Rural Municipality of Belfast (RMB)

Harassment/Respectful Workplace
Policy # 2026-001

1. **Purpose**

The purpose of this policy is to:

- Promote, establish, and maintain a workplace that is free from harassment;
- Identify harassment in the workplace;
- Provide procedures for investigating and resolving harassment complaints and to take corrective action where instances of harassment occur; and
- Meet RMB's legal and ethical obligations to provide a workplace free from harassment.

2. **Policy Statement**

This policy applies to all employees, volunteers, members of Council, and all persons encountered carrying out duties for the RMB ("Workers").

All workers are entitled to work in a healthy, safe and supportive workplace which includes having a workplace free of harassment. This policy supports a work environment that demonstrates respect and is productive, rewarding and enjoyable for all.

Harassment, which includes personal harassment and sexual harassment affects the workplace and the well-being of individuals and will not be tolerated. RMB shall ensure, as far as is reasonably practicable, that workers will not be subjected to harassment in the workplace. RMB shall take corrective action respecting any person under RMB's direction who subjects a worker to harassment or discrimination.

This policy is not intended to discourage, prevent, or preclude a complainant from exercising other legal rights pursuant to other law or from filing a complaint under the Prince Edward Island *Human Rights Act*. This policy promotes awareness, prevention, investigation, and prompt resolution of harassment and discrimination. RMB, as the Employer, shall not reprimand, seek reprisal or discriminate against RMB Personnel who has made a harassment or discrimination complaint in good faith. It is the intent of this policy to promote employee involvement in resolving situations. Resolution through the informal process is encouraged, as is the use of mediation, at any stage, where it is appropriate to do so.

3. **Definitions**

3.1 **Harassment**

For the purposes of this policy, harassment in the workplace includes personal and sexual harassment.

Personal Harassment

Personal harassment means any inappropriate conduct, comment, display, action or gesture or any bullying that the person responsible for the conduct, comment, display, action or gesture or the bullying knows, or ought reasonably to know, could have a harmful effect on a worker's psychological or physical health or safety.

Without limiting the above, personal harassment also includes conduct that is based on any personal characteristic protected under the Prince Edward Island *Human Rights Act*, such as, but not limited to, race, creed, religion, colour, sex, sexual orientation, marital status, family status, disability, physical size or weight, age, nationality, ancestry or place of origin, gender identity, or pregnancy.

Examples of behavior that can constitute harassment include, but are not limited to:

- Such acts that intimidate, threaten, coerce or belittle an individual including "bullying".
- Jokes about an individual's race, ethnic origin, physical characteristics, sexual orientation or disability which can damage a persons' self-esteem.
- Acts which isolate, exclude or marginalize an individual from workplace activities.
- Verbal attacks, including swearing, that are threatening to the individual.

Sexual Harassment

Sexual harassment means any inappropriate sexual conduct that is known, or ought reasonably to be known, to the person responsible for the conduct to be unwelcome, including, but not limited to, sexual solicitations or advances, sexually suggestive remarks, jokes or gestures, circulating or sharing inappropriate images, or unwanted physical contact.

Examples of behaviour that can constitute sexual harassment include, but are not limited to:

- The display of pornographic pictures, photographs or cartoons, unwanted touching, patting, pinching, grabbing, hugging, kissing, brushing against or leering.
- Verbal abuse, intimidation or threat of a sexual nature.
- Physical or sexual assault.
- Inquiries or comments about a person's sex life.
- Telephone calls with sexual overtones.
- Gender-based insults, taunting or jokes causing embarrassment or humiliation.
- Repeated unwanted social or sexual invitations.
- Inappropriate or unwelcome focus/comments on a person's physical attributes or appearance.

Harassment can include single occurrences or repeated conduct

For clarity, Harassment includes both repeated inappropriate conduct, comments, displays, actions or gestures or incidents of bullying that have a harmful effect on the worker's psychological or physical health and safety, and a single occurrence of inappropriate conduct, comment, display, action or gesture or bullying that has a harmful effect on the worker's psychological or physical health or safety.

Exception to Definition of Harassment

A reasonable action taken by an employer or supervisor relating to the management and direction of the workers or of the workplace is not harassment.

