

Exeter United Church

Workplace Discrimination, Harassment, and Violence Prevention and Response Policy

Theological Statement

The United Church of Canada believes that all people are created in God's image and all people deserve the same human rights and freedoms.

The United Church of Canada's policies, practices, and procedures embody our beliefs while creating a work environment of mutual respect, care, protection, and empowerment that is free from all forms of discrimination, harassment, and violence.

Policy

Exeter United Church is committed to providing safe environments for work, worship, and study, free from discrimination, harassment, and violence.

The church will not tolerate any behaviour by any person – including but not limited to its members, adherents, lay employees and ministry personnel or volunteers – that constitutes discrimination, harassment or violence.

Discrimination, harassment, and violence in the workplace are prohibited by the church and by provincial, territorial, and federal law. Nothing in this policy is intended to prevent a complainant from filing a complaint under Ontario Human Rights legislation.

All complaints of discrimination, harassment or violence toward anyone within the church – including lay employees or ministry personnel, and volunteers – will be taken seriously and dealt with in a spirit of compassion and justice.

Procedures

- 1.If the person complaining (the complainant) is able to do so, and if it is practical and safe, they should communicate directly with the person who is behaving inappropriately, to tell them that their behaviour is unacceptable, is being experienced as discrimination or harassment, and ask the person to stop.
- 2.The complainant can request assistance and be accompanied by another person at the meeting with the respondent. The complainant may bring a person of their choosing with them to any meeting or process that is part of this policy.
- 3.If the behaviour does not stop or the complainant is unable to speak to the respondent (the person behaving inappropriately), then a complaint should be provided in writing, to the Chair of the Ministry and Personnel Team and the Chair of the Leadership Team, with details as to the date of the incident(s), location, any witnesses, and a description of the incident(s).
- 4.The representatives of the Ministry and Personnel Team and the Leadership Team will assess the complaint and the applicability of this policy to respond to the complaint. If

there are other processes available to address the complaint, those may be recommended. Such other options could include mediation, a facilitated conversation, or other forms of dispute resolution.

5.The complaint will be provided to the respondent at the earliest possible opportunity by the Chair of the Ministry and Personnel Team and the Chair of the Leadership Team.

6.If the complaint is not able to be resolved to the satisfaction of the involved parties, or if the complaint is being made about the Chair of the Ministry and Personnel Team or the Chair of the Leadership Team, the complaint should be sent to the appropriate regional council Executive Minister where the incident occurred.

7.The parties will be provided with information about the outcome as appropriate in the circumstances. Personal information will not be provided about any party, and all information will be held in as much confidence as is possible while still ensuring fair process.

Responding to Complaints of Systemic Discrimination

A complaint that a policy or procedure is discriminatory must first be brought to the attention of the Chair of the Leadership Team. Reasonable efforts will be made to resolve the complaint.

Definitions

Discrimination includes any distinction, exclusion, or preference based on protected grounds set out in human rights legislation that nullifies or impairs equality in employment. Discrimination includes unwelcome comments or actions that relate to a person's personal characteristics – for example, race, gender, sexual orientation, and age.

It is the impact of the behaviour, not the intention behind it that determines whether the concerning behaviour is discriminatory.

There are two forms of discrimination: direct and systemic.

Direct discrimination is an action, a behaviour, or a practice of treating a person unequally on the basis of any of the prohibited grounds. It may be overt and admitted or covert and denied.

Systemic discrimination relates to institutional practices, systems, and structures that operate to limit an individual's or group's rights to opportunities or exclude an individual or a group from participation on the basis of a prohibited ground.

Harassment includes improper and unwanted comment or conduct when such conduct might reasonably be expected to cause insecurity, discomfort, offence, or humiliation to another person. Harassment is a form of discrimination.

Harassment does not include constructive criticism, evaluating or monitoring performance or setting performance standards, corrective or disciplinary action, or organizational change for business reasons.

Racial harassment is unwelcome, unfair, or unsafe behaviour related to race based on prohibited grounds and includes behaviour related to a person's race, colour, ancestry, where a person was born, ethnic background, place or origin, or creed.

Individual racism can range from targeted racial harassment and overt discrimination to microaggressions, which can include subtle events that occur on a regular basis.

Systemic or institutional racism consists of patterns of behaviour, policies, and practices that are part of the social or administrative structures of an organization and that create or perpetuate a position of relative disadvantage for racialized people.

Microaggressions are the everyday putdowns and slights marginalized groups face every day from other people who sometimes do not know that they are being offensive or patronizing.

Sexual harassment means engaging in a course of improper or unwelcome comment or conduct because of sex, sexual orientation, gender identity, or gender expression, where the course of comment or conduct is known or should reasonably be known to be unwelcome. Sexual harassment can also be asexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant, or deny a benefit or advancement to the recipient, and the person knows or should know that the solicitation or advance is unwelcome.

The church's *Sexual Misconduct Prevention and Response Policy and Procedures* may apply if the complainant is in a vulnerable position and the respondent is in a position of trust with respect to the complainant.

Violence is the use of physical force against a person that causes or could cause physical injury. It also includes attempting to use physical force, and includes a statement or behaviour that could reasonably be interpreted as a threat to use physical force.

Workplace includes any location, permanent or temporary, where an employee performs any work-related duty.

Notes to the Policy

Accommodation: Exeter United Church will accommodate the special needs of everyone involved in the process to ensure full access and participation.

Bad faith, trivial, or vexatious complaints may themselves be a violation of this policy. A bad faith complaint is one that the complainant knows is false or is made for a purpose other than gaining a satisfactory remedy.

Confidentiality: Confidentiality with respect to complaints is maintained to the extent possible, having regard to the circumstances giving rise to the complaint and subject to the church's obligation to conduct a thorough investigation.

Freedom from reprisal: Every person with a complaint has the right to bring it forward under this policy without reprisal or threat of reprisal.

Records: All materials related to the complaint, including the investigation and outcome, are retained in confidence according to the church's retention policies.

For more detailed information, see the United Church of Canada full document entitled ***Workplace Discrimination, Harassment, and Violence Prevention and Response Policy September 2020***

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