

THE CORPORATION OF THE TOWNSHIP OF HILTON

BY-LAW NO. 1498-26

Being a by-law to adopt a policy for the prevention of  
Violence and Harassment in the workplace.

**WHEREAS** Section 5(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides the powers of a municipality shall be exercised by its council;

**AND WHEREAS** Section 5(3) of the *Municipal Act, 2001*, provides that a municipal power, including a municipality's capacity, rights, powers and privileges under Section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

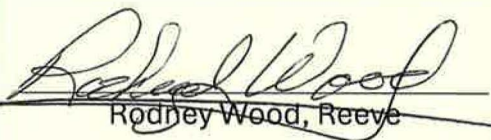
**AND WHEREAS** Section 32.0.1 of the *Occupational Health and Safety Act*, R.S.O. 1990, c. O.1, requires an employer to prepare a policy with respect to workplace violence and a policy with respect to workplace harassment, and to review these policies at least annually;

**AND WHEREAS** the Council of the Corporation of the Township of Hilton deems it necessary to update its policies respecting to Workplace Violence and Harassment to ensure compliance with current legislative requirements;

**NOW THEREFORE** the Council of the Corporation of the Township of Hilton hereby enacts as follows:

1. **THAT** Schedule "A" and Schedule "B", attached hereto, form part of this By-law.
2. **THAT** By-law No. 1078-13 is hereby repealed.
3. **THAT** this By-law shall come into force and take effect on the date of passing.

Read a first, second and third time and finally passed this 11 day of March 2026.

  
Rodney Wood, Reeve

  
Sara Dinsdale, CAO/Clerk-Treasurer

THE CORPORATION OF THE TOWNSHIP OF HILTON

**Schedule "A" to By-law No. 1498-26**

**Subject:** Workplace Violence and Harassment Policy  
**Source:** By-law 1498-26  
**Date Approved:** March 11, 2026  
**Resolution No.:** 2026-27

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**PURPOSE**

The Council of the Township of Hilton is committed to fostering and maintaining a safe, productive, healthy, and respectful working environment for all employees. This commitment extends to all workplace interactions, including those with taxpayers, residents, contractors, volunteers, and other members of the public

The Township of Hilton does not condone and will not tolerate any form of violence, harassment, or bullying in the workplace, whether committed by or directed toward a Township employee.

This includes any form of workplace violence or harassment committed by members of the public, regardless of whether the interaction occurs:

- in person;
- by telephone;
- by email, text message, or social media; or
- through any other electronic or non-electronic communication

This Workplace Violence and Harassment Policy is not intended to restrict free speech or to interfere with normal, everyday interactions among employees. However, it is recognized that behavior or communication that may seem inoffensive to one person may be perceived differently by another. Harassment can generally be distinguished from normal, mutually acceptable social interaction. It is the perception of the recipient, not the intent of the sender, that determines whether a comment, action, or gesture is considered unwelcome or objectionable.

**DEFINITIONS**

1. "Complainant" shall mean the individual who reports the act/incident and completes the Reporting Form.
2. "Domestic Violence" shall mean the exercise of physical force that could cause physical injury, an attempt to exercise physical force that could cause physical injury, or a statement or behavior that is reasonably interpreted by its target as a threat to exercise physical force that could cause physical injury, by a person who has a

The Corporation of the Township of Hilton  
Workplace Violence and Harassment Policy Schedule “A” Cont’d

personal relationship with another person, such as a spouse or former spouse, current or former intimate partner, or a family member.

