

Directions for using the Harassment Prevention Plan Template

Placeholders can be found throughout the template to help you identify where information specific to your organization should be inserted.

1. Replace all **[Name of Organization]** placeholders with the name of your organization.
2. Replace the **[Name and/or Position]** placeholders with the name and/or position title of the person who has been given responsibility for each role throughout the template.
3. It is also important to have a set of procedures for harassment complaints so that supervisors and employees are aware of the steps that will be taken if an employee makes a harassment complaint. A suggested process for handling harassment complaints has been included in this template. If appropriate, keep this process. You may also replace this section with a set of procedures that would be more suitable for your organization.
4. Read the document and add the relevant information into the remaining placeholders so that they fit your organization. Delete any placeholders that are not relevant for your organization.
5. Educate supervisors and employees about harassment concepts, and their roles and responsibilities according to your organization's harassment prevention plan.

HARASSMENT PREVENTION PLAN

All persons employed by **[Name of Organization]** are entitled to employment free from workplace harassment. In cooperation with our employees (or unions), **[Name of Organization]** is committed to providing a healthy, harassment and discrimination-free work environment, and eliminating, where possible, or otherwise, minimizing the hazard of workplace harassment. To this extent, **[Name of Organization]** has developed a harassment prevention plan intended to prevent harassment of its employees and to deal quickly and effectively with any incident that might occur.

The harassment prevention plan is not intended to discourage a worker from exercising his or her rights under the *Human Rights Act, 2010*, the *Criminal Code* (Canada) or any other laws of the province or of Canada.

Definition of Harassment

Harassment is any inappropriate vexatious conduct or comment by a person to a worker that the person knew or ought to have known would cause the worker to be humiliated, offended or intimidated. Harassment may include verbal or practical jokes, insults, threats, personal comments or innuendo, posters, pictures or graffiti. It may involve touching, stroking, pinching or any unwelcome physical contact.

Discrimination is the refusal to employ or continue to employ, or to intentionally or unintentionally deny a right, benefit or opportunity on the basis of an actual or perceived prohibited ground of discrimination as outlined in the *Human Rights Act, 2010*. Discrimination imposes burdens, obligations, or disadvantages on an individual or group not imposed upon others.

The *Human Rights Act, 2010* protects everyone within provincial jurisdiction from harassment and other forms of discrimination on their race, colour, nationality, ethnic origin, social origin, religious creed, religion, age, disability, disfigurement, sex, sexual orientation, gender identity, gender expression, marital status, family status, source of income and political opinion.

[Name of Organization] will not tolerate harassment or discrimination on the basis of any of those protected grounds.

Reporting Procedure

A) If you are being harassed:

1. Tell the individual his/her behaviour is unwelcome and ask him/her to stop. Give the harasser an opportunity to end the harassment.
2. Keep a record of incidents (dates, time, locations, possible witnesses, what happened, your response). You do not require a record of events to file a complaint, but it can strengthen your case and aid in detail recollection over time.
3. Report the problem and file a complaint to one of the following individuals:

- a) **[Name and/or Position]**
- b) **[Name and/or Position]**
- c) **[Name and/or Position]**

You also have the right to file a complaint with the Newfoundland Human Rights Commission. A complaint has to be filed within twelve months of the last incident. The contact details of the Commission are:

The Beothuk Building
21 Crosbie Place
P.O. Box 8700
St. John's, NL
A1B 4J6

Tel: 709-729-2709
Toll Free: 1-800-563-5808
Fax: 709-729-0790
humanrights@gov.nl.ca

B) Dealing with the Complaint:

1. Once a complaint is received, an investigation will be undertaken immediately and all necessary steps taken to resolve the problem. **(If your company has a union, insert the following.)** If a complaint is filed through the union as a grievance, a meeting will be held with union representatives before and after the investigation.
2. The complainant and the alleged harasser will both be interviewed along with individuals who may be able to provide relevant information.
3. 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. **(Choose & insert one of the following)** (Where the complaint is filed in good faith, NO documentation whatsoever will) (Documentation will) be placed in the complainant's file, whether the complaint is upheld or not.
4. If the investigation fails to find evidence to support the complaint, **(Choose & insert one of the following)** (there will be NO documentation) (there will still be documentation) concerning the complaint placed in the file of the alleged harasser.
5. Any complainant who has lost opportunity for job advancement, promotion, wage raise, etc., due to harassment, will have his or her qualifications re-examined in a fair, unbiased manner.
6. Any information obtained relating to workplace harassment, including personal information, will not be disclosed unless it is necessary for the purpose of an investigation, corrective action relating to the complaint or where required by law.
7. **[Name of Organization]** shall protect workers from retaliation and provide support to workers when workplace harassment occurs.

C) Responsibility of Employees:

Employees have a role to play in the prevention of workplace harassment. Employees are obligated to take reasonable care to:

- not engage in bullying or workplace harassment,
- report observations or experiences of bullying and workplace harassment, and
- comply with the harassment prevention plan.

D) Responsibility of Management:

It is the responsibility of a director, manager or any person within this company supervising one or more employees to ensure the health and safety of workers, including applying and complying with the harassment prevention plan. Management will take immediate and appropriate action to report or deal with incidents of harassment whether brought to their attention or personally observed. Under no circumstances will a legitimate complaint be dismissed or down played or the complainant told to deal with it personally.

Management of **[Name of Organization]** will participate in training relating to harassment prevention and will ensure that training is provided to employees regarding harassment prevention and the harassment prevention plan.

[Name of Organization] seeks to provide a safe, healthy and rewarding work environment for its employees. Harassment will not be tolerated within this company. **If you feel you have been harassed, contact us, we want to hear from you.**

This harassment prevention plan shall be accessible to all workers in the workplace and be reviewed as necessary, at least annually.

Signed: _____

Dated: _____