

411 SENIORS CENTRE SOCIETY HARASSMENT POLICY

Policy

The 411 Seniors Centre Society is committed to the creation and maintenance of an environment which enhances the dignity and sense of self-worth of all its employees, members, volunteers, contractors, and users of 411.. This includes the expectation of compliance with the B.C. *Human Rights Code and Work Safe BC*.

This policy applies to interactions between and among 411 Seniors Centre Society employees, volunteers, members and other users of 411 services

The 411 Seniors Centre Society considers harassment, bullying, and discrimination in any form to be totally unacceptable and will not tolerate its occurrence. Such behaviour may result in disciplinary and/or corrective action. Such actions may include counselling, courses that develop an awareness of harassment, verbal warning, written warning, suspension, or dismissal.

411 will do all in its power to prevent harassment and to support and assist a person subject to such harassment and is committed to providing on-going information, and education on the issues of harassment/bullying/discrimination.

This policy will be posted in a publicly accessible location within the centre.

No employee, volunteer, member, or service user shall be subject to reprisal, threat of reprisal or discipline as the result of filing a complaint of harassment which the complainant reasonably believes to be valid.

Application of Policy

This policy does not prevent an employee, volunteer member or service user from filing a complaint as per the provisions of the BC Human Rights Code, Worksafe BC, or other Board or tribunal. The complainant has the right to pursue other channels.

Definitions

Complainant refers to the individual (or group of individuals) who has filed a complaint alleging harassment/discrimination / bullying has occurred.

Respondent refers to the individual (or group of individuals) who is alleged to have harassed or discriminated against or bullied the complainant.

Investigator refers to an individual named to investigate formal complaints of discrimination and harassment.

Workplace means all locations, during or outside working hours, where the business of the Employer is conducted or where the reason for meeting is within the course of the employment relationship.

Employees include all staff, managers and, for the purposes of this policy, volunteers, contractors and board members of the organization.

Members include members of the 411 Seniors Society.

Participants and service users include persons who participate in 411 programs and activities.

Discrimination and Harassment

The prohibited grounds in the B.C. Human Rights Code are: race, colour, gender identity or gender expression, place of origin, religious belief, political belief, marital or family status, physical or mental disability, sex, sexual orientation or age of that person or because that person has been convicted of a criminal or summary conviction offence that is unrelated to the employment or to the intended employment of that person.

Discrimination is the denial of a generally available opportunity or service to a person or class of persons based on a group characteristic as described in the BC Human Rights code and cited above.

Harassment is a form of discrimination and is unwelcome conduct or comments based on a prohibited ground of the B.C. Human Rights Code which:

- might reasonably be expected to cause embarrassment, insecurity, discomfort or humiliation to another person or group and
- interferes with a person's work performance, participation in a 411 activity, volunteer activity or creates an intimidating, hostile or uncomfortable environment or

Inappropriate conduct may be verbal, nonverbal, physical, deliberate or unintended, unsolicited or unwelcome, as determined by a reasonable person. It may be one incident or a series of incidents depending on the context.

Bullying and Harassment under the Work Safe BC Act includes any inappropriate conduct or comment by a person towards an employee that the person knew or reasonably should have known would cause the employee to be humiliated or intimidated but excludes any reasonable action taken by the employer or supervisor relating to the management and direction of employees, volunteers, members, contractors or service users or the place of employment.

Examples of bullying and harassment include, but are not limited to:

- a person in authority asking an employee for sexual favours in return for being hired or receiving promotions or other employment benefits
- unwanted sexual advances
- unwelcome remarks, questions, jokes or innuendo
- verbal abuse, intimidation derogatory name calling, insults or threats
- leering, staring or making sexual or demeaning gestures
- display of pornographic or degrading materials

- offensive pictures, graffiti, cartoons or sayings
- unwanted physical contact such as touching, patting, pinching or hugging
- physical assault
- taunting about a person's body, mannerisms, or attire.
- vandalizing personal belongings
- spreading malicious rumours

Complaint Process

All parties involved in a complaint are asked to agree to deal with the complaint expeditiously and to respect confidentiality.

