

# Saskatchewan Provincial Small Bore Association Inc. "SPSBA"

## Harassment in the Workplace Policy

### 1. Application

This policy applies to all personnel, including casuals, of the SPSBA.

### 2. Authority

As delegated to the Vice President Administration by the Board in their conference call of December 27<sup>th</sup>, 2010.

### 3. Policy Statement

3.1 Harassment in the workplace will not be tolerated and those responsible must take appropriate action to protect their employees and others in the workplace. Harassment in the workplace constitutes a disciplinary infraction, and shall be dealt with accordingly.

3.2 This policy is not intended to limit or constrain the employer's right to manage. Performance reviews, work evaluation, disciplinary measures, supervision, and policy formulation measures undertaken by the employer, for any valid reason, shall not constitute harassment in the workplace.

3.3 This policy delineates the terms of certain unacceptable behaviour but does not modify any other traditional rights, or obligations.

### 4. Definitions

4.1 **Personal Harassment** may, subject to adjudication under the guidelines herein, be deemed any behaviour, viewed as objectionable or offensive by an individual, that individual having made known their view that the behaviour is unacceptable and/or unwelcome. It may include conduct, comment, or display, made either on a onetime or continuous basis, that deliberately demeans, belittles, or is otherwise abusive to an individual.

4.2 Without limiting the above, **Personal Harassment** may take the form of prohibited actions based on discrimination against race, colour, religion, national origin, ancestry, place of origin, age, physical disability or deformity, mental disability, marital status, sexual orientation or sex.

4.3 **Sexual Harassment** may, subject to adjudication under the guidelines herein, be as deemed objectionable or offensive by an individual, that individual having made known their view that the behaviour is unacceptable and/or unwelcome, specifically, any comment, gesture, or contact of a sexual nature that:

- (a) might reasonably be expected to cause offence or concern, or
- (b) might reasonably be perceived as placing a condition of a sexual nature, on employment, opportunity of training, promotion, receipt of services, or award of a contract.

4.4 Examples of **Sexual Harassment** include, but are not limited to:

- (a) unwanted touching, patting or blatant leering,
- (b) sexual assault,
- (c) inquiries or comments about an individual's sex life,

# **Saskatchewan Provincial Small Bore Association Inc.**

## **"SPSBA"**

### **Harassment in the Workplace Policy**

- (d) gender based insults or jokes causing embarrassment or humiliation,
- (e) inappropriate focus/comments on an individual's physical attributes or appearance,
- (f) repeated sexual invitations

#### **4.5 Poisoned Work Environment**

A poisoned work environment is one in which management condones or fails to correct displays or graffiti and other displays showing or dwelling on issues of racial sexual, or religious insults or jokes which have been brought to the attention of those in authority as being offensive to individuals in the workplace. This circumstance is unacceptable under the intent and terms of this policy.

#### **4.6 Abuse of Authority**

Harassment of this nature is determined as the exercise of authority in a manner, which serves no legitimate work purpose, and ought reasonably to be known to be inappropriate. This section is subject to the overriding terms of item 3.2 foregoing.

#### **4.7 Workplace**

The workplace includes but is not limited to the physical work site, washrooms, cafeterias, or other such area and place where employees could reasonably be expected to occupy.

#### **4.8 Complaint**

The complainant(s) are the individual(s) who allege to have been harassed by the respondent(s).

#### **4.9 Respondent**

The respondent(s) are the individual(s) who are alleged to have harassed the complainant(s).

#### **4.10 Responsible Authority**

The responsible authority shall be any and all individuals within the SPSBA with Board level discretion to act to correct infractions of this policy.

### **5. Procedure**

#### **5.1 Informal complaint**

- (a) The first step in all cases shall be that objectionable behaviour be brought to the attention of the individual(s) committing the acts. Requests to an offender directly by the complainant(s) or by an individual in a position of Responsible Authority, to cease the offensive actions, if complied with should be the only action necessary.
- (b) Informal Complaints may be in verbal or written form.

# **Saskatchewan Provincial Small Bore Association Inc.**

## **"SPSBA"**

### **Harassment in the Workplace Policy**

- (c) Nothing in the Informal Complaint procedure shall present a recommendation by anyone in a position of Responsible Authority from recommending further investigation or action to the Board for review and conclusion.

