

**Parish Name:** \_\_\_\_\_

## **Harassment and Violence in the Workplace Policy**

### **Scope:**

This policy applies to all full-time, part-time, fixed term, contract, temporary employees and all volunteers of [the parish name]. It also addresses conduct against these individuals by third parties.

For the purposes of the policy [the parish name] is referred to as, “The Parish.”

### **Policy:**

The Parish is committed to creating and maintaining a safe work environment and therefore harassment or violence of any kind will not be tolerated.

### **Definitions:**

The following definitions apply for this policy and the programs with respect to workplace harassment and violence:

#### **1. Worker**

Worker means any individual providing services for, or on behalf of, the Parish, including full-time, part-time, fixed term, contract and temporary employees; all volunteers of the Parish; and the Parish Incumbent.

#### **2. Workplace**

Workplace means any place where an employee is engaged in any work-related or Parish social activities.

#### **3. Workplace Harassment**

Workplace Harassment means engaging in a course of vexatious comment or conduct against a Worker in a Workplace that is known or ought to reasonably be known to be unwelcome and includes Workplace Sexual Harassment.

Harassment is not defined by an individual’s intention, but rather whether it should be known, or ought reasonably to be known, to be offensive to the subject.

Actions that are considered to be “harassment” under the policy includes but is not limited to:

- verbal abuse or threats

- unwelcome remarks, jokes, innuendo or taunts about a person's body, race, colour, attire, marital status, sexual orientation, ethnic or religious origin, criminal record or handicap
- displaying or distributing offensive material
- practical jokes which cause embarrassment
- unwelcome invitations or requests
- leering or other inappropriate gestures.

Harassment does not include:

- measures to correct performance deficiencies, such as placing someone on a performance improvement plan.
- imposing discipline for workplace infractions.
- requesting medical documents in support of an absence from work.
- normal workplace conflict that may occur between individuals.
- differences of opinion between co-workers

#### 4. **Workplace Sexual Harassment**

Workplace Sexual Harassment means engaging in a course of vexatious comment or conduct against an individual because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the Worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

#### 5. **Workplace Violence**

Workplace Violence means:

- the exercise of physical force by a person against a worker, in a workplace that causes or could cause physical injury to the worker;
- an attempt to use physical force against a worker, in a workplace, that could cause physical injury to the worker; and/or
- a statement or behavior that is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker

Violence is not only the application of physical force, but also includes actions that cause someone fear for their personal safety. Actions that are considered to be “violence” under this policy include but are not limited to:

- inappropriate physical contact
- physically aggressive behaviors including hitting, shoving, standing excessively close to someone in an aggressive manner, pushing, kicking, throwing an object at someone, physically restraining someone or any other form of physical or sexual assault.

- displays of aggression that cause an individual fear of bodily harm.
- verbal threats to attack an individual.
- intimidating behavior, such as stalking.
- wielding an object as a weapon or in a threatening way.

## 6. Domestic Violence

Domestic Violence means the exercise of physical force that could cause physical injury, an attempt to exercise physical force that could cause physical injury, or a statement or behavior that is reasonably interpreted by its target as a threat to exercise physical force that could cause physical injury by a person who has a personal relationship with a worker, such as a spouse or former spouse, current or former intimate partner or a family member.

## Responsibilities

### **Workers:**

All Workers are responsible for contributing to maintaining a safe Workplace by refraining from behavior that constitutes Workplace Harassment. These responsibilities include, but are not limited to, the following:

- Complying with this policy;
- Refraining from engaging in Workplace Harassment;
- Completing risk assessments, as required;
- Participating in education and training sessions when requested;
- Reporting any incidents of Workplace Harassment or any other violation of this policy;
- Cooperating with and providing input into investigations regarding any alleged violation of this policy.

### **Supervisors:**

In addition to their responsibilities as Workers, Supervisors are responsible for taking steps to ensure that our Workplace is free from Workplace Violence and Workplace Harassment and for intervening if any violations of this policy occur. These additional responsibilities include, but are not limited to the following:

- Complying with reporting, investigation and documenting procedures.
- Promoting and encouraging reporting of Workplace Harassment and Workplace Violence or other violations of this policy.
- Seeking advice and assistance from the Churchwardens in dealing with and resolving situations arising under this policy.

