



Harassment, Sexual Harassment and Discrimination Policy

Governance Policies & Procedures

Date Policy Written: **June 2006**

Review Date Scheduled: **December 2018**

Approved by the Board of Directors: **February 2019**

This policy applies to: **Staff** **Volunteers** **Board Members**

Definition

Harassment is a form of discrimination. It includes any unwanted physical or verbal behaviour that offends or humiliates you. Generally, harassment is a behaviour that persists over time. Serious one-time incidents can also sometimes be considered harassment.

Sexual harassment is any conduct, comment, gesture, or contact of a sexual nature that is likely to cause offence or humiliation to any employee; or that might, on reasonable grounds, be perceived by that employee as placing a condition of a sexual nature on employment or on any opportunity for training or promotion.

Standards

1. OCC will not condone harassment of any kind including sexual harassment and promotes a harassment-free environment in which all people respect one another and work together to achieve common goals.
2. OCC is committed to investigating reported incidents of harassment in a prompt, objective, and sensitive manner taking necessary corrective action and providing appropriate support if the harassment is confirmed. No individual shall be penalized in any way for making a complaint in good faith or giving evidence in a harassment investigation.
3. The test to determine whether harassment has occurred is two-fold:
 - Whether a person knew or ought to have known that the behavior would be considered unwelcome or offensive by the recipient
 - The recipient found the behavior offensive

Contravention

1. If an individual(s) believes she/he is being harassed, she/he should:
 - Immediately make the individual(s) aware that the behavior is unwelcome and ask him/her to stop
 - Report the incident to her/his supervisor or CEO
 - The person receiving the complaint should keep a record of the incidents in question, which may include:
 - Name(s) of the individual(s) in question
 - The date, place, and time the incident(s) occurred

- Name(s) of any witnesses
 - The event(s) that led up to the incident(s) in question
 - Any particular reason why the event(s) occurred
 - The actual incident that led to a complaint
2. The confidentiality of the individuals concerned will be maintained to the extent possible. An investigation into the incident(s) will be undertaken promptly along with any additional steps necessary to resolve the problem. If the Employee requires support or advice, she/he should contact her/his Supervisor or CEO.
 3. The complainant and the individual in question will both have individual interviews along with any individuals who may be able to provide additional and relevant information. Once all relevant information has been gathered, it will be reviewed with the appropriate departments to determine whether harassment has taken place. If the investigation reveals the occurrence of harassment or other unacceptable conduct appropriate remedial action, including disciplinary action, up to and including termination for cause, will be taken. The investigation and results will be documented and the relevant documents will be placed in the offender's file.
 4. The complainant will be advised of the results of the investigation and no reference to the incident will appear in their work record.
 5. Should the investigation fail to conclude harassment has occurred, all documents will be destroyed and both parties will be notified of the results of the investigation. Should the investigation result in findings of harassment, disciplinary measures will be taken up to termination of employment against any employee who subjects another to harassment