

TOWN OF STRATFORD - COUNCIL POLICY			
Name:	Sexual Harassment	Policy Number:	10
Committee:	Human Resources	Approval Date:	Sept. 10/03

Policy Statement

The Town of Stratford is committed to a workplace free from sexual harassment. This policy explains our commitment and the process to achieve that end. It is also intended to educate all employees about sexual harassment in the workplace and what steps can and will be taken to deal with it.

Guidelines

The fundamental principles on sexual harassment in the Town of Stratford workplace are as follows:

- a) Every employee of the Town is entitled to employment with the Town free of sexual harassment.
- b) the Town of Stratford will make every reasonable effort to ensure that no employee is subjected to sexual harassment.
- c) The Town of Stratford will take such disciplinary measures as may be deemed appropriate against any employee under its direction who subjects any other employee to sexual harassment.
- d) the Town of Stratford recognizes that sexual harassment is harmful and can have serious effects on the victim's working and personal life.

The following may be affected by sexual harassment:

- a) Health - Victims of sexual harassment may suffer tension, anger, fear and frustration. The psychological effects may manifest themselves in headaches, ulcers and other types of nervous disorders.
- b) Job Performance - The psychological and physical effects of sexual harassment may have a negative effect on job performance. The victim's work may suffer to an extent that the employer may begin to question his/her abilities.

Definition - Sexual Harassment

For the purposes of this policy, "sexual harassment" includes, but is not necessarily limited to, any reported conduct, comment, gesture or contact of a sexual nature that:

- a) is likely to cause offense or humiliation to an employee, or
- b) might be perceived, on reasonable grounds, by an employee as placing a condition of a sexual nature on employment or any opportunity for training or promotion.

Sexual harassment can be expressed in a number of ways. For example, sexual harassment may be exhibited in the form of:

- the unwelcome use of sexual or vulgar language;
- gender based insults or taunting;
- demands for sexual favours and proposals of physical intimacy;
- leering or other lewd gestures
- the display of pornographic pictures, photographs or cartoons, unnecessary physical contact including touching, patting, pinching, grabbing, hugging, kissing or brushing against;
- physical or sexual assault.

Sexual harassment is unsolicited, unwelcome and coercive in nature. The coercion may be physical, psychological or economic and may be obvious or subtle. Sexual harassment may or may not be accompanied by expressed or implied threats of job-related reprisals. Sexual harassment is usually persistent, but in more serious cases such as those involving physical assault, harassment need not occur more than once to be considered sexual harassment.

A victim of sexual harassment may be male or female. Sexual harassment may be caused by a person in authority or by a co-worker. Sexual harassment can occur at or away from the workplace, during or outside the normal working hours provided such acts occur while the employee is carrying out official duties.

Suggested Measures to be taken by Victims of Sexual Harassment

An employee who is or has become the victim of sexual harassment should take the following steps:

- a) Tell the harasser to stop the offending conduct immediately. This may be done verbally or in writing. If possible, any verbal warning given to a harasser should be given in the presence of a witness. A copy of any written warning should be retained;
- b) The victim should document each offensive suggestion, remark or action including the time, date and place the incident occurred and the names of any witnesses.

Any documentation or witness is expected to be available to an investigator of the incident. Any communication or investigation regarding an incident of sexual abuse must respect all parties and be carried out in strict confidence.

Reporting Sexual Harassment Complaints

An employee who has become a victim of sexual harassment may inform either his/her immediate supervisor, Chief Administrative Officer or Mayor of the allegation and the facts surrounding the

incident(s) of the sexual harassment. All reports of sexual harassment and the identity of the complainant and the accused will be kept confidential and will not be disclosed except where, and to the extent that, disclosure is necessary in order to investigate thereto. In addition, it is imperative that the complainant and the accused acknowledge the importance of confidentiality as far as they are concerned.

A victim of sexual harassment may wish to file a complaint with the Prince Edward Island Human Rights Commission. The **Human Rights Act** of Prince Edward Island prohibits discrimination on the basis of sex, which includes sexual harassment. Further information concerning the complaint procedure under the **Human Rights Act** may be obtained by contacting the Human Rights Commission or a lawyer.

If the sexual harassment involves conduct that is believed to be criminal in nature, the police should be contacted immediately.

If none of the reporting procedures outlined above seem appropriate, the victim may wish to contact a lawyer.

Disciplinary Action - Sexual Harassment

The Town will take such disciplinary action as is necessary with respect to any person engaging in a sexual harassment in the workplace. Any disciplinary action taken against the harasser will be taken in accordance with any applicable legislation and will be influenced by a variety of factors including, but not limited to, the persistence of the harasser, the severity of the behaviour, and the cooperation of and willingness on the part of the harasser to change his/her behaviour.