

**Canadian Corps of Commissionaires  
Victoria, the Islands and Yukon  
POLICY AND PROCEDURES MANUAL**

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## **4.0 PERSONNEL ADMINISTRATION**

### **4.2 HARASSMENT IN THE WORKPLACE**

#### **4.2.1 Policy**

1. Every Commissionaire has a right to a work environment that is free of harassment. It is illegal under the *Human Rights Code* to harass another person, Commissionaire, client or the public, at the work site.
2. The Division will take a zero tolerance policy on any form of harassment as defined under this policy and within the definition of harassment within the *Human Rights Code*.

#### **4.2.2 Definitions**

1. Harassment is defined as any behaviour that demeans, humiliates, or embarrasses a person, and that a reasonable person should have known would be unwelcome. It includes actions, comments, or displays. It may be a single incident or continue over time.
2. Harassment includes unwelcome remarks, slurs, jokes, taunts or suggestions about a person's body, clothing, race, colour, place of origin, religion, age, marital status, family status, physical or mental disability, sex, sexual orientation, political belief, or criminal or summary conviction offence unrelated to employment. It can also take the form of:
  - Written or verbal abuse or threats;
  - Practical jokes that embarrass or insult someone;
  - Patronizing or condescending behaviour;
  - Humiliating an employee in front of co-workers;
  - Vandalism of personal property;
3. Harassment also includes unwelcome sexual remarks, invitations, or requests (including persistent, unwanted contact after the end of a sexual relationship). These can take the form of:
  - Displays of sexually explicit, sexist, racist, or other offensive or derogatory material;
  - Leering (suggestive staring) or other offensive gestures;
  - Unwelcome physical contact, such as patting, touching, pinching, hitting;
  - And/or physical or sexual assault.

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4. Harassment includes any abuse of authority which undermines sabotages or otherwise interferes unreasonably with another Commissionaire's status, career or performance, or to create an intimidating or hostile working environment. It includes but is not limited to, intimidation, threats, blackmail, coercion, or unfairness in the distribution of work assignments, in the provision of advancement opportunities, or in the completion of evaluation reports.

**4.2.3 What is NOT Deemed Harassment?**

1. Management has the right to manage. Managerial or supervisory functions that involve work assignment, performance assessment, counselling and discipline are NOT forms of harassment. While reviews of performance shortcomings may be both embarrassing and discomfoting to the receiving individuals, they are a legitimate and essential part of the management process. The enforcement of high standards of work performance does not constitute harassment provided that the standards are uniformly applied.

**4.2.4 Harassment Awareness**

1. It is the responsibility of all Commissionaires within the *Division* to make themselves aware of *The Commissionaire's* policy regarding harassment and to conduct themselves accordingly. The creation of a positive work environment and the prevention of harassment are the joint responsibility of the *Division* and all Commissionaires.

2. It is the responsibility of the *Division* to provide adequate awareness training to all Commissionaires which will support a harassment free work environment by fostering a pleasant working atmosphere.

3. Supervisors at every level must be knowledgeable about, and sensitive to, the many forms that harassment can take. It is a complex issue involving men and women, their perceptions and behaviour and the social norms of the society.

**4.2.5 Complaint Procedure**

1. Commissionaires are encouraged to make their feelings known. The first thing to do if you are being harassed is to tell the person harassing you to stop, if possible. Let them know that you are embarrassed, humiliated, demeaned, or otherwise bothered by what they are doing or saying. You could speak to the person directly, or write them a letter. If you write a letter, date it and keep a copy. If you speak to them, you may want to tell a trusted friend what you have done and why. Often a person may not be aware that his or her behaviour is bothersome and will change the behaviour once they realize this.

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2. Any Commissionaire who believes that he/she is the victim of harassment should immediately report the matter to his/her immediate supervisor. You should make a written note of what the bothersome behaviour was, the date it happened, how you felt, what you did about it, and who else was present, if there were witnesses. It may be that communicating directly with the person will not be enough or you may feel uncomfortable in dealing with it in this manner. If this is the case, you can speak with your supervisor or another manager who will handle the situation in a discrete manner.

3. If the supervisor is the alleged offender, the complaint shall be made in writing to the next level of supervision. If the complaint cannot be dealt with at this level it will be forwarded to the Director Human Resources at Division headquarters for investigation.

4. All complaints of harassment will be treated equally, and with the same degree of seriousness. Depending on the complexity of the harassment complaint, some complaints may take longer to investigate than others. Regardless of this, no complaint shall go beyond 14 days without the complainant receiving an interim reply as to the progress of the investigation.

5. Any Commissionaire who files either an informal or formal harassment complaint can do so without fear of reprisal or retribution. All complaints received will be dealt with in the highest level of confidentiality, only being available to those who must be involved in the dispute resolution process.

6. The wishes of the complainant will be foremost in the event of a need for workplace changes arising from a substantiated complaint.

#### **4.2.6 Formal Investigation**

1. Where required, an investigation appropriate to the circumstances may be ordered by the Chief Executive Officer.

2. Depending on the severity of the level of harassment the chief executive officer may order the alleged harasser to be administratively moved to another work site until the investigation is complete. If this action is ordered the following guidelines will be followed:

- Any relocation will be conducted without prejudice to either party. It will be completed to ensure the protection of both the complainant and the accused. This is to ensure that further harassment cannot be conducted and to ensure no further complaints can be made.
- Any relocation will be without financial loss to the employee being moved.
- If the investigation exonerates the accused, they will be moved back to their work site immediately.

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**4.2.7 Documentation**

1. Correspondence pertaining to a complaint shall not be placed on personnel files nor shall it be made available to personnel other than officers of the Division headquarters or to legal representatives of the Division who have a need to know.

**4.2.8 Supervisory Responsibility**

1. All supervisors are responsible for ensuring that harassment does not take place within their area of authority, and must address every incident of harassment even if no complaint is filed. Supervisors' must be cognizant of what harassment is and must be pro-active in dealing with and putting to an end all potential harassment situations. **DO NOT DELAY – DEAL WITH THE FIRST SIGNS OF HARASSMENT!**

2. Supervisors are responsible to ensure that corrective measures are taken as a clear indication that harassment of any form within the *Division* is not acceptable. This can include ensuring the victim receives an oral and/or written apology, providing training on human rights to all members of the work site, and, ensuring all Commissionaires have a copy of and clearly understand the Division's harassment policy.