

<b>Policy:</b>	Workplace Harassment, Discrimination and Violence Prevention		
<b>Value:</b>	Dignity	<b>OP Number:</b>	HR 06.002

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## 1. Policy

The Salvation Army Canada and Bermuda Territory is committed to providing a work environment that is free from harassment, discrimination and violence where all Salvation Army (TSA) workers are treated with dignity and respect. All TSA workers including officers, employees, volunteers and other individuals affiliated with TSA are expected to uphold this policy by maintaining a respectful work environment in which all work together to prevent harassment, discrimination and violence.

In accordance with applicable legislation and regulations, the workplace harassment, discrimination and violence policy will be reviewed annually, revised appropriately and posted at all TSA workplaces. The health and safety committee at territorial headquarters (THQ) will participate in the review of this document.

## 2. Purpose

The purpose of this policy is to:

- Establish and maintain a workplace that is free from harassment and violence.
- Outline types of workplace behaviour which are considered to be harassing and/or violent.
- Ensure that all workers are aware that harassment, discrimination and violence in the workplace are unacceptable and will not be condoned. Any worker, who is found to be in violation of this policy, may be subject to discipline.
- Establish a structure for the receipt of complaints.
- Provide a process for notification about allegations of violations to this policy.

## 3. Scope

This policy applies to employees, officers, ministry units, divisions, and territorial headquarters.

## 4. Definitions

Term or Acronym	Description
Complainant	Any worker(s) that makes a complaint under this policy.
Discrimination	<p>A distinction, whether intentional or not, based on protected grounds relating to personal characteristics of a worker or group of workers. This distinction has the effect of imposing burdens, obligations, or disadvantages on an individual or group of workers. It could also include the withholding or limiting of access to opportunities, benefits, and advantages available to other workers. The prohibited grounds of discrimination include:</p> <ul style="list-style-type: none"><li>• Race, colour, ancestry, citizenship, ethnic origin or place of origin</li><li>• Creed, religion</li><li>• Age</li><li>• Sexual orientation</li></ul>

Term or Acronym	Description
	<ul style="list-style-type: none"> <li>• Family, marital or same-sex or common-law partnership status</li> <li>• Disability or perceived disability (including the dependence on alcohol or drugs)</li> <li>• Gender, gender identity or gender expression</li> <li>• Any other prohibited ground of discrimination under applicable human rights legislation</li> </ul>
Domestic Violence	Any actual, attempted or threatened exercise of physical force against a worker in a workplace by a person who is or was in a domestic relationship with the worker (for example, spouse, former spouse, current or former partner or family member) that could cause physical harm to a worker at the workplace.
Investigator	the individual assigned to investigate the complaint. This could include but not be limited to a senior employee, an officer, or a contracted third party. In certain jurisdictions, a government inspector has the legal authority to require the employer to hire an independent third-party Investigator to conduct an investigation at the expense of the employer.
Respondent	Any worker(s) against whom a complaint is being brought against under this policy.
Sexual Harassment	<p>Engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to unwelcome</p> <p>Or</p> <p>Making a sexual 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 worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.</p>
Workers	Includes officers, auxiliary-lieutenants, auxiliary-captains, employees, volunteers and other individuals affiliated with TSA.
Workplace	<p>Any place where a worker performs work for the organization</p> <p>Workplace can include vehicles, off-site business-related function locations (conferences, trade shows), social events related to work, and clients' homes.</p>
Workplace Harassment	A vexatious course of comment or conduct against a worker in a workplace that is known, or ought reasonably to be

Term or Acronym	Description
	<p>known, to be unwelcome. It may include unwelcome, unwanted, offensive, or objectionable conduct that may have the effect of creating an intimidating, hostile or offensive work environment, thereby adversely affecting an individual's employment relationship and/or denying an individual dignity and respect. It may be directed at specific individuals or groups.</p> <ul style="list-style-type: none"> <li>• For workers in Saskatchewan (Saskatchewan Rider attached)</li> <li>• For workers in Manitoba (Manitoba Rider attached)</li> <li>• For workers in Quebec (Quebec Rider attached)</li> </ul>
Workplace Violence	<p>Any actual, attempted or threatened the exercise of physical force against a worker in a workplace that could cause physical harm, or where it is reasonable for a worker to interpret a threat:</p> <ul style="list-style-type: none"> <li>• Physical attacks e.g., hitting, shoving, pushing, kicking and biting</li> <li>• Threatening behaviour e.g., shaking fists, destroying property or throwing things</li> <li>• Verbal or written threats e.g., a threatening phone call to a worker's home, or any expression of intent that could reasonably be interpreted as the potential for physical harm</li> </ul>

