

Type of Decision									
Meeting Date	Friday, July 16, 2010				Report Date	Tuesday, July 6, 2010			
Decision Required		Yes	X	No	Priority	X	High		Low
Direction		Information Only		X	Type of Meeting	X	Open		Closed
REPORT TITLE									
Bill 168 Violence and Harassment in the Workplace Report #16/07/10/208									

Subject: Draft policy as per requirements under new legislation.

**RECOMMENDATION:** That Council adopt policies committing to meeting the obligations under Bill 168, a bill amending the Occupational Health and Safety Act. The policies have amended existing Code of Conduct policy and combined the existing P&G 167 – Complaint Investigation Process with the new policy.

**WHEREAS** new legislation requires all workplaces to address Violence and Harassment in the Workplace;

**AND WHEREAS** the Council of the United Townships of Head, Clara & Maria has previously addressed some of these issues in its Code of Conduct;

**AND WHEREAS** the amended policies address all legislated requirements;

**THEREFORE BE IT RESOLVED THAT** the Council of the United Townships of Head, Clara & Maria does hereby adopt the amended P&G167/ADMIN/Workplace Harassment and Violence Policy-April 2009/July 2010 and P&G166/ADMIN/Code of Conduct-April 2009/July 2010 separating the Workplace Harassment and Violence issues and complaint processes from the Code of Conduct making it a separate and distinct document.

#### BACKGROUND/EXECUTIVE SUMMARY:

The legislation requires the creation of policies, the development of a program which includes an investigative process, and an education program getting the information out to all parties. The municipality currently has a Code of Conduct which includes a section on harassment and discrimination but does not specifically address the new types of discriminatory harassment and/or violence including domestic violence. The Complaint process addressed some of the issues but not all of them.

Bill 168 – Harassment and Violence in the Workplace draft policy has been included in this package. New obligations have been put on the workplace to address harassment and violence in addition to human rights issues. Creation of policy is mandatory and a draft has been completed merging new requirements with existing sections of the Code of Conduct and the Harassment and Discrimination Complaint Process.

The new policy includes a process on how to report incidents and complete an investigation.

Still need to provide training to all, will plan to include information in Council orientation packages and will review the changes at the upcoming employee meeting in August or September.

**CHANGES TO CODE OF CONDUCT**

1. Removal of Sections 49 to and including 64. These sections dealing with Harassment, Discrimination, Confidentiality of Complaints and the Complaint Process will be removed from the Code of Conduct and incorporated into a new separate policy.

**CHANGES TO HARASSMENT AND DISCRIMINATION – COMPLAINT INVESTIGATION PROCESS**

2. The entire policy has been modified.
3. The sample policy from Bernardi Law Firm’s Powerful Employment Policy manual that we have purchased for guidance has been amalgamated with our current policy to be all inclusive.
4. The policy now incorporates the Harassment and Violence Policy (including discrimination) and a complete complaint process combining two previous documents into one, updating both with new legislative requirements.

Financial Considerations/Budget Impact: N/A - Only the staff time to complete the policies and educate all parties.

Policy Impact: Involves the amendment of current policy and the creation of new policy.

Approved and Recommended by the Clerk

Melinda Reith,  
Municipal Clerk

*Melinda Reith*