3. “Respondent” shall mean the individual against whom the complaint is made.
4. “Worker” shall include all employees, elected officials, committee appointees, contractors, volunteers, supervisors, and managers who perform work for the Municipality.
5. “Workplace” shall mean any land, premises, location or thing at, upon, in or near which a Worker works. This may include virtual workplaces, work-related social functions (parties etc.), work responsibilities outside Municipality offices, work-related travel, and work-related conferences, meetings, or training sessions.
6. “Workplace Violence” shall mean any act or threat of physical violence, harassment, intimidation, or threatening behaviour against a worker, an attempt to exercise physical force against a worker, or a statement or behavior that a worker could reasonably interpret as a threat to exercise physical force against them in a workplace. This definition includes threats, verbal abuse, physical assault, and any other action that could cause physical injury to a worker in a workplace.
7. “Personal harassment” shall include any unsolicited, unwelcome, disrespectful, or offensive behaviour with an underlying sexual, bigoted, ethnic, or racial connotation. It may occur through physical, verbal, written, graphic, or electronic means. Examples include:
  - Behaviour that is hostile, degrading based on protected grounds under human rights legislation (e.g. age, race, nationality, disability, family status, religion, gender, sexual orientation, gender identity, or gender expression)
  - Sexual solicitations or advances made by a person in a position to grant, deny or influence employment benefits, where the individual knows or ought reasonably to know the behaviour is unwelcome
  - Reprisal or threats of reprisal for rejecting a sexual solicitation or advance.
  - Unwelcome remarks, jokes, innuendos, propositions, or taunts about a person’s body, clothing, sex, sexual orientation, religion, or other protected characteristics
  - Suggestive, offensive, or sexually explicit comments, bragging, or jokes;
  - Displaying pornographic, sexist, racist, or derogatory pictures or materials;
  - Leering (suggestive persistent staring)
  - Unwelcome physical contact such as touching, patting, or pinching with sexual connotation
  - Sexual assault

The Corporation of the Township of Hilton  
Workplace Violence and Harassment Policy Schedule “A” Cont’d

- Conduct between people of any gender, including behaviour by female employees toward males or between individuals of the same sex
  - Actions that create a hostile, intimidating, or offensive workplace, through any physical, verbal, written, graphic, or electronic means
  - Threats of physical violence that endanger the health and safety of employees
8. “Racial/Ethnic Harassment” shall mean any conduct or comment that humiliates an employee because of their racial or ethnic background, colour, place of birth, citizenship, or ancestry. This includes harassment by coworkers, supervisors, or any members of the public. Examples of conduct which may be racial or ethnic harassment include:
- Unwelcome remarks, jokes, or innuendos about an individual’s racial or ethnic origin, colour, place of birth, citizenship, or ancestry
  - Displaying racist or derogatory pictures, symbols, or other offensive material
  - Insulting gestures or practical jokes based on racial or ethnic grounds that cause embarrassment or discomfort
  - Refusing to speak to, work with, or treating someone differently because of their ethnic or racial background

The following definitions are taken from the Occupational Health and Safety Act:

Workplace Harassment –

*(a) engaging in a course of vexatious comment or conduct against a worker in a workplace, including virtually through the use of information and communications technology, that is known or ought reasonably to be known to be unwelcome; or*

*(b) workplace sexual harassment.*

Workplace Sexual Harassment –

*(a) engaging in a course of vexatious comment or conduct against a worker in a workplace, including virtually through the use of information and communications technology, because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably 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 the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.*

## **GUIDELINES**

The Township of Hilton is committed to providing a safe and healthy work environment, free from violence, threats of violence, discrimination, harassment, sexual harassment, intimidation, and misconduct. Harassment or violent behaviour toward Township staff by anyone—including employees, supervisors, elected officials, contractors, volunteers, or members of the public—is strictly prohibited, whether verbal, physical, or electronic. Examples include but are not limited to:

- yelling, swearing, or verbally abusing staff;
- aggressive or hostile telephone behaviour;
- repeated unfounded complaints intended to intimidate;
- discriminatory remarks or slurs;
- online harassment (emails, social media messages, or posts);
- threats of physical harm or property damage.

Weapons are prohibited on Township premises. If a member of the public is found or suspected to be carrying a weapon or making threats, authorities will be contacted immediately.

Knowingly filing a false complaint or providing false information during an investigation is a violation of this policy and will result in disciplinary action, up to and including termination.

This policy also protects individuals who, in good faith, report incidents or participate as witnesses. Reprisal, or threats of reprisals, are strictly prohibited.

The Township will ensure all employees receive training on workplace violence, harassment, and their responsibilities under this policy. A copy of this policy will be made available to all employees.

## **APPLICATION**

This policy applies to all employees at all stages of employment, including recruitment, hiring, promotion, transfer, and termination. This policy also applies to all individuals working for and representing the Township of Hilton, including contractors, volunteers, Council members, managers and supervisors and extends to all interactions with members of the public.

