

# ACAPULCO POOLS WORKPLACE HARASSMENT POLICY



## **SCOPE**

The scope of this Workplace Harassment Policy is applicable to all office and operational activities, associated with the construction and service of commercial, residential and institutional aquatic facilities. This policy applies to all workplace parties including employees, visitors, clients, subcontractors, vendors and volunteers. Everyone is expected to uphold this policy and to work together to prevent workplace harassment.

The complainants and witnesses to the acts of harassment will be protected from reprisals as long as they have acted in good faith and they have complied with the OHSA.

## **COMMITMENT**

ACAPULCO POOLS/GALL CONSTRUCTION recognizes the right of employees to work in a harassment free work environment and is committed to providing a work environment in which all workers are treated with respect and dignity. Workplace harassment or discrimination will not be tolerated from any person in the workplace (including customers, clients, other employers, supervisors, workers and members of the public, as applicable). Reasonable action taken by the employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.

## **WORKPLACE HARASSMENT PROGRAM**

There is a workplace harassment program that implements this policy. It includes measures and procedures to protect workers from workplace harassment, and a process for workers to report incidents and details on how they will be investigated.

## **WORKPLACE HARASSMENT**

Workplace harassment means engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome, or workplace sexual harassment.

## **WORKPLACE SEXUAL HARASSMENT**

Engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or, making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

*Examples of harassment include but are not limited to the following:*

- Epithets, remarks, jokes or innuendos related to a person's race, gender identity, gender expression, sex, disability, sexual orientation, creed, age, or any other ground
- Sexual harassment, teasing, intimidating or offensive jokes or innuendos
- Posting or circulating offensive pictures, graffiti or materials, whether in print form or via e-mail or other electronic means
- Unwelcome, offensive or intimidating phone calls, bullying or mobbing
- Leering, unwelcome gifts or attention or spreading rumors
- Cyberbullying or using the Internet to harass, threaten, or maliciously embarrass
- Comments ridiculing a person because of characteristics that are related to a ground of discrimination
- Singling out a person by humiliating or demeaning "teasing" or jokes because they are a member of a code-protected group

## **DISCRIMINATION**

Discrimination refers to any form of unequal treatment based on a Human Rights Code ground, whether imposing colour, ancestry, disability, age, creed, sex / pregnancy, gender identity, gender expression, family status, marital status, sexual orientation, receipt of public assistance, and record of offence(s).

Discrimination may be intentional or unintentional. It may involve direct actions that are discriminatory, or it may involve rules, practices or procedures that appear neutral, but disadvantage certain groups of people. Discrimination may take obvious forms, or it may happen in very subtle ways.

## **ROLES AND RESPONSIBILITIES**

- ACAPULCO POOLS/GALL CONSTRUCTION, as the employer, will ensure this policy and the supporting program are implemented and maintained and that all workers and supervisors have the appropriate information and instruction to protect them from harassment in the workplace.
- Management will investigate and deal with all complaints or incidents of workplace harassment in a fair, respectful and timely manner. Information provided about an incident or about a complaint will not be disclosed except as necessary to protect workers, to investigate the complaint or incident, to take corrective action or as otherwise required by law.
- Managers, supervisors and workers are expected to adhere to this policy and will be held responsible by the employer for not following it. Workers are not to be penalized or disciplined for reporting an incident or for participating in an investigation involving workplace harassment.
- Managers and supervisors have the additional responsibility to act immediately on observations or allegations of workplace harassment and ensuring that measures and procedures are followed by workers.
- Workers are encouraged to report any incidents of workplace harassment to the Human Resources Coordinator or the Health and Safety Manager.

If a worker needs further assistance, he or she may contact their local union representative, a member of the JOHSC or site health and safety representative, the Human Resources Coordinator or the Health and Safety Manager.

## **CONFIDENTIALITY**

Information provided about an incident or about a complaint will not be disclosed except as necessary to protect workers, to investigate the complaint or incident, to take corrective action or as otherwise required by law.

This Policy Statement will be communicated and displayed in appropriate office and job site locations throughout Canada and the United States. This policy provides the framework for setting and reviewing health and safety objectives of ACAPULCO POOLS/GALL CONSTRUCTION and at a minimum will be reviewed annually.