



Human Resources Policies and Procedures

SECTION: Code of Conduct **POLICY NUMBER:** HR – 009

SUBJECT: Harassment & Discrimination

CVC is committed to providing a working environment free of discrimination and harassment. The CVC recognizes that all employees are entitled to work in a supportive environment where everyone is treated with respect and dignity and is given equal opportunity for development.

This commitment is a shared responsibility between CVC and all employees. Thus employees of CVC must also work to maintain an environment free of discrimination and harassment. It is expected that all employees deal with their fellow employees in a fair and equitable manner at all times. Employees should not engage in, condone or ignore any behaviour that is contrary to this policy.

Supervisors and Managers are responsible for providing their employees with a harassment-free work environment. This means preventing and discouraging instances of discrimination and harassment. Whenever a Supervisor or Manager observes or is made aware of an act of discrimination or harassment, s/he must take the appropriate actions, per the provisions of this policy. Should a Supervisor/Manager be unclear of the interpretation of this policy or an appropriate response to a situation, s/he may discuss the matter with the Human Resources Officer/Manager, Corporate Services/General Manager.

The CVC will not tolerate or condone any instances of discrimination or harassment and will take prompt and appropriate action to prevent, discourage and/or respond to incidents of harassment or discrimination as defined by the Ontario Human Rights Code.

DEFINITIONS

Discrimination

Discrimination is defined by the Ontario Human Rights Code (the “*Code*”) as “the impact of treating a person unequally by imposing burdens or denying benefits” based on a prohibited ground.

Prohibited Grounds

The prohibited grounds of discrimination under the *Code* and thereby the Terms and Conditions of the CVC are as follows:



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- Age
- Ancestry (Ethnic Origin)
- Citizenship
- Creed
- Disability
- Family Status
- Marital Status
- Place of Origin
- Pregnancy
- Race & Colour
- Record of Offences
- Sex
- Sexual Orientation

Harassment

Harassment is a form of discrimination that refers to a comment or action that is unwelcome or should be known to be unwelcome. Every person has the right to be free from humiliating or annoying behaviour that is based on one or more of the prohibited grounds of the *Code*.

Harassment is concerned with the **impact** of the comment or behaviour and not the intent.

Furthermore, harassment may include direct or intentional comments or actions intended for a particular person or group but it may also include indirect actions or behaviours that create a hostile, offensive or unwelcoming environment.

EXAMPLES

Examples of harassment and discrimination include but are not limited to:

- Verbal abuse, threats or taunts
- Unwelcome comments, jokes or suggestions about a person's body, attire, age, marital status, ethnic origin or race, religion, disability, etc.
- Ethnic or racial slurs
- Refusing to converse or work with another employee because of racial or ethnic background, sex, religion, etc.
- Leering or inappropriate staring
- Unwelcome and unnecessary physical contact
- Unwelcome sexual remarks, advances, invitations or requests for sexual favours
- Physical or sexual assault
- Exposure to comments, jokes or innuendo based on a prohibited ground though not directed at a particular person
- Display of materials, signs, pictures, etc. which is offensive or derogatory towards a race, religion, sex, etc.
- Behaviour which reinforces stereotypes or undermines the self-respect of members of a group protected by the *Code*



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PROCEDURES FOR COMPLAINT RESOLUTION

If an employee feels that s/he is being harassed the following steps are in place to ensure an orderly and fair resolution process.

Recognizing that some situations are the result of misunderstandings or miscommunication, it may be reasonable and preferable to some individuals to choose an informal course of action to resolve the problem. Similarly, depending upon his/her situation, an individual may decide that it is not possible to choose an informal approach to their problem and may decide to proceed directly to a formal complaint. Employees may also file a complaint directly to the Human Rights Commission.

1. Individual Action

Whenever possible and/or appropriate, employees should discuss their complaint with the person responsible, making it clear that his/her conduct is offensive, contrary to the CVC's policy and must stop. An alternative could be to write to the person responsible, explaining what is bothering you and why.

2. Informal Action

If approaching the individual responsible for the harassment is not possible, the employee should discuss the situation, in confidence, with his/her Supervisor or Manager, Human Resources Officer, or another Manager with whom they feel comfortable.

The Supervisor/Manager/HR Officer will provide assistance and outline the employee's options to resolve the matter. An action plan can be agreed upon based upon the results of this discussion. The employee should be prepared to provide specific information, thus employees should keep a brief written record of any alleged incident(s), noting the following details:

- Name of the person(s) involved
- Nature of the complaint
- Description of the incidents(s), including date, time and any other pertinent details
- Any witnesses or others who are aware of situation
- Desired solution to resolve the issue

3. Formal (Written) Action

Should a resolution not be found through the informal process, employees may choose to file a formal complaint. This may be directed to the employee's Supervisor or Manager, Human Resources Officer, Manager, Corporate Services or General Manger.

Formal complaints must be made in writing, signed and dated by the employee and contain the following information:



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- Name of the person(s) involved
- Nature of the complaint
- Description of the incidents(s), including date, time and any other pertinent details
- Any witnesses or others who are aware of situation
- Desired solution to resolve the issue

Upon receipt of a verbal or written complaint, the CVC will immediately conduct an investigation of the incident(s). The employee, the alleged harasser, witness(es) and/or others who may have knowledge of the incidents(s) will be interviewed.

Any investigation will be conducted in confidence and all efforts will be made to conclude the investigation as quickly as possible.

If an investigation concludes that harassment has occurred, appropriate corrective action will be taken. This can include but is not limited to:

- Education and training
- Policy and procedure review and/or revision
- Disciplinary action up to and including termination
(See Policy HR – 024 – Progressive Discipline)

All employees who were involved in the complaint will be informed of the results of the investigation and of any action taken.

If an employee does not agree with the results of the investigation or the action taken they may follow the appeal procedures outlined in Policy HR – 021 – Appeals or s/he may file a complaint with the Human Rights Commission. Any such action should be made within 6 months of the incident.

CONFIDENTIALITY

The CVC recognizes that it is in the best interests of all those involved in a complaint process to maintain confidentiality. Thus it is expected that all parties involved will ensure that details are kept confidential, to the extent possible under the circumstances and as required by law.

Please note that while a complaint may be directed to a specific Supervisor, Manager or the Human Resources Officer, the matter will be brought to the attention of the General Manager, Board of Directors and/or any other parties as required.



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PROTECTION FROM REPRISALS

The CVC prohibits reprisal or the threat of reprisal against individuals who make a complaint under this policy or participate in the investigation of a complaint.