

 <p>Town of <b>SALISBURY</b></p>	<b>POLICY</b>	<b>Department:</b> Chief Administrative Officer (CAO)
	<b>VIOLENCE AND HARRASSMENT CODE OF PRACTICE</b>	
<b>Effective Date:</b> April 8, 2026		<b>Last Reviewed Date:</b> February 9, 2026

## 1. PURPOSE STATEMENT

The purpose of this policy is to:

- Support a respectful workplace and will not accept any form of violence and/or harassment;
- Confirm the Municipality’s commitment to ensuring the Town of Salisbury is an employer that respects and values the *Occupational Health and Safety Act*; and
- Meet the requirements of Regulation 91-191, which requires the Town to develop a Workplace Violence and Harassment Code of Practice.

## 2. APPLICATION

This policy applies to all individuals conducting business with the Municipality including but not limited to: salaried and contracted employees, volunteers, and members of the Salisbury Fire & Rescue Department. This Policy also applies to the workplace when members of the public are engaging with the Municipality or its employees and/or representatives.

This Policy does not supersede provincial occupational health and safety legislation.

This Policy does not apply to Members of Council who are regulated related to respectful behavior under the Town of Salisbury’s *By-law No. 2: A Code of Conduct for Council*.

## 3. DEFINITIONS

- **“Act”** means the New Brunswick *Occupational Health and Safety Act, SNB 1983, c O.0-2*;

- **“Employee”** includes all regular full-time, part-time, seasonal, temporary, contract, casual and fixed term employees, as well as students and volunteers of the Town (and members of Salisbury Fire & Rescue), but excludes members of Salisbury Council;
- **“Harassment”** means any objectionable or offensive behaviour that is known or ought reasonably to be known to be unwelcome, including bullying or any other conduct, comment or display made on either a one-time or repeated basis that threatens the health or safety of an employee, and includes sexual harassment, but does not include reasonable conduct of an employer in respect of the management and direction of employees at the place of employment;
- **“Violence”** means the attempted or actual use of physical force against an employee, or any threatening statement or behaviour that gives an employee reasonable cause to believe that physical force will be used against the employee, and includes sexual violence, intimate partner violence and domestic violence;
- **“Workplace”** means but is not limited to the physical work site, washrooms, cafeterias, training sessions, business travel, conferences, work-related social gatherings, locker rooms and vehicles. The workplace also includes any place where actions of an employee, whether on duty or not, will have such serious repercussions on the work environment as to seriously affect relationships between employees. If the conduct creates a connection to the workplace, it may be subject to examination by the employer.

## 4. WORKPLACE HARRASSMENT

**Each and every Employee is entitled to a workplace free of harassment.**

The Town of Salisbury is committed to providing a work environment where all workers are treated with respect and dignity. Harassment is any behavior demonstrated by another person in the workplace that makes an employee feel uncomfortable or unsafe. It can include, but is not limited to:

- Offensive or intimidating comments or jokes
- Bullying or aggressive behavior
- Displaying or circulating offensive pictures or materials
- Inappropriate staring
- Workplace sexual harassment
- Isolating or making fun of a worker because of gender identity or other personal
- Any Prohibited Grounds of Discrimination pursuant to the *New Brunswick Human Rights Act*

Workplace harassment will not be tolerated from any person in the workplace including customers, clients, other employers, supervisors, co-workers, volunteers, and members

of the public. For greater clarity, Employees must not be subject to harassment as defined herein by Members of the Public, even as Employees of a Public Body.

There is an obligation for the employer to address any inappropriate conduct, whether or not a written complaint is filed, once harassment is alleged and/or suspected in any way, shape, or form.

Harassment does not include reasonable management decisions, such as scheduling and shifts, work assignments, deadlines, work evaluation, performance management or disciplinary actions.

## 5. WORKPLACE VIOLENCE

**Each and every Employee is entitled to a workplace free of violence.**

The Town of Salisbury is committed to protecting employees from workplace violence. Workplace violence will not be tolerated from anyone in the workplace, including customers, clients, other employers, supervisors, co-workers, and members of the public.

Some examples of workplace violence are:

- the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
- an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker; or,
- a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker.

As a public sector employer, the nature of municipal operations render the chances of workplace violence present in any municipal workplace and facility. Employees must use mitigation measures implemented by the Town, including secure buildings, participating in investigations, reporting incidents as soon as possible, and maintaining awareness of other mitigation measures that may be implemented at the discretion of the Employer. The Employer creates and maintains a Workplace Violence Mitigation Standard Operating Procedure (SOP) which is updated as additional risks(s) of violence are identified.

## 6. RISK ASSESSMENT(S)

General Regulation 91-191 of the *Occupational Health & Safety Act* requires that Employers assess the risks and hazards of violence and harassment in their respective workplaces. This includes evaluating, reviewing, and considering:

- History of violence in the workplace;
- History of violence in comparable workplaces;
- Physical inspection of the workplace;
- Risk factors associated with violence.

