

Section: Personnel	
Policy: Workplace Harassment and Abuse	
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WORKPLACE HARASSMENT AND ABUSE

POLICY

The Boys and Girls Club believes that all Leaders and volunteers should work in a respectful, non-threatening environment that is free from harassment and discrimination in all of its forms.

REASON FOR POLICY

Workplace harassment or abuse will not be tolerated from any person in the workplace (Leaders, volunteers, clients or other stakeholders). Everyone in the workplace must be dedicated to preventing workplace harassment. Managers, supervisors and workers are expected to uphold this policy and will be held accountable by the Boys and Girls Club of Brantford.

Ontario Human Rights Code states that every person who is an Leader has a right to freedom from discrimination or harassment in the workplace by the employer or agent of the employer or by another Leader on the grounds of;

- i) race, ancestry, place of origin, colour, ethnic origin, citizenship;
 - ii) creed, age, record of offences, marital status, family status;
 - iii) religious or political affiliation
 - iv) handicap, sex, sexual orientation, sexual solicitation or advancement;
 - v) reprisals or threats for rejection of sexual solicitation;
 - vi) orders given by a supervisor or someone superior that would infringe upon the rights of other Leaders under this Act.
- a) "Harassment" – The Ontario Human Rights Code defines harassment as 'a course of vexatious comment or conduct that is known or ought reasonably to be known as unwelcome'
 - b) "Abuse" - Physical, sexual and/or emotional harm or neglect
 - c) "Workplace" – The work environment includes all work-site locations, agency social functions, work related conferences or training sessions, as well as all forms of verbal, non-verbal, electronic and written communications.

GUIDELINES

General

Harassment or abuse may be a one time incident or repeated incidents. Harassment can include any unwanted comments or action which are directed at an individual or group based on any of the prohibited grounds found in the Human Rights Code. Harassment can be verbal, physical, deliberate or unintentional. Harassment includes activities, comments, jokes, or other slurs that may be acceptable to some, but offensive to others present.

Leaders are responsible for complying with this policy in their dealings with Leaders and third parties while in the course of their employment. This applies to conduct while at work, training sessions, during business meetings, on business trips and at company events. While this policy does not mean that social interaction between people who work together is prohibited, it requires that all Leaders and particularly supervisors, and managers, be sensitive to the restraints required in the conduct of their working relationships with fellow Leaders.

Categories

Sexual Harassment

Behaviour that can constitute sexual harassment includes but is not limited to:

- unwanted sexual advances or invitations;
- unwanted remarks, jokes or sexual innuendoes;
- implied or expressed threats or penalty for failure to comply with a sexual oriented request;
- unwelcome staring, obscene or offensive gestures;
- sexually offensive written or visual material, such as graffiti or degrading pictures;
- any unwelcome physical contact;
- refusal to work with or cooperate with an Leader based on gender or sexual orientation;
- unwelcomed inquiries or comments about an individual's sexual orientation or habits;
- persistent unwanted contact or attention after a consensual relationship has ended

Racial Harassment

Behaviour that can constitute racial harassment includes, but is not limited to;

- any action verbal or physical, that expresses or promotes racial intolerance, prejudice, discord or hatred;
- unwelcome or offensive comments, banter, teasing or joking that is based on race; colour, place of birth, citizenship, ancestry or ethnic background;
- racially motivated threats, intimidation or physical force;
- the display of racist, derogatory or offensive pictures or material;
- refusal to converse or work with an Leader because of their racial or ethnic background;
- insulting gestures or practical jokes based on racial or ethnic grounds which cause embarrassment or awkwardness

Bullying

Bullying is a repeated pattern of unprovoked, aggressive behaviours by a person or group that are carried out to harm or control another person. Bullying may make the recipient feel upset, threatened, humiliated or vulnerable which undermines their self-confidence and which may cause them to suffer stress and can lead to feelings of isolation, insecurity and terror in the target. Bullying can be physical, verbal and/or emotional. Examples include:

- name calling
- teasing or putdowns
- social isolation
- intimidation or assault
- extortion
- oral or written threats
- false accusations
- cruel rumours
- cyber bullying

Bullying is NOT:

- a. professional or peer conflict
- b. difference of opinion
- c. being given work-related directives from supervisor as per job description

Definitions

Physical Abuse

Defined as but not limited to the use of intentional force that can result in physical harm or injury to an individual. It can take the form of slapping, hitting, punching, shaking, pulling, throwing, kicking, biting, choking, strangling or the abusive use of restraints.

Sexual Abuse

Defined as but not limited to any unwanted touching, fondling, observations for sexual gratification, any penetration or attempted penetration with a penis, digital or object of the vagina or anus, verbal or written propositions or innuendos, exhibitionism or exploitation for profit including pornography.

