	<h2>Municipality of Crowsnest Pass Policy</h2>
<p>Policy No.: Policy Title: Approval Date: Revision Date: Supersedes Policy: Department:</p>	<p>1817-01 External Harassment Policy June 25, 2024 June 4, 2024 HR-013- External Public Anti-Harassment Policy Corporate Services</p>

1.0 POLICY PURPOSE

The Municipality of Crowsnest Pass is committed to ensuring the safety of our Employees Councillors and External parties that use our facilities, programs and services, fostering an environment where there is safety and respect for others. The Municipality of Crowsnest Pass will not tolerate any form of harassment or violence towards Employees, Council or other External parties that use our facilities, programs and services. The Alberta Occupational Health and Safety (OHS) Code expressly recognizes violence and harassment as hazards, which must be identified, assessed, recorded, and addressed.

The Municipality has an Internal harassment policy to ensure that internal mechanisms are in place to ensure employee protection from sexual, discriminatory, and general harassment as well as workplace violence. In accordance with Provincial legislation, including OHS and Human Rights laws, the purpose of this policy is to protect Employees and Councillors from harm while engaging with External parties such as public, residents, user groups, guests, spectators, coaches or any other person that may interact with Employees and Councillors as part of their work duties.

2.0 DEFINITIONS

“Complainant” refers to the individual who experiences an alleged act of workplace harassment and makes a complaint against the party who allegedly committed the act of harassment.

“Council” or “Councillors” means the duly elected members of the Municipal Council of the Municipality of Crowsnest Pass and generally refers to those individuals when engaging in duties for the Municipality of Crowsnest Pass.

“Employee” or “Staff” means any person currently employed with the Municipality of Crowsnest Pass.

“External” means any person not employed by the Municipality including members of the general public, user groups, guests, residents, spectators, coaches, contractors or any other non-employee.

“Harassment” means any or all of the definitions found in the Harassment definitions section and includes General Harassment, Sexual Harassment, Discriminatory Harassment and Violence.

“Respondent” The person or organization who a complaint was made against

3.0 POLICY STATEMENTS

3.1. “ General Harassment”

For the purpose of this policy, “harassment” is unwanted advances, requests for favours, or other verbal or physical contact which:

- (a) creates a hostile or offensive environment which interferes with an individual’s work;
- (b) intimidates, embarrasses, coerces or humiliates an individual in the workplace;
- (c) arises out of a relationship which is not based on mutual consent; and/or
- (d) involves bullying:
 - (i) verbal bullying – name calling, put-downs, sarcasm, teasing, spreading rumours, making comments to destroy a person’s reputation, publicly calling for Employee’s termination to harass/intimidate that individual, repeated insinuations or unfounded accusations, threats, smear campaigns, making reference to one’s culture, ethnicity, race, religion, negative comments or words intended to denigrate a person’s actual or perceived sexual orientation or against a person’s actual or perceived gender identity or gender expression, or other unwanted comments;
 - (ii) social bullying – exclusion, gossip, ganging up, mobbing, scapegoating, humiliating others, gestures or graffiti intended to put others down; or
 - (iii) physical bullying – hitting, poking, pinching, chasing, shoving, coercing, damaging property, or destroying personal property.

Harassment is comprised of any of the following behaviours, though it is not limited to the behaviours listed herein:

- (a) Verbal abuse, or threats;
- (b) Unwelcome remarks or jokes;

- (c) Unwelcome invitations or requests;
- (d) Staring, leering or inappropriate observation of an Employee;
- (e) Unwelcome physical contact; and/or
- (f) Any other behaviour, conduct or activity which is unwelcome or uninvited.

3.2 “Sexual Harassment”

For the purpose of this Policy, “sexual harassment” is unwanted sexual advances, requests for sexual favours, or other verbal or physical conduct of a sexual nature which:

- (a) Creates a hostile or offensive environment which interferes with an individual’s work;
- (b) Intimidates, embarrasses, coerces or humiliates an individual in the workplace; and/or
- (c) Arises out of a relationship which is not based on mutual consent.

