

Email: humanrights@gov.ab.ca
Website: albertahumanrights.ab.ca

Please note: The Commission must receive your completed complaint form or letter within one year after the alleged contravention of the *Alberta Human Rights Act*. The one-year period starts the day after the date on which the alleged contravention of the *Act* occurred. For help calculating the one-year period, contact the Commission.

The Commission will make this publication available in accessible formats upon request for people with disabilities who do not read conventional print.