

SECTION 1: CODE OF PROFESSIONAL BEHAVIOUR

 <p style="text-align: center;">Malvern Family Resource Centre POLICIES AND PROCEDURES MANUAL <i>Human Resources</i></p>			
Section:	1 - Code of Professional Behaviour	Effective	May 17, 2016
Policy Name:	Non-Discrimination and Anti-Harassment Policy	Reviewed	December 2015
Issued to:	Executive Director	Revised	April 2016
Issued by:	Board of Directors	Approved	May 2016

1.16 Non-Discrimination and Anti-Harassment Policy

Policy Statement

All Board members, employees, volunteers and clients have a right to work and be served in an environment that is free from discrimination and harassment of any kind. This means maintaining the personal worth and dignity of each individual. Malvern Family Resource Centre is committed to providing a working environment that is free from harassment and discrimination, and respects and promotes diversity. It is a community-based agency that fully supports the principles of equity and fairness for all employees, volunteers, program participants, and Board of Directors.

Incidents of expressed bias and discrimination, prejudice or harassment, which in any way demeans or undervalues the individual, will not be tolerated. Harassment and discrimination are unlawful behavior according to the Ontario Human Rights Code and Malvern Family Resource Centre is obligated to take action against any transgressor of this policy.

Malvern Family Resource Centre will continue to take an active role to eliminate all forms of discrimination as well as continue to foster harmony between people in positive ways. You must also do your part by ensuring that your behaviour does not violate this policy and by fostering a work environment that is based on respect and is free from harassment.

Malvern Family Resource Centre is committed to demonstrating these principles in:

- All policies;
- Community relations;
- Hiring and recruitment;
- Employee and volunteer development;
- The delivery of programs and services; and
- Board representation.

If any employee, volunteer or participant of Malvern Family Resource Centre experiences harassment, the agency shall strive to support the individual and provide intervention so that the incident is dealt with effectively and appropriately.

Discrimination and Harassment

Discrimination describes any action, behaviour or attitude which negatively affects the employment status of any employee, volunteer status of a volunteer or service to a participant that has been based on: race, religion, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, age, marital status, family status, record of offences, mental or physical disability, sexual orientation, receipt of public assistance, political affiliation, or level of literacy of the individual.

Workplace harassment/discrimination ranges from a subtle to blatant behavior. Any person, who engages in such behavior that he or she knows or ought to know is unwelcome, may be guilty of harassment. It may include intimidating, offensive, hurtful or malicious comments or conduct.

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Harassment comments and conduct may be:

- Intentional or unintentional in nature;
- Directed as well as undirected;
- Subtle or passive in nature;
- Overt or covert in nature;
- Verbal, non-verbal; and/or
- Physical abuse/assault.

1) Sexual Harassment may include:

- Males or females who are harassed by members of either sex;
- Sexual advance or solicitation made by a person who is in a position to grant or deny benefit to another person; and/or
- Unwanted, persistent or abusive sexual attention either physical contact such as leering, pinching, patting, touching or verbal sexual remarks, jokes, toys or pictures that are sexual in nature, or innuendo.

2) Sexual Orientation Harassment may include:

- Offensive comments on the basis of sexual orientation;
- Refusal to work or co-operate with others because of sexual orientation; and/or
- Unwelcome jokes or remarks about an individual's sexual orientation.

3) Discriminatory Harassment may include:

- Name calling, discourteous behavior, jokes, and slurs, insults, threats, intimidation, avoidance or exclusion, graffiti and stereotyping based on one of the protected grounds, such as race, color, accent, place of origin or ancestry;
- Offensive comments that are intended to belittle, or demean an individual based on one of the protected grounds, such as race, color, accent, place of origin or ancestry;
- Refusal to work or co-operate with others based on one of the protected grounds, such as race, color, accent, place of origin or ancestry; and/or
- Any comment or conduct that is unsolicited and known or ought to be known to be unwelcome and that is likely to cause offense or humiliation.

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4) Psychological Harassment and Violence may include:

- Verbally abusive behaviour, such as yelling, insults and name calling
- Persistent, excessive and unjustified criticism and constant scrutiny
- Spreading malicious rumours
- Excluding or ignoring someone
- Undermining someone else's efforts by setting impossible goals and deadlines
- Sabotaging someone else's work
- Impeding an individual's efforts at promotions or transfers; and/or
- Making false allegations about someone in memos or other work-related documents.

5) Disability Harassment may include:

- Private jokes about a person's disability; and/or
- Inappropriate or insulting remarks about a person's disability.

6) Social Media Harassment may include:

- Using social media to harm Malvern Family Resource Centre's reputation, and/or reflect negatively on the employer and
- Using social media to speak ill of Malvern Family Resource Centre or fellow employees

Employees are expected to use good judgement and be respectful and professional when using social media.

The Test for Harassment

It does not matter whether the harasser intended to offend the recipient. The test is whether the harasser knew or should have known that the comments or conduct were unwelcome.

Although it is commonly the case, the harasser does not necessarily have to have power or authority over the victim.

Complaint Procedures

Any instance of discrimination, harassment or sexual harassment should be documented and reported to the Executive Director or an immediate Manager immediately. If the complaint involves the Executive Director, then it should be reported to the Chairperson of the Board of Directors. The Executive Director will investigate all complaints, take appropriate steps to solve the problem, and advise the complainant of the results. These steps will be taken with the utmost care for expediency, confidentiality, and the protection of the complainant, and the fair treatment and respect for the rights of the alleged offender.

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Appeal Procedures

Should the results of this step not be satisfactory to the complainant, he or she can choose to present the complaint to the Chairperson, or in the case that the complaint involves the Chairperson, an external mediator will be brought in to conduct his or her own investigation and take steps to solve the problem. Similarly, the alleged offender can follow the same course if he or she deems the results of the first step unsatisfactory.

A mutually agreed upon time frame for the investigation and communication of the resolution will be decided on by parties involved. If the situation is mutually unacceptable with the set time frame, the situation will be presented to a committee, which is composed of representatives from the Board of Directors, employees and/or volunteers.

Once the matter has been investigated and resolved, all parties involved will be advised of the findings by the Executive Director.

Additional Procedures

- 1) The Chairperson and/or Executive Director will document the complaint and recommend appropriate action to the Board of Directors.
- 2) After investigation, incidents of discrimination or harassment may result in disciplinary action up to and including termination with or without cause.
- 3) The filing of a complaint of discrimination or harassment to Malvern Family Resource Centre does not prevent an individual from filing a report with the Ontario Human Rights Commission or seeking redress through any other legal procedure.
- 4) In some cases Malvern Family Resource Centre may be the Agent bringing the complainant to the necessary authorities.

Protection from Reprisal

Malvern Family Resource Centre will not tolerate retaliation, taunts or threats against anyone who complains about harassment or takes part in an investigation. Any person who taunts, retaliates against or threatens anyone in relation to a harassment complaint may be disciplined or terminated from his/her position.