

# Sexual Harassment – Bad Faith Accusations Policy

written by Rory Lodge | May 10, 2016



## **1. Anti-Retaliation**

Employees are reminded that ABC Company is committed to providing you a workplace free of sexual harassment in accordance with OHS, human rights and other laws and this Sexual Harassment Policy. Making you feel free to come forward and report incidents or concerns of sexual harassment is an important part of our commitment. Accordingly, we wish to assure you that you won't be fired, demoted, reassigned, disciplined or subject to any other punishment or adverse treatment from ABC Company or its managers, supervisors and other representatives in retaliation for reporting sexual harassment as long as you act in good faith.

## **2. Bad Faith Complaints**

To protect the innocent, ABC Company reserves the right to discipline any employee who knowingly and in bad faith files a false complaint or makes misrepresentations of sexual harassment up to and including termination.

## **3. What Bad Faith Means**

For purposes of this Policy, a complaint is not considered bad faith merely because the evidence does not ultimately support the allegation of sexual harassment. Bad faith requires an investigation finding that the employee who accused another person of sexual harassment acted maliciously knowing the accusation was false or recklessly without regard to whether the accusation was true.