## 5. Roles and Responsibilities

### 5.1. Responsibilities of Workers

- 5.1.1. Promote and support a workplace that is free from harassment, discrimination and violence.
- 5.1.2. Attend training and/or information sessions related to workplace harassment, discrimination and violence.
- 5.1.3. Report to your supervisor any workplace harassment, discrimination, violence, or potential violence that you may be aware of, experience or witness. This also includes domestic violence issues that may have an impact on your safety or that of a co-worker. Where a worker is uncomfortable reporting violation of this policy to their supervisor incidents can be reported to another manager, department head or the divisional director of employee relations.
- 5.1.4. Assess the risk (along with your supervisor) associated with the situation and document the incident.
- 5.1.5. Contact building security, or where necessary, dial 911 or the local emergency number for emergency services where immediate assistance is required and a supervisor is unavailable.

- 5.1.6. Summon help when immediate assistance is required. Do not enter any situation or location where you feel threatened or unsafe.
  - 5.1.7. Advise your immediate supervisor at the earliest opportunity in the event that threats of workplace harassment, discrimination or violence are received by mail, telephone, fax, email or any other manner, or if you come into contact with an individual whose behaviour has the potential to result in workplace violence.
  - 5.1.8. Co-operate with the police, TSA investigators, and other authorities during an investigation related to workplace harassment, discrimination or violence. If you give evidence, information or if otherwise involved in the process, you must keep this information confidential, except when disclosure is necessary to effectively deal with an issue.
- 5.2. Responsibilities of Managers and Supervisors**
- 5.2.1. Promote and support a workplace that is free from workplace harassment, discrimination and violence.
  - 5.2.2. Attend training and/or information sessions related to workplace harassment, discrimination and violence. Ensure that each worker receives training on this policy and the workplace prevention program for the location.
  - 5.2.3. Ensure a workplace violence risk assessment is conducted, a workplace violence prevention program is in place, and that the program is reviewed and updated annually for each location.
  - 5.2.4. Encourage workers to inform their immediate supervisor or alternate individuals outlined in section 5.1.3 of any workplace harassment, discrimination and violence or potential violence (including domestic violence issues that may have an impact on the safety of a worker or his/her co-workers) that they may be aware of the experience and/or witness.
  - 5.2.5. Advise your immediate supervisor at the earliest opportunity in the event that threats of workplace harassment, discrimination or violence are received by mail, telephone, fax, email or any other manner, or if you come into contact with an individual whose behaviour has the potential to result in workplace violence.
  - 5.2.6. Report all incidents of workplace harassment, discrimination and violence (including situations that could result in future workplace violence) to your senior manager.
  - 5.2.7. Ensure the divisional commander/department head and his/her designate is advised. The divisional commander/department head is to advise the THQ employee relations director and the secretary for personnel will be notified.
  - 5.2.8. Co-operate with the police, TSA investigators and other authorities during an investigation related to workplace harassment, discrimination or violence. If you give evidence, information or if otherwise involved in

the process, you must keep this information confidential, except when disclosure is necessary to effectively deal with an issue.

### **5.3. Responsibilities of Divisional Director of Employee Relations**

- 5.3.1. Promote and support a workplace that is free from harassment, discrimination and violence, and offer worker training and awareness programs.
- 5.3.2. Notify and consult the territorial director of employee relations when a formal investigation to a complaint is recommended.
- 5.3.3. Provide guidance and support to the workplace parties involved in a complaint under this policy including the provision of information on employee and family assistance program (for employees) and pastoral services (for officers) as applicable.
- 5.3.4. Ensure confidential records are maintained.

### **5.4. Responsibilities of the Territorial Employee Relations Director or Designate**

- 5.4.1. Promote and support the harassment, discrimination and violence prevention policy in the organization.
- 5.4.2. Ensure the secretary for personnel is advised of all incidents.
- 5.4.3. Assign investigators to complaints/incidents. This may be in conjunction with the secretary for personnel if an officer is a party to the complaint/incident.
- 5.4.4. Provide guidance and support to the workplace parties involved in a complaint/incident under this policy including the provision of information on employee and family assistance program and pastoral services as applicable.
- 5.4.5. Receive the formal investigation report from investigators. The report will be distributed to the divisional commander/department head and to the divisional director of employee relations. Where a TSA officer is the complainant or respondent, the secretary for personnel will also receive the report.
  - A summary of the findings of the investigation and corrective action to be taken will be provided to both the complainant and the respondent.
  - In cooperation with the Division/Department Head appropriate action will be taken based on findings of the investigation.
  - Where a TSA officer is the complainant or respondent, the secretary for personnel will take appropriate action.

