

Diocese of Rupert's Land Respectful Workplace Policy

The Diocese of Rupert's Land (the "Diocese") is committed to building and preserving a safe, productive, and healthy work environment. Everyone is entitled to work free of both harassment and violence, based on principles of mutual care, respect and responsibility.

This policy complies with Manitoba's Workplace Safety and Health Regulations, and Ontario's *Occupational Health and Safety Act*.

"Worker" means all employees, clergy, volunteers, and contractors of the Employer.

"Workplace" means any place or setting where ministry is carried out.

"Employer" means the Diocese or any parish or mission corporation within the territory of the Diocese, as applicable to a workplace.

"Leader" means the supervisor if any or in the absence of a supervisor, a person in authority in the workplace.

This policy covers incidents of harassment or violence, whether in person, online, or via any other media, if the behaviour impacts the well-being of any person covered by this policy.

In particular, this Respectful Workplace Policy addresses the following:

- I. Harassment
- II. Violence
- III. Corrective Actions
- IV. Special Circumstances
- V. Respectful Communication
- VI. Resources
- VII. Acknowledgement

Questions concerning this policy are to be directed to the Diocesan Executive Archdeacon or a person otherwise designated by the Bishop (the "appointee").

I. Harassment

The definition of "harassment" for the purposes of this policy constitutes all of the definitions and descriptions below.

Part 1 of *The Workplace Safety and Health Regulation*, Man Reg 217/2006 (the “*WSH Regulation*”) defines “harassment” as:

- a) objectionable conduct that creates a risk to the health of a worker; or
- b) severe conduct that adversely affects a worker’s psychological or physical well-being.

The *Regulation* further defines harassment as conduct that is:

- a) objectionable, if it is based on race, creed, religion, colour, sex, sexual orientation, gender-determined characteristics, marital status, family status, source of income, political belief, political association, political activity, disability, physical size or weight, age, nationality, ancestry, or place of origin; or
- b) severe, if it could reasonably cause a worker to be humiliated or intimidated and is repeated, or in the case of a single occurrence, has a lasting, harmful effect on a worker.

The *Occupational Health and Safety Act* RSO 1990, c. O.1 (the *OHSA*) defines “workplace harassment” as

- a) 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; or
- b) workplace sexual harassment.

Incidents of sexual harassment or sexual exploitation may be dealt with under this Policy or under the Diocese of Rupert’s Land [Sexual Misconduct Policy](#) at the election of the worker complaining of sexual harassment or sexual exploitation or at the election of the Employer.

Psychological harassment or bullying may include, but is not limited to:

- yelling, insults, name-calling;
- persistent and excessive criticism;
- malicious rumours and/or gossip;
- excluding individuals from activities;
- sabotaging an individual’s work;
- using influence to negatively impact an individual’s promotions;
- knowingly making false allegations about someone;
- sending embarrassing, hurtful, or threatening messages via electronic means such as cell phone, internet, or social media.

Harassment may be written, verbal, physical, a gesture or display, or any combination of these. It may happen only once, but often happens repeatedly.

What is not harassment?

Reasonable actions to help manage, guide or direct workers or the workplace are not harassment. Appropriate performance feedback, coaching or discipline by a designated leader is not harassment.

Worker Rights and Responsibilities

All workers are entitled to work free of harassment.

All workers are responsible to treat others with respect.

Workers who experience harassment or are aware another person is being harassed in the course of their work should report it to the appropriate person as outlined in "Reporting/Investigating".

Workers are responsible to co-operate in the investigation of a harassment complaint.

Anyone who participates in a complaint investigation is required to keep details confidential.

This harassment prevention policy is not intended to discourage or prevent the complainant from exercising any other rights pursuant to law.

A worker has the right to file a complaint with the Manitoba or Ontario Human Rights Commission, as applicable, or take any other legal action.

Employer Responsibilities

The employer must ensure, so far as reasonably practicable, that no worker is subjected to harassment in the workplace.

The employer will take corrective action respecting any person under its direction who subjects a worker to harassment.

