

Seven Generations Health & Safety Management System

Principle 1 – Management Commitment

Respectful Workplace

1.2.02



SEVEN GENERATIONS
E N E R G Y

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Revision History

Version	Date	Summary of Changes	Author	Comments

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1.0 Introduction

Discrimination based on a protected ground, Workplace Harassment and/or Workplace Discrimination, Bullying, and/or Workplace Violence is not acceptable at Seven Generations.

All levels of workers within the organization (Executive Leadership, Managers, Supervisors, Directors, Health and Safety Representatives, Employees, Board members), contractors, subcontractors, students, suppliers, and visitors have a duty to ensure, as far as reasonably practicable, that no worker is subjected to or participates in discriminatory action(s), harassment, bullying, and/or violence at the work site, within a Seven Generations work environment, and/or outside the direct work environment with respect to any individual having any form of relationship or responsibility to the Company.

The following information will describe and outline what each is and the expectation that all employees and contractors are free from any form of discriminatory action(s), harassment, bullying, and/or violence at the work site, including camps, any place that the Company's business is conducted and any place where Company functions occur.

2.0 Regulations

- **Alberta Occupational Health and Safety Act**
 - **Part 1 – Obligations**
 - **Part 5 – Program and Practice**
- **Alberta Occupational Health and Safety Regulation, Part 1 Section 8 – Critical Documents**
- **Alberta Occupational Health and Safety Code, Part 27 – Violence**
- **Alberta Human Rights Act**

3.0 Discrimination

Discrimination is any act or omission, whether intentional or not, which has the effect of denying benefits to, or otherwise disadvantaging, a worker in the course of their employment on the basis of a Protected Ground. For example, an action or threat of action by a person that does or would adversely affect a worker with respect to any terms or conditions of employment or opportunity for promotion, and includes termination, layoff, suspension, demotion or transfer of a worker, discontinuation or elimination of a job, change of a job location, reduction in wages, change in hours of work, reprimand, coercion, intimidation, or the imposition of any discipline or other penalty on the basis of a Protected Ground.

The Alberta Human Rights Act prohibits discrimination in the workplace based on the Protected Grounds listed below:

- **Race:** Includes belonging to a group of people, usually of a common descent, who may share common physical characteristics, such as skin colour.
- **Colour:** Colour of a person's skin. Discrimination based on colour may include, but is not limited to: racial slurs, jokes, stereotyping, and verbal and physical harassment.
- **Ancestry:** Belonging to a group of people related by a common heritage.
- **Place of origin:** Includes place of birth and usually refers to a country or province.
- **Religious beliefs:** System of beliefs, worship and conduct (includes native spirituality).
- **Gender:** The state of being male, female, transgender or two-spirited. The ground of gender also includes pregnancy and sexual harassment.
- **Gender identity:** Refers to a person's internal, individual experience of gender, which may not coincide with the sex assigned to them at birth. A person may have a sense of being a woman, a man, both, or neither. Gender identity is not the same as sexual orientation, which is also protected under the Alberta Human Rights Act.
- **Gender expression:** Refers to the varied ways in which a person expresses their gender, which can include a combination of dress, demeanour, social behaviour and other factors.
- **Age:** Age is defined in the Act as "18 years or older". Persons who are 18 years or older can make complaints on the ground of age in all of these areas:
 - Statements, publications, notices, signs, symbols, emblems or other representations that are published, issued, or displayed before the public;
 - Employment practices;
 - Employment applications or advertisements; and
 - Membership in trade unions, employers organizations or occupational associations.
- **Physical disability:** Any degree of physical disability, deformity, malformation, or disfigurement that is caused by injury, birth defect or illness. This includes, but is not limited to, epilepsy; paralysis; amputation; lack of physical coordination; visual, hearing and speech impediments; and physical reliance on a guide dog, wheelchair or other remedial appliance or device.
- **Mental disability:** Any mental disorder, developmental disorder or learning disorder, regardless of the cause or duration of the disorder.
- **Marital status:** The state of being married, single, widowed, divorced, separated, or living with a person in a conjugal relationship outside of marriage.
- **Family status:** The state of being related to another person by blood, marriage or adoption.

