

Harassment-Free Environment POLICY

- Operational** (Approved by SPL Board)
- Administrative** (Approved by SPL CEO)

Date Effective: 2019-12-19

Date Last Reviewed or Revised: 2023-04-19

Review Cycle: Every five years by Director, Human Resources

Purpose

Saskatoon Public Library's *Harassment-Free Environment Policy* aims to protect Personnel and Patrons from Harassment.

SPL strives to safeguard the dignity of Personnel and Patrons. The principles of fairness and impartiality are applied in the resolution or investigation of Harassment complaints to ensure this is achieved their rights and responsibilities are respected.

Policy Statement

SPL recognizes and affirms that all Personnel are entitled to a workplace free from Harassment. SPL is committed to making every reasonable, practicable effort to ensure no worker is subject to Harassment and takes appropriate corrective actions against those found to violate this Policy.

If an employee feels they have been subject to Harassment and they are not comfortable approaching the Respondent directly, they can report the harassment to their Manager, to their Supervisor, to the Director, Human Resources, or the CEO. Reports can be made in person or electronically.

SPL investigates all complaints following the process in the *Harassment-Free Environment Procedure*. SPL does not disclose the names of the Complainant, or the Respondent or circumstances related to the complaint except if disclosure is necessary for investigating the complaint, taking corrective action with respect to the complaint or if required by law.

This Policy is not intended to discourage or prevent a Complainant from exercising any other legal rights pursuant to any other law, including the right to file a complaint with the Saskatchewan Human Rights Commission under *The Saskatchewan Human Rights Code* or the right to request the assistance of an Occupational Health Officer to resolve a complaint of Harassment under *The Saskatchewan Employment Act*.

Roles & Responsibilities

Board

- 1) Approves the Policy, ensuring that it is consistent with current Legislation.
- 2) Provides funding for training and education.

Board Chair

- 1) Deals with Harassment complaints regarding the CEO.

CEO

- 1) Deals with Harassment complaints regarding the Director, Human Resources.

Director, Human Resources

- 1) Stays abreast of current Legislation and recommends Policy revisions as required.
- 2) Administers the Policy and Procedure.

Directors, Managers, Supervisors & Occupational Health & Safety Committee Members

- 1) Create an Environment free of Harassment and take appropriate action if Harassment occurs in their work area, including incidents involving Patrons.
- 2) Treat complaints seriously. Take immediate steps to ensure that a complaint is investigated, and appropriate disciplinary action is taken to prevent or stop further Harassment.
- 3) Communicate the Policy and Procedure to current and new Personnel and support the informal and formal resolution processes.

Union Representatives

- 1) Support the Policy by cooperating with the investigation of complaints. Participate in Harassment investigations as required.
- 2) Assist Complainants and Respondents when appropriate.
- 3) Let Respondents know their behaviour is inappropriate and assist in stopping it.

Personnel

- 1) Report any Harassment they are experiencing, including incidents involving Patrons.
- 2) Let Respondents know their behaviour is inappropriate.
- 3) Complete the Patron Incident Report after events involving Patrons.

Definitions

- 1) **"Board"**: Saskatoon Public Library Board.
- 2) **"CEO"**: Saskatoon Public Library CEO.
- 3) **"Complainant"**: The person who believes they have been subjected to Harassment.
- 4) **"Environment"**: The workplace, including SPL's branches, permanent and temporary buildings, grounds and other spaces (including online ones) and community events.
- 5) **"Harassment"**: See Definition of Harassment (**Appendix A**).
- 6) **"Legislation"**: *The Occupational Health and Safety Regulations, 2020* (Saskatchewan) and *The Saskatchewan Employment Act*.
- 7) **"Library"**: SPL and its branches, permanent and temporary buildings, grounds and other spaces, including online spaces.
- 8) **"Patron"**: Any person other than SPL Personnel using the Library or its services.
- 9) **"Personnel"**: All permanent and temporary employees, Circulation Associates, Casuals, security guards, contractors, consultants and volunteers employed by or working at SPL.
- 10) **"Policy"**: *Harassment-Free Environment Policy*.
- 11) **"Procedure"**: *Harassment-Free Environment Procedure*.
- 12) **"Respondent"**: The person alleged to have harassed the Complainant.
- 13) **"SPL"**: Saskatoon Public Library.
- 14) **"Union"**: Canadian Union of Public Employees, Local No. 2669.

Appendices

Appendix A – Definition of Harassment

References

- *The Occupational Health and Safety Regulations, 2020* (Saskatchewan)
- *The Saskatchewan Employment Act*
- *The Saskatchewan Human Rights Code, 2018*

Appendix A – Definition of Harassment

As defined in section 3-1(1)(l) of *The Saskatchewan Employment Act*:

(l) “harassment” means:

(i) any inappropriate conduct, comment, display, action or gesture by a person towards a worker:

(A) that either:

(I) is based on any prohibited ground as defined in *The Saskatchewan Human Rights Code, 2018* or on physical size or weight; or

(II) subject to subsections (4) and (5), adversely affects the worker’s psychological or physical well-being and that the person knows or ought reasonably to know would cause the worker to be humiliated or intimidated; and

(B) that constitutes a threat to the health or safety of the worker; or

(ii) any conduct, comment, display, action or gesture by a person towards a worker that:

(A) is of a sexual nature; and

(B) the person knows or ought reasonably to know is unwelcome.

Following section 3-1(4) of *The Saskatchewan Employment Act*:

(4) To constitute harassment for the purpose of subparagraph (1)(l)(i)(A)(II), either must be established:

(a) Repeated conduct, comments, displays, actions, or gestures;

(b) A single, serious occurrence of conduct, or a single, serious comment, display, action or gesture, that has a lasting, harmful effect on the worker.

Following section 3-1(5) of *The Saskatchewan Employment Act*:

(5) For the purpose of subparagraph (1)(l)(i)(A)(II), harassment does not include any reasonable action that is taken by an employer, or a manager or supervisor employed or engaged by an employer, relating to the management and direction of the employer’s workers or the place of employment.