

## 603-Workplace Harassment

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*Approved November 2019*

YW Calgary is committed to ensuring a work environment where all workers are treated with respect and dignity. Every staff member, client, volunteer, and contractor has the right to an environment free from harassment. Such behaviours will not be tolerated. Everyone is obligated to uphold this policy and to work together to prevent workplace harassment.

Staff, volunteers and contractors are asked to always address disrespectful and unwanted behaviours of any kind. To address these kind of situations all employees are expected to focus on the behaviour and provide feedback in a positive and productive way. You should always speak up when faced with or witnessing disrespectful behaviours.

YW Calgary will treat any allegation of harassment as a serious matter.

If a person is found to be guilty of harassment, corrective measures will be taken. Such measures may include mediation, suspension or dismissal and/or reporting the matter further to the appropriate authorities.

### Definitions of Harassment

Workplace harassment means any incident or repeated incidents of objectionable or unwelcome conduct, comment, bullying, or action by a person that the person knows or should reasonably know would intimidate, offend, degrade or humiliate a particular person or group, or adversely affect an individual's health, safety and wellness. It includes conduct, comment, bullying, or actions because of race, religious beliefs, colour, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status, gender, gender identity, gender expression and sexual orientation, and a sexual solicitation or advance.

Harassment includes a broad range of harassing behaviours workers can be subjected to, or participate in. It is a serious issue and creates an unhealthy work environment resulting in psychological harm to workers. Harassing behaviour can include:

- Unwelcome conduct, comments, gestures or contact which causes offense or humiliation (e.g. name calling, harassing phone calls, spreading rumours);
- Deliberate misgendering (i.e. referring to a person using terms or pronouns that do not align with the person's affirmed gender);
- Physical or psychological bullying which creates fear or mistrust or which ridicules or devalues the individual (e.g. fist shaking, yelling);
  - Bullying is a form of harassment, and includes repeated verbal, physical, social or psychological behaviour that is harmful and involves the misuse of power by an individual or group towards one or more people. Bullying behavior can include teasing, insulting someone, excluding someone, or gossiping about someone. Bullying does not include a situation of mutual conflict, or single episodes of negative behaviour. Bullying can involve sexual harassment and discrimination.

- Exclusion or isolation of individuals;
- Intimidation (i.e. standing too close or making inappropriate gestures/comments);
- Cyber bullying (e.g. posting or sending offensive or intimidating messages through social media or email);
- Deliberately setting the individual up to fail (e.g. making unreasonable demands, setting impossible deadlines, interfering with work);
- Intentionally withholding information or giving the wrong information;
- Taking away work or responsibility without cause; and
- Displaying or circulating offensive pictures or materials in print or electronic form.

### When is it *not* harassment?

When a supervisor is taking reasonable actions relating to their day to day responsibilities of managing people, work, expectations, and performance, it is not harassment. For example, assignment of tasks, constructive feedback, coaching or discipline, requests for updates or status reports, are not harassment. Difficult conditions of employment, professional constraints and organizational changes do not constitute workplace harassment.

### Responsibilities

#### **YW Calgary**

YW Calgary is committed to ensuring this policy is communicated and maintained. All staff, volunteers and contractors will receive relevant information regarding this policy. All incidents and complaints of workplace harassment will be investigated in a fair, respectful and timely manner.

#### **Supervisors**

Supervisors will adhere to this policy and are responsible for ensuring that measures and procedures are followed by staff, volunteers and contractors, and that everyone has the information they need to do so.

#### **Staff, Clients, Volunteers and Contractors**

Any staff member, client, volunteer or contractor who feels subjected to harassment are required to raise their concern as soon as possible.

### Reporting Procedure

If you believe that you have been harassed, you are encouraged to make it known to the other person as soon as possible to resolve the problem. The earlier the problem is addressed and discussed, the better the chance of it being resolved and the inappropriate behaviour stopped. Please refer to Policy 609 – Conflict and Problem Resolution for additional information.

If the problem is not resolved, or if you feel you cannot speak directly to the other person, you should report the situation to your supervisor, or the manager at the next level. In order to take the next steps to resolve this situation, you can also seek advice and support from People Services. The role of People Services is to support the individual through the reporting process.



Appropriate action will be undertaken immediately to deal with the allegations. An investigation will be undertaken by a designated investigator.

The YW Calgary will protect any staff member, volunteer or contractor from retaliation or criticism for having made an allegation in good faith while following this policy and the supporting procedures, whatever the outcome of the investigation.