The complainant, the respondent and any witness has the right to be accompanied by a representative of their choice at any meetings in this procedure.

If a complaint is found to be vexatious or frivolous, the complainant may be disciplined, be removed as a volunteer, have his/her membership revoked be denied any 411 services, be barred from the facility, and be denied the right to participate in 411 activities

No employee, volunteer, member, contractor or service user shall be subject to reprisal, threat of reprisal or discipline as the result of filing a complaint of harassment which the complainant reasonably believes to be valid. This process recognizes the difference between an unfounded and vexatious or frivolous complaint.

Informal Resolution

The complainant may choose to speak to or correspond directly with the respondent about the inappropriate behaviour. If this communication is successful, the matter is resolved.

If this step is not successful or if the complainant is not comfortable taking that initiative, s/he may approach his/her supervisor or the Executive Director for assistance.

Formal Resolution

The complainant may decide to file a formal complaint if:

- s/he chooses not to meet with the respondent informally
- s/he met with the respondent and no agreement for resolution of the complaint was reached
- s/he met with the Executive Director or supervisor and there was no agreement for resolution of the complaint
- an agreement for resolution was breached by the respondent.

A person who believes s/he is being harassed should record all the details of the incident(s), including dates, times, location and possible witnesses. A record of incidents is not required to obtain assistance or to file a complaint. However, it may be useful in helping a complainant remember details and could establish the basis of a harassment complaint.

An individual wishing to make a formal complaint must do so in writing and submit it to the Executive Director within 30 calendar days of the latest alleged incident. Complaints that exceed this time limit

where the delay was incurred in good faith and will not prejudice any person affected by the delay may still be accepted. If the Executive Director is the complainant or respondent, the complaint will be directed to the President of the Board.

The complaint will specify the details of the allegation including:

- names of the complainant and respondent
- a detailed description of the alleged harassment, discrimination or bullying (dates, times, locations, witnesses if any)

The Executive Director or President of the Board will provide the respondent with a copy of the complaint and conduct an investigation or bring in an external investigator. The Executive Director will not be the Investigator unless both the complainant and respondent agree in writing. An external investigator will be appointed in the absence of an agreement, or if the Executive Director is the complainant, respondent or a witness.

The investigator

The investigator will complete the investigation within thirty calendar days of receiving the complaint or at a later date mutually agreed to by both parties and submit a report to the Board.

The investigator's mandate is to both make findings of fact and a determination as to whether the harassment /bullying occurred and to make recommendations of a remedial nature if applicable. It is not the role of the investigator to recommend discipline, membership revocation, being barred from the facility, and/or being denied 411 services or any other type of action, not of a remedial nature

The Investigation report

The 411 Executive Directors will take appropriate action and inform both parties and the personnel committee in writing of the resolution within 10 working days of receipt of the Investigator's written report. The complainant and the respondent are entitled to a copy of the investigators report.

If the complaint is against the Executive Director, the Board President will take appropriate action and inform both parties and the personnel committee in writing of the resolution within 10 working days of receipt of the Investigator's written report. The complainant and the respondent are entitled to a copy of the investigators report.

The complainant and respondent will be advised of the remedies in writing.

Appeal Process

If the complainant and/or the respondent are unsatisfied with either the report and/or remedy they should have the right to appeal this to the Board.

The appeal must be sent to the Board in written form within 30 days of receipt of the written remedy. It must state a basis for the appeal.

Confidentiality/Record Keeping

All records shall be maintained in the strictest confidence and kept in the office of the Executive Director. They shall not be used in any other proceeding affecting either the complainant or respondent unless properly part of a personnel file.

If the complaint is resolved through informal action, no formal record of the names of the parties or the specifics of the complaint will be retained.

Remedies

Remedies include but are not limited to discipline, being removed as a volunteer, having his/her membership revoked, being denied any 411 services, being barred from the facility, and being denied the right to participate in 411 activities

Revised and Adopted October 24 2016