



## EMPLOYMENT POLICY MANUAL

**Subject:**

Workplace Harassment and  
Violence Policy

**Approval Date:**

December 15, 2025

**By-Law No.**

76-2025

### 3.29 WORKPLACE HARASSMENT AND VIOLENCE POLICY

#### 1. POLICY STATEMENT

The Municipality of Red Lake (the “Municipality”) is dedicated to ensuring a respectful and dignified work environment for everyone. Any form of harassment or violence will not be tolerated.

Harassment or violence by anyone, in any form, is unacceptable. This policy applies to all Municipality of Red Lake employees. Workplace harassment, sexual harassment or workplace violence will not be tolerated from any person in the workplace, including customers, clients, contractors, and members of the public.

All employees are expected to adhere to this policy and collaborate in preventing workplace harassment and violence.

This policy will define the procedures for addressing workplace harassment and violence issues.

Employees are encouraged to report harassment or incidents of violence to their direct supervisor, or the Human Resources Manager as soon as possible. These individuals will investigate the incident, following the outlined procedures in accordance with Section 4 of this policy.

#### 2. PURPOSE

The purpose of this policy is to ensure that all municipal workplaces are free from harassment, sexual harassment, and any form of workplace violence. It aims to inform all employees that such behaviour is unacceptable. This policy seeks to minimize the risk of any type of harassment or violence in the workplace and the prevention of such conduct. Additionally, it establishes a process for submitting complaints related to workplace harassment and violence, as well as the protocols for the investigation.

Managers, supervisors, and employees are expected to adhere to this policy. The employer will hold individuals accountable for non-compliance. This policy also covers employment-related incidents of harassment or violence that occur beyond usual working hours or locations, including those on online platforms.



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### 3. DEFINITIONS

*In accordance with the Occupational Health and Safety Act, Section 1 (1)*

**“Workplace”** means:

Any land, premises, location or thing at, upon, in or near which a worker works.

**“Workplace Harassment”** means:

(a) Engaging in a course of vexatious comment or conduct against a worker in a workplace, including virtually through the use of information and communications technology, that is known or ought reasonably to be known to be unwelcome; or

(b) Workplace Sexual Harassment.

Examples of Workplace Harassment include, but are not limited to:

- Verbally abusive behaviour such as yelling, insults, ridicule and name calling.
- Workplace pranks, bullying and hazing.
- Gossiping or spreading malicious rumors.
- Excluding or ignoring someone, including persistent exclusion of particular persons from a workplace social gathering.
- Sabotaging someone else’s work.
- Displaying or circulating offensive pictures or materials.
- Offensive or intimidating phone calls or emails.
- Making false allegations about someone.

**“Workplace Sexual Harassment”** means:

(a) Engaging in a course of vexatious comment or conduct against a worker in a workplace, including virtually through the use of information and communications technology, because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome; or



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- (b) Making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

A reasonable action taken by an employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment. c. 2, Sched. 4, s. 1 (3)

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

- Persistent leering (suggestive staring) or other obscene/offensive gestures.
- Unwanted inappropriate physical contact such as touching, kissing, patting, pinching, brushing up against a worker.
- Unwelcome sexually-oriented remarks, invitations, requests, jokes, gestures.
- Unwelcome sexual flirtations, advances, propositions.
- Inquiries or comments about a worker's sex life.
- Demands or requests for sexual favors, especially by a person who is in a position of authority.
- Displaying sexually offensive materials.
- Sexual assault.

**"Workplace Violence"** means;

- (a) The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker,
- (b) An attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker,
- (c) A statement or behavior that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker. c. 19, Sched. 4, s. 1 (1-3).

Examples of Workplace Violence but are not limited to:

- Physical threatening behaviour such as shaking a fist at a worker, finger-pointing, destroying property, throwing objects.
- Verbal or written threats to physically attack a worker.
- Leaving threatening notes or sending threatening emails.
- Wielding a weapon at work.
- Stalking a worker; and



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- Physically aggressive behaviors including, hitting, shoving, standing, excessively close to a worker in an aggressive manner, pushing, kicking, throwing an object at a worker, physically restraining a worker or any other form of physical assault.

### 3.1 OTHER DEFINITIONS

**Bullying** means:

Behaviour which involves repeated incidents, or a pattern of behaviour, that is intended to intimidate, offend, degrade or humiliate a particular person or group of persons.

