# Harassment PolicyKelly Temporary Employees

Purpose

To inform all employees of Kelly Services (Canada), Ltd. (referred to as “Kelly”) of Kelly’s Harassment Policy. Kelly Services is committed to maintaining a work environment that is free from harassment. Kelly will not tolerate harassment of or by its employees.

Persons Affected

The Harassment Policy applies to all Kelly Services (Canada), Ltd. employees, applicants, customers, suppliers, contractors, workers or anyone performing services for compensation.

Policy

Kelly will not tolerate harassment of or by its employees. All employees are expected to help ensure the work environment remains free of harassment.

The term “harassment” is used in this policy to refer to both sexual and other forms of harassment. Below are definitions of sexual and other forms of harassment, which includes bullying, as well as examples of conduct that may constitute harassment. (These lists are examples only; they are **not** all-inclusive.)

A. **Sexual Harassment** – Sexual harassment is unwelcome sexual advances, requests for sexual favours, or other verbal or physical conduct of a sexual nature when submission to such conduct: a) is made a condition of employment, b) is made the basis for employment decisions, or c) unreasonably interferes with an individual’s ability to perform his/her job duties or otherwise creates an offensive or hostile working environment.

The following are examples of conduct that may constitute sexual harassment:

* Unwanted physical touching, sexual advances or demands that the recipient does not welcome or want
* Physical contact of a sexual nature, such as patting, touching or caressing
* Telling sexually explicit jokes or stories
* Making lewd or offensive comments or gestures
* Displaying sexually suggestive objects, cartoons, screensavers, or pictures
* Offering a benefit in exchange for a sexual favour
* Leering (persistent sexual staring) or whistling
* Sending sexually explicit messages by letters, notes, electronic mail, or phone
* Making offensive comments about an employee’s body, physical appearance, or clothing
* Using terms of endearment (“dear,” “sweetheart,” etc.) when referring to employees of one sex
* Persistent, unwanted attention after a consensual relationship ends
* Repeatedly asking a co-worker for a date or meetings outside of working hours after they have indicated an unwillingness to go; and
* Sexual or physical assault.

B. **Forms of Discriminatory Harassment** – Workplace personal harassment means engaging in a course of vexatious comment or conduct against a worker, in a workplace, that is known or ought reasonably to be known to be unwelcome. Other forms of harassment include offensive comments or conduct pertaining to a person’s race, colour, national or ethnical origin, religion, age, physical or mental disability, sexual orientation, sex, gender identity/expression, family/marital status, and a conviction for which a pardon has been granted.

Such conduct may include, but is not limited to:

* Harassment based on race, colour, ethnic origin, and religion include, but is not limited to:
	+ Racial epithets, slurs or jokes
	+ Racial name calling or nicknames
	+ Cartoons or graffiti that are derogatory based on race or religion
	+ Comments ridiculing individuals because of race-related characteristics, Language or accents, religious dress, etc.
	+ Singling out an individual for teasing or jokes related to race, religion, ancestry, place of origin or ethnic origin
	+ Circulating racially or religious-based offensive jokes, pictures or cartoons by email or having an offensive screensaver
* Harassment based on sexual orientation such as homophobic epithets, comments ridiculing individuals because of their sexual orientation or same-sex partnership status, singling out an individual for humiliating or demeaning “teasing” or jokes related to sexual orientation or same-sex partnership status, and/or subjecting someone to ridicule or ostracizing them without explicit reference to their sexual orientation.

C. **Psychological Harassment and Bullying** – Workplace bullying is a form of abuse that is characterized by the use of power and aggression to control or distress another individual within the context of a work relationship. It is behaviour involving hostile conduct, comments, actions, or gestures that affect an employee's dignity. Bullying can range from blatant and obvious conduct to behaviour that is quite subtle and covert.

Bullying may include, but is not limited to:

* Non-verbal bullying such as sneering, smirking or smiling in a cocky manner, staring or glaring, turning away from a target before he or she is finished speaking, crossing arms aggressively, slamming hand down on a table, and/or throwing tantrums.
* Verbal bullying such as screaming or yelling, insults or name-calling, swearing and using offensive language, using disrespectful tones, and mocking or mimicking someone.
* Psychological bullying such as humiliating an employee in public or private, spreading malicious rumours or gossip, spying, snooping, stalking, sabotaging a target’s work, repeatedly blaming others for own mistakes, and/or making false allegations.
* Relational bullying such as making disparaging remarks about an employee’s character or work performance, excluding or ostracizing an employee, and/or turning others against an employee.
* Cyber bullying such as sending threatening or offensive emails/text messages and/or posting offensive or derogatory entries in social media such as Facebook.

Reporting Incidents of Harassment

Any Kelly temporary employee on assignment who believes that he or she has been harassed or witnessed harassment of or by another Kelly employee should report the alleged harassment to one of the following:

* Your local Kelly Service branch office/representative or Branch Manager.
* Your Human Resources Business Partner.

This policy is not intended to limit or constrain the reasonable exercise of management functions in the workplace.

Responsibilities

All Kelly employees are expected to help ensure the work environment remains free of harassment. Any employee, who believes he or she is being subjected to harassment, or who has witnessed harassment of or by another employee, has a responsibility to promptly report the matter through one of the means identified in the Reporting Incidents of Harassment section of this policy. Upon learning of any alleged harassment, Kelly management will promptly investigate the matter and take appropriate steps, which may include disciplinary action up to and including termination of employment.

Upon learning of a situation that may violate this policy, Kelly will conduct a prompt investigation, after reviewing this policy with the employee. The information regarding the alleged harassment will be uploaded by Human Resources into Origami for retention and tracking purposes. The information will be kept confidential to the extent possible. Disclosure may be required for the purposes of conducting an investigation, taking corrective action or as required by law, and will only be used to properly assess workplace risk and determine if reasonable precautions are required. If it is determined that a violation of this policy has occurred, Kelly will take appropriate steps, which may include disciplinary action up to and including termination of employment. Kelly will not tolerate retaliation against an employee for making a complaint of harassment in good faith or for cooperating in an investigation. Upon the completion of the investigation, Kelly will inform the employee who reported the incident in writing the results of the investigation and any corrective action that has been or will be taken as a result of the investigation.

This policy will be reviewed as often as necessary and at a minimum, annually.

Contact

If you have questions regarding this policy, consult your local Kelly Services representative for further guidance.