### Confidentiality

Once a report is submitted, it will be kept strictly confidential. The circumstances related to an incident of harassment or the names of the parties involved (including the complainant, the person alleged to have committed the harassment, and any witnesses) except where necessary to investigate the incident, to take corrective action, to inform parties involved in the incident of the results of the investigation and corrective action taken, or as required by law, will be kept confidential.

Any allegation and information will be received in strict confidence and will be documented. However, documentation will not be maintained on a staff member or volunteer's personnel file for raising an allegation nor where an allegation made against the person was subsequently not upheld.

## 604-Workplace Violence

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*Approved November 2019*

YW Calgary is committed to working with its staff, volunteers, and contractors to provide a safe work environment. Everyone is obligated to uphold this policy and to work together to prevent workplace violence.

YW Calgary will not tolerate any acts of violence and will take all reasonable and practical measures to prevent violence and protect staff, volunteers, and contractors from acts of violence. Appropriate remedial, disciplinary and/or legal action will be taken according to the circumstances.

If a person is found to be guilty of unacceptable workplace behaviour, corrective action will be taken. Such measures may include suspension or dismissal and/or reporting the matter further to the appropriate authorities.

### Definition of Workplace Violence

Workplace violence, whether at a work site or work related, is the threatened, attempted or actual conduct of a person that causes or is likely to cause physical or psychological injury or harm. For the purpose of this policy, violence includes but is not limited to:

- Physical attacks or aggression such as hitting, shoving, pushing, kicking
- Threatening behaviours such as shaking fists, destroying property or throwing objects
- Verbal or written threats that express an intent to inflict harm
- Domestic violence
  - Domestic violence becomes a workplace hazard when it occurs or spills over into the workplace. It may put the targeted worker at risk and may pose a threat to coworkers.



- Sexual violence
  - Sexual violence exists on a continuum from obscene name-calling to sexual assault and/or homicide. It includes online forms of sexual violence, such as internet threats and harassment, and sexual exploitation.

## Responsibilities

No staff, volunteer or any other individual affiliated with this organization shall subject any other person to workplace violence, or allow or create conditions that support workplace violence.

### **YW Calgary**

YW Calgary is committed to ensuring staff, volunteers, and contractors are not subject to and do not participate in violence at work.

### **Supervisors**

Supervisors will adhere to this policy, its procedures, and any additional department-specific procedures. Supervisors are responsible for ensuring that measures and procedures are followed by staff, volunteers, and contractors, and that all of those individuals have the information they need to protect themselves.

Supervisors must:

- Develop workplace arrangements that minimize the risk of workplace violence
- Ensure that this policy is explained to all staff and volunteers
- Ensure staff and volunteers know who to contact regarding concerns about the policy or when reporting an incident
- Ensure your own physical safety, and that of other staff, if an incident of workplace violence occurs, then report criminal behaviour to the appropriate law enforcement agency
- Ensure the security and safety of all parties involved during an investigation of an incident of workplace violence

### **Staff, Volunteers, and Contractors**

Every staff member, volunteer and contractor must work in compliance with this policy and are required to raise any concerns about workplace violence and report any violent incidents or threats.

Staff, volunteers, and contractors will:

- Act respectfully towards individuals while at work and while participating in any work related activity
- Promote a non-violent workplace
- Ensure their own physical safety in the event of workplace violence and then report the incident to the police and/or supervisor as the situation warrants
- Cooperate with any efforts to investigate and resolve matters arising under this policy



## Reporting Procedure

YW Calgary will investigate and take appropriate corrective actions to address all incidents and complaints of workplace violence in a fair and timely manner.

### Reporting an Incident

- If the incident arises due to an interaction with the public, other staff, contractors, or volunteers, then the complainant is expected to:
  - Report the incident to their supervisor or member of the management team
  - Report the incident to the police and all appropriate authorities, as warranted
  - Complete and submit an internal YW Calgary incident report
  - If appropriate, the staff complainant should communicate their objections of the incident to the alleged offender as per Policy 609 – Conflict and Problem Resolution

The YW Calgary will protect any staff member, volunteer or contractor from retaliation or criticism for having made an allegation in good faith while following this policy and the supporting procedures, whatever the outcome of the investigation.

### Confidentiality

Any allegation and information will be received in strict confidence and will be documented. The YW Calgary commits to respecting the privacy of all concerned as much as possible. We will not disclose the circumstances related to an incident of violence or the names of the complainant, the individual alleged to have committed the violence, and any witnesses, except where necessary to investigate the incident or to take corrective action, to inform the parties involved in the incident of the results of the investigation and corrective action taken, to inform workers of a specific or general threat of violence or potential violence, or as required by law. We will disclose only the minimum amount of personal information required that is necessary to inform workers of a specific or general threat of violence or potential violence.

