

1. **Introduction:** The Board is committed to fostering a positive, anti-harassment and abuse free environment in which all persons are treated with respect and dignity. This policy applies to interactions among employees, Board members, volunteers, Library patrons, and members of the general public using the Library premises. This policy is subject to the Alberta Human Rights Act and the Canadian Human Rights Act. Where appropriate, this policy is also subject to specific provisions within the Collective Agreement between CUPE 46 and the City of Medicine Hat Library Board.
2. **Purpose:** This policy has been created to ensure that
  - 2.1. Individuals are aware that acts of harassment and/or abuse are considered serious misconduct;
  - 2.2. Harassment and/or abuse allegations are investigated and acted upon in a consistent, effective manner;
  - 2.3. Individuals are encouraged to report harassment and/or abuse and are aware of available means of recourse.
3. **Definitions:** For the purposes of this policy, the following are used to describe language and/or actions that may take place not only in person, but by non-face to face means as well:
  - 3.1. Harassment: offensive comments and/or actions which demean and belittle an individual and/or cause personal humiliation.
  - 3.2. Sexual harassment: unwelcome often coercive sexual behaviour that has adverse emotional, psychological or physical effects. Sexual harassment can be expressed in many ways, from very subtle to very obvious, through any of the following: suggestive remarks, sexual jokes or compromising invitations; verbal abuse; visual display of suggestive sexual images; leering or whistling; patting, rubbing or other unwanted physical contact; outright demands for sexual favours; and physical assault.
  - 3.3. Abuse: physical contact intended to cause bodily harm or emotional harm resulting from the use of threats, humiliation, forced social isolation, intimidation, harassment, coercion or restriction from appropriate social contact.
  - 3.4. Discrimination: unfavourable treatment based on race, ethnicity, religion, colour, sex, sexual orientation, gender, gender identity, political affiliation, age, ability, socio-economic status, ancestry, place of origin, and family status.
  - 3.5. Discipline: reasonable, justifiable, consistent, and non-discriminatory acts of discipline, provided by an individual who has the authority to provide such discipline, shall not be construed as harassment.
  - 3.6. They,Their,Them: to enhance inclusiveness, these non-binary pronouns may also be used for the singular.
4. **Response to Harassment, Abuse, and/or Discrimination:**
  - 4.1. Anyone faced with an urgent situation involving the threat of violent conduct, where there is reasonable belief that the safety of themselves or others may be in danger, should contact the police immediately.
  - 4.2. For acts of harassment, discrimination, or abuse by a member of the public, the action taken will be commensurate with the incident up to and including temporary or permanent withdrawal of services or legal action. (See Policy LS.13, Patron Conduct).

- 4.3. For acts of harassment, discrimination, or abuse involving library volunteers and/or Board members, the response and processes should, as applicable, follow steps outlined in articles 4.4, 4.5, and 5 regarding employees, with the Chief Librarian and/or investigation team determining an appropriate course of action.
- 4.4. If an employee believes they have been subjected to discrimination, harassment, or abuse, they have the responsibility to
  - 4.4.1. advise the offender, directly or through a third party, that the action is unacceptable behaviour and unwelcome.
  - 4.4.2. create the opportunity for the offender to cease such behaviour or conduct by making the alleged offender immediately aware of any behaviour or conduct that is offensive.
- 4.5. If the behaviour or conduct does not cease, or the severity of the behaviour or conduct warrants it:
  - 4.5.1. The incident(s) of perceived harassment, abuse, or discrimination should be reported by the employee as soon as possible after the alleged occurrence to their immediate supervisor or to the Chief Librarian (if, through perceived involvement or bias, the employee does not feel able to proceed through their supervisor).
  - 4.5.2. Persons who witness acts of harassment or abuse should report these or otherwise act to remedy the situation.
  - 4.5.3. The Chief Librarian shall be responsible for ensuring that the complaint is promptly and thoroughly investigated by establishing an investigation team and a process for the investigation (see 5).
  - 4.5.4. Any incident involving the Chief Librarian should be reported to the Human Resources and Finance Committee of the Board.
    - 4.5.4.1. The Human Resources and Finance Committee shall coordinate any required investigation involving the Chief Librarian.
    - 4.5.4.2. The Committee should then proceed, where possible, according to the steps below (see 5).

## **5. Investigation process:**

- 5.1. Investigation team members may include, but may not be restricted to, the Chief Librarian, the department manager of the complainant, a union representative (where appropriate), and others deemed able to contribute.
  - 5.2. The investigation process shall include
    - 5.2.1. A written statement with a specific and clear description of the words or actions complained about, signed by the complainant.
    - 5.2.2. Interviews of the complainant and the alleged offender.
    - 5.2.3. Interviews of any other staff members who may be able to provide additional information.
  - 5.3. If the investigation reveals evidence to support complaint(s) of harassment, abuse or discrimination, appropriate disciplinary action, per relevant Board and administrative policies, will be undertaken.
  - 5.4. Where disciplinary action is taken and both the offender and complainant remain on staff, a follow-up system will be established to prevent reoccurrence and/or aggravation of the initial incident(s).
  - 5.5. If the investigation reveals insufficient evidence to support the complaint(s):
    - 5.5.1. No documentation shall be placed in the accused employee's personnel file;
    - 5.5.2. The employee assistance program shall be made available to the complainant and the accused, where appropriate;
    - 5.5.3. The complainant shall be advised of their right to contact the Alberta Human Rights Commission to file a complaint.
6. Regardless of outcome, no reference to the complaint will be placed in the complainant's personnel file unless the investigation reveals that the initial complaint was both groundless and motivated by malice. If the complaint was motivated by malice, disciplinary action may be initiated against the complainant.

## **7. Complaints or assertions of unfair treatment made by members of the public**

- 7.1. Members of the public may make complaints or assertions that they have been mistreated or not treated fairly by staff, volunteers and agents of the Library. Any such complaints should be resolved by the Chief Librarian or designate.
- 7.2. In the event that a member of the public requests that the Chief Librarian's resolution be reviewed; or if a complaint involves the Chief Librarian in a way that makes it inappropriate for the Chief Librarian to resolve the complaint; the complaint will be forwarded to the Board for resolution.
- 7.3. Any complaint or communication forwarded to the Board under this policy shall be forwarded via the Chief Librarian, to preserve the privacy of Board members. The Board will be informed by the Chief Librarian if the complainant expresses concerns about the Board's receipt of a communication and the Board may confirm receipt with the complainant. If a complainant has concerns about confidentiality they may provide their communication in a sealed envelope which will be forwarded to the Board unopened.
- 7.4. This process is for complaints relating to fairness of treatment and assertions of harassment, abuse, discrimination or other uncivil treatment. Challenges regarding Board or administrative policies, collections, and other service related issues should be dealt with as per the relevant policies.