Supervisors and managers are responsible for enforcing this policy and intervening promptly when incidents are observed or reported. All Township of Hilton employees must make every effort to prevent discrimination or harassing behaviour and to intervene immediately if they observe a problem or if a problem is reported to them.

The Corporation of the Township of Hilton  
Workplace Violence and Harassment Policy Schedule “A” Cont’d

For the purposes of this policy, harassment or bullying may occur:

- in the workplace;
- at work-related social functions;
- during off-sitework assignments;
- during work-related travel;
- through work-related telephone or electronic communication;
- during any interaction between Township employees and the public (including ratepayers, residents, or visitors).

### **VIOLENCE RISK ASSESSMENT**

The Township will conduct regular risk assessments to identify potential sources of workplace violence and implement measures to control risks. The assessment may include:

- Review of security, incident, and inspection reports;
- Employee surveys and feedback;
- Evaluation of risk factors such as public interaction, exchange of money, receiving doors, working alone, or working at night;
- Review of comparable workplaces’ history of violence.

Information regarding individuals with a known history of violence or harassment toward staff will be shared with workers where necessary for their protection.

### **REPORTING VIOLENCE OR BULLYING**

Employees who witness or experience violence or potential violence must immediately report the incident to the CAO/Clerk.

### **INVESTIGATING REPORTS OF VIOLENCE OR BULLYING**

The Municipality shall:

- Investigate all reports promptly and consult with appropriate resources (legal counsel, health and safety consultants, employee assistance provider, human rights office, police);
- Take reasonable measures to eliminate or mitigate risks;
- Document the incident, investigation, and corrective actions;
- Report lost-time injuries due to violence to the Ministry of Labour.
- Review the policy and risk assessment annually;

The CAO/Clerk shall:

- Review the Workplace Violence Hazard Assessment results and provide recommendations to management to reduce or eliminate the risk of violence

The Corporation of the Township of Hilton  
Workplace Violence and Harassment Policy Schedule “A” Cont’d

- Review all reports forwarded to the safety representative regarding workplace violence and other incident reports as appropriate pertaining to incidents of workplace violence that result in personal injury or threat of personal injury, property damage, or police involvement
- Participate in the investigation of critical injuries (e.g., incidents that place life in jeopardy or result in substantial blood loss or fracture of leg or arm)
- Recommend corrective measures for the improvement of the health and safety of workers
- Respond to employee concerns related to workplace violence and communicate these to council
- May participate in the investigation of reported incidents that result in personal injury or have the potential to result in injury

## **REPORTING**

### **Informal Procedure**

Employees who believe they have been harassed may:

- Address the behaviour directly with the harasser, verbally or in writing; or
- Report the behaviour to their supervisor, the harasser’s supervisor, or another supervisor.

### **Formal Procedure**

Employees may file a written complaint (form attached) with the CAO/Clerk. The complaint must include:

- Dates and times of each incident;
- Names of individuals involved;
- Names of witnesses; and
- A detailed account of each incident.

OHSA requirement: Response within 10 business days of filing.

## **INVESTIGATION**

Once a written complaint has been received, the Township of Hilton will conduct a thorough and impartial investigation. Harassment must not be ignored, as silence may be interpreted as acceptance. Employees will not face demotion, dismissal, discipline, or loss of promotional or employment opportunities because they rejected sexual advances or filed a complaint in good faith.

The Corporation of the Township of Hilton  
Workplace Violence and Harassment Policy Schedule "A" Cont'd

The Township of Hilton will ensure that all information obtained during the investigation is kept confidential, except where disclosure is required to conduct the investigation, implement corrective measures, or comply with legal requirements.

### **Investigation Process**

The investigation will include, but may not be limited to, the following steps:

- Informing the respondent that a complaint has been filed;
- Interviewing the complainant, the respondent, any individuals directly involved in the incident, and any witnesses identified by either party;
- Interviewing any other person who may have relevant knowledge of the incident or of similar prior incidents.

A copy of the complaint detailing the complainant's allegations will be provided to the respondent. The respondent will be invited to submit a written response. This response will be shared with the complainant before the investigation proceeds.

