



# *Policy for the prevention of Harassment*

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## ***Table of Contents***

1. Policy Objectives
2. Policy Principles
3. Areas of Policy Application
4. Statement of Commitment from Walker Glass
5. Employee Responsibilities
6. Definitions of Harassment
7. Policy Implementation
8. Methods and Procedures for Processing Complaints
9. Other Avenues of Recourse
10. Confidentiality
11. Disciplinary Measures



# ***Policy for the prevention of Harassment***

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## **1. Policy Objectives**

In an effort to fulfill its obligations and comply with the Act respecting Labour Standards and the *Charter of Human Rights and Freedoms*, Walker Glass adopts the present policy, which aims to:

- Protect the physical and psychological integrity, and dignity, of persons likely to fall victim to acts of harassment by preventing such acts, imposing penalties, and rectifying the resulting situation;
- Create and maintain a healthy work environment free from harassment, thereby promoting fair and reasonable working conditions for all men and women equally;
- Increase awareness of potential harassment and circulate information within the company so that inappropriate behaviour can be prevented;
- Provide the necessary support to victims of harassment by setting up a mechanism for assistance and recourse.

## **2. Policy Principles**

This policy is based on principles and regulations contained in the *Charter of Human Rights and Freedoms* and the *Act respecting Labour Standards* that deal with this topic.

After noting in its preamble that all human beings possess intrinsic rights and freedoms that ensure their protection and development, the ***Charter of Human Rights and Freedoms*** goes on to state, in part, the following:

### **Article 4**

“Every person has a right to the safeguard of his dignity, honour and reputation.”

### **Article 10**

“Every person has a right to full and equal recognition and exercise of his human rights and freedoms, without distinction, exclusion or preference based on race, colour, sex, pregnancy, sexual orientation, civil status, age except as provided by law, religion, political convictions, language, ethnic or national origin, social condition, a handicap or the use of any means to palliate a handicap.”

### **Article 10.1**

“No one may harass a person on the basis of any ground mentioned in section 10.”

**The Act respecting Labour Standards** states that employees have a right to work in an environment free from psychological harassment. Therefore, employers have an obligation to take reasonable measures to prevent incidents of harassment, and to ensure that such unacceptable



## ***Policy for the prevention of Harassment***

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behaviour is discontinued when it comes to light. This obligation is essentially one of means and not one of results.

### **3. Areas of Policy Application**

This policy applies to everyone who works at Walker Glass, executives and administrators as well as employees, and to the relationships between them (i.e. between employers and employees and between employees themselves). The policy also covers business relationships with persons from outside the company (suppliers, clients, subcontractors, etc.).

### **4. Statement of Commitment from Walker Glass**

To effectively combat the danger of harassment, Walker Glass affirms its commitment:

- To zero tolerance of harassment in any form;
- To take seriously all allegations of harassment and to act swiftly as soon as incidents of inappropriate behaviour are reported;
- To put at the disposal of employees a system designed to prevent incidents of harassment, impose penalties, and rectify untenable situations whenever necessary.
- To provide an internal mechanism for complaint, assistance and recourse to employees that will deal swiftly and effectively with all incidents of harassment;
- To take the necessary measures to ensure that acts of harassment are not repeated;
- To tolerate no reprisals of any kind against any employee who, in good faith and without malicious intent, files a complaint about harassment, nor against any witnesses brought forward;
- To make this policy against harassment known to all employees, and to ensure that our representatives carry out their duties in accordance with its requirements, and that they require others to do the same;
- Encourage any employee witnessing harassment while at work to come to the aid of the victim, express disapproval of the illicit behaviour, and bring the issue to the attention of the appointed committee;
- Ensure that reports of harassment are dealt with in a confidential manner.



## ***Policy for the prevention of Harassment***

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### **5. Employee Responsibilities**

The prevention of harassment concerns everyone in the workplace: the employer, executives and employees.

Employees should not only abstain from committing acts of harassment, they should also actively contribute to keeping the workplace free of harassment.

### **6. Definitions of Harassment**

#### **Psychological Harassment**

This can be defined as:

- 1) vexatious conduct\* characterized by behaviour, language, actions or repeated gestures that are
- 2) hostile or unwelcome, which
- 3) offend the dignity, or psychological or physical integrity, of the employee and create for him
- 4) a harmful environment in the workplace.

Moreover, a single incident of seriously offensive behaviour may also constitute psychological harassment. In such cases it must be shown that the conduct offended the dignity, or physical or psychological integrity, of the victim and had a harmful and lasting effect on him.

To establish that an act of psychological harassment has been committed, it must be shown that all four elements of the definition were present.

This definition includes sexual harassment, as well as harassment on any of the grounds listed in article 10 of the Charter of Human Rights and Freedoms (see the section entitled "article 10" on page 2 of the present document).