Sexual harassment includes comments or conduct of a sexual nature that are unwelcome or offensive. This includes negative or inappropriate comments and conduct which is not necessarily sexual but is directed at a person because of their gender.

Both men and women can be victims of harassment and someone of the same or opposite sex can be a harasser.

Sexual harassment is comprised of any of the following behaviours, though it is not limited to the behaviours listed herein:

- (a) Verbal abuse or threats associated with behaviour of a sexual nature;
- (b) Unwelcome remarks or jokes of a sexual nature;
- (c) Unwelcome invitations or requests of a sexual nature;
- (d) Staring, leering or inappropriate observation of a co-worker of a sexual nature;
- (e) Displaying or posting pornographic, offensive or derogatory materials of a sexual nature in the workplace;
- (f) Unwelcome physical contact of a sexual nature;
- (g) Exposing oneself sexually in the workplace;
- (h) Explicit or implicit demands of a sexual nature;
- (i) Sexual assault; and

- (j) Any other behaviour, conduct or activity of a sexual nature which is unwelcome or uninvited.

3.3 “Discriminatory Harassment”

Discriminatory harassment includes comments or conduct based on the protected grounds in human rights legislation which are unwelcome or offensive. The protected grounds include:

- (a) race, colour, ancestry or place of origin;
- (b) religious beliefs;
- (c) age;
- (d) physical and/or mental disability;
- (e) gender;
- (f) sexual orientation;
- (g) gender expression, gender identity;
- (h) family or marital status; and
- (i) source of income.

Examples of discriminatory harassment include:

- (a) offensive comments, jokes or behaviour that disparage or ridicule a person’s membership in one of the protected categories;
- (b) imitating a person’s accent, speech or mannerisms;
- (c) persistent or inappropriate questions about whether a person is pregnant, has children, or plans to have children; and
- (d) inappropriate comments or jokes about an individual’s age, sexual orientation, personal appearance, or weight.

3.4 “Domestic Violence”

Domestic Violence is a pattern of behavior used by one person to gain power and control over another person with whom the person has, or had, a personal relationship including dating, marriage, adult interdependent partnerships, custody, blood relationships and adoption, as

relationships stemming from these situations. This can range from subtle, intimidating behaviours to violent acts that result in physical harm or death.

Domestic violence can include physical violence, sexual abuse, financial control, emotional and psychological intimidation, verbal abuse, stalking and using electronic devices to harass and control.

Domestic Violence becomes a workplace hazard not a personal issue when it occurs at, or spills over into the workplace, putting a targeted Employee at risk, and posing a potential threat to other Employees or External parties.

3.5 “Violence”

For the purpose of this policy, “violence” shall mean the threatened, attempted or actual conduct of a person that causes, or is likely to cause, physical injury whether at the worksite or work-related.

Acts of violence can take the form of physical contact. The threat of violence, either overt or covert, can be just as detrimental and damaging as the physical act of violence itself. Abuse in any form erodes the mutual trust and confidence that are essential to the Municipality’s operational effectiveness. Acts of violence destroy individual dignity, lower morale, engender fear and break down work unit cohesiveness.

Acts of violence may occur as a single event or may involve a continuing series of incidents. Violence can victimize both men and women, and may be directed by or towards workers, visitors, and members of the public.

3.6 Education

It is the mutual responsibility of both Employees, Councillors, Municipality and External Users of our services and facilities to ensure a harassment free workplace which means demonstrate appropriate behaviour that does not violate this policy and working to foster a work environment that is based on respect and free from harassment.

The Municipality and community partners will continue their education campaign aimed at raising awareness amongst External parties that harassment will not be tolerated. This may include initiatives such as anti-harassment signage, education on this policy, user conduct agreements and verbal education.

