

## CHS-MC RESPECTFUL CONDUCT POLICY

### 1. Policy Statement

CHS-MC is committed to providing a work and service environment that respects and promotes human rights, personal dignity, health, and safety. This includes acting in accordance with the *Manitoba Human Rights Code* which specifically prohibits discrimination and harassment on the basis of certain Protected Characteristics.

CHS-MC supports the principle that all persons employed or contracted, as well as Board members, volunteers, clients, and members of the public are entitled to a work and service environment that is free from any form of illegal or disrespectful behaviour. This includes, but is not limited to: Discrimination, Harassment including Sexual Harassment, Personal Harassment, Workplace Violence.

CHS-MC considers behaviour that contravene these principles to be serious misconduct and subject to the full range of remedial or disciplinary action.

### 2. Definitions

**Complainant:** A person making a complaint under this policy.

**Discrimination:**

- a) Treating an individual or group differently, to their disadvantage and without reasonable cause, on the basis of any of the Protected Characteristics below, or
- b) Failure to make reasonable accommodation for the special needs of any individual or group if those special needs are based on any of the Protected Characteristics below

**NOTE:** It is not discrimination on the basis of social disadvantage unless the discrimination is based on a negative bias or stereotype related to that social disadvantage

**Harassment:**

- a) A course of abusive and unwelcome conduct or comment undertaken or made on the basis of the Protected Characteristics below, or
- b) A series of objectionable and unwelcome sexual solicitations or advances, or
- c) A single sexual solicitation or advance made by a person who is in a position to confer a benefit on, or deny a benefit to the recipient of the solicitation or advance, if the person making the advance knows or ought reasonably to know that it is unwelcome, or
- d) A reprisal or threat of reprisal for rejecting a sexual solicitation or advance

**NOTE:** Consensual banter or romantic relations, where the people involved consent to what is happening, is **NOT** harassment **NOR** are appropriate performance reviews, counselling, or discipline.

**Personal Harassment:** A course of abusive, unwelcome, and objectionable conduct or comment by an individual who knows or should reasonably know that such conduct will have the effect of unreasonably interfering with the target's work performance or creating an intimidating or hostile work or service environment.

**Protected Characteristics as defined in the Manitoba Human Rights Code:**

- Ancestry, including colour and perceived race
- Nationality or national origin
- Ethnic background or origin
- Religion or creed, or religious belief, religious association, or religious activity
- Age
- Sex, including sex-determined characteristics or circumstances such as pregnancy, the possibility of pregnancy, or circumstances related to pregnancy
- Gender identity
- Sexual orientation
- Marital or family status
- Source of income
- Political belief, political association or political activity
- Physical or mental disability or related characteristics or circumstances, including reliance on a service animal, a wheelchair, or any other remedial appliance or device
- Social disadvantage

**Reprisal:** To cause or threaten to cause harm to an individual on the basis that they have filed or may file a complaint at any level, participated in any proceeding associated with this policy, complied with any obligation imposed under this policy.

**Respondent:** A person against whom a complaint has been made.

**Social Disadvantage:** Diminished social standing or social regard due to: homelessness or inadequate housing; or low levels of education; or chronic low income; or chronic unemployment or underemployment.

**Workplace Violence:** Any act that results in injury or threat of injury, real or perceived, by an individual, including but not limited to: acts of aggression, verbal or written threats, vandalism of personal property.

**3. Rights and Responsibilities**

*Employee/Volunteer/Client Rights and Responsibilities:*

All employees, representatives of the Chapter, clients, and members of the public have the responsibility to treat others with respect and are encouraged to bring forward concerns involving conduct that is disrespectful to the Chapter Executive Director or to a member of the Board if they are more comfortable doing so. It is desirable, but not necessary for the Complainant to make the discomfort known to the Respondent. A Complainant may also by-pass CHS-MC representatives and contact the Manitoba Human Rights Commission or do that simultaneously. A Respondent must immediately cease any inappropriate behaviour brought to their attention and not engage in any retaliation.

*Organizational Rights/Responsibilities:*

Chapter Executive Director shall foster a respectful working and service environment by modeling appropriate behaviour and shall deal with situations immediately upon becoming aware. This is true regardless of whether there has been a formal complaint or not. Ignoring or addressing disrespectful conduct inappropriately will be subject to disciplinary action.

#### **4. Procedures applying to complaints under the policy**

Different approaches may be undertaken to satisfactorily address a complaint, e.g. informal resolution, mediation, formal investigation. The Complainant must agree with the approach.

All parties involved in the complaint must commit to confidentiality. The Chapter will not disclose the names of the Complainant, Respondent, or any circumstances related to the allegations, except as necessary to investigate or resolve the complaint.

Anyone who retaliates in any way against any person associated with the complaint, will themselves be considered in contravention of this policy and will be treated accordingly.

In certain circumstances, and following investigation, a complaint may be dismissed under the following circumstances:

- a) complaint is frivolous or vexatious
- b) policy was not contravened
- c) insufficient evidence to substantiate the alleged contravention

Though statistically rare, a frivolous or vexatious complaint will be considered a contravention of this policy and subject to remedial action.

#### **5. Manitoba Human Rights Commission**

A complainant may, within the guidelines and timeframes adopted by the Manitoba Human Rights Commission, file a complaint with them if they believe they have been subject to prohibited behaviours outlined in the Manitoba Human Rights Code.

#### **6. Prevention**

CHS-MC commits to continuing education of all its employees, Board members, volunteers, and clients relating to this policy.