Town of Salmon Cove
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HARASSMENT BY-LAW

Statement of Position

The Town of Salmon Cove believes that all elected and non-elected officials should be afforded the opportunity to work in an environment free of harassment. All elected and non-elected officials have the right to work in an environment free from all forms of discrimination and misconduct. The purpose of this by-law is to ensure that elected and non-elected officials are treated with respect and dignity.

Definition

Harassment is defined as any unwanted and uninvited verbal, visual, or physical conduct which is offensive or objectionable to the recipient. Repeated, intentional offensive comments and or actions may include, but are not limited to the following: derogatory or suggestive comments, slurs or gestures, jokes, racist graffiti and literature, and offensive posters, cartoons, pictures and drawings.

Conditions Considered Harassing

Examples of harassment (but not limited to) are as follows:

- Inappropriate physical conduct.
- Verbal abuse or threats.
- Practical jokes that are insulting or embarrassing.
- Sexual obscene or offensive comments, jokes or slurs about or directed to an individual or class or persons, which an individual may or may not be a member.
- Unnecessary physical conduct such as touching, patting, pinching, or hitting.
- Vandalism of personal property, workstation, or vehicle.
- Physical or sexual assault.
- Displaying sexual pictures, cartoons, or calendars.
- Staring, leering, sexual gestures.

- Placing an employment decision (i.e. hiring, promotion, termination) on submission or rejection of a person's conduct.
- The conduct effects or interferes with an individual's work or creates an intimidating, hostile, or offensive work environment.

Committee Structure for Investigating Complaints

A committee will be established and comprised of representatives from management (town manager, town clerk manager, or senior management) and council to investigate a complaint. If a person(s) represented on the committee is the subject of the complaint or the complaint, then that person(s) will be replaced by an alternative committee member(s) in that particular incident.

Complaint Procedure

If you have been the recipient of harassing behavior, then you should do the following:

Speak Up – If an individual feels harassed, he/she should, where appropriate, speak directly to the harasser and state that the behavior is unwelcome and that it must stop.

Keep Notes – Individuals are encouraged to keep a record of all incidents including: dates, times, descriptions, action taken by the individual, responses by the alleged harasser, possible witnesses and any other relevant information such as the impact of the harassment.

Report the Harassment – Report the harassment immediately to the supervisor, manager or designate. It is preferable to make a complaint in writing. However, if you make a verbal complaint, you should follow up your verbal complaint with a written complaint.

Allegations of harassment will be promptly investigated, giving due respect to the need for confidentiality.

The designated representatives (committee) will conduct interviews with relevant witnesses and provide a report to senior management (or designate) upon conclusion of the investigation. Senior management (or designate) will review the report and provide to all parties involved with his/her decision with reasons.

All efforts will be made to ensure confidentiality throughout the investigation while providing an opportunity to fully respond to all the allegations.

Consequences and Penalties

Any person who engages in harassing behavior shall be subject to disciplinary action, including possible termination.

Protection against Retaliation

Any person has the legal right at any time to raise the issue of harassment without fear of reprisal.

Malicious and False Accusations

It is a serious matter to deliberately make a false accusation of harassment. If a complaint is found to have been in bad faith, the complainant will be subject to disciplinary measures (i.e. possible termination for employee(s)).

As per motion on the 4th day of February, in the year 2025.

Motion 025-040

Motion to accept the By-law for Harassment.

Edna Lambert — February 4, 2025

Mayor Edna Lambert