3.2 **Workplace**
The workplace includes but is not limited to the physical work site, washrooms, training sessions, business travel, conferences, work related social gatherings, or other location where a worker is engaged in activity associated with employment, such as online communication (e.g., email, etc.)

3.3 **Complaint**
Complaint means an allegation of harassment that is based on actions defined as harassment in this Policy.

3.4 **Complainant**
A worker who believes they have been subjected to harassment and who has made a complaint under this policy.

3.5 **Chief Administrative Officer or "CAO"**
Means the administrative head of the Municipality as appointed by Council under subsection 86(2)(c) of the Prince Edward Island *Municipal Government Act* or his/her designate.

3.6 **Council**
Means the duly elected Mayor and other members of the Council of the Rural Municipality of Belfast.

3.7 **Mayor**
Means the duly elected Mayor of the Rural Municipality of Belfast.

3.8 **Respondent**
A worker against whom allegations of harassment are made through the complaint process under this policy.

3.9 **Worker**
Means all employees, volunteers, members of Council, and all persons encountered carrying out duties for the RMB.

4. Accountability

4.1 **Employer**
As the Employer, it is the responsibility of RMB to:

- Take all reasonable measures to ensure that no worker is subjected to harassment.
- Provide procedures for reporting and investigating complaints of harassment.
- Ensure that the source of harassment is identified, and the harassment is stopped.
- Take corrective action against any worker who subjects another to harassment.
- Take all reasonable steps to remedy the effects of harassment and to prevent or minimize future incidents.
- Ensure the policy is readily available to all workers.
- Meet the Employer's ethical and legal obligations to provide a workplace free of harassment.

4.2 **CAO or Designate**
The CAO or their designate is responsible for:

- The administration of this policy.
- Reviewing this policy annually, or as may be required.
- Making necessary adjustments to ensure this policy meets the needs of RMB.

4.3 **Supervisors**

The CAO or their designate and other supervisory/managerial employees of RMB are responsible for:

- Ensuring that all workers receive training regarding this policy.
- Treat all reports of harassment seriously and respond promptly.
- Addressing any behaviours that may lead to a harassment complaint.

5. **Complaint and Reporting Procedures**

5.1 **Early and Informal Resolution**

RMB is committed to dealing with all complaints in a fair, respectful and timely manner, respecting the privacy of all concerned.

The objective of early resolution is to resolve any situation or conflict as soon as possible in a fair and respectful manner without having to engage in the formal resolution process. Every effort will be made to resolve situations or conflict early, with open communication and in a cooperative manner. The use of dispute resolution mechanisms, such as coaching, counselling, and mediation can, in many instances, resolve issues and prevent situations or conflict from escalating to the point where filing a complaint under the formal resolution process is necessary.

Workers who are the subject of harassment are encouraged, where possible, to communicate their discomfort or the unwanted aspect of the behaviours directly to the individual responsible for them, and to ask them to stop the behaviours. Where the worker does not feel comfortable to do so, they should do so with help from a supervisory/managerial employee of RMB. However, this is not a required step to filing a complaint. Further, in the event that workers are able to resolve their concerns themselves through informal resolution, they are still required to notify RMB of such workplace harassment.

5.2 **Formal Complaint Process**

Where such informal resolution is not possible, or where informal intervention has not resolved the situation, workers are required to file a formal complaint in writing with their supervisor or the CAO. If the supervisor or CAO is the source of the harassment, the worker can contact the Mayor or an HR Consultant, at their discretion, to file a formal complaint. In the event that the CAO has a formal complaint against a member of Council or the Mayor, the CAO is required to contact an HR consultant, at their discretion.

Reporting a Complaint

Formal complaints under this policy shall be made in writing on the form provided in Appendix A. and shall contain a written summary of allegations, when the incident(s) occurred, the respondent(s) involved, the relationship of the respondent to the complainant (i.e., job title in relation to the complainant) and the names of witnesses, if any. The complaint form shall be signed and dated by the complainant.

Complaints should normally be reported promptly following the situation or behaviour being complained about. Promptness in reporting a complaint protects the rights of both the complainant and the respondent.

Investigation of Complaint

RMB will investigate all allegations of workplace harassment that meet the definition of harassment promptly and as discreetly as possible in the circumstances. The investigation will be conducted by an impartial party (either internal or external) trained to investigate such matters.