The Chief Administrative Officer is responsible for undertaking the Risk Assessment(s) and respective updates under this Policy. The Risk Assessment is included in Appendix A of this Policy. By way of adopting this overarching Policy, Town Council hereby authorizes the Chief Administrative Officer to update the Risk Assessment as new hazards are introduced with respect to risks of violence and/or harassment.

## **7. COMPLAINTS**

### **Filing a Complaint**

An employee has the right to file a complaint and to obtain a review of his or her complaint without fear of retaliation, through the procedure outlined in this Policy. Confidentiality and maintaining privacy is an important element of any investigation and must be upheld by all parties involved.

Workers must report any violent workplace incidents and/or instances of harassment to the Chief Administrative Officer (CAO). In the event of an allegation against the CAO, reports can be made through the Mayor and/or Clerk. This can be done verbally or in writing, by use of an Incident Report Form. In the case of verbal complaints, the CAO or designate is encouraged to maintain detailed records for the purpose(s) of initiating the investigation process. Employees are encouraged to include any supporting documents (emails, notes, photographs, physical evidence, etc).

The CAO or Delegate is responsible for implementing the policy and initiating investigations.

It is the responsibility of the complainant(s) to:

- Report all incidents of violence and harassment to the employer as the circumstances permit;
- Co-operate fully with all stages of the mediation, conciliation and/or investigation process; and
- Whenever possible, maintain a record of times, dates witnesses and the nature of any behaviour that is perceived to be in violation of this policy.

### **Investigations**

The CAO or Delegate (which may include a third-party mediator, at the discretion of the CAO) will investigate and deal with all complaints or incidents under this Policy

respectfully and timely. The name of anyone involved in a violent incident, instance of harassment, or a description of the incident will not be disclosed unless it is:

- Necessary to investigate the incident
- Required to take corrective measures in response to the incident
- Required by law

An investigation's results will be provided to the affected employees by the CAO, either verbally or in-writing, at the discretion of the CAO.

Record(s) of complaints and investigations are retained in Employee's personnel file(s).

### **Corrective Measures**

Corrective measures identified in the investigation will be carried out by the CAO and the department affected. Amendments to any workplace practices will follow the standard process as outlined in the Employee Manual to inform other employees.

An employee may be accompanied by a person of the employee's choice during any meeting dealing with the complaint or the resolving of the complaint.

### **Follow-Up Measures**

All Employees, regardless of outcome, may leverage the Employee Assistance Program offered through the Town's insurance provider for assistance. Affected Employees may request additional measures and accommodations during and/or following a process undertaken by this Policy by speaking with the Chief Administrative Officer (CAO) or the independently-appointed Investigator, where applicable.

## **8. RESPONSIBILITIES**

### **Chief Administrative Officer Obligations**

The Chief Administrative Officer (CAO) is responsible for implementing this Policy. Pursuant to Section 9 of the Act, the CAO must ensure that the organization is abiding by the duties of the employer under the Act and take every reasonable precaution to ensure the health and safety of its employees. This includes regular reviews of the Code of Practice and facilitating ongoing training, as necessary, but at minimum as part of Employee Orientation.

### **Manager/Department Head Obligations**

Managers are responsible to take appropriate preventive or corrective action and to put a stop to any harassment they are aware of or instance of violence, whether or not a

complaint is filed. Failure to take appropriate action may result in disciplinary measures being imposed on the manager as well as the offending person.

Department Heads, Managers and Supervisors are held to a higher legal standard to ensure respectful conduct. There is an obligation to address any inappropriate conduct, whether or not a written complaint is filed. All people in positions of power and authority must lead by example in their behaviour and conduct to create and maintain a respectful work environment. Abuse of Authority is characterized by any conduct that is threatening, offensive or unwelcome or that imputes to an employee that their job is in jeopardy. Abuse of Authority may also be defined as placing a condition of employment on an employee in return for a sexual favour.

## **Employees**

All employees share responsibility with managers and supervisors to create a respectful workplace. A poisoned workplace may be characterized by rumour and gossip, sexualized banter, displays of pornographic or other material, inappropriate communication via social media (if there is a nexus to the workplace).

All employees are responsible for co-operating fully in the investigation as well as to:

- Take care to protect own health and safety and that of others;
- Cooperate with the company and fellow employees in the search for better work methods;
- Ensure all safeguards are in good condition and functional;
- Report unsafe conditions;
- Use devices and equipment provided for personal protection in accordance with the instructions for use and training provided;
- Undergo medicals as required;
- Refrain from inappropriate and unsafe behaviour.

## **Appendix A**

### **Town of Salisbury Workplace Violence Risk Assessment**

[Violence Risk Assessment follows this page as a separate document. The risk assessment must be dated and can be updated pursuant to this Policy, without ratification by Town Council, unless the update contradicts with other components of this Policy approved by Council.]