The Township will take all reasonable measures to protect the privacy of both the complainant and the respondent and to limit disclosure of information to only what is necessary.

All parties involved may be accompanied by a support person if requested. Investigators must be impartial, free from conflicts of interest, and trained in workplace violence and harassment matters.

#### **During the investigation:**

- Both the complainant and respondent will be interviewed, along with all identified witnesses.
- Statements will be collected and documented from all relevant parties.
- A determination will be made based on the information gathered.
- External assistance or legal counsel may be used if required.
- Employees will not be penalized for rejecting another employee's sexual advances or for submitting a harassment complaint in good faith.

Upon completion of the investigation, the Township of Hilton will notify both the complainant and the respondent in writing of the findings of the investigation and of any corrective or disciplinary action that has been or will be implemented.

If the complainant decides not to proceed with a formal complaint, senior management may determine - based on the seriousness of the incident - that a formal complaint is required. In such cases, management will prepare and file the necessary documentation and inform the respondent accordingly.

If it is determined that harassment in any form has occurred, appropriate disciplinary action will be taken as promptly as possible.

## **IMMEDIATE ASSISTANCE**

Canada’s *Criminal Code* addresses violent acts, threats, and behaviours, such as stalking and assault. Employees should call 911 immediately if:

- An act of violence occurs;
- A threat of violence is made; or
- They feel endangered by anyone

## **RIGHT TO REFUSE UNSAFE WORK**

Under the *Occupational Health and Safety Act (OHSA)*, every worker has the legal right to refuse work they believe is unsafe. Employees are encouraged to follow the procedures outlined in Section 5 of the OHSA when exercising this right.

The Township of Hilton is committed to providing and maintaining a safe, healthy, and supportive workplace. All concerns regarding unsafe work will be taken seriously and addressed promptly in accordance with legislative requirements.

## **SPECIAL CIRCUMSTANCES**

If an employee has a legal court order (e.g., a restraining order or “no-contact” order) against another individual, the employee is encouraged to notify their supervisor and to provide a copy of the order to the CAO/Clerk’s Office. This is important if the employee believes the individual may attempt to contact them at the Township of Hilton, in violation of the court order. The Township will take all reasonable actions to help protect the employee. All information will be kept confidential and protected in accordance with all applicable legislation.

If any visitor to the Township of Hilton workplace is seen with a weapon (or is known to possess one) or make a verbal threat or assault against an employee or another individual, employee witnesses must immediately contact the police, emergency services, their immediate supervisor, and the CAO/Clerk’s Office.

All records of harassment and any subsequent investigations are confidential and will only be disclosed as required by law. When criminal proceedings are involved, the Township of Hilton will cooperate fully with police agencies, legal counsel, insurance providers, and the courts.

If a member of the public:

- Carries or is suspected of carrying a weapon,
- behaves in a threatening or intimidating manner,
- commits or attempts violence,
- engages in stalking or repeated unwanted contact with an employee,

The Corporation of the Township of Hilton  
Workplace Violence and Harassment Policy Schedule "A" Cont'd

The employee must immediately notify:

- police/emergency services,
- their supervisor, and
- the CAO/Clerk's Office.

### **FRAUDULENT OR MALICIOUS COMPLAINTS**

This Workplace Violence and Harassment Policy must not be used to file fraudulent or malicious complaints. Unfounded or frivolous allegations may cause significant harm to both the accused individual and the Township. If it is determined that an employee knowingly made false statements regarding a harassment allegation, immediate disciplinary action will be taken. Determinations of frivolous or malicious complaints will follow procedural fairness principles and may be appealed.

### **DISCIPLINARY MEASURES**

If it is determined that an employee has engaged in violent behaviour, unacceptable conduct, or harassment toward another employee, disciplinary action will be taken. This may include counselling, a formal warning, or dismissal, depending on the severity of the behaviour.

Members of the public who commit violence or harassment toward staff may be subject to:

- removal from Township property;
- trespass restrictions;
- service limitations;
- police involvement and charges where applicable.