During the investigation process, the investigator will interview the complainant, respondent, and any relevant witnesses that have been identified. All individuals who are interviewed will have the right to review their statement, as recorded by the investigator, to ensure its accuracy. At the end of the investigation, the investigator will prepare a report stating whether, on a balance of probabilities, the complaint is substantiated.

Following the completion of the investigation report, RMB will communicate the findings to the complainant and respondent in writing, including any corrective action taken.

Resolution and Corrective Action

If it is determined that the complaint is substantiated, RMB will determine appropriate outcomes, the timeframe for such outcomes, and any corrective action appropriate to the circumstances, such as:

- Counseling;
- Education and training;
- Formal written or verbal apology;
- Mediation between the parties; or
- Discipline.

RMB will take such disciplinary action as it deems appropriate. Such disciplinary action may include a warning, reprimand, reassignment, temporary suspension with or without pay, or termination of employment, as applicable, as RMB believes appropriate under the circumstances.

If the individual who engaged in workplace harassment is not employed/engaged by RMB, RMB will take whatever corrective action is reasonable and appropriate in the circumstances.

6. Confidentiality

RMB will not disclose the circumstances related to an incident of harassment or any identifying information about any person involved, except where necessary to investigate the incident or to take corrective action, or to inform the parties involved in the incident of the findings and any corrective action to be taken to address the incident, or as permitted by law.

While an investigation is ongoing, workers are not permitted to discuss the complaint, the events which gave rise to the complaint, or the investigation process with each other or other workers of RMB.

7. Records

RMB will keep records of the investigation, including, if applicable:

- A copy of the complaint or details about the incident;
- A record of the investigation, including notes;
- A copy of the investigation report; and
- A copy of any written corrective action taken.

All records of the investigation will be kept confidential, and only disclosed on a need to know basis. Records will be kept for at least six years, or as required by applicable law.

8. Retaliation

RMB prohibits any form of retaliation or reprisal against any individual for reporting in good faith any conduct in violation of this policy, cooperating in the investigation of such complaints, or for filing a complaint under the Prince Edward Island *Human Rights Act*. All workers, including supervisors and managers, are strictly prohibited from threatening, intimidating, or otherwise discouraging a worker from filing a complaint or cooperating with an investigation under this policy. All workers who experience or witness any conduct they believe to be retaliatory should immediately follow the reporting procedures stated above.

Any retaliation or reprisal by a worker of RMB against an individual for participating in a complaint or investigation will be treated as a violation of this policy. RMB may take appropriate action in response to this type of conduct, including corrective action, up to and including termination of employment.

9. Malicious or bad faith complaints

If, following an investigation, RMB concludes that a worker has made a malicious or bad faith complaint (e.g., to deliberately humiliate or harm another), the worker may be subject to corrective action, up to and including termination of employment.

For clarity, no corrective action will be taken against a worker who, in good faith, files a complaint that is determined to be unfounded. This situation is distinguished from complaints filed with malicious or harmful intent, or in bad faith.

10. Effective Date

This RMB Harassment/Respectful Workplace Policy # 2026-001 was approved by a majority of Council of the Rural Municipality of Belfast on: _____, at a regular meeting of Council.

Signature and Seal on file
Mayor – Garth Gillis

Signature and Seal on file
CAO – Bob Brooks

Appendix "A" - Complaint Form

Rural Municipality of Belfast Complainant Information		
Complainant Name	Job Title	Date Form Submitted
Complainant Phone Number #	Supervisor Name	Supervisor Phone Number #

Information about the alleged harassment		
Date of Incident	Name of Alleged Harasser	Job Title of Alleged Harasser
Is the harassment a repeat occurrence? If yes, please provide date of incidents.		
Has the complainant advised the alleged harasser that they do not like the behavior and wants it to stop? If no, please explain why. If yes, what was the response?		

Were there any witnesses to the alleged harassment? If yes, please provide details.
In your own words, describe the conduct, comments or display you found unacceptable. Give details of date and location of the incident(s) that is/are the basis of your complaint.
Declaration: I hereby confirm the statement(s) contained in this complaint are true to the best of my knowledge. I understand a copy of this complaint will be provided to the alleged harasser(s) for the purpose of investigating this complaint. Complainant Signature Date
I acknowledge receipt of this complaint. Supervisor/CAO/Mayor/Deputy Mayor/Councillor Signature Date