4.0 PROCEDURES

4.1 Procedure for Encountering Harassment

Employees or Councillors who experience Harassment as defined under Section 3 by External parties are to follow the following general procedure:

1. Ask the individual to stop their behavior, indicating that they are in violation of Municipal policy;
2. If they refuse to stop, ask them to either leave the premises as they are now trespassing on Municipal property, or if you are not in a Municipal building such as in a roadway or in a park, the Employee will conclude the conversation and leave the premises.
3. If the Harassment is occurring on the phone, the Employee will ask them to stop and instruct them if they do not stop, they will hang up the phone. If the behaviour persists the Employee is to terminate the phone call.
4. All Employees or Councillors can ask an External user who is in contravention of this policy to leave the premises, this will be in effect for the rest of the business day.
5. If there is a safety hazard, call the RCMP (dial 911) and without jeopardizing personal safety ask the person to stop the activity immediately or they will be asked to leave the Municipal premises.
6. If the person does not co-operate, inform them that they are now trespassing and the RCMP have been called.
7. Wait for the RCMP to arrive; do not engage in confrontational behaviors.
8. Each worksite may have its own site-specific procedures such as use of radios or panic buttons, Employees are required to familiarize themselves with the Harassment and Violence Prevention Plans and Procedures that apply to their worksites.
9. Advise Municipal staff immediately if on site.
10. Prepare an incident report.

42 Non-Compliance Consequences

1. Individuals who break the tenants of this policy may be barred immediately from the premises until the end of the business day and, if necessary suspended for a longer period of time through a Letter of Trespass.
2. Where vandalism and theft have occurred, those responsible will be required to reimburse the Municipality for all costs of repairs, including lost revenues.
3. The Letter of Trespass is a hazard control that can be implemented to stop further incidents of harassment. The letters of trespass may be issued by the CAO or designate to individuals who have been determined to have harassed Employees or Councillors or other External parties in accordance with this policy. They may be barred from Municipal properties and facilities because of such behaviors.

4. The letter of trespass may be issued for a period of time or indefinitely depending on the severity of the incident.
5. Appeal Process- For those that receive letters of trespass with indefinite timelines may ask that their letter be rescinded by making a request to the CAO. When considering rescinding the letter of trespass, the CAO will consider the behaviour, the risk of reoccurrence, if an apology was made and other extenuating circumstances.
6. A Letter of Trespass will be either hand delivered or sent by registered mail to the person who has violated this policy, with a copy sent to the RCMP, which will include:
 - a) the reason for the suspension
 - b) from which Municipal facilities the suspension applies
 - c) how they may conduct business with the Municipality, for example, on email or phone providing they remain civil.
 - d) Information on how to get the suspension repealed.
7. Severe incidents, in violation of federal or provincial laws, will be reported to the RCMP, and may incur charges.
8. The Municipality may disclose the circumstances related to the incident including names of the Respondent and information on what occurred when necessary to inform the Employees or Councillors of a specific or general threat of violence or harassment.

4.3 Incident Reporting


1. The Municipality's key concern is safety of our Employees, Councillors and other facility or program users. If, at any time, External users, Employees or Councillors feel personally threatened, they are to call the Police immediately by calling 911. It is NOT the expectation that Employees, Councillors or External users will put themselves at any risk or jeopardize their safety in any real or perceived situation.
2. Any Employees and Council, observing incidents, are to report all acts of Harassment, Violence or Vandalism on an Incident Report to their Supervisor, and Health and Safety, within 24 hours of the incident.
3. Employees are required to report if they believe Domestic Violence may be a threat or if a domestic violence incident occurs at the worksite.
4. Health and Safety will document all External reports of Harassment in our Incident Log and investigate if applicable. Any reports that are sensitive or confidential such as instances of Domestic Violence shall be referred to HR.

5. The Complainant, Health and Safety or the Supervisor can have assistance of Human Resources or the Deputy CAO in investigating the complaint and/or recommending controls such as the letter of trespass.
6. All incidents of violence and vandalism will be reported to the RCMP by the Municipality
7. Any volunteer organization using Municipal facilities but choosing to deal with incidents of harassment or violence directly are required to report back to the Deputy CAO of the Municipality within thirty days outlining the incident, and the remediation process.

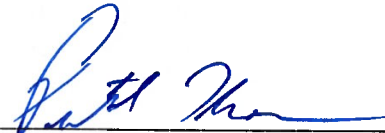
MUNICIPALITY OF CROWSNEST PASS




Mayor



Date



Chief Administrative Officer



Date