

# **Heart Lake Baptist Church Workplace Harassment Policy and Procedure**

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(Acknowledgement to CBOQ prototype policy)

## **POLICY**

This policy, and the Workplace Violence Policy, are in response to June, 2010 amendments to the Occupational Health and Safety Act. These policies are intended to enhance the Heart Lake Baptist Church Protection Policy, which focuses on the protection of children, youth and vulnerable adults, and paid staff or volunteers who work with same. These policies apply to all employees, volunteers, agents, contractors, members/ adherents/visitors of/to HLBC.

Heart Lake Baptist Church (HLBC) respects the dignity, uniqueness and intrinsic worth of every person. It is the right of all who are employed by or volunteer with HLBC to work in an environment that is free from harassment. HLBC does not tolerate harassment in the workplace perpetrated by or against employees, volunteers, agents, contractors, or members/adherents/visitors will not be tolerated by HLBC and wherever possible will be redressed.

Everyone in the workplace must be dedicated to preventing workplace harassment. The Council, **Elders, members**, employees, and volunteers of HLBC are expected to uphold this policy and procedure and will be held accountable by HLBC for doing so. In the event of an occurrence of harassment perpetrated by an employee or volunteer HLBC will take prompt action to deal with the issue.

Retaliation or reprisals are prohibited against any employee who has complained under this policy or has provided information regarding a complaint. Any retaliation or reprisal is subject to immediate corrective action up to and including termination for cause. Alleged retaliation or reprisal is subject to the same complaint procedures and penalties as complaints of harassment.

HLBC recognizes that individuals may find it difficult to come forward with a complaint under this policy because of concerns about confidentiality. Therefore, all complaints concerning workplace harassment, as well as the names of parties involved, shall be treated as confidential. HLBC's obligation to conduct an investigation into the complaint may require limited disclosure. No record of the complaint will be maintained on the personnel file of the complainant. If there is a finding of improper conduct that results in disciplinary action it will be reflected only on the file of the person who engaged in such conduct in the same way as any other disciplinary action.

## **PURPOSE**

The purpose of this policy and procedure is to:

- establish processes to minimize and/or prevent workplace harassment;
- foster the safety and security of employees, volunteers, and visitors to our church; and
- to reassure employees or volunteers reporting alleged incidents that the matter will be treated confidentially and may be reported without fear of retaliation or reprisal.

## SCOPE

This policy applies to all employees, volunteers, agents, contractors, members/ adherents/visitors of/to HLBC.

This policy applies not only during regular business and ministry hours, but to any activities on or off HLBC premises which could reasonably be associated with the church.

Nothing in this policy prevents or discourages an employee or volunteer from filing an application with the Human Rights Tribunal of Ontario on a matter related to the Ontario Human Rights Code within one year of the last alleged incident. An employee or volunteer also retains the right to exercise any other legal avenues that may be available.

## DEFINITIONS

**“employee” or “employees”** means all pastoral and administrative support staff and any contractors or agents of HLBC.

**“ministry lead”** means the individual designated by Council on the most recent update of the HLBC Officers and Committees, and Ministry Teams lists, or if vacant the Senior Pastor and/or Chair of Council. Under the HLBC Staff policy the Senior Pastor is responsible for the day-to-day leadership of the staff.

**“harassment” or “workplace harassment”** means engaging in unwelcome, unwanted, offensive, or objectionable conduct that may have the effect of creating an intimidating, hostile or offensive work environment, interfering with an individual’s work performance, adversely affecting an individual’s employment relationship, and/or denying an individual dignity and respect. Harassment may also include bullying, teasing, intimidating or offensive jokes or innuendos, displaying or circulating offensive pictures or materials **physically and digitally**, or offensive or intimidating **emails**, phone calls **or text messages** or any unsolicited conduct, comment, or physical contact of a sexual nature that is unwelcome by the recipient. It includes, but is not limited to: any unwelcome sexual advances (**verbal**, written, or physical); requests for sexual favours; sexual and sexist jokes; racial, homophobic, sexist or ethnic slurs; written or verbal abuse or threats; unwelcome remarks, jokes, taunts, or suggestions about a person’s body, a person’s physical or mental disabilities, attire, or on other prohibited grounds or discrimination; unnecessary physical conduct, such as patting, touching, pinching, or hitting; displays of degrading, offensive or derogatory material such as graffiti or pictures; physical or sexual assault.

Harassment may result from one incident or a series of incidents. It may be directed at specific individuals or groups.

**“volunteer”** means any member, adherent or visitor to HLBC who contributes their time, energy and skills to any ministry or service associated with HLBC.

**“workplace”** means any place where HLBC business or ministry activities are conducted. It includes the physical work premises (e.g. church building), on and off-site meetings, assignments, events and social events, ministry-related travel and includes conferences or training sessions.

## RESPONSIBILITIES

### General

**It is the responsibility of all employees and volunteers of HLBC to:**

- a. Treat everyone in the workplace with respect and to promote an environment free of harassment.
- b. Modify their behaviour when they become aware that there is potential for such behaviour to harm, threaten or intimidate others.
- c. Inform their supervisor or ministry lead of any harassment in the workplace without delay.
- d. Co-operate fully during investigations of workplace harassment.

- e. Preserve confidentiality during the course of any incident or investigation of workplace harassment.

