

STATEMENT of POLICY			
Manual:	Catalyste+	Policy No.	4.7
Section:	Human Resources	Approved:	March 1, 2021
Subject:	Violence & Harassment in the Workplace	Effective:	August 16, 2021
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		Replaces:	February 15, 2018
Issued by:	Leadership Team		

1 Purpose

1.01 Catalyste+ is committed to providing and maintaining a working environment that is based on respect for the dignity and rights of everyone in the organization. It is Catalyste+'s goal to provide a healthy and safe work environment that is free of any form of harassment or violence, including sexual abuse and sexual exploitation.

2 Scope

2.01 This policy applies to all staff and volunteers.

It applies in any location in which you are engaged in Catalyste+-related activities. This includes, but is not limited to:

- the workplace
- while on assignment
- during work and/or assignment-related travel
- at restaurants, hotels or meeting facilities that are being used for business purposes
- in company owned or leased facilities
- during telephone, email or other communications; and
- at any work-related social event, whether or not it is company sponsored

2.02 This policy applies to situations in which Catalyste+ representatives are subject to, or become aware of, violence and/or harassment, as defined below under section 5, "definitions," in the workplace from individuals who are not representatives of the organization, such as customers and suppliers, although the available remedies may be constrained by the situation.

3 Policy

3.01 Catalyste+ will do its part by not tolerating or condoning discrimination, harassment or violence in the workplace. This includes making everyone in the organization aware of what behaviour is and is not appropriate, assessing the risk of workplace violence, investigating complaints and imposing suitable corrective measures.

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3.02 Managers are expected to assist in creating a harassment-free workplace and to immediately contact the **Workplace Respect Committee** if they receive a complaint of workplace harassment or violence or witness or are aware of harassing or violent behaviour.

In certain circumstances, managers may have a duty to provide information about a risk of workplace violence from a person with a history of violent behaviour if a representative can be expected to encounter that person during the course of his or her work, and the risk of workplace violence is likely to expose the representative to physical injury. Managers will only release as much personal information about the person with a history of violent behaviour as is reasonably necessary to protect the representative from physical injury.

3.03 Representatives must do their part by ensuring that their behaviour does not violate this policy and by fostering a work environment that is based on respect and is free of harassment.

Representatives are also required to report to their manager or the **Workplace Respect Committee (hereinafter referred to as “Committee”)**, the existence of any workplace violence or threat of workplace violence.

The “Committee” consists of any two members of the Leadership Team.

3.04 To assist representatives in understanding their rights and obligations under this policy, individuals in a managerial role, may be required to act as internal advisors.

The role of the internal advisors is to:

- act as a resource and answer inquiries with respect to this policy
- discuss complaints on a confidential basis, unless the internal advisors are required to release information by law, or where there is a risk of harm to you or another individual
- assist individuals who may be experiencing domestic violence that may expose them to a risk of physical injury in the workplace
- assist in the informal resolution of complaints through counselling; and

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- engage in discussions with the respondent to see if the matter can be resolved informally

To avoid any potential conflicts of interest, the internal advisors are not involved in conducting formal investigations.

Members in this group are impartial and may provide assistance in addressing issues of harassment and discrimination to any employee, volunteer, contractor or consultant. That can include facilitating a solution between two or more affected parties or assisting a complainant, respondent or witness during an investigation.

Advisors are advocates for a respectful workplace – they are not advocates for a particular individual. Advisors maintain confidentiality to the extent practicable and appropriate under the circumstances. They are not investigators under the policy nor are they decision-makers.

In carrying out their duties under this policy, advisors will be directly responsible to the “Committee”.

Catalyste+’s internal advisors are Managers, Leadership Team members, and a Human Resources representative.

- 3.05 Catalyste+ will not tolerate retaliations, 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 or violence complaint may be disciplined or terminated.

4 Responsibility

- 4.01 It is the mutual responsibility of all representatives to ensure that they create and maintain a harassment and violence-free workplace and address violence and/or the threat of violence from all possible sources (including customers, clients, employers, managers, workers, volunteers, strangers and domestic/intimate partners).