### **Churchwardens:**

In addition to their responsibilities as Workers, Churchwardens are responsible for providing guidance and support to all Workers in interpreting and understanding this policy. These responsibilities include, but are not limited to, the following:

- Ensuring that Workers receive appropriate training in recognizing and responding to situations involving Workplace Harassment and Workplace Violence.
- Ensuring that every incident of Workplace Harassment and Workplace Violence is reported, investigated, and documented.
- Ensuring confidentiality is maintained at all time, unless law dictates otherwise, imminent danger exists, or disclosure is reasonably required to ensure safety of Workers or others.

### **The Parish:**

The Parish is responsible for providing a safe and harassment-free Workplace and has implemented this policy to fulfill this responsibility. The Parish's responsibilities will include:

- Having and maintaining this written policy and the programs with respect to Workplace Harassment and Workplace Violence.
- Reviewing this policy and the programs with respect to Workplace Harassment and Workplace Violence as often as necessary, but at least annually.
- Posting this policy at a conspicuous location in the Workplace.
- Assessing the risks of Workplace Violence that may arise in the Workplace and reassessing as often as is necessary to ensure that this policy and the Workplace Violence program continue to protect Workers from Workplace Violence.
- Providing Workers with information and instruction that is appropriate for the particular Worker on the contents of this policy and programs with respect to Workplace Harassment and Workplace Violence
- Providing information, including personal information, related to a risk of Workplace Violence from a person with a history of violent behavior if the Worker can be expected to encounter that person in the course of his or her work and the risk of Workplace Violence is likely to expose the Worker to physical injury. The Parish will not disclose more personal information than is reasonably necessary in the circumstances to protect a Worker from physical injury.
- If the Parish becomes aware, or ought reasonably to be aware, that Domestic Violence that would likely expose a Worker to physical injury may occur in the Workplace, the Parish will take every precaution reasonable in the circumstances for the protection of the Worker. This could include but is not limited to:
  - Creating a safety plan
  - Contacting the police
  - Establishing enhanced security measures such as a panic button, code words, and door and access security measures
  - Screening calls and blocking certain email addresses
  - Setting up priority parking or providing escorts to a worker's vehicle

### **“Complainant” and “Respondent”**

For the purposes of this policy and the programs with respect to workplace harassment and violence, the term “Complainant” is used to describe the person bringing the complaint or being subjected to the behavior and the term “Respondent” is used describe the person who is accused of engaging in the harassing or violent behavior.

### **Compliance**

Compliance with this policy and the programs with respect to Workplace Harassment and Workplace Violence is mandatory. This policy is in accordance with existing legislation and other policies and initiatives of the Parish. Infractions of this policy and/or the programs implementing this policy will be considered to be misconduct and appropriate discipline will be imposed up to and including termination for cause.

### **Training**

Workplace Harassment prevention training shall be offered to all Workers. This training will include; a review of the policy and procedures. As required, training may include Workplace Harassment prevention strategies and complaint resolution.

### **False Allegations**

If it is determined that a complaint of Workplace Violence or Workplace Harassment was deliberately made for frivolous or vindictive reasons, the Worker making the allegation may be subject to discipline up to and including termination for cause. This does not apply to complaints made in good faith but which are not ultimately substantiated.

### **Reprisals**

This policy prohibits reprisals against Workers who have made good faith complaints, provided information regarding a complaint or incident of Workplace Harassment or who have followed the procedures outlined in this policy.

Disciplinary and/or corrective action up to and including dismissal for cause may be imposed against a Worker found to have engaged in retaliation/reprisal.

Signed: \_\_\_\_\_  
Churchwarden

Date: \_\_\_\_\_

\_\_\_\_\_  
Churchwarden

Date: \_\_\_\_\_

**Parish Name:** \_\_\_\_\_

### **Workplace Harassment Program**

This program is established to implement the Harassment and Violence in the Workplace Policy of the [Parish Name] (“the Parish”) as it relates to Workplace Harassment.

#### **Informal Procedures**

The following procedures are suggested as initial steps to resolve a potential situation of Workplace Harassment:

1. If you believe that you have been subjected to Workplace Harassment, and if you are comfortable doing so, the first step is to inform the person that you are not comfortable with their comments/language/actions and ask them to stop immediately.
2. You should document the specifics of the behavior, the date(s) of the behavior, the name of the person engaging in the behavior, the names of any witnesses, and the date on which you informed the person to stop the behavior.
3. If asking the person to stop immediately does not resolve the issue, you should consider providing the individual with a written statement about the behavior, including specific details about what you consider to be harassing, a request that the individual stop the behavior, and stating your expectation that the person will stop. Identify that you will take further steps to have the behavior addressed if the behavior does not stop. Make sure to keep a copy of this statement for yourself.