All records and reports of violence, and subsequent investigations, are considered confidential and will not be disclosed except where disclosure is required:

- to investigate the complaint;
- to take corrective action with respect to the complaint; or
- by law.

The personal information disclosed in respect to an incidence of harassment must be the minimum amount necessary for the purpose.

The employer, so far as is reasonably practical, will ensure pastoral support for all parties involved in complaints of harassment.

Leaders are responsible for fostering a safe work environment free of harassment. Leaders who become aware of harassment must take steps to stop harassment, whether or not a complaint is made.

The employer will post a copy of the harassment prevention policy in a conspicuous place at the workplace.

Reporting

Workers experiencing harassment during their ministry in the workplace may inform the person committing the harassment verbally or in writing that the behaviour is unwelcome and must stop. If such attempts to stop the harassment are unsuccessful, the person may bring the concerns to a leader, who must deal with the problem.

If the person experiencing harassment is unable or unwilling to deal with or confront the other person directly, then they may bring the concerns to their leader to deal with it.

Response

1. In all cases, the leader will document incidents of harassment. If the Diocese supplies forms for such purpose, such forms shall be used.
2. The leader will take action with the permission of the person allegedly being harassed (the “complainant”). The leader may approach the person who allegedly committed the harassment (the “respondent”) informally or in writing in an attempt to confirm whether harassment has taken place and, where applicable, to resolve the complaint.
3. If appropriate, and if both parties agree, the leader may arrange for mediation in which the employer will assist.
4. If mediation fails or is not appropriate given the nature and severity of the complaint, the employer supports its workers in filing a formal complaint, in writing. A formal complaint is made to the Executive Archdeacon or appointee for action.
5. In cases where the nature and severity of the allegation warrants, the leader may pursue a formal complaint on behalf of the complainant, regardless of whether the complainant wishes to pursue a formal complaint or not. The employer cannot assure anonymity of the complainant in such circumstances.
6. Upon receiving a formal complaint of harassment, the Executive Archdeacon or appointee will:
 - Record in writing the allegations, the parties involved, the names of any witnesses and other relevant information.
 - Notify the complainant in writing that the allegations will be investigated.
 - Notify the respondent in writing that there is a complaint, that the complaint is being investigated, and request a response to the allegations.

Investigation

The Executive Archdeacon or appointee will conduct an investigation in as confidential a manner as possible. The Executive Archdeacon or appointee may solicit the assistance of qualified professionals as needed, including (but not exclusive of) police, physiologist, psychologist, lawyer, Human Rights Commission personnel, or other leadership, dependent on the situation.

The complainant and the respondent, if they are a worker, will be informed in writing of the results of the investigation (but are not necessarily entitled to any written report, if any).

Where the investigation determines harassment has been committed by the respondent, the complainant and respondent will be so advised (but may not be provided a copy of the investigation report). The employer will take appropriate action. The complainant will be provided with confirmation that corrective action has been taken as a result of the investigation but not necessarily the details of the corrective action taken.

A complaint that is determined to be frivolous, vexatious or without foundation shall be recorded in the complainant's personnel file or other confidential records as appropriate.

If it is determined that harassment occurred, a record of the complaint shall be kept in the respondent's personnel file or other confidential records.

II. Violence

The definition of "violence" for the purposes of this policy constitutes all of the definitions and descriptions below.

As defined in Part 1 of the *WSH Regulation* (Manitoba), "violence" means:

- a) the attempted or actual exercise of physical force against a person; and
- b) any threatening statement or behaviour that gives a person reason to believe that physical force will be used against the person.

As defined under the *OSHA* (Ontario), "workplace violence" means:

- a) the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
- b) an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker;
- c) a statement or behaviour that it 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.

Threats or acts of violence may include but are not limited to the following:

- physical and/or sexual assault;
- property damage and vandalism;
- swearing and verbal abuse directed at someone;
- threats or intimidation.

