

## **HOW TO HANDLE ALLEGATIONS OF HARASSMENT**

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### **Introduction**

With a society as diverse as we now have in Canada and with laws that prohibit a multitude of potential forms of harassment, it is important for organizations to be prepared to deal effectively with harassment complaints in order to maintain a committed work force that feels respected and valued.

There are four major phases to creating an effective process for dealing with harassment complaints:

1. Awareness
2. Post-complaint
3. Resolution
4. Evaluation.

### **1. Awareness**

Begin by becoming aware of and knowledgeable about the many forms of harassment and best practices on how to deal with them. This phase should include the following steps:

- Become knowledgeable about human rights and the various policies emanating from the Human Rights Commission.
- Develop appropriate policies for the various types of harassment. These should include:
  - a. A commitment not to tolerate any kind of harassment in the workplace
  - b. A process for employees to follow if they have complaints or concerns
  - c. Continuous education for all staff
  - d. Consequences of non-compliance with the policy.
- A thorough complaints process that clearly outlines to whom the employee may go to for advice or to file a formal complaint. Typically, Human Resources Departments can play a positive role in this regard by explaining to employees the various options open to them:
  - a. Dealing with the offender directly
  - b. Informing the immediate supervisor
  - c. If the individual is not comfortable with these options, offer the choice of going to a level above or to Human Resources.

Furthermore, the complaints process should provide a clearly established approach for dealing with a complaint. An investigation should *always* be a requirement. Who should conduct the investigation depends on the need for objectivity and the complexity of the complaint. Typically, the choice will be between internal or external resources. The more

complex the complaint and the greater the need for objectivity, then more external resources should be used.

Finally, all employees and management staff should be trained in handling these sensitive issues.

## 2. Post-Complaint

Once a complaint has been lodged, management must respond quickly with one of two approaches: informal and formal. In the informal approach, the employee will seek advice and either the immediate supervisor or Human Resources will explain the rights of the parties and whether, on the surface, a serious issue exists.

- Options for managing the **informal** complaint include:
  - a. Explaining the validity of the complaint. Harassment is interpreted in many ways. Ensure that what the employee is complaining about is indeed a complaint and not some other issue.
  - b. Offering advice on the options above. If dealing face-to-face with the offender is a viable option, then coach the complainant on how to do this effectively.

In the case of a **formal** complaint, the first point to be emphasized is that it must be taken seriously. The issue must be dealt with promptly, sensitively and without any bias as to outcome. The best way to achieve this is to promptly conduct an investigation. Based on complexity and the need for objectivity a decision as to whether the investigation should be conducted internally or hire an external resource needs to be made quickly.

## 3. Resolution

Once the investigation report is received:

- Ensure that the suggested resolution is reasonable and consider whether mediation might resolve the problem. Once actions (whether educational or disciplinary) have been identified, it is crucial that they be implemented *immediately* and that people be held accountable for implementing the actions effectively.
- Ensure that whatever aspect of the work-place culture allowed the harassment to take place is eradicated so that the work place is free from discrimination and harassment.
- Finally, communicate with the complainant about the actions being taken, keeping in mind the need to protect the confidentiality of all those concerned.

## 4. Evaluation

Evaluate the effectiveness of the implemented resolution in order to ensure that the culture in your work place does not tolerate harassment.

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