

Revised January 1, 2023

**UNITED, STEEL, PAPER AND FORESTRY, RUBBER, MANUFACTURING,
ENERGY, ALLIED INDUSTRIAL AND SERVICE WORKERS INTERNATIONAL
UNION (UNITED STEELWORKERS)**

(hereinafter the “International Union” or the “Union”)

**STAFF POLICY AND PROGRAM AGAINST WORKPLACE HARASSMENT AND
VIOLENCE (the “POLICY”)**

**THIS POLICY APPLIES TO ALL OFFICERS AND STAFF OF THE INTERNATIONAL
UNION, including:**

- **all officers of the International Union**
- **all permanent, casual and contract staff of the International Union, both in a bargaining unit and excluded**
- **all members on union leave whose wages are being paid by the International Union.**

STATEMENT OF POLICY ON WORKPLACE HARASSMENT AND VIOLENCE

A. INTRODUCTION

The International Union is committed to providing a harassment and violence-free environment in all Union workplaces (meaning any place over which the International Union has direction and control, such as District and Area Offices) and at all Union activities. We have democratically passed tough, meaningful policies on harassment and violence at our Conferences and Conventions, lobbied governments to require that occupational health and safety legislation protect against workplace harassment and violence and negotiated such policies to protect our members. They are not just words. We take them seriously. In addition to cooperation and understanding, mutual respect must be the basis of interaction among trade unionists.

Harassment and violence are no joke. Harassment creates feelings of uneasiness, humiliation and discomfort. It is an expression of perceived power and superiority by the harasser over another person. In addition, all employees are entitled to be physically safe at work. Violence has no place in our workplace.

There are two principles fundamental to the trade union movement: human rights and solidarity. Harassment and violence strike at the heart of both.

B. SCOPE AND APPLICATION

For the purposes of this Policy, the following definitions shall apply:

“Harassment” is a form of discrimination. It means improper comment or conduct that a person knows or ought reasonably to know would be unwelcome, offensive, embarrassing, or hurtful. Harassment may result from one incident, or a series of incidents. Harassment can occur between co-workers, between management and employees, between employees and Union members, or between employees and third parties, like vendors, with whom employees come in contact with in the course of their work.

Harassment can be based on a prohibited ground of discrimination, as set out in provincial human rights legislation, such as race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status, disability, language, etc. However, it doesn't have to be. Improper conduct or comment which has no work-related purpose can also constitute harassment.

“Sexual Harassment” under this Policy means:

- (a) engaging in a course of vexatious comment or conduct against an individual because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought to be known to be unwelcome, or
- (b) making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to an individual and the person knows or ought reasonably to know the solicitation or advance is unwelcome.

Examples of sexual harassment can include:

- sexually suggestive or obscene remarks or gestures
- leering (suggestive staring) at a person's body
- unwelcome physical contact
- having to work in a sexualized environment (bragging about sexual prowess, or discussions about sexual activities)
- circulation or posting of sexist jokes or cartoons, or displays of pin-up calendars or other objectifying material

- transphobic or homophobic comments, questions, jokes, name-calling, and images.

“Racial harassment” means harassment on the grounds of race. It may also be associated with the grounds of colour, ancestry, where a person was born, a person’s religious belief, ethnic background, citizenship or even a person’s language.

Examples of racial harassment can include:

- racial slurs and jokes
- ridicule, insults or different treatment because of a person’s racial identity
- posting/e-mailing cartoons or pictures that degrade a person of a particular racial group
- name-calling because of a person’s race, colour, citizenship, place of origin, ancestry, creed or ethnic background.

“Personal harassment” or “psychological harassment” means engaging in a course of vexatious comment or conduct against an individual that is known or ought reasonably to be known to be unwelcome. Personal or psychological harassment is harassment that is not related to a prohibited ground identified in human rights legislation.

Examples of personal or psychological harassment include:

- spreading malicious rumours, gossip or innuendo
- persistently criticizing, demeaning or ridiculing a person
- undermining or deliberately impeding a person’s work
- excluding or isolating someone
- physical threats or assault
- communication that is insulting, humiliating and mocking
- frequent angry shouting/yelling or blow-ups
- regular use of profanity and abusive or violent language

A reasonable action taken by the Union relating to the management and direction of Union staff or the workplace is not workplace harassment. Harassment also does not include the following:

- A disagreement or misunderstanding
- Conflict between co-workers
- A single comment or action unless it is serious and has a lasting harmful effect.
- Rudeness unless it is extreme and repetitive

“Workplace violence” is:

- a. The exercise of physical force by a person against an employee in the workplace that causes or could cause physical injury to the employee.
- b. An attempt to exercise physical force against an employee in the workplace that could cause physical injury to the employee.
- c. A statement or behavior that is reasonable for an employee to interpret as a threat to exercise physical force against the employee, in the workplace, that could cause physical injury to the employee.

“Domestic violence” is:

A person who has a personal relationship with an employee such as a spouse or former spouse, current or former intimate partner or a family member that may physically harm, or attempt or threaten to physical harm, that employee at work. In these situations, domestic violence is considered workplace violence.

Examples of workplace violence include:

- Verbally threatening to attack someone
- Leaving threatening notes or sending threatening e-mails to a workplace
- Shaking a fist in someone’s face
- Wielding a weapon at work
- Throwing an object at someone
- Sexual violence against someone

The workplace includes any place over which the International Union has direction and control, such as District and Area Offices. In addition, it is extended to any location where staff are required to conduct business, including International Conferences, schools, functions, and other activities.

The Union will neither tolerate nor condone behavior from its employees or from others doing business on Union property, such as vendors, that is likely to undermine the dignity or self-esteem of an individual, or create an intimidating, hostile, dangerous or offensive environment. All Union officers, staff and members have a role to play in maintaining an environment free from harassment and violence. All are encouraged to report any incidents of workplace harassment and/or violence to the appropriate person.