**Domestic Violence** means:

A person who has a personal relationship with a worker, such as a spouse or former spouse, current or former intimate partner or a family member, may physically harm or attempt or threaten to physically harm, that worker at work.

**Discrimination** means:

Unfair or adverse treatment based on one or more of the prohibited grounds, as defined in the *Ontario Human Rights Code*. Examples include, but are not limited to, denial of a promotion, work assignment, career development or training. For more information see the Anti-Racism/DEI Policy.

**Poisoned Work Environment** means:

Hostile, negative, or oppressive atmosphere created by discriminatory harassment, comments, or conduct. A form of discrimination can arise from even a single incident. It may be created by the comments or actions of any person, regardless of his or her status. The comments or conduct do not have to be directed at a particular individual. *Ontario Human Rights Code sec. 8*

**Unacceptable Behaviour** means:

Physically or psychologically aggressive behaviours including but not limited to:

- (a) Verbal or written threats, or any expression of intent to inflict harm.
- (b) Intimidation, bullying, or aggressiveness in person or virtually.
- (c) Physical attacks, such as hitting, shoving, pushing, punching, slapping, pinching, biting or kicking.
- (d) Psychological trauma which includes stalking or following a worker.



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- (e) Open disregard for personal rights of others.
- (f) Bringing weapons of any kind to the workplace, or inappropriate references to weapons.
- (g) Throwing objects at an individual with a view to cause physical injury or fear.
- (h) Obscene or harassing phone calls.
- (i) Unwanted attention or sexual advances.

#### 4. RESPONSIBILITIES

##### 4.1 **Employee**

- Each employee is responsible for maintaining municipal work environments that are free from workplace harassment, sexual harassment and workplace violence.
- Employees are encouraged and expected to promptly report any incidents or concerns of workplace harassment, sexual harassment or workplace violence to their supervisor, in accordance with the procedures outlined in this policy.
- Employees who make a complaint in good faith or participate in an investigation will not be penalized, retaliated against, or disciplined for doing so.
- Employees are expected to cooperate fully and honestly in any investigation conducted under this policy.
- Employees must refrain from engaging in any form of workplace harassment, sexual harassment, or workplace violence, and must treat all colleagues, clients, and members of the public with dignity and respect.

##### 4.2 **Management**

Management is responsible for fostering and maintaining a workplace culture that is respectful, safe, and free from workplace harassment, sexual harassment, and violence. To achieve this, management will:

- Discourage and address workplace harassment, sexual harassment, and workplace violence proactively, including responding to inappropriate conduct before it escalates. Lead by example to promote a respectful workplace culture by demonstrating respectful and professional behaviour at all times.



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- Ensure that all incidents or complaints of workplace harassment, sexual harassment, or workplace violence are investigated in a manner that is fair, timely, and appropriate in the circumstances.
- Inform in writing the worker who was allegedly harassed, and the alleged harasser (if he or she is also a worker of the employer) of the results of any workplace harassment investigation and of any corrective action that has been or that will be taken as a result of the investigation.
- Review the workplace harassment program as often as necessary, but at least annually, to ensure that it adequately implements the workplace harassment policy. *OHSAA section 32.0.7.*
- Provide support and assistance to municipal employees reporting harassment or violence by individuals outside the organization.
- Address any concerns or issues related to workplace harassment or violence proactively by approaching involved employees.
- Seek guidance from the Human Resources Manager when unsure if a situation constitutes harassment or violence.
- Consult Human Resources Manager about disciplinary actions for employees found guilty of harassment or violence against colleagues.
- Train employees on this policy, including how to recognize and appropriately respond to incidents of workplace harassment, sexual harassment or workplace violence and review the procedures for reporting such incidents.
- Complete Appendix A – Report and Investigation forms diligently.
- Ensure that all new employees are informed of this policy during the onboarding process overseen by the Human Resources Manager.



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### 5. PROCEDURES

#### 5.1 **Reporting**

(a) Employees who believe they have experienced workplace harassment, sexual harassment, or violence are strongly encouraged to promptly report the incident to their direct supervisor as soon as possible. Timely reporting is vital to safeguarding the rights of both the complainant and the accused.

5.2 **Documentation:** Complainants are advised to maintain written records of the incident, noting the date, location, and any witnesses.

5.3 **Incident Management:** The Human Resources Manager or their designate will oversee the incident, ensuring immediate assistance is provided to intervene or investigate as necessary.

5.4 **Impartial Oversight:** If the complaint involves the Chief Administrative Officer, oversight will be provided by the Mayor. A third-party investigator may be engaged to ensure impartiality.