### **Confidentiality and Privacy**

The Township of Hilton is committed to protecting the privacy and personal information of all individuals involved in complaints, investigations, or reports of workplace violence and harassment. All records, statements, and materials collected are treated as confidential and shared strictly on a need-to-know basis to:

- Conduct a thorough and impartial investigation
- Implement corrective measures, or
- Comply with applicable legal or regulatory requirements

The Township adheres to PHIPA (Personal Health Information Protection Act) and FIPPA/FOIPPA (Freedom of Information and Protection of Privacy Act), ensuring that personal information collected:

The Corporation of the Township of Hilton  
Workplace Violence and Harassment Policy Schedule “A” Cont’d

- Is used solely for the purpose of the investigation
- Is stored securely and protected from unauthorized access
- Is disclosed only to individuals authorized to access it
- Remains confidential except where disclosure is required by law or is necessary to protect the health and safety of staff

All parties involved—including complainants, respondents, and witnesses—will be treated with respect, fairness, and discretion. Any breach of confidentiality may result in disciplinary action up to and including termination.

### **MANAGING AND COACHING**

Counselling, performance appraisal, work assignments, and the implementation of disciplinary measures are not considered forms of harassment. This policy does not restrict a manager’s or supervisor’s responsibility to manage and direct work.

### **EMPLOYEE RIGHTS**

- a. If an employee believes they are being harassed by their employer or supervisor, they have the legal right to report the incident to someone other than the employer or the supervisor.
- b. In accordance with the *Ministry of Labour – Workplace Harassment, Sept. 13, 2016, section 3.3*, a workplace harassment investigation may be carried out by:
  - Someone within the workplace (e.g., another supervisor or a human resource representative);
  - Someone within the organization (e.g., someone from another company location or from the corporate head office);
  - someone associated with the workplace or organization (e.g., another franchise or business association);
  - or someone external to the organization (e.g., a licensed private investigator, an HR professional, or a lawyer).
- c. Employees may contact the designated person directly without informing the employer (see Section 5: Notification and Investigation).
- d. In certain circumstances, a Ministry of Labour inspector may order the employer to have an investigation conducted by an “impartial person possessing such knowledge, experience, or qualifications as are specified by the inspector”. The inspector decides the criteria for knowledge, experience or qualifications to be set out in what order. Criteria may include: knowledge of the workplace harassment and reprisal provisions under the OHS Act and other applicable laws; experience conducting workplace investigations, handling confidentiality and privacy, preparing comprehensive reports, and managing complex or sensitive situations.

- e. An “impartial person” must be unbiased, free from conflict of interest, and, if applicable, in good standing with their professional body. While often external, an impartial person may, in some cases, be someone internal to the organization.
- f. When a third-party investigator is more appropriate, options may include:
  - A community business leader or association member;
  - A certified human resource professional;
  - A lawyer; or
  - A licensed private investigator.

**For further information see Ministry of Labour:**

**<https://www.labour.gov.on.ca/english/hs/pubs/wpvh/harassment.php>**

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### **Acknowledgment and Agreement**

I, \_\_\_\_\_, acknowledge that I have read and understand the **Workplace Violence and Harassment Policy** of the Township of Hilton. I agree to comply with the requirements of this policy and to promote a work environment that is free from violence and harassment. I understand that any violation of this policy may result in disciplinary action, up to and including termination of employment.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Witness: \_\_\_\_\_

## REPORTING FORM

**Important: This form may be used to report incidents involving employees or members of the public**

<b>Part 1 - Employee Information</b> (to be completed by employee)		
Name:	Department:	
Date and time of incident:		
Date and time incident reported:		
Incident reported to:		
<b>Location of incident (please circle one and specify details where applicable)</b>		
Inside Hilton Township Building	Outside Hilton Township Building (specify)	On Hilton Township Property (specify)
In Parking lot (specify)	Community location (specify)	Residential (specify)
Work location, if off-site		
Were the emergency response procedures initiated?                      Yes                      No		
<b>Please check the classification of the incident</b> (please refer to explanation provided)		
<input type="checkbox"/> Type I (Criminal Intent)	Offender has no relationship to the workplace	
<input type="checkbox"/> Type II (Client)	Offender is a ratepayer, taxpayer, resident, or any member of the public who became violent toward a worker	
<input type="checkbox"/> Type III (Worker-to-worker)	Offender is an employee or past employee of the workplace	
<input type="checkbox"/> Type IV (Personal Relationship)	Offender has/had a relationship with an employee (e.g., domestic violence in the workplace)	
Describe the event, including persons involved and any known factors that may have precipitated the event (attach additional pages if necessary):		