- **Source of income:** Source of income is defined in the Act as lawful source of income. The protected ground of source of income includes any income that attracts a social stigma to its recipients, for example, social assistance, disability pension, and income supplements for seniors. Income that does not result in social stigma would not be included in this ground.
- **Sexual orientation:** This ground includes protection from differential treatment based on a person's actual or presumed sexual orientation, whether gay, lesbian, heterosexual, bisexual, or asexual.

Refer to section 8.0 Procedure for further information on how to handle a situation regarding discrimination.

4.0 Workplace Harassment

The *Occupational Health and Safety Act* defines Harassment as “any single incident or repeated incidents of objectionable or unwelcome conduct, comment, bullying or action by a person that the person knows or ought reasonably to know will or would cause offence or humiliation to a worker, or adversely affects the worker's health and safety”. Harassment includes Personal Harassment and Sexual Harassment, but excludes any reasonable conduct of an employer or supervisor in respect of the management of workers or a work site.

Workplace Harassment of any kind creates an intolerable work environment and statistically reduces employee morale, productivity, and general psychological well-being.

Personal Harassment

Personal Harassment in the workplace means any unwanted, unsolicited, offensive behavior, comments or displays, either explicitly or implicitly, that is directed at any worker (between people of differing authority or people of similar authority) and is made on the basis of a Protected Ground, intimate personal relationship with a worker, or is otherwise likely to cause offence to or humiliation to any worker or cause interference with any worker's performance.

Personal Harassment includes bullying and abuse of authority, which undermine work or career performance and, in some cases, may constitute a threat to the health and safety of workers. Abuse of authority means taking advantage of a position of authority to exploit, compromise or mistreat others and may include intimidation, threats, blackmail or coercion. It includes behavior such as yelling, belittling a worker's work, reprimanding a worker in front of other staff members, unjustifiably withholding information a worker needs to perform their work and demanding subordinates take on personal errands.

Personal Harassment excludes actions occasioned through exercising managerial or supervisory rights and responsibilities in good faith. Refer to section 5.0 Workplace Bullying for further information on how to identify bullying.

Sexual Harassment

Sexual Harassment includes any unwanted sexual advance, request for sexual favours, or other verbal, written or physical contact of a sexual nature which threatens job security, affects advancement opportunities or negatively impacts on the working conditions or employment atmosphere in which any worker works. Sexual Harassment can occur between people of differing authority or between people of similar authority. Sexual Harassment includes rough or vulgar humour or language related to sexuality, or showing or sending pornography. Sexual Harassment can also be directed at an individual or at a group.

5.0 Workplace Bullying

Bullying at work is a repeated pattern of negative behaviour intended to intimidate, offend, degrade or humiliate a particular person or group.

Workplace Bullying can deeply affect the mental, physical, and financial health of a person or group of people being bullied. It can be career endangering as it reduces moral, productivity, and self-worth of the individual or group of individuals being bullied.

Although bullying can include physical abuse or the threat of abuse, it usually causes psychological, rather than physical, harm. Workplace bullying can also involve sexual harassment and discrimination. Bullying is unacceptable at any time and in any situation.

Workplace bullying often involves one or more of the following:

- rudeness and hostility that disrespects the target;
- threats and intimidation, including the abuse of power; and
- deliberate acts that interfere with the target's work.

Understanding the Type of Bullying that is happening

These are a few questions to ask yourself or a target worker that has brought forward a concern or complaint:

- Are unrealistic job demands being made?
- Is unreasonable criticism taking place?
- Is someone creating an inconsistent, unfair, or intolerable work environment?
- Is someone withholding credit where it is due?
- Is someone giving credit to another individual where they should not be?
- Is someone insulting, putting down, yelling, screaming, and/or displaying any other abusive behaviour?
- Would most reasonable people consider the behaviour unacceptable?