#### **Some examples of acts of psychological harassment:**

- Making vulgar, degrading or offensive remarks.
- Engaging in tactics designed to intimidate another person, or to avenge oneself
- Discrediting another person: spreading rumours, ridiculing, humiliating, or casting aspersions on the convictions or private life of a person, offending or sexually harassing him.



## ***Policy for the prevention of Harassment***

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- Preventing someone from speaking: shouting, threatening or acting aggressively towards a person, forbidding him to speak to others.
- Isolating another person: refusing to speak to someone at all, refusing to acknowledge his presence, keeping away from him.

The following do not constitute psychological harassment:

- The normal exercise of an employer's right of management: managing discipline, performance, absenteeism, assigning tasks, and terminating employment
- Labour disputes
- Stress related to work
- Difficult work conditions (organizational or technological changes)

### **Racial Harassment**

This is conduct characterized by, among other things, language, actions or repeated gestures of a vexatious or contemptuous nature towards a person or group of persons because of their race, colour, ethnic or national origin, religion or language.

### **Sexual Harassment**

This refers to conduct characterized by repeated and unwelcome language, actions or gestures of sexual connotation that offend the dignity, or physical or psychological integrity, of a person, creating unfavourable working conditions for him or resulting in his dismissal from employment.

Some examples of acts of **sexual harassment**:

- Making unwelcome requests for sexual favours;
- Touching another person, making remarks or comments of a sexual nature or offending or joking with someone with sexual references that offend his dignity;
- Intimidating or threatening a person, behaving vindictively towards him, refusing to promote him, firing him, or committing other injustices because sexual favours have not been obtained.

\* Conduct that goes beyond what a reasonable person\*\* would consider appropriate in performing one's duties.

\*\* A reasonable person is one who is well informed of all the circumstances and in the same situation as the employee claiming to be a victim of harassment, who would also conclude that the conduct in question is vexatious.



# ***Policy for the prevention of Harassment***

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## **7. Policy Implementation**

### **Forms of Action**

- Walker Glass will increase awareness of the problem of harassment among management and employees, and provide them with adequate information on the subject.
- Walker Glass will provide an internal mechanism (committee) for assistance and recourse to victims of harassment, and make sure that management and employees are well informed of its existence.

### **Dissemination of the Policy and Raising Employee Awareness:**

- Walker Glass will display the policy against harassment on the bulletin board in the factory and incorporate it into the employee handbooks for factory and office;
- Walker will post a copy of the policy on its website and post notices of the existence of the policy at public entrance points to its plant and office.
- Walker Glass will make all personnel aware of the problem of harassment, and provide more extensive information on the subject to those in positions of responsibility.

## **8. Procedure and Method of Recourse**

A **committee**, composed of management and employee (both factory and office) representatives, is in charge of processing complaints.

The committee is composed of the following persons:

Cindy Fraraccio	office representative	Michel Salort	factory representative
Gualter Lima	factory representative	Manon Ouimet	management representative

Anyone who believes himself to be a victim of harassment may file a written complaint with one of the members of the committee, who will then see that the other members are informed. Their duties are:

- To inform all personnel of the company policy in this area;
- To be attentive to those in need of specific information or who wish to discuss their problems;
- To provide advice and the necessary support to these persons;



## ***Policy for the prevention of Harassment***

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- To receive complaints, conduct inquiries, listen to the parties involved and recommend appropriate measures to management: repairing damages, taking disciplinary measures such as: inserting a memo in the employee's file, suspending him, dismissing him, etc. (it is up to management to decide on the penalty and how it will be applied).

Whenever appropriate, action will be taken swiftly to stop the harassment.

The parties will be informed of decisions and measures taken.

Those involved in the dispute may be accompanied by a person of their choice at the different meetings.

Those involved in the dispute may request that a particular member be refused access to a meeting if he or she is not comfortable in the member's presence.

### **9. Other Avenues of Recourse for Victims**

The internal method of recourse does not prevent a victim from using the procedure for complaint provided by the *Act respecting Labour Standards*, or by any other act dealing with this issue, but we recommend that he use the internal mechanism first.

In cases involving union employees, we recommend that they, too, begin with the internal method. Otherwise they will have to file a grievance, instead of using the procedure for complaint outlined in the *Act respecting Labour Standards*.

### **10. Confidentiality**

The company and the parties involved agree to keep all information concerning complaints confidential. Information will only be divulged as required to conduct the inquiry and apply disciplinary measures.

### **11. Disciplinary Measures**

After the inquiry, if the allegations are found to be true, appropriate disciplinary measures will be taken.

These measures will vary according to the circumstances. The employer has the right to consider such measures as transfer, suspension without pay, and even firing.

In addition, a complaint that is judged unfounded may result in disciplinary measures being taken against its author.