Incidents of sexual assault be dealt with under this Policy and/or under the Diocese of Rupert's Land [Sexual Misconduct Policy](#) at the election of the worker reporting sexual assault or the Employer.

Violence is Against the Law

Canada's *Criminal Code* prohibits violence. Everyone has a right to live and work without being subjected to violence. This policy outlines what to do if someone is subjected to threats or violence at work, or if someone becomes aware of a violent situation.

Worker Rights and Responsibilities

Workers are entitled to a workplace free from violence.

Workers are responsible for working together in a professional manner and resolving issues in a non-violent manner.

Workers must bring issues that cannot be mutually resolved to their leader.

All incidents of violence must be reported to the leader and the Executive Archdeacon or appointee.

Workers must cooperate in the investigation of a violent incident.

All evidence or information pertaining to an investigation is confidential.

Employer/Diocesan Responsibilities

All leaders are responsible as far as reasonably practical to create a violence-free workplace culture.

The leader or the Executive Archdeacon or appointee will take appropriate corrective action wherever a worker has been subjected to violence. Corrective action is further discussed in item "III" below.

The name of the complainant and/or the circumstances of the violent incident shall remain confidential except where disclosure is:

- necessary to investigate the complaint;

- required to take corrective action in response to the complaint; or
- required by law.

Any information disclosed should be the minimum required for the purpose of investigation.

Where criminal proceedings are initiated, the employer and Diocese will assist as required by law.

This violence prevention policy is not intended to discourage or prevent the complainant from exercising any other rights pursuant to law.

A paper copy of the violence prevention policy will be posted in a conspicuous place at the workplace or, if posting is not practicable, a copy will be provided to each worker.

If an incident of violence has taken place, of which the Diocese has received notice, the Diocese must prepare an annual report that records:

- any incident of violence to a worker in the workplace;
- the results and report of an investigation into an incident of violence, including a copy of any recommendations for control measures or changes to the violence prevention policy;
- the control measures, if any, implemented as a result of an investigation into an incident.

The report is only necessary if there has been an incident.

Risk Assessment

Factors most commonly associated with the risk of violence exposure include:

- working alone;
- unlocked buildings;
- reception – greeting visitors or receiving deliveries from outside companies;
- money handling, e.g. making bank deposits;
- opening and closing the building.

Steps to Eliminate or Reduce the Risk of Violence

1. When doors are locked, access is gained only with keys, fobs or cards allocated to specific individuals. A list shall be kept of individuals who have keys at any given time.
2. Entrance doors shall be kept locked when anyone is working alone in the workplace.
3. The employer shall assess how visitors are admitted to the workplace (e.g. doorbells, intercom, cameras).
4. The employer shall establish a “safe zone” within the workplace in the event of violence.

5. Workers shall be trained in lock down procedures. Workers should be aware of safety procedures used by renters such as daycares.

Training

1. Workers are issued their security device (keys, fob, or card) and instructed in its operation, appropriate usage, and how to respond to loss of the device.
2. Workers instruct visitors how or where to access the workplace and should not allow entrance to anyone they feel uncomfortable admitting.
3. New workers receive a safety tour as part of their orientation, including where to find safety information, emergency procedures, emergency exits, etc.
4. New workers will acknowledge and sign adherence to this Respectful Workplace Policy.

Reporting and Response

All records and reports of violence, and subsequent investigations, are considered confidential and will not be disclosed except where disclosure is required:

- to investigate the complaint;
- to take corrective action with respect to the complaint; or
- by law.

The personal information disclosed in respect to an incidence of violence must be the minimum amount necessary for the purpose.

Workers who experience or witness threats or acts of violence either in the workplace or in the course of their duties are required to report all incidents or threats, and attempted or actual violence, to their leader and the Executive Archdeacon or appointee. If the situation has or is likely to escalate into a physical act of violence, contact the police immediately (911).

There shall be no weapons whatsoever in the workplace. If it is known that someone has brought a weapon, workers must call 911 immediately. The incident must also be reported to their leader.

Once the situation is deemed safe, the worker and leader will complete a report of the incident and must inform the Executive Archdeacon or appointee. This report must be completed for all incidents, whether there is actual violence or a threatening situation where there is a reasonable expectation that it may become violent.

If any physical injury or mental trauma occurs, the worker and leader must report it to the Executive Archdeacon or appointee and the worker is advised to consult their health care provider for treatment or referral for post-incident counselling, if appropriate.

If a serious injury occurs in the workplace (death, unconsciousness, broken bone, or any other injury that is serious enough to require in-hospital treatment), counsel shall be immediately sought as to whether the incident must be reported to the appropriate governmental Workplace Safety and Health department. The scene of an investigation should not be disturbed (except to the extent needed to rescue a person) until advised by the governmental Workplace Safety and Health department.

Upon receiving a report of actual or threatened violence, the Executive Archdeacon or appointee shall:

1. Create and maintain a written record of dates, the allegations, the parties involved, the names of witnesses and any other relevant information.
2. Notify in writing the person reporting the violence that the allegations will be investigated (the "complainant").
3. Notify in writing the person against whom the complaint is lodged (the "respondent"), that the complaint is being investigated, and that they are entitled to respond.
4. Advise any workers who may be at risk.
5. Take appropriate steps to protect workers, including advising about the source of the risk.

Investigation

The Executive Archdeacon or the appointee shall:

1. Conduct an investigation in as confidential a manner as possible.
2. Solicit the assistance or advice of qualified professionals (police, physiologist, lawyer, Human Rights Commission, etc.), as appropriate.
3. Notify workplaces as appropriate.
4. Where the investigation determines violence has been committed by the respondent, advise the complainant and respondent (with or without providing a copy of the investigation report). The employer will take appropriate action. The complainant will be provided with confirmation that corrective action has been taken as a result of the investigation but not necessarily the details of the corrective action.

III. Corrective Actions

“Corrective action” for the purposes of this Policy may include but is not limited to coaching, training, receiving a formal warning or termination of employment or engagement.

If it is determined by the employer that a worker has harassed or exhibited violent behaviour towards another worker, corrective action will be taken.

Additionally, a worker who knowingly makes false statements regarding an allegation related to harassment or violence may also be subject to corrective action.

Anyone who attempts retaliation against a worker who complained of harassment or violence, or has given evidence in an investigation, or has been found to have breached this policy shall be considered to have committed harassment themselves and may be subject to corrective action.

IV. Special Circumstances

The employer recognizes that family violence can enter a workplace and affect the safety of both victims and coworkers. If there is no protection order and a worker may be at risk of threats or violence, the worker is encouraged to notify their leader and the Executive Archdeacon or the appointee.

A worker having a no-contact order or restraining order against someone is encouraged to notify their leader and give a copy of the order to the Executive Archdeacon or the appointee.

V. Respectful Communication in the Workplace

The employer strives to ensure that communications in the workplace are open, accurate and respectful at all times. The employer will work to ensure that relevant information, safety information and workplace communications are clear, well understood, respectful and accessible for all workers.

VI. Resources

Workers requiring mental health support are encouraged to seek professional help. One such resource may be the Employee and Family Assistance Program (EFAP), for those workers who have EFAP coverage. EFAP includes counselling services and also provides informal workplace interventions and mediation/alternative dispute resolution that can assist with workplace restoration. Call 204-945-5786 or 1-866-669-4916 or visit <https://www.manitoba.ca/csc/aboutcsc/efap/index.html> to learn more.

Shared Health (Manitoba) has created a resource which sets out mental health resources across the province. Visit [Mental Health Crisis and Non-Crisis Regional Contacts | Mental Health and Community Wellness | Province of Manitoba \(gov.mb.ca\)](#) to learn more.

The Government of Ontario has also created a resource which sets out mental health resources across the Province. Visit [Find mental health support | ontario.ca](#)

VII. Acknowledgement

Signature on this policy indicates acknowledgement and compliance with the Policy.

Name: _____ Date: _____

Signature: _____ Witness: _____