#### **5.2 Formal Complaint**

- (a) All Formal Complaints shall be made in writing only, to anyone in a position of Responsible Authority.
- (b) The SPSBA is committed to responding to Formal Complaints which have been filed within one year of the most recent incidence of the action(s) leading to the complaint. No complaints, formal, or otherwise, will be entertained outside the time Constraints of the one-year period.
- (c) A Formal Complaint must be in written form, signed by all complainants. It should give an accurate and factual account of the incident(s) forming the basis for the complaint, showing times, dates, and places, as well as the names of all parties involved.
- (d) On receipt of a Formal Complaint, by an individual in a position of Responsible Authority, that individual must within seven (7) days bring the matter to the attention of the Executive Committee. The committee shall within a further seven (7) days, appoint an investigator from among its members to review the matter and conduct such investigation as deemed appropriate, including mediation, interviews, etc. at the discretion of the investigator. He shall be further empowered to demand sworn statements from complainants, respondents, or any witnesses to or part of any proceedings initiated under the terms of this policy statement.
- (e) Within ninety (90) days from the date of his assignment, the investigator shall cause a written report to be presented to the Board, showing the details of his findings, and further, his specific recommendations for action.
- (f) The actions may range from recommendation for disciplinary action against offender(s) as substantiated, ranging from mediation/warnings to dismissals of such offender(s). Under no circumstances is the range of recommended action to include approach to outside agencies or authorities.
- (g) The Board, shall within ten (10) days of receipt of the report of its investigator, complete its review of his findings and proceed with action as agreed by majority vote of the committee, and both complainant(s) and respondent(s) notified in writing of the disposition of the complaint.

#### **5.3 False or Malicious Intent**

Complainants who falsely represent their position, or are found to have maliciously abused the process, shall be subject to action in the same range as outlined as remedy for offender(s) as outlined herein.

**Saskatchewan Provincial Small Bore Association Inc.**  
**"SPSBA"**  
**Harassment in the Workplace Policy**

**6. Rights and Responsibilities**

**6.1 Complainants Rights**

- (a) To make a complaint and to obtain a review of the complaint in the time frames as outlined herein,
- (b) To be accompanied by a person of their choice during any interviews or proceedings,
- (c) To not be the subject of retaliation as a result of their having made a complaint,
- (d) Having allowed the procedure to evolve as outlined in this policy document, the Complainant shall have the right to take their complaint to outside agencies, including Law Enforcement Authorities and the Courts, without consequences against their interests as a result of such outside agency representation.

**6.2 Complainants Responsibilities**

- (a) To in every case, make known immediately, their objection to any action or circumstance which could be the basis for a complaint under this policy,
- (b) To follow all procedures as outlined in this policy document,
- (c) To co-operate with all those in positions of Responsible Authority in all proceedings initiated by any of the parties in these matters.
- (d) To allow the procedure as outlined in this policy document to take their course, before making representations to outside agencies.

**6.3 Respondents Rights**

- (a) To be informed that a complaint has been made,
- (b) To be presented within ten (10) days of the complaint being filed a written statement of allegations prepared by the Responsible Authorities Designate,
- (c) To be allowed a period of no less than thirty (30) days to respond to the allegations in writing by himself/herself or his/her agent,
- (d) To be accompanied by a person of their choice during any interviews or proceedings,
- (e) Having allowed the procedure to evolve as outlined in this policy document, the Respondent shall have the right to take their complaint to outside agencies, including Law Enforcement Authorities or the Courts, without consequence against their interests as a result of such outside agency representation.

**6.4 Respondents Responsibilities**

- (a) To follow all procedures as outlined in this policy document,
- (b) To co-operate with all those in positions of Responsible Authority in all proceedings initiated by any of the parties in these matters,

**Saskatchewan Provincial Small Bore Association Inc.**  
**"SPSBA"**  
**Harassment in the Workplace Policy**

- (c) To allow the procedure as outlines I this policy document to take their course, before making representations to outside agencies.

**7. Scope**

7.1 This Policy Document shall be the only governance of the Harassment in the Workplace issue in so far as the SPSBA is concerned. It is not the intent of this document to contradict or over-ride the law of each competent jurisdiction under whose domain actions may fall from time to time. Its purpose is to serve as a guideline for the Management Authority as elected or appointed from time to time, in terms of dealing with these issues.

7.2 The policies as outlined herein shall be with effect the 27<sup>th</sup> day of December, 2010, and remain so until majority adoption of other policy by the Board of the SPSBA.

Signed by

Kevin Geisbrecht  
Vice President, Administration  
SPSBA

Adam Neish  
President  
SPSBA