- Is there a lot of time being spent defending justifiable actions, tasks, ideas, and/or projects and seeking support from co-workers?

Examples of workplace bullying are:

- spreading rumours and gossip;
- making offensive jokes or comments, verbally or in writing;
- using insults or put downs;
- blaming, scolding, criticizing and belittling;
- excluding or isolating;
- intimidating by standing too close or making inappropriate gestures;
- making unreasonable demands, constantly changing guidelines, setting impossible deadlines and interfering with work;
- discounting achievements and stealing credit for ideas or work;
- disciplining or threatening job loss without reason;
- withholding information or giving the wrong information;
- taking away work or responsibility without cause;
- blocking requests for training, leave or promotion;
- using offensive language or yelling and screaming;
- pestering, spying, stalking or tampering with personal belongings and equipment; and
- physically abusing or threatening abuse.

The following actions are not considered workplace bullying:

- Enforcing workplace policies and procedures;
- Evaluating or measuring performance;
- Providing constructive feedback;
- Denying training or leave requests with good reason;
- Discussing disciplinary action in private; and
- Dismissing, suspending, demoting, or reprimanding for just cause.

Refer to section 8.0 Procedure for further information on how to handle a situation regarding a bully.

6.0 Workplace Violence

Any form of Workplace Violence is considered a hazard for the purposes of Part 2 of the Occupational Health and Safety Code. The Company is required to take measures to eliminate or control hazards.

The *Occupational Health and Safety Act* defines Violence, whether at a work site or work-related, as “the threatened, attempted or actual conduct of a person that causes, or is likely to cause, physical or psychological injury or harm, and includes domestic or sexual violence.”

Violence includes but is not limited to:

- Physical assault: pushing, shoving, hitting, and/or kicking;
- Threats verbal or written where there is an intent to harm the recipient;
- Harassment of any unwelcome form or manner including but not limited to gestures, words, intimidation, bullying, and any other inappropriate behaviours;
- Verbal Abuse: swearing, cursing, insulting, or using language that is condescending; and
- Threatening Behaviour: pounding furniture or walls, shaking fists, throwing objects, or destroying property.

Workplace Violence does not necessarily always occur at the workplace itself. It can happen at any business-related function that occurs off-site, such as conferences, social events, and trade shows, or away from work altogether, such as in the case of a threatening phone call, email, social media post and/or text.

Refer to section 8.0 Procedure for further information on how to handle a situation regarding Workplace Violence.

7.0 Responsibilities

All workers are responsible for ensuring that their conduct in the workplace is appropriate and that they do not engage in Discrimination, Workplace Harassment, Workplace Bullying or Workplace Violence. Workers are also responsible for reporting incidents of Discrimination, Workplace Harassment, Workplace Bullying, or Workplace Violence that they witness or experience in accordance with this policy.

8.0 Procedure

Steps to Manage Harassment

All workers at Seven Generations are expected to be treated fairly and free from Discrimination, Workplace Harassment, Workplace Bullying and/or Workplace Violence at the work site.

For the purposes of this principle and procedure, any form of Discrimination, Workplace Harassment, Workplace Bullying and/or Workplace Violence shall be hereinafter referred to as “harassment”.

