



POLICY

Sexual Harassment	
Policy Number 130-020	Supersedes Policy Number 8-30
Effective Date 2008-10-20	Approved by Council (Meeting Date) 2008-10-20

1.0 Purpose

The Town of Wolfville values its employees and is therefore committed to providing a work environment in which all individuals are treated with dignity and respect. Each individual has the right to work in a professional atmosphere which promotes equal opportunities and prohibits discriminatory practices.

Sexual harassment is a form of discrimination based on sex. It is prohibited in Nova Scotia by Section 5(2) of the Human Rights Act and is illegal. Sexual Harassment is offensive, degrading and threatening. The Town of Wolfville has adopted this policy to make clear that sexual harassment will not be tolerated. This policy applies to all employees and members of Council.

If an employee is subjected to harassment by individuals conducting business with the municipality, the Town of Wolfville acknowledges its responsibility to do all in its power to support and assist the person subject to such harassment.

2.0 Scope

This Policy applies to all permanent employees for the Town of Wolfville.

3.0 References

- 3.1 [Nova Scotia Human Rights Act](#)
- 3.2 Sexual Harassment SOP 130-817

4.0 Definitions

- 4.1 **Sexual harassment** - is defined in the Nova Scotia Human Rights Act and means:
 - a) any sexual conduct or a curse or comment that is known or ought reasonably to be known as unwelcome.
 - b) a sexual solicitation or advance made to an individual by another individual where the other individual is in a position to confer a benefit on or deny a benefit to the individual to whom the solicitation or advance is made, where the individual who



POLICY

makes the solicitation or advance knows or ought reasonably to know that it is unwelcome, or

- c) a reprisal or threat of reprisal against an individual for rejecting a solicitation or advance.

While the following list is not comprehensive, sexual harassment may include:

- a) unwelcome remarks, jokes, or innuendoes about a person's body, gender or attire;
- b) displaying of pornographic or other offensive or derogatory pictures or written materials;
- c) unwelcome invitations or requests, whether indirect or explicit, and intimidation;
- d) unnecessary physical contact such as touching, patting, or pinching;
- e) a reprisal or threat of reprisal against an individual for rejecting a sexual solicitation or advance;
- f) leering or other obscene or offensive gestures;
- g) stalking;
- h) sexual assault.

4.2 **Complainant** - the individual who files the harassment complaint.

4.3 **Respondent** - the individual who is named as the alleged harasser in the complaint.

4.4 **Bad Faith** - complaints that are fabricated with the intent of damaging the integrity of an individual or individuals

5.0 Policy

5.1 Specific Objectives

The objectives of this Policy are to:

- a) maintain a working environment that is free from sexual harassment;
- b) alert all employees of the Municipality to the fact that sexual harassment in the workplace is an offense under the law;



POLICY

- c) establish a mechanism for receiving complaints of sexual harassment and to provide a procedure by which the Town of Wolfville will deal with these complaints; and
- d) provide education about sexual harassment and the policy.

5.2 Confidentiality

All sexual harassment inquiries and complaints will be handled in a confidential manner. Where an investigation is required, the investigation will be handled with as much discretion as is consistent with obtaining the information needed to make a decision on the complaint.

5.3 Protection Against Retaliation

Retaliation against a complainant will not be tolerated. No member of management or staff will intimidate, discharge, suspend, or impose any other penalty on, or otherwise discriminate against an individual who has made a complaint or given evidence or assisted in any way in the investigation and resolution of a complaint of sexual harassment.

5.4 Bad Faith

The Municipality is committed to taking any sexual harassment complaint seriously. Employees who make complaints that are fabricated with the intent of damaging the integrity of an individual or individuals will be subject to disciplinary action up to and including dismissal.

5.5 Discipline

- a) Disciplinary action for substantiated complaints will range from a verbal or written reprimand to a suspension or dismissal. A verbal or written warning may include a recommendation for counseling.
- b) A member of management who is in receipt of a harassment complaint or is aware of sexual harassment and fails to take appropriate action will be subject to disciplinary action

CAO

2015-12-15

Date