#### **Formal Procedures**

If a resolution is not reached through the Informal Procedures, or if you are not comfortable in the circumstances in trying to resolve the issue informally, you should proceed with the formal procedures. The formal procedure is as follows:

1. Report the behavior to your Supervisor, the Incumbent, or the Churchwardens. All reports will be taken seriously and investigated as appropriate. Complaints should be in writing and include:
  - a. Your (the Complainant’s) name.
  - b. The Respondent’s name.
  - c. A description of any incidents and/or behavior, including date(s), location, and witnesses.
  - d. Any steps you took to address the behavior or make the behavior stop.
2. If reported to the Supervisor or the Incumbent, the Supervisor or Incumbent will report the matter to the Churchwardens and provide the Churchwardens with the written complaint.

#### **Investigations**

A formal report or complaint of Workplace Harassment is not necessary for the Parish initiate an investigation if the Parish has reason to believe there has been an incident of Workplace Harassment.

Whether initiated by a complaint/report or at the Parish's own initiative, investigations will be initiated and carried out as follows:

1. The Churchwardens, in consultation with the Incumbent, will initiate an investigation into the complaint/incident that is appropriate in the circumstances, typically within three (3) days of receiving the complaint or as soon as is practicable. A delegate may be appointed to complete the investigation and/or the Parish, in consultation with the Diocesan Executive Officer, may engage the services of an external investigator in appropriate circumstances (e.g. should the complaint involve the Incumbent or a Churchwarden), including when and as required under the *Occupational Health and Safety Act*.
2. The Investigator will schedule an interview with the Complainant to discuss and clarify the act(s) and/or incident(s) and identify steps the individual has taken to resolve the matter, if any.
3. The Investigator(s) will investigate the complaint. The investigation may include interviews with the individual alleged to have engaged in the reported behavior (the Respondent), the individual(s) alleged to have been subjected to the behavior complained of, and any other individuals that may have knowledge of the matters included in the report (such as witnesses to events). The Investigator may also collect and review documents relevant to the allegations and issues raised in the complaint.
4. In the event an individual refuses to, or otherwise does not, participate in the investigation, the investigator may proceed with, and conclude, the investigation without hearing from that individual. The investigator may draw such inferences as she/he sees fit from the individual's non-participation and the surrounding circumstances.
5. Information obtained about an incident or complaint of Workplace Harassment, including identifying information about any individuals involved, will not be disclosed unless the disclosure is necessary for the purposes of investigating or taking corrective action with respect to the incident or complaint, or is otherwise required by law.
6. The Investigator will document the evidence obtained through the investigation and any results of the investigation and conclusions drawn by the Investigator.
7. The Investigator will prepare a written report and deliver it to the Churchwardens. The report will contain a summary of the act(s) and/or incident(s) reported, the results of the investigation, and recommendations, if any, the Investigator makes for corrective action.
8. The Churchwardens will review and consider the Investigator's report and will make a decision with respect to corrective actions to be taken, if any. The Churchwardens' decision will be final.
9. The Complainant and Respondent will be informed, in writing and within ten (10) business days of conclusion of the investigation, of the results of the investigation and of any corrective action that has been taken or will be taken as a result of the investigation.

### **Administrative Measures During an Investigation**

When a complaint of Workplace Harassment has been made and while the complaint is being investigated, the Parish may take such measures as it deems appropriate to provide a safe and healthy work environment and to minimize disruption. Such measures are administrative in nature, and not disciplinary, and may include, but are not limited to, the following:

- reassigning a Worker temporarily;
- removing a Worker from the workplace on a paid administrative leave;
- changing reporting structures; and/or
- taking measures to separate Workers.

### **Limited Disclosure**

Identifying information about any individuals involved will not be disclosed unless the disclosure is necessary for the purpose of investigation, the taking of corrective action, or is otherwise required by law.

Witnesses must keep the investigation process and any information shared (verbally or in writing) confidential and not discuss such matters during or after the process with anyone including co-workers or any other persons on staff, with the exception of those with whom they are entitled by law to discuss such matters (e.g. legal counsel, authorities). Witnesses may be required to sign a confidentiality statement during the investigation.

**Parish Name:** \_\_\_\_\_

### **Workplace Violence Program**

This program is established to implement the Harassment and Violence in the Workplace Policy of the [Parish Name] (“the Parish”) as it relates to Workplace Violence.

