

# Psychological or Sexual Harassment Prevention Complaints Management

## 1. Objectives

The purpose of this document is to affirm Arete's commitment to prevent and stop any situation of psychological or sexual harassment within the company, including any form of discriminatory harassment. It also aims to establish the intervention principles that are applied in the organization when a complaint for harassment is filed or when a situation of harassment is reported to the employer or their representative.

## 2. Scope

This applies to all staff members of the company, and at all hierarchical levels, including the following places and contexts:

- workplaces (remote and office locations);
- common areas;
- any other place where people must be in the course of their employment (e.g., meetings, training sessions, travel, off-site activities organized by the employer);
- communications by any means, technological or otherwise.

## 3. Definition

The Act respecting labour standards defines psychological harassment as follows:

"Vexatious behaviour in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures, that affects the employee's dignity or psychological or physical integrity and that results in a harmful work environment for the employee. For greater certainty, psychological harassment includes such behaviour when it is of a sexual nature. A single severe act may also constitute psychological harassment if it has such an effect and produces a continuous harmful effect on the employee."

The definition includes discriminatory harassment related to one of the grounds set out in the Charter of Rights and Freedoms.

The concept of harassment must be distinguished from other situations such as interpersonal conflict, work-related stress, difficult professional constraints or the normal exercise of management rights (management of attendance at work, work organization, disciplinary measures, etc.).

## 4. Statement

Arete does not tolerate or accept any form of psychological or sexual harassment within its organization, whether it is:

- by managers towards employees;
- between colleagues;
- by employees towards their superiors;
- by any person associated with it: representative, client, user, supplier, visitor or other.

Any behavior related to harassment may result in disciplinary measures up to and including termination.

Arete is committed to taking reasonable measures to:

- provide a work environment free from any form of harassment in order to protect the dignity as well as the psychological and physical integrity of individuals;
- disseminate the policy to make it accessible to all personnel, by providing a copy to personnel by email;
- prevent or, as appropriate, put an end to situations of harassment by:
  - implementing a procedure for dealing with complaints and reports related to situations of psychological or sexual harassment,
  - ensuring that all individuals understand and respect the policy,
  - promoting respect between individuals.

## **5. Expectations of Personnel**

It is the responsibility of all personnel to adopt a behavior that promotes the maintenance of a work environment free of psychological or sexual harassment.

## **6. Complaints and Reports Handling**

When possible, the person who believes they are experiencing psychological or sexual harassment should first inform the person involved that their behavior is unwanted and that they must stop. They should also note the date and details of the incidents as well as the steps they have taken to try to resolve the situation.

If this initial intervention is not desired or if the harassment continues, the employee should report the situation to one of the individuals designated by the employer as responsible, so that the problematic behaviors and required means can be identified.

A complaint can be made verbally or in writing. The behaviors being criticized, and the details of the incidents should be described as precisely as possible, so that an intervention can be carried out quickly to put an end to the situation.

Individuals who witness a situation of harassment are also encouraged to report it to one of the individuals designated by the employer as responsible.

## **7. Intervention Principles**

Arete is committed to:

- Taking charge of the complaint or report as soon as possible;
- Preserving the dignity and privacy of the individuals concerned, namely the person who made the complaint, the person who is the subject of the complaint, and witnesses;
- Ensuring that all individuals concerned are treated with humanity, fairness and objectivity, and that adequate support is offered to them;
- Protecting the confidentiality of the intervention process, including information related to the complaint or report;
- Offering the individuals concerned the opportunity to hold a meeting with them, with their agreement, to resolve the situation;
- Investigating promptly and objectively, if necessary, or entrusting the responsibility to an external representative. The individuals concerned will be informed of the outcome of this process. If the investigation does not establish that there have been unacceptable behaviors, all material evidence will be retained for two years and destroyed thereafter;
- Taking all reasonable measures to resolve the situation, including appropriate

disciplinary measures. Any individual who violates the harassment policy will be subject to appropriate disciplinary measures. The choice of applicable measures will take into account the seriousness and consequences of the actions, as well as the previous record of the individual who committed them.

An individual who makes false accusations with the intention of causing harm is also subject to appropriate disciplinary measures.

In the course of dealing with and resolving a situation related to workplace harassment, no one should suffer prejudice or be subjected to retaliation by the employer.

An employee who believes they have been or are being subjected to psychological or sexual harassment related to their work may also file a complaint at any time directly with the employment standards legislation in place in their province. The choice of an employee to first address their employer will not prevent them from also filing a complaint with the Employment Standards authority.

### **Recognizing psychological or sexual harassment**

The Act Respecting Labour Standards provides criteria to determine what can be considered psychological or sexual harassment, namely:

- Harassing conduct (hurtful, humiliating);
- That is repeated or a single serious act;
- That is hostile (aggressive, threatening) or unwanted;
- That affects the dignity or integrity of the person;
- That results in a harmful work environment for the person.

These conditions include words, acts, or gestures of a sexual nature.

Discrimination based on any of the grounds listed in Article 10 of the *Charter of Human Rights and Freedoms* may also constitute harassment: race, color, sex, pregnancy, sexual orientation, civil status, age except as provided by law, religion, political convictions, language, ethnic or national origin, social condition, handicap, or the use of any means to compensate for the handicap.

As examples, the following behaviors could be considered harassing conduct if they meet all the criteria under the law.

### **Behaviors that may be related to psychological harassment**

- Intimidation, cyberbullying, threats, isolation;
- Offensive or defamatory remarks or gestures toward a person or their work;
- Verbal abuse;
- Denigration.

### **Behaviors that may be related to sexual harassment**

Any form of unwanted sexual attention or advances, such as:

- Insistent solicitation;
- Looks, kisses or touches;
- Sexist insults, vulgar comments;

- Remarks, jokes or images of a sexual nature by any means, technological or otherwise.

**Designated persons responsible by the employer**

Arete,

- Will ensure that designated persons responsible are duly trained and have the necessary tools at their disposal for the processing and follow-up of complaints or reports;
- Will free up work time so that designated persons responsible can carry out their assigned duties.

The following individuals are designated as responsible for the implementation of the Policy on the Prevention of Psychological or Sexual Harassment in the Workplace and the Handling of Complaints at Arete:

- Cathy Ramnandan, Director, Finance and Human Resources, 438-863-0800, [cramnandan@aretehr.com](mailto:cramnandan@aretehr.com)
- Shandy McLean, President, 780-860-8027, [smclean@aretehr.com](mailto:smclean@aretehr.com)

These responsible persons must primarily:

- Inform staff about the organization's policy on psychological or sexual harassment;
- Intervene informally to try to resolve situations;
- Receive complaints and reports;
- Recommend the nature of actions to be taken to stop harassment.

**Commitment of Responsible Persons**

I hereby declare my commitment to comply with this policy and assure that my intervention will be impartial, respectful and confidential.

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*Cathy Ramnandan, Director, Finance & Human Resources*

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January 1, 2024

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*Shandy Mclean, President*

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January 1, 2024