



# Harassment Policy

**Revision Date:** June 1, 2023

## Company Commitment

The J & G Group of Companies are committed to providing a safe and respectful work environment for all staff and customers. No one may be harassed, and no one has the right to harass anyone else, at work or in any situation related to employment with this organization. This policy is a step toward ensuring that our workplace is a respectful and safe place for all of us, free from harassment.

## What is Harassment?

There are two main types of harassment. One type includes inappropriate conduct in any form about a person's:

- Age, race
- Creed, religion
- Sex, sexual orientation
- Marital status, family status, economic status
- Political belief, association or activity
- Disability, size, weight, physical appearance

A second main type relates to what is sometimes referred to as "bullying" behavior that may involve:

- Repeated humiliation or intimidation that adversely affects a worker's physiological or physical well-being
- A single instance so serious that it has a lasting, harmful effect on a work environment

Harassment may be written, verbal, physical, a gesture or display, or any combination of these. It may happen only once, but often it happens repeatedly.

## What is not harassment?

Reasonable actions by managers or supervisors to help manage, guide, or direct workers or the workplace are not harassment. Appropriate employee performance reviews, counseling or discipline by a supervisor or manager is not harassment.

## Employee Rights and Responsibilities

Employees are entitled to work free of harassment at the J & G Group of Companies. Employees have the responsibility to treat each other with respect. We ask that any employee who experiences harassment or sees another person harassed reports it to the appropriate person at the J & G Group of Companies.

Employees are responsible to co-operate in the investigation of a harassment complaint. Anyone who investigates or gives evidence in a complaint investigation is



asked to keep details confidential until the investigation is complete. All employees have the right to file a complaint with the Manitoba Human Rights Commission.

### **Employer Responsibilities**

Management at the J & G Group of Companies must ensure, as much as possible, that no employee is harassed in the workplace.

Management will take corrective action with anyone under their direction who harasses another person.

Management will not disclose the name of a complainant or an alleged harasser or the circumstances of the complaint to anyone except where disclosure is:

- Necessary to investigate the complaint
- A part of taking corrective action
- Required by law

The harassment prevention policy at the J & G Group of Companies does not discourage or prevent anyone from exercising their legal rights.

The J & G Group of Companies, its managers and supervisors are responsible for keeping a safe work environment, free of harassment. If you are a manager and you become aware of harassment you must do everything in your power to stop it even if a complaint has not been made.

Courts presume that employers and managers are responsible for being aware of harassment in their organization and may penalize them accordingly. Managers who ignore harassment leave themselves and their employer open to legal consequences and will be disciplined at the J & G Group of Companies.

### **Procedures Applying to Complaints of Harassment**

If you are harassed, the first thing to do is tell the person harassing you to stop, if you feel comfortable doing that. You can do this in person or in writing. If you feel unable to deal with him or her directly, you can speak to your supervisor or Jason Moffatt.

There may be informal ways to handle your complaint. Your supervisor may speak to the harasser. Your supervisor may also arrange for mediation, in which a neutral third party helps the people involved reach an acceptable solution. If the informal route does not succeed or is not appropriate, the J & G Group of Companies supports its employees in filing a formal complaint.

The complaint will be investigated thoroughly and promptly by an independent party (either within the organization or outside of it) trained to investigate such matters. When the investigation is complete, the investigator will provide a written report for management.

Garry Kaluzniak will inform the person who filed the complaint and the harasser of any remedies or disciplinary action.



### **Corrective Action for Harassers**

Employees who harass another person will be subject to corrective action by the employer. In most cases, the harasser will also be required to attend workplace behavior training. If the investigation does not find evidence to support the complaint, no record will be kept in the file of the alleged harasser. When the investigation finds harassment occurred, the incident and the corrective action will be recorded in the harasser's personnel file.

### **Confidentiality**

The company and its managers will not identify a complainant, an alleged harasser or any circumstances about a complaint to anyone, except:

- When it is necessary in investigating the complaint
- If it is part of disciplinary action
- Where required by law

### **Retaliation**

Anyone who retaliates in any way against a person who has complained of harassment, given evidence in a harassment investigation or been found guilty of harassment, will be considered to have committed harassment and will be subject to corrective actions described previously.

### **Education**

The J & G Group of Companies commits to making sure all of its employees and managers learn about harassment and the company's harassment policy.

### **Monitoring**

The AllWest Group of Companies, (AllWest Gravel, Allen & B9olack Excavating Ltd., C & C Construction Co. Ltd., C & C Rentals Ltd., F. Kozak & Sons Ltd., and Western Concrete Products) will monitor this policy and make adjustments whenever necessary. If you have any concerns with this policy, please bring them to the attention of Jason Moffatt.

### **Note:**

In keeping with the requirements of The Human Rights Code, it is practical for employers to include remedies for harassed workers in the workplace policy. The policy could include the following remedies:

#### **Remedies for the Harassed Worker**

- Employees who have been harassed may be entitled to one or more of the following remedies, depending on the severity of the harassment and its effects:
- An oral or written apology from the harasser and the J & G Group of Companies
- Compensation for any lost wages
- A job or promotion that was denied because of the harassment
- Compensation for any lost employment benefits, such as sick leave
- Compensation for hurt feelings



- A commitment they will not be transferred, or have a transfer reversed, unless they choose to move

No record of the complaint, investigation or decision will go in the employee's personnel file if the complaint was made in good faith. Any unfavorable work review or comments that were placed in the complainant's personnel file because of the harassment will be removed from the file.

The information in this policy does not take precedence over applicable government legislation, which all workers should be familiar.