Emotional Abuse

Defined as but not limited to a chronic attack on an individual's self-esteem. It can take the form of name calling, threatening, ridiculing, berating, intimidating, isolating, hazing, habitual scapegoat, blaming.

Verbal Abuse

Defined as but not limited to humiliating remarks, name calling, swearing at, taunting, teasing, continual put downs.

Psychological Abuse

Defined as but not limited to communication of an abusive nature, sarcasm, exploitive behavior, intimidation, manipulation, and insensitivity to race, sexual preference or family dynamics.

Neglect

Defined as but not limited to any behavior that leads to a failure to provide services which are necessary such as withdrawing basic necessities as forms of punishment, failing to assess and respond to changes in health status and refusing or withdrawing physical or emotional support.

Harassment

Defined as but not limited to any unwanted physical or verbal conduct that offends or humiliates, including gender-based harassment. It can be a single incident or several incidents over time. It includes threats, intimidation, display of racism, sexism, unnecessary physical contact, suggestive remarks or gestures, offensive pictures or jokes.

Procedure

Workers are encouraged to report any incidents of workplace harassment/abuse. Management will investigate and deal with all concerns, complaints, or incidents of workplace harassment in a fair and timely manner while respecting worker's privacy as much as possible.

1. A person who considers that he/she has been subjected to harassment or abuse or harassment related reprisal is encouraged to bring the matter to the attention of the person responsible for the conduct, making direct and clear objection indicating that the comment or conduct is not acceptable. This may resolve the issue. It is important that the Leader document any communication (i.e. date, time, place, witnesses, etc.)
2. Where an Leader does not feel able to bring the matter directly to the attention of the person responsible, or where such an approach is attempted and does not produce a satisfactory result, the Leader should seek the advice of a supervisor for assistance in resolving the matter (if the subject of the complaint is a supervisor, the complaint shall be forwarded directly to the Executive Director. If the subject of the complaint is the Executive Director the complaint shall be forwarded directly to the President for investigation)
3. If the Leader is not satisfied with the resolution sought by their supervisor, they may wish to lay a formal written complaint. The particulars of the complaint should include the name(s) of the person involved and a description of the incident(s). The formal written complaint must be signed by the Leader
4. The supervisor will submit a copy of the complaint to the Executive Director and/or the President as applicable
5. The Executive Director and/or President will collect evidence/information by meeting with all parties involved, interview witnesses and otherwise investigate all aspects of the matter which are relevant in determining whether or not the allegations of harassment are substantiated

6. At the conclusion of the inquiry the Executive Director and/or President will prepare a summary of the results. Where the results do not support the complaint of harassment or abuse, both parties will be informed in writing and the file will be closed. Where the results do support the complaint of harassment or abuse and the Leader has violated this policy, the regular disciplinary procedures of the agency will take effect (see below). If the complaint is against a client or other stakeholder, the ongoing involvement and/or participation of that individual in club services will be determined and they will be informed of the outcome.

Disciplinary Procedures

Unfounded Allegations

If the preliminary investigation indicates that the report is unfounded, no further action is required

Reasonable Grounds to Suspect an Offence

If the preliminary investigation indicates that there is reasonable evidence to warrant further investigation, the Board of Directors will place the alleged offender on leave of absence with pay or assign other duties while the investigation is underway

Charge Laid

Should the investigation result in a charge, the alleged offender may either be placed on leave of absence with pay or assigned other duties pending the outcome of the charges

Charged But Not Convicted

Any Leader charged but not convicted of harassment or abuse may not be re-instated prior to consultation with the Executive Director, Executive Committee and/or the Board of Directors

Charged and Convicted

The contract/employment of any Club personnel convicted of harassment or abuse will be terminated.

Documentation

All documentation relating to the allegations, reporting, investigation and outcomes are to be duplicated and copies placed in each Leader's personnel file. These documents must be made available for any civil or criminal proceedings.

Review of Policy

Leaders are required to review and acknowledge the Workplace Harassment and Abuse Policy before commencing employment and annually thereafter.

Posting of Policy

The Boys and Girls Club will post a copy of the Workplace Harassment and Abuse Policy on the Joint Health & Safety Committee Information Board located at each workplace location

Leader Rights

Regardless of the outcomes of a harassment or abuse complaint made in good faith, the Leader lodging the complaint, as well as anyone providing information will be protected from any form of reprisal. Nothing in this policy prevents or discourages a worker from filing an application with the Human Rights Tribunal of Ontario on a matter related to Ontario Human Rights Code within one year of the last alleged incident. A worker also retains the right to exercise any other legal avenues that may be available.