Any form of harassment is not acceptable, and therefore, the expectation is that any harassment is dealt with in the following manner:

- If you feel comfortable, tell the harasser that their behaviour is not welcome and ask them to stop. Inform the harasser that you will be notifying the appropriate Company representative of the incident should the unwelcome behaviour continue. Establish healthy boundaries as far as welcome vs. unwelcome behaviour.
- If, after asking the harasser to stop their behaviour, the harassment continues, or you do not feel comfortable confronting them, report the problem to your immediate supervisor and/or the Human Resources Department.
 - *Employees have an option to report the perceived harassment directly to:*
 - The Vice President of Human Resources (or their Designated Representative)
 - *Contractors have an option to report the perceived harassment directly to:*
 - Their Seven Generations Site Supervisor
 - The Director of Health and Safety
- Personnel are encouraged to keep a record of incidents (date, time, location, possible witnesses, what happened, your response).
- The Seven Generations authorized representative must investigate a complaint and/or incident. An incident involving Workplace Harassment or Workplace Violence may constitute an accident that has the potential of causing serious injury to a person pursuant to the *Occupational Health and Safety Act*. As a result, the Company will investigate any such incidents and prepare a report, which outlines the circumstances of the incident and the corrective action taken to prevent the recurrence of the incident. If possible, confidentiality of identities will be maintained.
- Investigations will include, at a minimum, interviews with persons identified as having direct and personal knowledge of the incident(s) in question. During the investigation, the Company will protect the identity of the complainant and keep confidential the allegations to the extent possible. However, the Company cannot guarantee complete confidentiality because it cannot conduct an effective investigation without revealing certain information to an alleged harasser and/or potential witnesses.
- At the end of the investigation only concerned parties will be advised of the results. If the investigation reveals that the allegations are valid, the Company will take prompt and appropriate remedial action against the offending person. Such measures are designed to put an immediate stop to the harassing behaviour, as well as prevent its recurrence. Therefore, management retains the right to take whatever action it believes appropriate under the circumstances, including discharge of the offending person for cause.

- Any employee who is aware of harassment and fails to report it may also be disciplined.
- Any supervisor, team leader or manager who is aware of harassment and permits it to take place or fails to report or investigate it may also be disciplined.
- If the investigation shows that the allegations are unsubstantiated, the complainant will be advised of the reasons and no action will be taken against the complainant, witnesses or the alleged harasser and no record of the complaint will appear on any employee's file.
- If a complaint is made to the Alberta Human Rights Commission based on a Protected Ground, a copy of the written investigation report will be available for inspection by an Officer or a Representative of the Human Rights Commission. However, this policy is intended to facilitate resolution and the Company encourages all parties to first make serious attempts to achieve a resolution between the parties involved through the Company's process.
- The authorized Seven Generations representative will offer access to a list of community support resources and/or the Company Employee Assistance Program.

Seven Generations will ensure that a worker is advised to consult a health professional, of the worker's choice, for treatment or referral if the worker:

- Reports an injury or adverse symptom as a result from Workplace Violence, or
- Is exposed to Workplace Violence.

Retaliation against workers for making a bona fide report or complaint of (or for cooperating in the investigation of a report or complaint) is unlawful and will not be tolerated. Any act of retaliation will warrant disciplinary action, up to and including immediate discharge of the offending person.

If an investigation reveals that a complainant falsely and knowingly accused an individual of violating this policy, the complainant will be subject to disciplinary action, including possible termination.

9.0 Training

Seven Generations will ensure workers are instructed in the following:

- How to recognize Discrimination, Workplace Harassment, Workplace Bullying and Workplace Violence;
- The Company principle (standard), procedure(s), and workplace arrangements that effectively minimize or eliminate Discrimination, Workplace Harassment, Workplace Bullying and Workplace Violence;
- The appropriate response to Discrimination, Workplace Harassment, Workplace Bullying and Workplace Violence, including how to obtain assistance; and
- Procedures for reporting, investigating, and documenting incidents of Discrimination, Workplace Harassment, Workplace Bullying and Workplace Violence.

10.0 References

- Alberta Workplace Health and Safety Bulletin – “Preventing Violence and Harassment at the Workplace” (VAH001)
- <https://www.albertahumanrights.ab.ca>
- <https://alis.alberta.ca/succeed-at-work/manage-challenges/bullies-at-work-what-to-know-and-what-you-can-do/>
- <https://canadasafetycouncil.org/working-bully/>
- <http://www.anonymousemployee.com/>