#### **Additional responsibilities of employees and volunteers:**

- a. Attending any training or information sessions provided by HLBC to raise awareness of and reduce harassment or the risk of harassment in the workplace.

#### **Responsibilities of ministry leads:**

- a. Assessing the risk of harassment to staff or volunteers in their jurisdiction, minimizing those risks where necessary or reasonably possible, and informing any affected staff or volunteers of such risk or potential risk.
- b. Ensuring appropriate medical care is provided for anyone involved in an incident and for securing the safety of any employee or volunteer.
- c. Documenting the incident using a **Workplace Harassment Incident Report Form (Appendix A)**.
- d. Reporting risks or incidents of harassment in the workplace to the Senior Pastor and Chair of Council as soon as practically possible.
- e. Co-operating fully with HLBC investigators, police or other authorities during any investigation related to workplace harassment.

#### **Responsibilities of HLBC Council and Senior Pastor:**

- a. HLBC Council and the Senior Pastor are responsible for minimizing the risk of harassment in the workplace wherever possible.
- b. Council and Senior Pastor are responsible for ensuring employees and volunteers are trained to:
  - i. Recognize the potential for harassment in the workplace;
  - ii. Follow the policy and procedures developed to minimize risk;
  - iii. Respond to incidents appropriately; and
  - iv. Report and document such incidents.
- c. When a risk or incident of harassment in the workplace is reported the Senior Pastor and Chair of Council are responsible for initiating appropriate investigation, further reporting of the incident as appropriate, and documenting the incident, and for informing all members of Council of the incident as soon as possible.

## **PROCEDURE**

### **Personal Options**

The employee may choose to speak to the harasser on their own. The employee is encouraged to keep a record of that conversation. The employee may seek guidance from the ministry lead and Pastor prior to conversation.

### **Informal Resolution**

An informal resolution process aims to ensure that the harassment incident is resolved as quickly as possible. This can achieve a more timely and satisfactory resolution for both parties. This should be an option as long as all parties involved agree to it, overseen by the Pastor or Elders. It can be an open dialogue between parties to work through the problem. This option would require the harasser to be receptive to information about the effects of their harassing behaviour. No investigation or disciplinary action will be taken as a result of an informal complaint. Rather, a no-blame, conciliatory approach will be taken to assist the individuals in reaching an outcome that will ensure appropriate conduct in the future.

The employee may advance the complaint of incident to formal complaint if the employee feels that an adequate resolution has not been achieved through the informal resolution process.

### **Formal Reporting and Investigation**

1. Every incident of alleged harassment shall be reported immediately to the ministry lead.
2. The ministry lead shall ensure the safety of anyone alleging workplace harassment and that appropriate medical care is provided for anyone involved in an incident.

3. The ministry lead will document the incident using a **Workplace Harassment Incident Report Form** (Appendix A).
4. The incident will then be reported to the Senior Pastor and Chair of Council, and police depending upon the severity of the workplace harassment as soon as possible.
5. The Senior Pastor and/or Chair of Council, in consultation with the ministry lead, will initiate an investigation.
6. The investigation will include questioning the victim and/or witnesses to determine if the incident is minor or serious. This will include keeping detailed notes of facts, times, witnesses, and witness accounts.
7. If the incident is considered minor the Senior Pastor and/or Chair of Council will determine if mediation is appropriate and if so, mediate or arrange for mediation of the situation.
8. If the incident is considered to be more serious the Senior Pastor or designate and/or Chair of Council or designate may report the incident to police.
9. Whether an incident is deemed to be minor or serious a detailed written report outlining the facts and witnesses of the incident will be prepared and submitted to the Chair of Council within twenty-four (24) hours.
10. The Chair of Council will advise all members of Council of the incident by whatever means deemed appropriate.
11. If a perpetrator of workplace harassment is an employee or volunteer of HLBC Council shall apply appropriate disciplinary measures based on the facts of the incident and the individual's employment/volunteer record, regardless of any sanctions meted out by the law enforcement and justice system.
12. All aspects of the workplace harassment prevention plan, including this policy, will be reviewed annually to ensure it is current and effective.

### **Training and Education**

1. All employees and volunteers are required to be trained on the contents of this policy, upon their appointment, and at least once a year thereafter.
2. Training program for employees and volunteers shall include:
  - a. The means to recognize situations where workplace harassment may occur;
  - b. Procedures, work practices, and administrative arrangements that have been developed to minimize or eliminate the risk to employees and volunteers;
  - c. The appropriate responses to incidents of harassment in the workplace, including how to obtain assistance.

### **Risk Assessment**

1. The Senior Pastor and Council shall initiate a process to assess the risk of harassment in the workplace as defined in this policy on a periodic basis.
2. If areas of risk are identified, actions shall be taken and documented to remove as many risks as can be reasonably removed.
3. A written report shall be provided to all employees and volunteers about the risk assessment process, any areas of risk identified and mitigative measures.
4. The risk assessment shall be reviewed annually.

### **Appendix A: Workplace Harassment Report Form**

<b>Complaint Information</b>			
<b>Alleged Aggressor:</b>	<b>Position:</b>		
<b>Date/Time of Incident:</b>			
<b>Type of Incident:</b>	<b>Physical</b>	<b>Verbal</b>	<b>Other</b>
<b>Is this the first occurrence:</b>	<b>Yes / No</b>		

