

# HARASSMENT POLICY

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## PURPOSE

At TimberWest Forest Corp., one of the ways we value people is by showing respect for each other regardless of the work we do. We are committed to providing an environment that protects and promotes the dignity of individuals and ensures that all employees can work without the fear of personal or sexual harassment.

## GENERAL HARASSMENT

General harassment is defined as the abusive, unfair or demeaning treatment of an employee or group of employees that has the effect or purpose of unreasonably interfering with their status or performance or creating a hostile or intimidating work environment. Such behaviour may:

- a) Abuse the power that one employee holds over another or misuse authority;
- b) Have the effect or purpose of offending or demeaning an employee or group of employees on the basis of race, color, ancestry, place of origin, nationality, religion, family or marital status, physical or mental disability, age, sex, sexual orientation, or conviction for a criminal charge; or
- c) Have the effect or purpose of seriously threatening or intimidating an employee.

Harassing behaviour includes but is not limited to:

- Unwelcome remarks, graffiti, jokes, innuendoes or taunting about a person's racial or ethnic background, color, place of birth, citizenship, ancestry or religion, or any other of the ground listed in ii. Above;
- The display of racist or bigoted ethnic materials;
- Behaviour that is likely to cause offence or humiliation to an individual.

**Note: Managing or coaching that includes counseling, performance appraisal, work assignment and the implementation of disciplinary actions, is not a form of personal harassment and this policy does not restrict a supervisor's responsibilities in these areas.**

## **SEXUAL HARASSMENT**

Sexual harassment is defined as one or a series of incidents involving unwelcome sexual advances, requests for sexual favors, the display of sexually offensive material or other verbal or physical conduct of a sexual nature,

- a) When such conduct might reasonably be expected to cause insecurity, discomfort, offence or humiliation to another person or group; or
- b) When submission to such conduct is made either implicitly or explicitly a condition of employment; or
- c) When submission to or rejection of such conduct is used as a basis for any employment decision (including but not limited to promotion, salary, job security and benefits affecting the employee); or
- d) When such conduct has the purpose or effect of interfering with a person's work performance or creating an intimidating, hostile or offensive work environment.

Such behaviors constitute sexual harassment whether directed by men towards women, women towards men or between persons of the same sex.

## **RESPONDING TO HARASSMENT**

Employees who feel that they have been harassed should consider the following actions:

1. Let the person responsible for the harassment know that their behavior is offensive;
2. If the behavior persists, seek advice and guidance from a Union representative, supervisor, manager or member of the Human Resources Department. Any discussions entered into will be in the strictest confidence;
3. Ask a Union representative, supervisor or HR representative for assistance to help resolve the issue.

If the issue cannot be resolved informally, an employee may initiate a formal complaint as follows.

1. The employee must provide the Human Resources Department with a written statement giving details of the harassment and authorization to proceed with a formal investigation. The complaint must be filed within a reasonable period of time following the failure of the informal resolution process.
2. An investigation will be conducted by Human Resources or a skilled external consultant and will be concluded as quickly as possible. Where the complainant is a Union member, HR and a Union representative will conduct a joint investigation or jointly appoint a third party investigator.
3. Within ten working days of the conclusion of the investigation, HR will convey the decision and recommendations to both parties.
4. If either party prior to the formal resolution stage has initiated any legal action no further action will take place until the conclusion of the legal action.

## **OUTCOMES**

If it is determined that a form of harassment has occurred, counseling and/or disciplinary measures may be taken. If the complainant is not satisfied with the action taken, they may appeal to the Human Resources Department.

This policy statement does not infringe on the rights of employees to register a complaint with the BC Human Rights Commission.

Records will only be placed in a personnel file where a formal complaint has been initiated and where an incident of harassment has been substantiated.

Where an allegation of harassment is found to be frivolous or malicious, the accuser will be subject to disciplinary action.

## **ADMINISTRATION**

The Human Resources Department is responsible for the administration and interpretation of this policy.