The Corporation of the Township of Hilton  
Workplace Violence and Harassment Policy Schedule "A" Cont'd

**Policy Review**

As required by the *Occupational Health and Safety Act* Township of Hilton will review this policy annually and will post the policy in a visible place in the workplace.

<u>Reviewed</u>	<u>Next Review</u>
October 2013 (effective October 2013)	October 2016
December 2016 (effective December 2016)	December 2017
February 11 2026	

THE CORPORATION OF THE TOWNSHIP OF HILTON

**Schedule “B” to By-law No. 1498-26**

**Subject:** Workplace Violence and Harassment Investigation Checklist  
**Source:** By-law 1498-26  
**Date Approved:** March 11, 2026  
**Resolution No.:** 2026-57

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**Workplace Violence and Harassment Investigation Checklist**

**1. Obtain a Description of the Incident/Claim**

- Listen to the employee and ensure they provide a full and detailed account of the incident(s).
- Treat the matter seriously and remain professional; be mindful of the difficulty an employee may experience when coming forward.
- Contact the Township’s legal counsel if the situation appears to require legal advice or action.
- Obtain a written, signed, and dated statement from the claimant.
- Ensure the employee is protected from any form of retaliation for reporting the incident.
- Ask the employee if they believe there is a potential resolution.
- Inform the employee that they may wish to file a complaint with the appropriate authorities, if applicable.

**2. Conduct an Investigation into the Incident/Claim**

- Begin the investigation immediately upon receiving the complaint.
- Maintain confidentiality throughout the process. Share Information strictly on a need-to-know basis and with those who understand their obligation to keep details confidential.
- Treat all complaints seriously and without bias.
- Document all information thoroughly and accurately.
- Contact the authorities where appropriate.

**3. Interviewing the Complainant**

- Obtain a complete account of the incident and document all details.
- Determine whether the incident is part of a broader pattern or a single occurrence.
- Identify any contextual factors that may have influenced the incident.
- Review reporting relationships or hierarchical structures that may be relevant.
- Establish a timeline of events, including each involved party’s duties and expected locations at the time of the incident.

- Consider the possibility of a false allegation and any potential motivating factors, while ensuring an unbiased and respectful approach.
- Inform the complainant that a full and impartial investigation will be conducted.
- Obtain a written, signed, and dated statement from the complainant.
- Ensure that the employee remains free from retaliation.

#### **4. Interview the Accused**

- Obtain a written, signed, and dated statement from the accused employee.
- Communicate the details of the allegation and ask the accused to clarify any discrepancies.
- Identify any reporting relationships or hierarchical structures between the parties.
- Establish a timeline of events and the duties and expected locations of each party at the time of the incident.
- Assess any potential for retaliation and take immediate measures to protect all parties from potential retaliation or reprisal and clearly state that such behaviour will not be tolerated.
- Document all pertinent information, including behaviours observed during the interview and the accused’s full account of the incident.

#### **5. Interviewing Witnesses**

- Obtain written, dated, and signed statements from any witnesses.
- Ensure witnesses are also protected from retaliation.

#### **6. Resolve the Complaint**

- If a transfer is requested or required, ensure the change does not negatively impact the employee’s employment status or opportunities.
- Where disciplinary action is required, determine the level of discipline based on:
  - Severity of the incident
  - Consistency with previous similar cases
  - The employee’s history
  - Frequency or recurrence of behaviour.
- Review, update, and re-communicate the Township’s Workplace Violence and Harassment Policy as needed.
- Place all documentation – including the complaint, investigation materials, findings, disciplinary measures, and follow-up actions – into confidential files.
- Follow up with all relevant parties to communicate the actions being taken in response to the findings of the investigation.
- Follow-up evaluations may be conducted to ensure the effectiveness of corrective actions