C. COMPLAINTS

The Union considers harassment and violence of any kind a serious offence. An individual may make a complaint under this Policy verbally or in writing if they believe their rights under the Policy have been violated.

All complaints under this Policy should be made to the National Director for Canada or a District Director or a person designated by a Director to receive complaints. In the event the complaint is about the conduct of a Director, the complaint should be made to the Director of Personnel or their designate in the Union's Personnel Department in Pittsburgh.

Complaints should be as detailed as possible, and should provide the name of the person(s) against whom the complaint is being made, and the incident(s) being complained of, including relevant dates, locations, particulars of what was said or done by whom, and include or list any documentation relevant to the investigation of the complaint. Where a complaint is reported verbally, the reporting contact, along with the complainant, will reduce the complaint to writing.

Where a complaint has been made, the Union will review safety measures with affected staff and implement additional measures if necessary, including prohibiting any contact between the complainant and any respondent(s) until the complaint has been dealt with and reporting the incident giving rise to the complaint to the authorities.

Details of the complaint will be provided to the respondent(s). The respondent(s) will be asked to provide a response to the complaint, which will be relayed to the complainant(s).

Once a complaint has been made, an investigator will be appointed to investigate the complaint. The investigator will meet with the complainant(s), respondent(s) and any other relevant individual(s), for the purposes of conducting an investigation into the complaint. Once the investigation is complete, the investigator will issue a report summarizing the allegations and investigation results. Both the complainant(s) and respondent(s) shall be informed of the results of the investigation and of any corrective action that has been/will be taken as a result of the investigation, in writing.

All Union officers, members and staff are required to co-operate with the investigator.

The investigator will, wherever possible, complete the investigation within 120 days of receiving the assignment and in all cases in a fair and timely manner.

This Policy is not intended to discourage anyone from exercising rights pursuant to human rights legislation or pursuant to any other law.

D. FRIVOLOUS OR VEXATIOUS COMPLAINTS

This Policy shall not be used to undermine others through the making of frivolous or vexatious complaints. Claims of harassment or violence which are made in bad faith may result in disciplinary action taken against the complainant.

E. CONFIDENTIALITY

The Union understands that it is in the interests of all parties that matters arising under this Policy be kept confidential. Rumours and innuendo destroy the integrity of the fact-finding process and the early and expeditious resolution of disputes.

To protect the interests of the complainant(s) and respondent(s), confidentiality will be maintained throughout the complaint process and all records of the investigation once completed will be kept confidential, except to the extent necessary to prevent harm to anyone, to ensure the requirements of a fair investigation, to take appropriate corrective action, or as otherwise required by law.

F. REPRISALS

This Policy prohibits reprisals against individuals, acting in good faith, who report incidents of workplace harassment and violence, provide information related to a complaint, or help to resolve a complaint. The Union will take all reasonable and practical measures to prevent reprisal or threats of reprisal. Reprisal is defined as any act of retaliation, either direct or indirect.

Any individual who believes they have been the subject of a reprisal may make a complaint under this Policy.

G. CONSEQUENCES FOR VIOLATION OF THE POLICY

A substantiated complaint or reprisal will result in appropriate corrective action up to and including termination of employment for those found to have acted in violation of the Policy.

H. MEASURES FOR THE PREVENTION AND CONTROL OF WORKPLACE VIOLENCE

In addition to the complaint process outlined above, the Union has taken a number of measures and procedures to minimize the risk of workplace violence and to provide a safe and healthy work environment for staff as follows:

i. Summary of Key Roles and Responsibilities

International Union's Responsibilities

The Union is responsible for taking every reasonable precaution to ensure the workplace is safe. These responsibilities include:

- Taking measures to control the risk of workplace violence.
- Investigating and dealing with any incidents or complaints of workplace violence in a fair and timely manner or where appropriate reporting the incident immediately to the authorities.
- Ensuring that staff follow the measures and procedures required by this Policy and that they have the information they need to protect themselves.

Staff Responsibilities

- Staff are responsible for working in compliance with this Policy.

ii. Risk Assessments

The Union will conduct appropriate risk assessments to determine the risks of workplace violence that may arise from conducting the work of the Union.

Workplace risk assessments will be conducted by the relevant Joint Health and Safety Committee (JHSC) and may include workplace surveys, physical inspections, and other appropriate means for obtaining information regarding the risk of workplace violence in the workplace.

The relevant JHSC will conduct workplace risk assessments as often as necessary to ensure the continued protection of staff.

Following these risk assessments, the JHSC is responsible for making recommendations to the Union on ways to minimize the risk of workplace violence. The Union is responsible for controlling the risks identified in the assessment as likely to expose a worker to physical injury.

iii. Information About How to Summon Immediate Assistance

The Union shall provide staff with a list of contact numbers whereby staff may summon for immediate assistance when workplace violence occurs or is likely to occur.

I. SUPPORT AND TRAINING

The Union is committed to supporting those who have been affected by harassment and violence and to providing appropriate training for all Union officers, employees, and members on this Policy.

In addition, violence in the workplace information and awareness training will be provided to all employees as appropriate, based on the risk assessment outcomes.

The Union will ensure that those designated to investigate complaints have knowledge, training, and experience in issues relating to harassment and violence as well as knowledge of relevant legislation.

J. OTHER RESOURCES

If a Union staff member requires further assistance, they may contact the following individuals/organizations:

SRU Representative: [Name]

COPE Representative: [Name]

Joint Health and Safety Committee Representatives: [Name]

Employee Assistance Program: [Contact information]

DATE:

APPROVED BY: [DISTRICT OR NATIONAL DIRECTOR]