



# I.A.T.S.E. Local 212 - Harassment Policy

(adopted Dec 12/99)

## STATEMENT

Every employee must be treated fairly in the workplace in an environment free of harassment. Harassment of another employee constitutes a disciplinary infraction subject to penalties up to and including expulsion.

## DEFINITION

Harassment may be related to any of the discriminatory definitions contained in the Canadian Human Rights Act. Such behavior may be verbal, physical, deliberate, unsolicited or unwelcome; it may be one incident or a series of incidents. While the following is not a definitive list, harassment may include:

- Verbal abuse or threats
- Unwelcome remarks, jokes innuendoes about a persons body, attire, age, marital status ethnic or national origin, religion, sexual orientation etc.
- Displaying of pornographic, racist or other offensive pictures.
- Practical jokes which cause awkwardness or embarrassment.
- Unwelcome invitations or requests, whether indirect or explicit, intimidation.
- Leering, whistling or other gestures.
- Abuse of authority, condescension or paternalism, which undermines self-respect.
- Unnecessary physical contact such as touching, patting, pinching, punching.
- Indecent exposure.
- Physical assault.

## PROCEDURE

- 1) Employees who believe they have been the subject of harassment or discrimination have a responsibility to promptly advise the offender that the action is unacceptable behaviour and unwelcome.
- 2) Employees knowledgeable of an occurrence of harassment or discrimination should discuss the matter with their Department head or with the Shop Steward.
- 3) As stated in the Individual's Rights Protection Act, no employer shall discharge, suspend intimidate or impose any other penalty on, or otherwise discriminate against a person, because that person has made a complaint or given evidence or assisted in any way in the investigation and resolution of a complaint of sexual harassment or discrimination.
- 4) In instances where there is a perceived bias or conflict with either their Supervisor or the Shop Steward, or where an employee has been subject to abuse of authority condescension or paternalism, they may report the incident directly to the Business Agent.

Employees may wish to discuss a complaint with:

Alberta Human Rights Commission  
310 525 – 11 Ave S.W. Calgary Alberta T2R 1M6  
Phone: 297-65671 Fax: 297-6567 E-mail: [humanrights@mcd.gov.ab.ca](mailto:humanrights@mcd.gov.ab.ca)

## INVESTIGATION

- 1) The Union Business Agent will interview the complainant, the respondent and all available witnesses
- 2) If reasonable grounds exist, then complainants will make a full written and signed statement.
- 3) Complainants shall be advised that they have the right to file a complaint with the Alberta Human Rights Commission or to the Police if a criminal offence has taken place.
- 4) The Shop Steward and the Business Agent shall conduct a thorough and complete investigation of the allegations.
  - a) Supervisors will be contacted if there is a need to interview staff members
  - b) Interviews shall be conducted with persons who may be able to provide information regarding the complaint.
  - c) Where a person provides material information that may be used as factual evidence to Support or refute the complaint, a signed, written statement may be obtained.
- 5) The final written Investigation Report shall be discussed with the appropriate Department Heads prior to a final decision or resolution being made.
- 6) The Union Business Agent and the Employer shall meet within 3 days of completion of the Investigation report to determine the extent to which disciplinary action shall be taken.
  - 7) If warranted by the recommendations of the Investigation Report and the conflict is between 2 members, a Trial may be held (as per Article 16 of the International Constitution) A Trial Board may be struck to determine the innocence or guilt (of a member) and determine the nature of the penalty to be imposed.
- 8) A complainant who is not satisfied with the findings of the Investigation Report may register a complaint with the Alberta Human Rights Commission within the required six months.
- 9) The investigation report shall be treated as confidential document.
- 10) Pursuant to Article 17 of the IATSE International Constitution, a respondent may appeal the Decision of the Trial Board.

## CONSEQUENCES

- 1 The Steward and the Business Agent will jointly investigate all reported incidents.
- 2 Employees may file complaints and obtain a review of their complaint without fear of retribution of any kind.
- 3 Every effort will be made to assign the complainant and the respondent to different projects during the investigation period.
- 4 Depending of the severity of the offence and the findings of the Trial Board, the respondent (if a Member of IA Local 212) may be subject to a reprimand, fined, suspended or expelled from the Union. Counseling (through the IATSE Local 212 Health & Welfare plan) may also be recommended as a mode of rehabilitation
- 5 The following will result in a recommendation for immediate dismissal.
  - Physical Abuse
  - Sexual abuse
  - Indecent exposure
  - Mental abuse