#### **Investigation Process:**

(ii) Conduct interviews with the complainant and respondent to gather all relevant facts, including dates and locations.

(iii) Interview any witnesses.

(iv) Gather relevant documentation.

(v) Maintain detailed, confidential notes of the investigation.

5.5 **Union Representation:** Unionized employees being interviewed may have a union representative present.

5.6 **Non-Employee Complaints:** Complaints involving non-employees will still be addressed, with the Municipality of Red Lake committed to investigating and resolving issues to prevent recurrence.



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### **Investigation Process:**

The Human Resources Manager, and/or the direct supervisor or Chief Administrative Officer, will provide the complainant with the following options:

- **Option 1:** Submit a formal written complaint using Appendix A if the alleged harasser is a Municipal employee.
- **Option 2:** Be represented by legal counsel or another chosen representative at any stage of the process.
- **Option 3:** Withdraw from further participation in the complaint process, while the Municipality may continue with the investigation.

#### **5.7 Complaint Submission:**

If the employee chooses to submit a Complaint Report, it must be provided to the Human Resources Manager promptly. If the complaint involves the Human Resources Manager, it should be directed to the Chief Administrative Officer (CAO).

#### **5.8 Investigation (use Appendix “B”):**

The Human Resources Manager and/or the direct supervisor will conduct a thorough investigation using the Investigation Checklist and Form, then present their recommendations to the Chief Administrative Officer.

#### **5.9 Final Determination:**

The Chief Administrative Officer will make the final determination based on the recommendations provided.

#### **5.10 Notification of Outcome:**

Both the complainant and respondent will receive written notification detailing the investigation results and any corrective actions taken or planned.

#### **5.11 Corrective Action:**

If it is determined that a complaint is substantiated, the Municipality will act promptly to take corrective action in the circumstances. Examples of corrective action include training, coaching, counselling, written warning, or termination of employment.





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### 6. TIMING OF INVESTIGATION

Complaints regarding harassment, sexual harassment or violence should be filed as soon as possible after the incident occurs, and no later than thirty (30) days after the last incident, unless there are compelling reasons for the delay. In cases where any investigation extends beyond fifteen (15) business days, the Human Resources Manager will ensure that all parties involved receive progress updates. The investigation is aimed at being completed within thirty (30) business days from the date of the formal complaint. Upon conclusion, the findings by the Human Resources Manager will be submitted to Chief Administrative Officer or their designate, and the results will be communicated to the complainant and the respondent in writing within ten (10) business days following the conclusion of the investigation and findings.

### 7. POLICE INVOLVEMENT

In conjunction with the Municipality's internal investigation process, individuals who have experienced or witnessed harassment, sexual harassment, or workplace violence amounting to a criminal offense—such as assault, threats, or other criminal activities—are encouraged and entitled to report directly to the Ontario Provincial Police (OPP). The Municipality of Red Lake fully supports and respects employees' rights to engage law enforcement in such matters. In the event an OPP investigation is initiated any Municipal investigation will be paused pending the results of the OPP investigation.

### 8. CONFIDENTIALITY

The administration of this policy will adhere to *the Municipal Freedom of Information and Protection of Privacy Act* and the *Occupational Health and Safety Act*, as well as all other applicable privacy legislation. All harassment and/or violence complaints and subsequent investigations will be treated with utmost confidentiality, to the greatest extent possible. Information obtained about an incident or complaint, including identifying details of individuals involved, will be disclosed only as necessary to:

- Investigate and address the complaint;
- To take appropriate corrective and/or disciplinary actions;
- Protect the safety of individuals or the workplace; or
- As required by law.



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All individuals involved in the reporting or investigation process, including complainants, respondents, witnesses, and investigators, are expected to maintain confidentiality to preserve the integrity of the process and protect the privacy of all parties.

### 9. REPRISALS or RETALIATION - RETALIATION

Any form of reprisal or retaliation against individuals who file a complaint, participate in an investigation, provide representation, advise an employee, or offer witness information, as outlined in this policy, is strictly forbidden. Retaliatory actions may include, but are not limited to, unjustified discipline, termination, suspension, intimidation, or coercion. Individuals found to have engaged in such actions may face disciplinary measures, potentially culminating in termination of employment.