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5 Definitions

5.01 **“Staff”** includes all Full Time & Part Time employees, contract employees, independent contractors.

5.02 **“Volunteers”** includes all in-house and project assignment volunteers.

5.03 “Discrimination”

Workplace discrimination includes any distinction, exclusion or preference based on the protected grounds in the *Canada Human Rights Code*, which nullifies or impairs equality of opportunity in employment, or equality in the terms and conditions of employment.

The protected grounds of discrimination are:

- race, colour, ancestry, citizenship, ethnic origin or place of origin
- creed, religion
- age
- sex (including pregnancy and gender identity)
- sexual orientation
- family, marital (including same-sex partnership) status
- disability or perceived disability
- a record of offences for which a pardon has been granted under the *Criminal Records Act (Canada)* and has not been revoked, or an offence in respect of any provincial enactment

5.04 “Sexual Harassment”

Sexual harassment includes conduct or comments of a sexual nature that the recipient does not welcome or that offend him or her. It also includes negative or inappropriate conduct or comments that are not necessarily sexual in nature, but which are directed at an individual because of his or her gender.

Both men and women can be victims of harassment, and someone of the same or opposite sex can harass someone else.

Some examples of sexual harassment are:

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- sexual advances or demands that the recipient does not welcome or want
- threats, punishment or denial of a benefit for refusing a sexual advance
- offering a benefit in exchange for a sexual favour
- leering (persistent sexual staring)
- displaying sexually offensive material such as posters, pictures, calendars, cartoons, screen savers, pornographic or erotic web sites or other electronic material
- distributing sexually explicit e-mail messages or attachments such as pictures or video files
- sexually suggestive or obscene comments or gestures
- unwelcome remarks, jokes, innuendoes, propositions or taunting about a person's body, clothing or sex
- persistent, unwanted attention after a consensual relationship ends
- physical contact of a sexual nature, such as touching or caressing; and sexual assault

5.05 “Sexual Abuse”

Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. All sexual activity with a child is considered as sexual abuse.

5.06 “Sexual Exploitation”

Any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

5.07 “Protection from Sexual Exploitation and Abuse (PSEA)”

The term used by the United Nations and non-governmental community to refer to measures taken to protect affected populations from sexual exploitation and abuse within all the humanitarian response operations.

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5.08 “Discriminatory Harassment”

Discriminatory harassment includes comments or conduct based on the protected grounds in the *Canada Human Rights Code*, which the recipient does not welcome or that offends him or her.

Some examples of discriminatory harassment include:

- offensive comments, jokes or behaviour that disparage or ridicule a person’s membership in one of the protected grounds, such as race, religion or sexual orientation
- imitating a person’s accent, speech or mannerisms
- persistent or inappropriate questions about whether a person is pregnant, has children or plans to have children; or
- inappropriate comments or jokes about an individual’s age, sexual orientation, personal appearance or weight.

Harassing comments or conduct can poison someone’s working environment, making it a hostile or uncomfortable place to work, even if the person is not being directly targeted. This is commonly referred to as a ***poisoned working environment*** and it is also a form of harassment.

Some examples of actions that can create a poisoned work environment include:

- displaying offensive or sexual materials such as posters, pictures, calendars, web sites or screen savers
- distributing offensive email messages, or attachments such as pictures or video files
- practical jokes that embarrass or insult someone; or jokes or insults that are offensive, racist or discriminatory in nature.

5.09 “Workplace Harassment and Bullying”

Workplace harassment is a health and safety issue that is covered under the *Occupational Health and Safety Act*.

The *Occupational Health and Safety Act* defines **workplace harassment** as:

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Engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome.

Workplace harassment may have some or all of the following components:

- it is generally repetitive, although a single serious incident may constitute workplace harassment if it undermines the recipient's psychological or physical integrity and has a lasting harmful effect
- it is hostile, abusive or inappropriate
- it affects the person's dignity or psychological integrity; and
- it results in a poisoned work environment.

In addition, behaviour that intimidates, isolates or discriminates against the recipient may also be included.

Some examples of workplace harassment are:

- verbally abusive behaviour such as yelling, insults, ridicule and name calling including remarks, jokes or innuendos that demean, ridicule, intimidate or offend
- workplace pranks, vandalism, bullying and hazing
- gossiping or spreading malicious rumours
- excluding or ignoring someone, including persistent exclusion of a particular person from workplace-related social gatherings
- undermining someone else's efforts by setting impossible goals, with short deadlines and deliberately withholding information that would enable a person to do their job
- providing only demeaning or trivial tasks in place of normal job duties
- humiliating someone
- sabotaging someone else's work
- displaying or circulating offensive pictures or materials
- offensive or intimidating phone calls or emails
- impeding an individual's efforts at promotions or transfers for reasons that are not legitimate; and

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- making false allegations about someone in memos or other work related documents

What Isn't Harassment

Workplace harassment should not be confused with legitimate, reasonable management actions that are part of the normal work function, including:

- measures to correct performance deficiencies, such as placing someone on a performance improvement plan,
- imposing discipline for workplace infractions; or
- requesting medical documents in support of an absence from work

It also does not include normal workplace conflict that may occur between individuals or differences of opinion between co-workers.

The Test of Harassment

It does not matter whether the intent was to offend someone. The test of harassment is whether an individual knew or *should have known* that the comments or conduct were unwelcome to the other person. For example, someone may make it clear through their conduct or body language that the behaviour is unwelcome, in which case that behaviour must stop immediately.

Although it is commonly the case, the harasser does not necessarily have to have power or authority over the victim. Harassment can occur from co-worker to co-worker, manager to employee and employee to manager.

5.10 “Workplace and Domestic Violence”

Workplace and domestic violence that may occur in the workplace are health and safety issues, which are covered under the *Occupational Health and Safety Act*.

Workplace violence

Workplace violence is defined under the *Occupational Health and Safety Act* as:

- 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 exercise physical force against a worker, in a workplace, that could cause physical injury to the worker

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- 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.

It is defined broadly enough to include acts that may be considered criminal.

Workplace violence includes:

- physically threatening behaviour such as shaking a fist at someone, finger pointing, destroying property, throwing objects
- verbal or written threats to physically attack a worker
- leaving threatening notes or sending threatening emails
- wielding a weapon at work
- stalking someone; and
- physically aggressive behaviours 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.

Violence that occurs outside the normal workplace but which has an impact on the working environment, including working relationships, may also be considered violence in the workplace.

Domestic Violence

If a representative is experiencing domestic violence that would likely expose themselves, or other workers, to physical injury that may occur in the workplace, Catalyste+ will take every precaution reasonable to protect that individual and their co-workers in the circumstances. This may include some or all of the following:

- 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 the individual's vehicle or to public transportation

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- adjusting the individual's working hours and location so that they are not predictable; and
- facilitating the individual's access to counselling through the Representative Assistance Program or other community programs.

Catalyste+ appreciates sensitivity of these issues and will endeavor to assist the individual as discreetly as possible while maintaining their privacy.

6 References and Related Statements of Policy

8.7.1 Breach of Conduct Review/Appeals Process

7 Procedures

7.01 *Procedure for Addressing & Investigating Harassment Complaints*

Informal Procedure

If a representative believes that they are being harassed, the first thing to do is to tell the person to stop. They should do so as soon as they receive any unwelcome comments or conduct. Although this may be difficult to do, this is often enough to stop the behaviour.

Some of the things a person can say that might stop the behaviour include:

- "I don't want you to do that."
- "Please stop doing or saying..."
- "It makes me uncomfortable when you ..."
- "I don't find it funny when you ..."

If the harassment continues after the individual has been confronted, the person may want to provide him or her with a written statement of the situation. Include specific details of the behaviours considered to be harassment, a request to the harasser to stop and the person's expectations that he or she will stop. Provide details of the next steps planned if the harassment does not stop e.g., filing a formal complaint. Make sure a copy of this statement is kept.

It helps to keep a record of any incident(s) that an individual experiences. This includes when the harassment started, what happened, whether there were any witnesses and what was the response.

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If a representative believes that someone who is not a member of the organization, e.g., a customer, supplier, etc., has harassed or discriminated against them, they should report the harassment to their manager or a member of the *Workplace Respect Committee*. Although Catalyste+ has limited control over third parties, the organization will endeavor to address the issue and prevent further problems from arising.

Formal Procedure

Note: all cases of alleged sexual exploitation, harassment and abuse will be investigated and reported to appropriate parties, including Global Affairs Canada (GAC). Further, these shall be referred to the relevant authorities in cases of criminal conduct, as per PSEA guidelines. Victims also have access to the Catalyste+ Whistleblower anonymous reporting system, as described in Catalyste+ policy 2.2. (“Ethics”).

Workplace Respect Committee

If the complaint cannot be resolved informally or if it is too serious to handle on an informal basis, such as cases of sexual exploitation, harassment or abuse, the representative may bring a formal complaint to the “Committee”. The “Committee” acts as the workplace coordinators with respect to harassment and violence in the workplace.

The “Committee” consists of **any two members of the Leadership Team**.

If a representative brings a formal complaint, the “Committee” will need as much written information as possible, including the name of the person believed to be harassing the representative, the place, date and time of the incident(s), and the names of any possible witnesses. A copy of the Workplace Complaint/Investigation Form is available from Human Resources.

It is important that the “Committee” receive all complaints as soon as possible so that the problem doesn’t escalate or happen again. Once the complaint is received, they will initiate a formal investigation, if it is necessary and appropriate to do so.

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Discrimination and harassment are serious matters. Therefore, if the representative decides not to make a formal complaint, the “Committee” may still need to investigate the matter and take steps to prevent further harassment. For example, the “Committee” may need to continue with an investigation if the allegations are serious or if there have been previous complaints or incidents involving the respondent.

Please note that it is Catalyste+'s policy not to investigate anonymous complaints unless there are extenuating circumstances.

Investigation Procedure

The Workplace Respect Committee will commence an investigation as quickly as possible. The “Committee” may choose to use either an internal or external investigator, depending on the nature of the complaint.

The investigation will include:

- interviewing the complainant and respondent to ascertain all of the facts and circumstances relevant to the complaint, including dates and locations
- interviewing witnesses, if any
- reviewing any related documentation; and
- making detailed notes of the investigation and maintaining them in a confidential file

Once the investigation is complete, the investigator(s) will prepare a detailed report of the findings for Human Resources. A summary of the findings will also be provided to the complainant and respondent.

It is Catalyste+'s goal to complete any investigation and communicate the results to the complainant and respondent within thirty days after the “Committee” receives a complaint, where possible.

Corrective Action

Human Resources will deliberate with leadership team to determine what action should be taken as a result of the investigation.

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The Workplace Respect Committee will inform the complainant and respondent of the results of the investigation and whether (but not necessarily what) corrective measures were taken, if any were necessary.

If a finding of harassment is made, Catalyste+ will take appropriate corrective measures, regardless of the respondent's seniority or position in the organization. Corrective measures may include one or more of the following:

- discipline, such as a verbal warning, written warning or suspension without pay
- termination with or without cause
- referral for counseling (sensitivity training), anger management training, supervisory skills training or attendance at educational programs on workplace respect
- a demotion or denial of a promotion
- reassignment or transfer
- financial penalties such as the denial of a bonus or performance related salary increase,
- removal from Catalyste+'s Volunteer Roster, and
- any other disciplinary action deemed appropriate under the circumstances

If there is not enough evidence to substantiate the complaint, corrective measures will not be taken.

7.02 Procedure for Addressing & Investigating Workplace Violence

Note: all cases of alleged sexual exploitation, harassment and abuse will be investigated and reported to appropriate parties, including Global Affairs Canada (GAC). Further, these shall be referred to the relevant authorities in cases of criminal conduct, as per PSEA guidelines. Victims also have access to the Catalyste+ Whistleblower anonymous reporting system, as described in Catalyste+ policy 2.2. ("Ethics").

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Workplace Violence

Representatives have the right to refuse work if workplace violence is likely to endanger them. In that instance, they should immediately contact their manager at which point appropriate measures will be taken to protect them and investigate the situation. The representative(s) will be moved to a safe place as near as reasonably possible to their normal work station and will need to be available for the purposes of investigating the incident. In some circumstances, they may be provided with reasonable alternative work during normal working hours.

In appropriate circumstances, Catalyste+ may contact the police, or other emergency responders as appropriate, to assist, intervene or investigate workplace violence. Measures and procedures for summoning immediate assistance will be provided and may include:

- equipment to summon assistance such as fixed or personal alarms, locator or tracking systems, phones, cell phones, etc.;
- emergency telephone numbers and/or email addresses;
- emergency procedures

Provided the situation is dealt with quickly and the danger to workers is removed, the necessity of work refusal may be alleviated.

Investigation Procedure

Representatives are required to report the existence of any workplace violence or threat of workplace violence to their manager or the Workplace Respect Committee. The Workplace Respect Committee will commence an investigation as quickly as possible. The “Committee” may choose to use either an internal or external investigator, depending on the nature of the incident.

The investigation will include:

- conducting interviews of relevant individuals to ascertain all of the facts and circumstances relevant to the complaint, including dates and locations
- reviewing any related documentation; and

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- making detailed notes of the investigation and maintaining them in a confidential file

Once the investigation is complete, the investigator(s) will prepare a detailed report of the findings. A copy of the report (as required) will be provided to Human Resources.

Corrective Action

Human Resources will deliberate with leadership management to determine what action should be taken as a result of the investigation.

If a finding of workplace violence is made, Catalyste+ will take appropriate corrective measures, regardless of the respondent's seniority or position in the organization.

Corrective measures may include one or more of the following:

- discipline, such as a verbal warning, written warning or suspension without pay
- termination with or without cause
- referral for counseling (sensitivity training), anger management training, supervisory skills training or attendance at educational programs on workplace respect
- a demotion or denial of a promotion
- reassignment or transfer
- financial penalties such as the denial of a bonus or performance related salary increase,
- removal from Catalyste+'s Volunteer Roster and
- any other disciplinary action deemed appropriate under the circumstances

7.03 Procedures for Addressing Domestic Violence

If a representative is experiencing domestic violence that would expose them to physical injury in the workplace or they are experiencing workplace violence or believe that workplace violence is likely to occur, they may seek immediate assistance by contacting any member of the Workplace Respect Committee. The Workplace Respect Committee will assist in preventing and responding to the situation.

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7.04 If a representative makes a complaint in good faith and without malice, regardless of the outcome of the investigation, they will not be subject to any form of discipline. Catalyste+ will, however, discipline or terminate anyone who brings a false and malicious complaint.

7.05 Confidentiality of Complaints & Investigations

Catalyste+ recognizes the sensitive nature of harassment and violence complaints and will keep all complaints confidential, to the extent that the organization is able to do so. Catalyste+ will only release as much information as is necessary to investigate and respond to the complaint or situation or if required to do so by law.

Out of respect for the relevant individuals, it is essential that the complainant, respondent, witnesses and anyone else involved in the formal investigation of a complaint maintain confidentiality throughout the investigation and afterwards.

Your signature below signifies that you have read and understand Catalyste+'s <i>Violence & Harassment in the Workplace Policy Statement & Procedures</i> and that you agree to respect and enforce this policy as a representative of the organization.	
Name:	Title:
Date:	Signature: