

RESPECTFUL ENVIRONMENT POLICY FOR COMMUNITY CENTRES

All members of the Centre, patrons, volunteers and employees are entitled to Respectful Environment free from discrimination and harassment as defined by the Manitoba Human Rights Code. As well as an environment free from disruptive conflict.

We have a responsibility to others both in the sense of controlling ourselves and in recognizing the sensitivities of others regardless of a persons' status in the Centre. Any complaints on these matters should be brought forward in writing to the Board. The Board will take appropriate action as per Board procedures.

The Community Centre has a responsibility to provide a safe and healthy work, business and recreational environment free from harassment, discrimination and disruptive conflict. This includes sexual harassment as well as harassment based on race, national or ethnic origin, color, religion, age, sex, marital status, family status, physical or mental disability and sexual orientation.

DEFINITIONS:

For the purpose of this policy the following definitions shall apply:

Although disrespectful behavior, conflict and harassment can be defined, in practice they overlap. The following definitions, although not all-inclusive, have been designed to accommodate the different types of concerns that may arise.

Disrespectful Behavior

Disrespectful behavior is improper behavior that is unwelcome and inappropriate. It may happen once or continue over time. It can include:

- Rude comments and swearing as well as spreading unfounded or misinformed rumors that damage people's reputations.
- Actions that invade privacy or personal property or unwelcome gestures.
- Display or distribution of printed or electronic material that offends.



Disruptive Conflict

A disruptive conflict is defined as an ongoing dispute or a communication breakdown between two or more individuals that impacts their ability to work productively and cooperatively at the Community Centre.

Harassment

Harassment is any behavior that demeans, humiliates or embarrasses a person, and that a reasonable person should have known would be unwelcome. It includes:

- Verbal abuse
- Actions such as touching and pushing
- Comments such as jokes and name-calling
- Displays such as posters and cartoons, or
- Abuses of power such as threats or coercion.



It may be single incident or continue over time.

Discrimination and Harassment - Manitoba Human Rights Code

The Manitoba Human Rights Code prohibits harassment and discrimination related to the following characteristics: ancestry, race, ethnic or national origin; nationality; political belief; religion; family status; sex, including pregnancy; age; marital status; sexual orientation; source of income; physical or mental disability.

There shall be no discrimination or harassment as defined by the Manitoba Human Rights Code.

It is expected that all members, patrons, volunteers and employees contribute to this Respectful Environment.

**COMMUNITY CENTRE
RESPECTFUL ENVIRONMENT POLICY**

The Community Centre is responsible for providing members with a Respectful Environment free from discrimination, harassment, disruptive conflict and violence. This includes: *Sexual harassment and harassment based on ancestry, race or ethnic or national origin, color, religion, age, sex, marital status, family status, physical or mental disability and sexual orientation.*

Everyone has the responsibility for maintaining a Respectful Environment. Use discretion and recognize the sensitivities of others regardless of a person's status at the Centre.

Although disrespectful behavior, conflict and harassment can be defined, in practice they can overlap. The following definitions, although not all-inclusive have been designed to accommodate the different types of concerns that may arise:

Disrespectful Behavior is improper behavior that is unwelcome and inappropriate. It may happen once or continue over time. It can include:

- *Rude comments and swearing as well as spreading unfounded or misinformed rumors that damage peoples reputation.*
- *Actions that invade privacy or personal property or unwelcome gestures.*
- *Displays or distribution of printed or electronic material that offends.*

A **Disruptive Conflict** is defined as an ongoing dispute or a communication breakdown between two or more individuals that impacts their ability to work productively and cooperatively in the Community Centre.

Harassment is any behavior that demeans, humiliates or embarrasses a person, and that a respectful person should have know would be unwelcome. It may be a single incident or continue over time. It includes:

- *Verbal abuse*
- *Actions such as touching or pushing*
- *Comments such as jokes and name calling*
- *Displays such as posters and cartoons*
- *Abuses of power such as threats or coercion*

There shall be no discrimination or harassment as defined by the **Manitoba Human Rights Code** which includes the following characteristics: ancestry, race, ethnic or national origin, political belief, religion, family status, sexual orientation, source of income, and physical or mental disability.

Violence is defined as *a threat that may include but is not limited to any act, gesture or statement that may be interpreted as threatening or potentially violent. A violent act is one that causes or may cause physical harm to persons or damage to property.* The XXX Community Centre is committed to providing an environment safe from threats and violence for all members. Any member who engages in such acts will be subject to disciplinary action up to and including termination from club activities.

It is expected that all members, patrons, volunteers, and employees will contribute to this Respectful Environment.

THE PROCESS

Step 1: Resolving the Problem on Your Own

The person who objects to the unwelcome behavior is encouraged to approach the other party directly and ask that the behavior stop. If it does not stop the person who objects should proceed to Step 2.

Step 2: Problem Solving

The person who objects to the unwelcome behavior should discuss the matter with the President of the Community Centre or designate. The President should discuss the issues with the individuals and attempt to resolve the matter. This step provides an opportunity to resolve issues without formal documentation. The name of the complainant or an alleged harasser or the circumstances related to the complaint will not be disclosed unless: (a) disclosure is necessary to investigate the complaint or take corrective action or (b) is required by law. If the matter cannot be resolved it proceeds to Step 3.

Step 3: Resolution of Issue

The Board of Directors or designate will assess the circumstances surrounding the situation by obtaining information from the two parties involved. It is the responsibility of the Board to obtain facts about what occurred so that it can respond to the allegations and take corrective action. In accordance with policies and the Manitoba Human Rights Code, the Board bears the responsibility of ensuring that there is no violation of the principles of a Respectful Environment and will resolve the situation. The Board of Directors or designate will inform the complainant and the alleged harasser by written letter of the result of the investigation. The policy is not intended to discourage or prevent the complainant from exercising any other legal rights. A worker has the right to file a complaint with the Manitoba Human Rights Commission.

Board of Directors
Community Centre

April 2010

RESPECTFUL WORKPLACE/NO HARASSMENT/NO DISCRIMINATION

All members of the Centre, all patrons, volunteers, and employees are entitled to a respectful environment, free from discrimination, intimidation, insult, ridicule and harassment.

DEFINITION

Harassment is about power - who has it; how it is used; and against whom they use it. It is a form of sexual and social control which encourages an atmosphere of fear and insecurity. We have a responsibility to others both in the sense of controlling ourselves and in recognizing the sensitivities of others. The abuse of power, which is what harassment is about, is not only the intentional misuse of others but also the inadvertent violation of others' sensibilities. Regardless of a person's status in the Centre, any complaints brought forth against said person will be investigated according to the policy set out in this memo.

Harassment is a form of discrimination which can damage a person's physical and mental health, undermine his/her performance and impact in a negative way on the work or business environment. Harassment is defined as any improper behaviour by one person that is directed at and/or is offensive to any other person and which that person knew or ought reasonably to have known would be inappropriate or unwelcome. It comprises objectionable conduct, comment or display made on either a one time or continuous basis that demeans, belittles or causes personal humiliation or embarrassment to any person.

Some examples of harassment are:

1. Unnecessary physical contact such as touching, patting, pinching or punching.
2. Physical assault.
3. Verbal abuse or threats.
4. Unwelcome remarks, jokes, innuendoes or taunting about a person's body, attire, age, marital status, ethnic or national origin, religion, sexuality, etc.
5. Displaying of pornographic, racist or other offensive or derogatory pictures, cartoons or printed matter.

Harassment and discrimination can occur among any individuals at the Centre (e.g. Executive Member, Employee, Coach, Participant). Instances of harassment frequently overlap with issues of equal opportunity, abuse of power, racial bias, work performance, sexual discrimination, personality conflict, age discrimination or any combination thereof.

LEGAL FRAMEWORK

It has been clearly stated by the courts that an employer (in this case the Community Centre) has a statutory responsibility to provide a safe and healthy work, business and recreational environment, free from harassment and discrimination. This includes sexual harassment as well as harassment based on race, national or ethnic origin, colour, religion, age, sex, marital status, family status, physical or mental disability, and sexual orientation.

Discriminatory practices, sexual harassment and some workplace conflicts are not only against the law; they are also extremely disruptive to the Community Centre. These behaviours contribute to lowered self-esteem, increased stress, physical and psychological strain. Sexual harassment is about unsolicited and non-reciprocated behaviours; it is not a joke. It can devastate the victim(s), damage careers and create a poisoned work environment.

When sexual conduct, be it verbal, physical contact or display of sexually explicit materials is used in the workplace to bully, intimidate or for any other negative and aggressive purposes, the behaviour constitutes sexual harassment. Whether or not the behaviour is judged to be harassment is not based on the intent of the person displaying the behaviour, but from the perspective of the victim(s) of the behaviour.

People in senior positions have a particular responsibility to help provide an environment free from unlawful discrimination and work-related harassment to all people. They are in a unique position to set an example by respecting the dignity and human rights of fellow workers, patrons and volunteers.

CONTRACTUAL COMMITMENTS

Harassment and Discrimination under the Manitoba Human Rights Code Part 119(1) and the Workplace Health and Safety Act 2 (2)A and 2 (2)B.

The Community Centre prohibits discrimination and harassment as defined by the Manitoba Human Rights Code. According to the Code:

It is discriminatory practice to harass an individual on a prohibited ground of discrimination:

- a) in the provision of goods, services, facilities or accommodation routinely available to the general public;
- b) In the provision of commercial premises or residential accommodation; or
- c) In the matters related to employment.

Discriminatory grounds according to the Manitoba Human Rights Codes are: race, national or ethnic origin, colour, religion, age, sex, marital status, family status, source of income, physical/mental disability, and sexual orientation.

Protection against harassment extends to incidents occurring at or away from the workplace, during or outside normal work hours, providing such acts occur within the course of employment, or in the provision of goods, services, facilities or accommodation.

WHAT TO DO IF YOU FEEL ARE THE TARGET OF DISCRIMINATION OR HARASSMENT IN THE WORKPLACE

If you feel that you are being discriminated against or harassed in any way, you should immediately tell the alleged harasser to stop, indicating that you find the behaviour or comment inappropriate and unwelcome. If the matter resolves itself to your satisfaction at this point then no further action is required. However, if you do not feel that it has been resolved or if you are concerned for your well being, you should immediately report the incident, either verbally or in writing, to the appropriate person; i.e. President or specific convenor. However, failure to do so does not prevent you from taking any further steps. You are free to ask for assistance in this matter from your president. You should then document thoroughly the incident(s) including the date, time, location, names of witnesses and complete details for each event.

Upon receipt of any verbal or written complaint the Community Centre president will attempt to resolve the issue through whatever means are deemed appropriate in the circumstances. All written notes, notes to file, etc. must be kept detailing whatever action has been as the Centre is deemed legally to know about any incident of discrimination or harassment as soon as those incidents are relayed to the appropriate persons and is therefore liable for any action or inaction. Investigations into complaints will be conducted as outlined below.

INVESTIGATIONS PROCESS

An investigator making formal inquiries into complaints of harassment and/or discrimination in the workplace will follow this process:

- The complainant will be asked to submit the complaint in writing. However, investigation may begin prior to the written complaint being received. The written complaint should indicate what the allegations are, i.e. what is the alleged offensive or discriminatory behaviour. The details should include the name(s) of the alleged harasser(s), time and place of the offensive behaviour(s), witness (if any), action taken by the complainant (if any), and effect of the behaviour(s) on the complainant.
- The complainant will then be interviewed about the allegations and complaint and the investigator will ask whether or not he/she wants the investigator to speak to any witnesses. The witnesses should be in the position of being able to offer evidence regarding the allegations, rather than simply being “character” witnesses. The investigator will speak to any witnesses suggested.
- The respondent(s) is/are contacted to be advised of the complaint. The respondent(s) is/are given the opportunity to respond to the allegation in person and is

asked whether there are any witnesses who should be interviewed.

- All witnesses are interviewed; it is preferable to take written statements, but if they are not taken, witnesses will be asked to initial notes the investigator has made of their evidence.
- Witnesses are advised that the disputants will be able to know what the witnesses have said about them and about the circumstances of the allegations.
- The complainant and the respondent(s) are interviewed again, and have the opportunity to respond to the comments made by the witnesses.
- After all the witnesses have been interviewed and after the complainant and the respondent(s) have had the opportunity to present their positions, an interim finding is developed. The interim finding is discussed with the complainant and respondent(s).
- The complainant and the respondent(s) have the opportunity to rebut the findings of the interim finding and to offer new, relevant information.
- Any rebuttal or new, relevant information is considered and a final report is prepared. If no rebuttal or new, relevant information is submitted then the interim finding is confirmed as the final report.
- The final report is presented to the centre's executive.