### 10. GOOD FAITH AND FALSE COMPLAINTS

#### 10.1 **Good Faith Complaints**

Employees who experience workplace harassment, sexual harassment or violence are urged to report these incidents as soon as possible. It is crucial that allegations are made with integrity and founded on factual evidence. False accusations can severely damage an individual's reputation and credibility, and such behaviour may itself be deemed a form of harassment.

#### 10.2 **False Complaints**

Filing a complaint with malicious intent or in bad faith is strictly prohibited. Such actions are considered a serious violation and will result in disciplinary measures, potentially leading to termination of employment.

### 11. DISCIPLINARY ACTION

Any employee found guilty of harassment or violence will be subject to disciplinary action, which may include suspension or termination of employment.



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### 12. RECORD KEEPING

The Human Resources Manager or designate will maintain records of the investigation for four (4) years. These records will include:

- Copy of the complaint and detailed information about the incident.
- Copy of the investigation report, including notes.
- Summary of the investigation results provided to both the complainant and the alleged harasser.
- Copy of the corrective action taken to address the complaint or incident of workplace harassment.

## APPENDIX "A"

### WORKPLACE HARASSMENT, WORKPLACE SEXUAL HARASSMENT and WORKPLACE VIOLENCE COMPLAINT FORM

<b>Complaint Information</b>		
Name:		Job Title:
Department	Date of Incident:	Time of Incident:
Type of Incident	Verbal	Other
Location of Incident:		
Witness(es) Name: _____ Name: _____ Phone number: _____ Phone number: _____		
<b>Incident</b>		
Did working conditions contribute to the incident?      Yes      No  If yes, please explain:		
Details of Incident:		
Other Relevant Information including Documents		
Is this a second or repeat incident involving the same individual(s)?    Yes    No		
Investigation Completed by:		
Name:		Position:
Investigation Report submitted on date (mm/dd/yyyy):		
Signature of Investigator:		
Comments or Updates:		

## APPENDIX “B”

### INVESTIGATION CHECKLIST and FORM

The person conducting the investigation must not have been involved in the incident or complaint of workplace harassment, sexual harassment or workplace violence.
Name of Investigator:
Date of Investigation:
<b>Background Information</b>
Name of the person who reported the workplace harassment/sexual harassment/workplace violence:
If not the same person as above, name of person who allegedly experienced workplace harassment/sexual harassment/workplace violence:
Date of Complaint/Concern Raised and How:
Department and Position of Complainant:
Name of Alleged Harasser(s):
Department and Position of Alleged Harasser(s): (If not an employee – provide details)
<b>Investigation Plan:</b> Plan and conduct the investigation (Attach more pages if necessary): <ol style="list-style-type: none"><li>1. Obtain the employee(s) concerns of harassment, sexual harassment or workplace violence in writing.</li><li>2. Investigator needs to interview the complainant and the alleged harasser(s). (If the harasser(s) is not an employee, the investigator should make reasonable efforts to interview them).</li><li>3. Make a list of possible relevant witnesses. The complainant and the alleged harasser(s) should be asked for names of any relevant witnesses.</li><li>4. Interview relevant witnesses. Ask specific questions about what they have observed, are aware of or have personally experienced. If the witnesses are not employees, the investigator should make reasonable efforts to interview those witnesses.</li><li>5. Collect and review relevant documents from the employee, alleged harasser(s), witnesses and anyone else that is involved.</li><li>6. Take detailed notes.</li><li>7. Keep the investigation confidential. Instruct the complainant, the alleged harasser(s) and witnesses not to talk to others about the investigation unless it is necessary, for instance, to obtain advice, counselling or the police.</li></ol>

**Investigator Notes**

When did the incident(s) occur? Confirm the date of first incident and any subsequent behaviors or conduct.

**Note:** Recalling events of harassment, sexual harassment or violence can be stressful for the complainant.

Attach more pages if necessary.

Date of First Incident:

Date of Last Incident:

Interview Relevant Witnesses:

List witnesses. Interview relevant witnesses and make notes. Attach more pages if necessary

Collected Documents:

List of the documents collected for the investigation and how or from whom they were obtained. Attach more pages if necessary.

**Investigation Results:**

The investigator's summary report should set out who was interviewed, what evidence was obtained and an analysis of the evidence to determine whether workplace harassment, sexual harassment or workplace violence occurred. (Attach more pages if necessary).

Summary of the Key Evidence:

Recommended Next Steps:

**Corrective Action**

Immediate Corrective Action:

Short Term Corrective Action:

Long Term Corrective Action:

Investigator Signature:

Date of Completion: