

**Effective: October 2020**  
**Last reviewed: June 2025**  
**Next review: 2026**

## **BOARD POLICY**

### **Respectful Union and Workplace Policy**

#### **1 POLICY STATEMENT**

As an open, democratic, transparent, and inclusive organization, CIPP must be free from workplace harassment, sexual harassment, violence and discrimination. CIPP is committed to providing a work environment in which all individuals are treated with respect and dignity. As an employer, CIPP recognizes that its employees are entitled to a respectful workplace as required under the Accessibility for Ontarians with Disabilities Act, Ontario Occupational Health and Safety Act, the Ontario Human Rights Code, Ontario Employment Standards Act and the Criminal Code of Canada. In addition to these statutory obligations, CIPP also recognizes the barriers, psychological distress, lost productivity, and liability that disrespectful behaviour causes and sets out this policy as an instrument of inclusiveness and good management. CIPP will not tolerate workplace harassment, sexual harassment, violence or discrimination (hereafter called harassment or violence) in any of its activities and these behaviours by members constitute conduct detrimental to the advancement of the purposes of or reflecting discredit upon the union as outlined in By- law 14: Member and Director Discipline.

#### **2 APPLICATION**

This policy applies to CIPP directors, members, employees, guests, visitors, and contractors who are engaged by CIPP. It applies to the CIPP office and to work-related events, including events organized by CIPP in other locations.

#### **3 BUILDING AND MAINTAINING A RESPECTFUL UNION AND WORKPLACE**

A respectful organization is one where the directors, members and employees are encouraged to fully participate in the union within their respective roles without facing barriers, harassment, violence, discrimination or the threat of reprisal. As such, directors, members and employees will interact with each other with respect, courtesy, and consideration. They will also seek to resolve differences, disagreements and conflicts constructively. CIPP, as a Union and an employer, relies on the free and constructive exchange of ideas and inclusive processes to deliver the best services to its members and to model the principles for which it advocates including providing a workplace for employees that is free of violence and harassment. Respectful organizations include opportunities to exchange ideas and information and respectfully disagree, clearly communicated and understood standards of behaviour, information and training and an opportunity for conflicts to be addressed and resolved. Everyone involved with CIPP, directors, members, employees, guests, visitors, and contractors who are engaged by CIPP, is responsible for pursuing and upholding these standards.

This policy applies to the Board of Directors of CIPP when considering making contributions to support a cause or event or a gift to an individual.

## **4 DEFINITIONS**

### **4.1 Respectful Behavior**

Respectful behaviour is the cornerstone of an open, inclusive, efficient and effective union and workplace. CIPP services are provided with an expectation of respectful behaviour from all parties. Respectful behaviour, in general, is characterized by showing respect and consideration to others, actively listening and thoughtfully responding to and sharing ideas. It includes constructively approaching disagreements and conflicts towards a good faith resolution that supports the value of others and the good of the union and workplace and ensuring that the environment is free from harassment or violence. It also means being open to the training and learning that supports these principles and to voicing concerns about disrespectful behaviour that does not qualify as harassment or violence proactively and to escalating concerns if they are not addressed.

### **4.2 Workplace Harassment**

Workplace harassment means engaging in a course of vexatious comment or conduct against a person that is known or ought reasonably to be known to be unwelcome. CIPP directors, members, employees, guests, visitors and contractors are prohibited from harassing any other person in the workplace. The conduct typically happens more than once. It could occur over a relatively short period of time (for example, during the course of one day) or over a longer period of time (weeks, months or years).

#### **a. Workplace harassment includes:**

- i. offensive or intimidating comments or jokes
- ii. actions that embarrass, humiliate or demean
- iii. behaviour that intimidates or isolates
- iv. bullying or aggressive behaviour
- v. displaying or circulating offensive pictures or materials
- vi. isolating or making fun of a person
- vii. psychological harassment (comments, gestures or actions that harm a person's dignity or psychological integrity and harm the working environment)
- viii. personal harassment (any behaviour that while not related to a protected ground, results in an intimidating demeaning or hostile environment)
- ix. workplace sexual harassment (see below)

A reasonable action taken by an employer or supervisor relating to the management and direction of individuals is not workplace harassment.

### **4.3 Workplace sexual harassment**

#### **a. Workplace sexual harassment means**

- i. engaging in a course of vexatious comment or conduct against a person 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 be unwelcome or

- ii. 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 other individual and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.
  - iii. The conduct typically happens more than once. It could occur over a relatively short period of time (for example, during the course of one day) or over a longer period of time (weeks, months or years). However, there may be situations where the conduct happens only once.
- a. Workplace sexual harassment includes:
- i. unnecessary physical contact, including unwanted touching
  - ii. derogatory language and/or comments including sex-specific derogatory names
  - iii. gender-related comments about a person's physical characteristics or mannerisms
  - iv. comments relating to a person's perceived non-conformity with a sex-role stereotype
  - v. displaying or circulating pornography, sexual pictures or other sexual images (including online)
  - vi. sexual jokes, including circulating written sexual jokes (e.g. by e-mail)
  - vii. spreading sexual rumours (including online)
  - viii. suggestive or offensive remarks or innuendo about members of a specific gender
  - ix. propositions of physical intimacy
  - x. gender-related verbal abuse, threats or taunting
  - xi. bragging about sexual prowess
  - xii. demanding dates or sexual favours
  - xiii. questions or discussions about sexual activities
  - xiv. requiring an employee to dress in a sexualized or gender-specific way
  - xv. threats to penalize or otherwise punish a person who refuses to comply with sexual advances.

A continuum of inappropriate and/or unacceptable behaviours can occur at the workplace. This can range from offensive remarks to violence. Workplace harassment may escalate over time. Where harassment, including sexual harassment, in the workplace involves threats, attempts or acts of physical force that causes or could cause physical injury, it would be considered to be workplace violence under the Ontario Occupational Health and Safety Act (OHS Act).

#### 4.4 Workplace violence

- a. Workplace violence means
- i. the exercise of physical force by a person against an individual, in a workplace, that causes or could cause physical injury to the individual;
  - ii. an attempt to exercise physical force against an individual, in a workplace, that could cause physical injury to the individual;

- iii. a statement or behaviour that it is reasonable for an individual to interpret as a threat to exercise physical force against the individual, in a workplace, that could cause physical injury to the individual.
- b. Workplace violence against an individual may be a one-time occurrence or involve repeated behaviours over time and may include:
  - i. verbally threatening to attack someone
  - ii. hitting, kicking, biting and shoving that causes or could cause physical injury
  - iii. an attempt to exercise physical force against an individual, such as an attempt to hit or shove
  - iv. a statement or behaviour which is reasonable for an individual to interpret as a threat of violence
  - v. leaving a person a threatening note or threatening an act of violence against a person
  - vi. shaking a fist in someone's face
  - vii. throwing an object at someone
  - viii. sexual violence against someone

A person does not need to have the capacity to understand that their behaviour could cause physical injury to another to be workplace violence under the OHS Act. It is important to identify and manage inappropriate and/or unacceptable behaviours early to minimize the potential for these behaviours to lead to workplace violence.

#### 4.5 Domestic violence

Domestic violence is a pattern of behaviour used by one individual to gain power and control over another with whom they have or have had an intimate relationship. Domestic violence that occurs in the workplace is considered to be workplace violence. Examples of domestic violence may include:

- i. physical violence
- ii. sexual violence
- iii. stalking
- iv. emotional and psychological intimidation and verbal abuse

#### 4.6 Discrimination

The Ontario Human Rights Code prohibits discrimination on the basis of:

- i. Age
- ii. Creed (religion)
- iii. Sex (including pregnancy and breastfeeding)
- iv. Sexual orientation
- v. Gender identity
- vi. Gender expression
- vii. Family status (such as being in a parent-child relationship or "type" of relationship)
- viii. Marital status (including married, single, widowed, divorced, separated or living in a conjugal relationship outside of marriage, whether in a same-sex or opposite-sex relationship)
- ix. Disability (including mental, physical, development and learning disabilities, addictions and environmental sensitivities)

- x. Race
- xi. Ancestry
- xii. Place of origin
- xiii. Ethnic origin
- xiv. Citizenship
- xv. Colour
- xvi. Record of offences (an offense in respect of any provincial enactment, or for an offence for which a pardon has been received)
- xvii. Association or relationship with a person identified by one of the above grounds or perception that one of the above grounds applies.

## **5 RISK ASSESSMENT**

CIPP will continually assess potential workplace violence risks arising from the nature of the workplace, type and conditions of work, will inform employees about the results of the risk assessment and will use it to inform the ongoing development of the workplace violence prevention program. The assessment will take circumstances specific to the workplace and common to similar workplaces into account. The risks will be reassessed as often as is necessary to ensure the related policy and program continue to protect directors, members and employees. Measures and procedures for managing risks may include:

- i. safe work procedures;
- ii. design or physical layout of the workplace such as doors with clear windows, adequate lighting;
- iii. emergency procedures that would be relevant to violent or potentially violent incidents, such as designated safe locations or lockdown procedures;
- iv. procedures for informing directors, members and employees about a person with a history of violence, as appropriate in the circumstances, or potentially violent situations;
- v. director, member and employee training on the measures, procedures and processes set out in the respect in the workplace policy and program;
- vi. director, member and employee training on managing a person who may become aggressive or violent.

## **6 SUMMONING IMMEDIATE ASSISTANCE**

CIPP will ensure the development of appropriate measures and procedures for summoning immediate assistance when workplace violence occurs or is likely to occur. Measures and procedures may include:

- i. the use of equipment to summon assistance such as fixed or personal alarms, locator or tracking systems, access to phones, cell phones, etc.;
- ii. positioning individuals within calling distance of each other;
- iii. posting emergency telephone numbers around the workplace.

## **7 REPORTING PROCEDURES**

### **7.1 Immediate response**

Where a director, member or employee experiences or becomes aware of harassment or violence, they must report it immediately to the Executive Director, President or Vice President of the Board of Directors, as applicable, who will take immediate action.

## 7.2 Complaint forms

Complaints of harassment or violence shall be made verbally or in writing using the Harassment or Violence Complaint Form (Appendix A) to the following individuals as soon as possible and no later than one year from the incident or from the most recent incident where behaviour has been ongoing:

- i. Where the complainant or the respondent is an **employee, contractor, guest or visitor**; to the **Executive Director**,
- ii. Where the complainant or the respondent is the Executive Director; to the President,
- iii. Where the complainant or the respondent is a member or director; to the President,
- iv. Where the complainant is a member and the respondent is an employee; to the Executive Director,
- v. Where the complainant or the respondent is the **President**; to the **Vice President**.

## 7.3 Confidentiality

The complaint process and any related documentation shall be kept strictly confidential and only those on a “need to know” basis shall be advised of a complaint.

## 7.4 Interim measures

In circumstances where the behaviour of the respondent is deemed by the person receiving the complaint to put the complainant(s) at risk for their health and safety, the Executive Director, President or Vice President, as applicable, may decide to put in place any appropriate interim measures to ensure the health and safety of anyone involved in the alleged complaint(s).

# 8 INVESTIGATION

## 8.1 Commitment to investigate

Once a report or complaint is received, CIPP shall ensure that an investigation appropriate to the circumstances is conducted immediately. No one with a conflict of interest shall be involved in receiving the complaint, investigating the complaint or the disposition of the complaint. Any person with such a conflict will declare it immediately.

## 8.2 Who will investigate

The Executive Director, President or Vice President, as applicable, will determine who will conduct the investigation into the incident or complaint based on who the complainant and the respondent are. If the complaint involves the Executive Director, a director or the President the investigation may be referred to an external investigator to conduct an impartial investigation. Whether the investigator is internal or external to the organization, the investigation must be objective. The person conducting the investigation must not be directly involved in the incident or complaint and must not be under the direct control of the alleged harasser. This person should have training, experience, and knowledge of how to conduct an investigation appropriate to the circumstances.

### 8.3 Timing of the investigation

The investigation must be completed in a timely manner and generally within 90 days or less unless there are extenuating circumstances (i.e., illness, complex investigation) warranting a longer investigation timeframe. In the event of extenuating circumstances and the need for a longer investigation timeframe, the investigator will communicate the new estimated timeline to the Executive Director, President or Vice President, as applicable, and to the Complainant and Respondent.

### 8.4 Investigation process

The person conducting the investigation, whether internal or external, will, at a minimum, complete the following:

- i. The investigator must ensure the investigation is kept confidential and identifying information is not disclosed unless absolutely necessary to conduct the investigation. The investigator should remind the parties of this confidentiality obligation at the beginning of the investigation.
- ii. The investigator must thoroughly interview the individual who allegedly experienced the workplace harassment and the alleged harasser(s), if the alleged harasser is an employee. If the alleged harasser is not an employee, the investigator should make reasonable efforts to interview the alleged harasser.
- iii. The alleged harasser(s) must be given the opportunity to respond to the specific allegations raised by the individual. In some circumstances, the individual who allegedly experienced the workplace harassment should be given a reasonable opportunity to reply.
- iv. The investigator must interview any relevant witnesses employed by the employer who may be identified by either the individual who allegedly experienced the workplace harassment, the alleged harasser(s) or by the investigator as necessary to conduct a thorough investigation. The investigator must make reasonable efforts to interview any relevant witnesses who are not employed by the employer if there are any identified.
- v. The investigator must collect and review any relevant documents.
- vi. The investigator must take appropriate notes and statements during interviews with the individual who allegedly experienced workplace harassment, the alleged harasser and any witnesses.
- vii. The investigator must prepare a written report summarizing the steps taken during the investigation, the complaint, the allegations of the individual who allegedly experienced the workplace harassment, the response from the alleged harasser, the evidence of any witnesses and the evidence gathered. The report must align with the scope of the investigation and may set out findings of fact, conclude whether harassment or violence occurred, and whether a violation of this policy was found and make recommendations if required.

### 8.5 Confidentiality

Information about complaints and incidents shall be kept confidential to the extent possible. Information obtained about an incident or complaint of harassment or violence including identifying information about any individuals involved, will not be disclosed unless disclosure is necessary to protect individuals, to investigate the complaint or incident, to take corrective

action or otherwise as required by law.

While the investigation is ongoing, the complainant and respondent and any witnesses should not discuss the incident or complaint or the investigation with each other or other individuals unless necessary to obtain advice about their rights. The investigator may discuss the investigation and disclose the incident or complaint-related information only as necessary to conduct the investigation.

All **records** of the investigation shall be kept strictly confidential.

## **9 RESULTS/OUTCOMES**

### **9.1 Results of the investigation**

Within 10 days of the investigation being completed, the complainant and the respondent if he or she is an employee, will be informed in writing of the results of the investigation and any corrective action that has been taken or that will be taken by the employer to address harassment or violence. The results of the investigation are not the same as the investigation report. The results are a summary of the findings of the investigation. The amount of information provided about the corrective action will depend on the circumstances but must indicate what steps the employer has taken or will take to prevent a similar incident if harassment or violence was found.

### **9.2 Report**

The investigator shall prepare a written report that shall be given to the Executive Director, President or Vice President, as applicable.

### **9.3 Disposition**

Where the complaint is substantiated in whole or in part, the Executive Director, President or Vice President, as applicable, shall determine the disposition of the complaint and any corrective action that will be taken. The disposition may include corrective measures, discipline, or censure. The disposition of the complaint will be decided in consultation with legal counsel and shall be confidential. However, the complainant and the respondent shall be made aware of the nature of the disposition of the complaint (as per 9.1). Where the respondent is a CIPP member or director, the disposition of the complaint will be in accordance with the By-laws of CIPP.

### **9.4 Mediation**

Where the complaint is not substantiated in whole the issue will be deemed resolved. Mediation will be made available to the parties of the complaint, as appropriate. There shall be no penalty or reprisal for a complaint made in good faith where the investigation does not substantiate the allegation(s).

## **10 RECORD KEEPING**

The Executive Director, President or Vice President, as applicable, shall determine how to ensure the confidentiality of the records and shall ensure that the following records are kept:

- i. a copy of the complaint or details about the incident;
- ii. a record of the investigation including notes;

- iii. a copy of the investigation report (if any);
- iv. a summary of the results of the investigation that was provided to the complainant and respondent, if an employee of CIPP;
- v. a copy of any corrective action taken to address the complaint or incident of harassment or violence.

All records of the investigation shall be kept confidential. The investigation documents, including the investigation report, should not be disclosed unless necessary to investigate a new incident or complaint of harassment or violence, take corrective action or otherwise as required by law.

## **11 REVIEW**

This policy and program shall be reviewed as needed and, at least, annually.

## Appendix A

### Harassment or Violence Complaint Form

This is an example of a complaint form for individuals to report an incident or a complaint of harassment or violence. It can be modified to meet the needs of the workplace. Note: Whether the individual uses the complaint form or not, the employer is still obligated to ensure an investigation appropriate in the circumstances is conducted into an incident of harassment or violence.

**Name and contact information of individual who has allegedly experienced harassment or violence (your name):**

**Name of alleged harasser(s) and contact information, if available:**

**Details of the Complaint of harassment or violence:**

Please describe in as much detail as possible the harassment or violence incident(s), including: (a) the names of the parties involved; (b) any witnesses to the incident(s); (c) the location, date and time of the incident(s); (d) details about the incident(s) (behaviours and/or words used); (e) any additional details. (Attach additional pages if required).

**Relevant Documents/Evidence:**

Attach any supporting documents, such as emails, handwritten notes, or photographs. Physical evidence, such as vandalized personal belongings, can also be submitted. If you are not able to attach documents and they are relevant to your complaint, please list the documents below. If someone else has relevant documents, please note that below.

Signature:

Date:

## Appendix B

### Harassment or Violence Investigation Template

**This template may be used for guidance in investigating harassment or violence incidents or complaints.** It may not be appropriate for complex workplace investigations. The person conducting the investigation must not have been involved in the incident or complaint of harassment or violence and must not be under the direct control of the alleged harasser. This template is available at: [ontario.ca/labour](http://ontario.ca/labour).

**Name of investigator:**

**Date of investigation:**

**A. Background Information:** Who are the people involved? Are they workers as defined by OHSA? Who reported and when? (Attach more pages if necessary)

1. Name and position of person who **reported** harassment or violence (the initial complainant):
2. If not the same person as above, name and position of person who allegedly **experienced** harassment or violence (the actual complainant):
3. Date complaint/concern raised and how:
4. Names and positions of other individuals (complaining or possibly exposed to harassment or violence):
5. Name and position of the alleged harasser (the respondent). If not a member or employee – provide details:

**B. Investigation Plan:** Plan and conduct the investigation (Attach more pages if necessary):

1. Obtain the complainant's concerns of harassment or violence in writing, if possible. Assistance should be provided in completing the form where necessary. Where the initial complainant is not the actual complainant ensure that they understand the need for confidentiality and the limits of information that will be shared with them as the investigation moves forward.
2. An investigator needs to interview the complainant and the respondent (if a member or employee of CIPP). If the respondent is not a member or employee of CIPP, the investigator should make all reasonable efforts to interview him or her.

3. Make a list of possible relevant witnesses. The complainant and the respondent should be asked for names of any relevant witnesses.

4. Interview relevant witnesses. Ask specific questions about what they have observed, are aware of or have personally experienced. If the witnesses are not members or employees of CIPP, the investigator should make all reasonable efforts to interview those witnesses.

5. Collect and review relevant documents from the complainant, the respondent, witnesses and the employer.

6. Use good interview practice and take detailed notes.

7. Keep the investigation strictly confidential. Instruct the complainant, the respondent and witnesses not to talk to anyone about the investigation unless that person is an advisor such as a lawyer or counsellor providing legal advice or psychological support during the investigation.

**C. Complainant concerns/harassment or violence allegations** (Attach more pages if necessary): When did the incident(s) occur? Confirm date of first incident and any subsequent behaviours or conduct. Note that recalling events of harassment or violence can be stressful for the complainant.

Date of first incident:

Date of last incident:

Date of other incident(s):

**D. Respondent(s) Response** (Attach more pages if necessary): The respondent(s) will need details of the allegation of harassment to be able to respond.

**E. Interview Relevant Witnesses** (Attach more pages if necessary): List witnesses. Interview relevant witnesses and make notes.

**F. Collected documentation** (Attach more pages if necessary): List the documents collected for the investigation and how or from whom they were obtained.

**G. Investigation Result(s)** (Attach more pages if necessary): The investigator's summary report should set out who was interviewed, what evidence was obtained and an analysis of the evidence to determine whether workplace harassment occurred.

**Summary of key evidence:**

**Next Steps:**

**Report provided to:**

**Name:**

**Position:**

**Date:**