### **5.5. Responsibilities of the Investigator**

Promote and support the harassment, discrimination and violence prevention policy in the organization.

Conduct the investigation of a formal complaint or violent incident in accordance with the investigation guidebook.

## **6. Policy Requirements**

## **6.1. General Provisions**

- 6.1.1. TSA will take appropriate action to deal with all concerns, complaints, or incidents of workplace harassment, sexual harassment, discrimination, violence and domestic violence in a fair and timely manner while respecting workers' privacy as much as possible.
- 6.1.2. TSA reserves the right to discipline any worker, regardless of position or title, who is found to be in violation of this policy. False accusations may also result in disciplinary action.
- 6.1.3. Any person who retaliates or engages in reprisal against a worker for filing a complaint or claiming a right under this policy commits a serious violation of this policy and will be subject to discipline.
- 6.1.4. Management actions conducted in a respectful non-vexatious manner; including measures to correct performance deficiencies or to impose discipline for workplace infractions, do not constitute workplace or psychological harassment.
- 6.1.5. It is also recognized that in the course of employment/service some physical contact may be required (e.g., when supporting elderly persons or persons with disabilities). It is expected that workers will treat one another and those they serve with the utmost respect, upholding the personal dignity of all.
- 6.1.6. TSA reserves the right to conduct its own investigations, provided that the investigation does not interfere or compromise an external authority's investigation.
- 6.1.7. TSA will take all reasonable steps to reduce the risk of harassment, discrimination and violence by clients towards workers. In some instances, TSA may only have the limited legal authority to terminate its client relationship or to impose restrictions on such clients for harassing or violent behaviour. Workers should report all workplace harassment, discrimination or violence from clients to their supervisor.
- 6.1.8. In the event of any conflict between this policy and applicable legislation, the applicable legislation will prevail.
- 6.1.9. Each TSA workplace will assess the risk of workplace violence in that location and develop, implement and post a specific workplace violence prevention program, which complies with this policy and applicable legislative requirements.

## **6.2. Communication**

- 6.2.1. A current copy of this policy shall be posted in a conspicuous place at all TSA workplaces so it is available to all workers.
- 6.2.2. Supervisors and managers shall give new workers a copy of this policy and all other related policies during the orientation process.
- 6.2.3. Revisions of the policy shall be communicated to all workers.

### **6.3. Investigations of Harassment and Workplace Violence**

6.3.1. When a complaint of workplace harassment or violence has been received, the procedures outlined in the investigative reference guide will apply.

6.3.2. In addition to the definitions under discrimination, TSA officers are bound by orders & regulations and the ecclesiastical standards set within. In the event of a conflict between the provisions of this policy and orders and regulations, the latter shall take precedence.

## **7. Policy Compliance**

### **7.1. For the individual**

Compliance with this policy is mandatory. Non-compliance may lead to disciplinary action as determined by TSA policy. All staff are responsible for reporting policy violations.

### **7.2. For the supervisor/department/DHQ**

The supervisor must periodically evaluate the implementation of this policy to ensure compliance.

### **7.3. For the organization**

Support supervisors in their duty to comply with policy requirements. Ensure policies are relevant and regularly reviewed.

## **8. Procedure Links**

NA

## **9. Form Links**

[FRM Workplace Harassment and Discrimination Formal Complaint Form](#)

[FRM Workplace Violence Incident Report](#)

## **10. Related Policy and Document Links**

Employee Relations Manual: Workplace Harassment, Discrimination and Violence Prevention - Investigation Formal Report

Reporting Process and Reporting Reference Guide

Investigation Procedures Handbook

[SUP AB Rider - Workplace Harassment, Discrimination, and Violence Prevention](#)

[SUP BC Rider - Workplace Harassment, Discrimination, and Violence Prevention](#)

[SUP MB Rider Workplace Harassment, Discrimination, and Violence Prevention](#)

[SUP QC Rider - Workplace Harassment, Discrimination, and Violence Prevention](#)

[SUP SK Rider - Workplace Harassment, Discrimination, and Violence Prevention](#)

## **11. Approval and Document Control**

**Approved by:**

TERRITORIAL MANAGEMENT BOARD



Canada and Bermuda Territory

**Only the online version of this operating policy is official and current.**

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