

Overview of Creating Safe and Respectful Environments Policy
at Kingsway-Lambton United Church
(April 2025)

Purpose

Kingsway-Lambton United Church (“KL”) supports and adopts the United Church of Canada’s (“UCC”) ***Creating Safe and Respectful Environments Policy, September 2024*** posted on KL’s premises and website (collectively, the “Policy”). Such Policy is intended to further KL’s commitment to facilitating a supportive and inclusive environment:

- that promotes human rights and equity of opportunity, and is free from discrimination, harassment and violence in accordance with the *Occupational Health and Safety Act* (“OHSA”) and the *Ontario Human Rights Code* (“OHRC”); and
- where all persons regardless of age, sexual orientation, gender identity, economic status, culture, race, disability and other circumstances may participate in any areas of service that supports the work of KL including through employment, volunteering, membership on Ministries and Task Forces, Council, Trustees and in any other leadership role at KL.

What is Harassment (including Bullying), Discrimination, Violence and Sexual Misconduct?

A wide range of conduct that falls under the definition of harassment, discrimination, violence and sexual misconduct is set out in detail in the Policy. An overview of the material is as follows:

Harassment (including Bullying)

Harassment generally includes engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome such as bullying or offensive comments. Such harassment does not have to relate to a prohibited ground in the *OHRC* like race or gender to be a violation of the Policy or the *OHSA*.

However, where harassment or discrimination is based on grounds expressly prohibited under the *OHRC* (race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability) such harassment or discrimination is also a violation of the *OHRC*.

Examples of harassment include but are not limited to the following:

- Comments, behaviour, innuendos, jokes, that demean, ridicule, humiliate, intimidate, or offend;

- Patronizing or condescending remarks or behaviour;
- Bullying; and
- Offensive e-mails or social media posts.

A reasonable action taken by the employer or supervisor related to the management and direction of workers or the workplace is not harassment.

Discrimination

Discrimination under the Policy refers to any distinction, exclusion or preference that nullifies or impairs equality for opportunities or equality in KL environments based on one or more of the following 16 grounds of discrimination in the *OHRC*: race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability. Examples of areas of employment where discriminatory action can occur include but are not limited to:

- Recruitment and selection of staff;
- Terms, conditions and benefits of employment;
- Training opportunities; and
- Promotions and disciplinary action (including termination of employment).

Violence

Workplace violence is defined in the *OHSA* as:

- (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; and/or
- (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.

Examples of workplace violence include but are not limited to:

- Verbal threats of harm to an employee or volunteer;
- Written threats such as leaving threatening notes at or sending threatening e-mails to a workplace;
- Physical threats such as shaking a fist in a worker's face, wielding a weapon at work, hitting or trying to hit a worker, throwing an object at a worker, or inciting an animal to attack; or
- Veiled threats such as body language or behaviours that in the mind of the victim means the perpetrator intend harm.

Sexual Misconduct

While the wide range of conduct that falls under the definition of “sexual misconduct” is set out in more detail in the Policy, an overview is as follows:

Sexual Misconduct within this Policy includes sexual harassment, pastoral sexual misconduct, sexual assault, and child sexual abuse.

Sexual misconduct is demeaning, exploitive behaviour of a sexual nature ranging from jokes, to unwanted touching, to forced sexual activities and/or threats of such behaviour in person, by text, e-mail, and through social media sites and other digital/Web platforms.

Sexual assault, sexual harassment, pastoral sexual misconduct, and child sexual abuse are forms of sexual misconduct that are often primarily acts of power by one individual over another.

Who Must Adhere to the Policy or can Make a Complaint?

The Policy defines appropriate conduct for all persons associated with KL. This means that all of the following people can either make a complaint (Complainant) under the Policy OR be the subject (Respondent) of a complaint:

- employees;
- volunteers;
- members;
- adherents;
- lay people; and/or
- ministry personnel.

The Policy covers all conduct on or off KL premises which could reasonably be associated with the performance of a person’s work, duty, and or obligations on behalf of KL such as through:

- physical environments for KL work, worship, study or organized social or community service events;
- virtual communities, platforms, and networks (e.g. Teams, Zoom); and
- all forms of communications e.g. telephone, e-mail etc.

It is KL’s position that all the above persons associated with KL in any capacity are responsible to familiarize themselves with the Policy as they will be presumed to know, or ought to know, what conduct is unacceptable under the Policy and applicable legislation.

How to Make and Resolve a Complaint Under the Policy

Any persons who believe that they have experienced or witnessed harassment, discrimination, violence or sexual misconduct in relation to any other person associated with KL are encouraged to express concerns and make complaints where needed in accordance with the steps in the Policy without fear of retaliation or reprisal.

The Policy outlines several ways to resolve complaints including both informal or formal procedures depending on what feels most comfortable to the Complainant and/or is appropriate in the circumstances. This ranges from informal discussions and mediation to formal investigation by internal or external investigators. Regardless of the route chosen, all reported complaints of harassment, discrimination, violence and sexual misconduct will be taken seriously and promptly investigated.

Following findings of wrongdoing in such investigation, appropriate disciplinary action against the Respondent may occur, up to and including termination from employment or exclusion from any other KL activities, where appropriate.

Employees, volunteers or others who want to make complaints about various persons at KL such as members, employers, supervisors, or volunteers, can forward the complaint to the confidential complaints email address of The United Church of Canada at:

ComplaintResponse@united-church.ca or to the anonymous complaint portal clearviewconnects.com.

Further information about complaint processes is available in the UCC's ***Creating Safe and Respectful Environments Operating Procedures*** ("Procedures") that support the Policy.

KL clarifies that nothing in the Policy or Procedures is intended to prevent a Complainant from exercising rights through other relevant bodies including but not limited to, the Human Rights Tribunal of Ontario, the police, the Ontario Ministry of Labour or any other applicable legal process.

Resources and Supports

In addition to ongoing supports already in place (e.g. M&P Committee Member or Direct Supervisors for employees, or Supervisor for Volunteers), the Policy and Procedures outline supports throughout the process available to the Complainant, Respondent and others in the KL community affected by allegations under the Policy including:

- **Employee confidential short-term counselling and advisory service:** Such services are available to KL employees through the Employee and Family Assistance Program (EFAP).

- **Consultant:** As soon as a person formally presents their complaint, a Consultant from the United Church of Canada is assigned to each of the Complainant and the Respondent to help them understand the process and provide assistance (e.g. help write out their complaint if needed).
- **Support person:** A Complainant or Respondent can bring a person of their choice (friend, family, or colleague) with them to support them during the investigation process or choose to bring legal counsel at their own cost.
- **Pastoral care:** Comfort and support can be provided to a Complainant or Respondent by ministry personnel, Indigenous Elders, or Traditional Knowledge Keepers as discussed and arranged through the assigned Consultant or others.
- **Reasonable accommodation:** Reasonable accommodation is provided throughout the process once requested.

Confidentiality

KL will keep information related to the complaint confidential except where disclosure is necessary to investigate the complaint, take action with respect to the complaint, or as required by law.

Further Information

Please review the following full Policy and Procedures posted online for more detailed information:

- ***Creating Safe and Respectful Environments Policy, September 2024.***
- ***Creating Safe and Respectful Environments Operating Procedures, September 2024.***