#### **Control of Risks**

If the Incumbent or a Supervisor becomes aware of a risk of Workplace Violence, including a risk of Domestic Violence that would likely expose a Worker to physical injury that may occur in the Workplace, he/she will immediately inform the Churchwardens. The Churchwardens will take all reasonable precautions in the circumstances to control the risks that are likely to expose a Worker to physical injury. This could include, but is not limited to:

- Separating Workers;
- Removing an individual from the Workplace;
- Creating a safety plan;
- Contacting the police or other authorities;
- Establishing enhanced safety measures;
- Screening calls and/or blocking certain email addresses; and/or
- Setting up priority parking.

#### **Summoning Immediate Assistance**

Any Worker who witnesses or experiences Workplace Violence or who feels in imminent danger will:

1. ensure she/he is in, or removes himself/herself to, a safe location;
2. if, in her/his opinion, the situation warrants, contact the police by calling 911; and
3. report the matter to his/her Supervisor, the Incumbent or the Churchwardens as soon as reasonably possible.

#### **Reporting Workplace Violence**

A Worker will formally report acts/incidents of Workplace Violence to his/her Supervisor, the Incumbent or the Churchwardens, as soon as is reasonably possible. Reports should be in writing and include:

- a. The complainant’s name.
- b. The respondent’s name.
- c. A description of any incidents and/or behavior, including date(s), location, and witnesses.

#### **Investigations**

A formal report or complaint of Workplace Violence is not necessary for the Parish initiate an investigation if the Parish has reason to believe there has been an incident of Workplace Violence.

Whether initiated by a complaint/report or at the Parish’s own initiative, investigations will be initiated and carried out as follows:

1. The Churchwardens, in consultation with the Incumbent, will initiate an investigation into the report/incident that is appropriate in the circumstances, typically within three (3) days of receiving the report or as soon as is practicable. A delegate may be appointed to complete the investigation and/or the Parish, in consultation with the Diocesan Executive Officer, may engage the services of an external investigator in appropriate circumstances (e.g. should the complaint involve the Incumbent or a Churchwarden), including when and as required under the *Occupational Health and Safety Act*.
2. The Investigator will schedule an interview with the Complainant to discuss and clarify the act(s) and/or incident(s).
3. The Investigator(s) will investigate the complaint. The investigation may include interviews with the individual alleged to have engaged in the reported behavior (the Respondent), the individual(s) alleged to have been subjected to the behavior complained of, and any other individuals that may have knowledge of the matters included in the report (such as witnesses to events). The Investigator may also collect and review documents relevant to the allegations and issues raised in the report.
4. In the event an individual refuse to, or otherwise does not, participate in the investigation, the Investigator may proceed with, and conclude, the investigation without hearing from that individual. The Investigator may draw such inferences as she/he sees fit from the individual's non-participation and the surrounding circumstances.
5. The Investigator will document the evidence obtained through the investigation and any results of the investigation and conclusions drawn by the Investigator.
6. The Investigator will prepare a written report and deliver it to the Churchwardens. The report will contain a summary of the act(s) and/or incident(s) reported, the results of the investigation, and recommendations, if any, the Investigator makes for corrective action.
7. The Churchwardens will review and consider the Investigator's report and will make a decision with respect to corrective actions to be taken, if any. The Churchwardens' decision will be final.
8. The Complainant and Respondent will be informed, in writing and within ten (10) business days of conclusion of the investigation, of the results of the investigation and of any corrective action that has been taken or will be taken as a result of the investigation.

### **Administrative Measures During an Investigation**

When a complaint of Workplace Violence has been made and while the complaint is being investigated, the Parish may take such measures as it deems appropriate to provide a safe and healthy work environment and to minimize disruption. Such measures are administrative in nature, and not disciplinary, and may include, but are not limited to, the following:

- reassigning a Worker temporarily;
- removing a Worker from the workplace on a paid administrative leave;
- changing reporting structures; and/or
- taking measures to separate Workers.

### **Limited Disclosure**

Identifying information about any individuals involved will not be disclosed unless the disclosure is necessary for the purpose of investigation, the taking of corrective action, the protection of workers from violence, or is otherwise required by law.

Witnesses must keep the investigation process and any information shared (verbally or in writing) confidential and not discuss such matters during or after the process with anyone including co-workers or any other persons on staff, with the exception of those with whom they are entitled by law to discuss such matters (e.g. legal counsel, authorities). Witnesses may be required to sign a confidentiality statement during the investigation.