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Purpose: The Library Board strives to provide a work environment in which all persons are treated with respect and dignity. This policy is intended to provide clear procedural guidelines with respect to identifying and reporting harassment and abuse, and applies to interactions among employees, Board members, volunteers, library patrons, and members of the general public using the library premises. This policy is subject to the Alberta Human Rights Act, the Alberta Occupational Health and Safety Act, and the Canadian Human Rights Act.

1. This policy has been created to ensure that:
 - 1.1. Individuals are aware that acts of harassment and/or abuse are considered serious misconduct;
 - 1.2. Harassment and/or abuse allegations are investigated and acted upon in a consistent, effective manner;
 - 1.3. Individuals are encouraged to report harassment and/or abuse and are aware of available means of recourse.
2. **Definitions**
 - 2.1. Harassment: offensive comments and/or actions which may demean or belittle an individual and/or cause personal humiliation or other acts now or hereafter identified in the Human Rights Act. Includes Sexual Harassment.
 - 2.2. Sexual Harassment: unwelcome and/or coercive sexual behaviour that has adverse emotional, psychological or physical effects or the potential to cause such effects. Sexual harassment can be expressed in many ways, from very subtle to very obvious, including but not limited to the following: suggestive remarks, sexual jokes or compromising invitations; verbal abuse; visual display of suggestive sexual images; leering or whistling; patting, rubbing or other unwanted physical contact; outright demands for sexual favours; and physical assault or other acts now or hereafter identified in the Human Rights Act.
 - 2.3. Abuse: physical contact intended to cause bodily harm or words intended to cause emotional harm including but not limited to the use of threats, humiliation, forced social isolation, intimidation, harassment, coercion or restriction from appropriate social contact, or other acts now or hereafter identified in the Human Rights Act.
 - 2.4. Discrimination: unfavourable treatment based on race, ethnicity, religion, colour, sex, sexual orientation, gender, gender identity, political affiliation, age, ability, socio-economic status, ancestry, place of origin, family status, or other acts now or hereafter identified in the Human Rights Act.
3. **Exclusions**
 - 3.1. Discipline: reasonable, justifiable, consistent, and non-discriminatory acts of discipline, provided by an individual who has the authority to provide such discipline, shall not be construed as harassment.
4. **Response to Harassment, Abuse, and/or Discrimination:**
 - 4.1. Anyone faced with an urgent situation involving the threat of violent conduct, where there is reasonable belief that the safety of themselves or others may be in danger, should contact the police immediately.



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- 4.2. Persons who witness acts of Discrimination, Harassment or Abuse will report same to the Library Director (or to the HR&F Committee where the Library Director is involved in the incident) or otherwise act to remedy the situation, if appropriate.
- 4.3. For acts of Harassment, Discrimination, or Abuse by a member of the public, the action taken will be commensurate with the incident up to and including temporary or permanent withdrawal of services or legal action. (See *LM.5 Public Code of Conduct Policy*)
- 4.4. For acts of Harassment, Discrimination, or Abuse involving library volunteers and/or Board members, the response and processes should, as applicable, follow steps outlined in articles 4.5, 4.6, and 5 regarding employees, with the Library Director and/or investigation team determining an appropriate course of action.
- 4.5. If an employee believes they have been subjected to Discrimination, Harassment, or Abuse, and the employee feels comfortable and safe in doing so, they are encouraged to:
 - 4.5.1. Advise the offender, directly or through a third party, that the action is unacceptable behaviour and unwelcome; and,
 - 4.5.2. create the opportunity for the offender to cease such behaviour or conduct by making the alleged offender immediately aware of any behaviour or conduct that is offensive.
- 4.6. If the behaviour or conduct does not cease, or the type or severity of the behaviour or conduct warrants it:
 - 4.6.1. The incident(s) of perceived Harassment, Abuse, or Discrimination will be reported by the employee to the Library Director as soon as possible after the alleged occurrence, excepting where the incident involves the Library Director, as offender or complainant, in which case the incident will be reported to the HR&F Committee.
 - 4.6.2. The Library Director shall be responsible for ensuring that the complaint is promptly and thoroughly investigated by establishing an investigation team and a process for the investigation (see 5), excepting complaints involving the Library Director, as offender or complainant.
 - 4.6.3. Any incident involving the Library Director should be reported (by the complainant, witness(es), or the Library Director) to the Banff Public Library's Human Resources and Finance Committee (HR&F Committee).
 - 4.6.4. The HR&F Committee shall coordinate any required investigation involving the Library Director.
 - 4.6.5. The Committee should then proceed, where possible, according to the steps below (see Section 5).

5. Investigation Process

- 5.1. Library Director (excepting where the Library Director is involved in the Incident, as offender or complainant, in which case the HR&F Committee Chair and Board Chair shall take their place) shall chair an investigative team and shall appoint other members to the team as deemed necessary to contribute.
- 5.2. The investigation process shall include:
 - 5.2.1 A written statement with a specific and clear description of the words or actions complained about, signed by the complainant.



Town of Banff
Public Library

Policy: HR 13 – Human Resources

Title: Positive Environment: Anti-Harassment
and Abuse Policy

Motion No. 27-3-19-5

Reviewed: March 27, 2019

References:

- 5.2.2 Interviews of the complainant and the alleged offender.
 - 5.2.3 Interviews of any other staff members who may be able to provide additional information.
 - 5.2.4 If the investigation reveals evidence to support complaint(s) of Harassment, Abuse or Discrimination, appropriate disciplinary action, as outlined in HR.12 Discipline Policy, will be undertaken.
 - 5.2.5 Where disciplinary action is taken and both the offender and complainant remain on staff, a follow-up system will be established to ensure the resolution is satisfactory to the complainant and to prevent reoccurrence and/or aggravation of the incident(s).
- 5.3. If the investigation reveals insufficient evidence to support the complaint(s):
- 5.3.1. No documentation shall be placed in the accused employee's personnel file;
 - 5.3.2. Documentation should be held in accordance with Records Retention Policy
 - 5.3.3. The complainant shall be advised of their right to contact the Alberta Human Rights Commission to file a complaint.
6. Regardless of outcome, no reference to the complaint will be placed in the complainant's personnel file unless the investigation reveals that the initial complaint was both groundless and motivated by malice. If the complaint was motivated by malice, disciplinary action may be initiated against the complainant in accordance with **HR. 12 Discipline Policy**.
7. Any additional requirements found in the Alberta Occupational Health and Safety Act are covered in **HR.14 Occupational Health and Safety Policy**.