Any allegation and information will be received in strict confidence and will be documented. However, documentation will not be maintained on a staff member or volunteer's personnel file for raising an allegation nor where an allegation made against the person was subsequently not upheld.

## 605-Alcohol and Drug Use

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YW Calgary encourages all staff, volunteers and contractors to maintain a healthy mind and body at all times and strives to eliminate or mitigate health and safety risks associated with its business activities. Staff, volunteers and contractors are expected to report and remain unimpaired throughout their work day with the YW and while on-call.

When conducting YW business or otherwise representing the YW; on YW premises; driving a YW assigned vehicle; on duty/shift or on scheduled call; including during meals or other breaks (whether on or off YW premises), staff, volunteers and contractors:

- May not be under the influence of legal or illegal substances (prescribed or over the counter medications, including cannabis, edible cannabis (substance containing cannabis or cannabis extract) causing impairment;
- May not be impaired or otherwise compromised to the extent that a colleague, client or member of the public may be negatively impacted;
- Are prohibited from the cultivation, manufacture, storage, distribution, offering or sale of alcohol or drugs or drug paraphernalia including cannabis, substance containing cannabis or cannabis extract;
- May not be in possession of alcohol, non-prescribed cannabis (including edible cannabis or substance containing cannabis extract) and illegal drugs on YW property.

With respect to the guidelines above, exceptions may be made—at supervisors’ discretion—for special events, fundraising activities or other hosted functions which YW team members may be planning, attending or hosted at. Staff, volunteers and contractors assume full and entire responsibility for the amount of alcohol they choose to consume and any consequences of their consumption. The presence of alcohol at any function or social event should not be construed as a requirement to consume alcohol.

If a person does not comply with this policy and fails to fulfill their responsibilities, they may be subject to disciplinary action up to and including suspension and/or dismissal. Staff, volunteers and contractors who are impaired will be removed from the workplace immediately pending investigation or consultation with People Services.

If unscheduled circumstances arise where a staff, volunteer, or contractor not on scheduled call is unexpectedly called into work, but has recently used alcohol or drugs and is unable to report fit for work, the staff member is expected to request that responsibility be delegated to another staff member. The inability of a staff member to accept a work assignment in this situation will not result in disciplinary action.

Staff members working in community (e.g. Outreach, COMPASS) may refuse to enter the premises where tobacco, alcohol, cannabis, and illegal drugs are being consumed, and may reschedule the appointment to better accommodate the needs of the client.

Staff members who may be struggling with substance use are encouraged to contact the Employee Assistance Program.

## Responsibilities

### YW Calgary

YW Calgary will provide appropriate assistance to staff members who are struggling with alcohol and/or drug addiction through the YW’s Employee Assistance Program (“EAP”) in a manner that places priority on confidentiality, fairness, and respect for the individual.

The People Services Team will:

- Create an awareness of the problems and safety risks associated with alcohol and drug use and the performance disabling effects of medications by making available appropriate educational materials and information for the EAP; and



- Provide guidance to supervisors and managers in recognizing and dealing with alcohol or drug related performance problems.

### **Staff, Volunteers, and Contractors**

All staff, volunteers, and contractors will:

- Be personally responsible for compliance with this policy and for their personal safety in this respect;
- Assume ownership of any alcohol or drug problem by seeking professional assistance and making full use of the resources and services made available by the YW or through the YW's arrangements with outside providers;
- Cooperate fully during investigations of work-related incidents;
- Comply with any treatment and aftercare program aimed at fitness to work, improving job performance, eliminating safety risks, or reintegration into the YW workforce;
- Notify their supervisor if aware that another staff, volunteer, and contractors' use of alcohol or illegal or other drugs or misuse of medications presents a safety or security risk; use prescribed and over-the-counter medications responsibly and manage potential impairment during work hours due to the legitimate use of medications;
- If in a Safety Sensitive Position, obtain advice from a physician or pharmacist as to whether any prescribed medication will affect their ability to safely perform their job duties, and report any concerns to their supervisor to assist with decisions regarding modification of duties or temporary re-assignment;
- Require that responsibilities be assigned to another YW staff, volunteer, or contractor if under the influence of alcohol or drugs or the performance disabling effects of medications when asked to report for duty in a Safety Sensitive Position; and
- Report to their supervisor any impaired driving or related charge, conviction, or suspension of operator's license in accordance with the requirements of this policy.

### **Supervisors**

The responsibility of each YW Calgary supervisor is to:

- Ensure that this policy is communicated to YW staff members and volunteers who report to them and the principles of this policy are addressed with contractors working within their area of responsibility;
- Identify and monitor staff and volunteer behaviour and performance problems that may be linked to the use of alcohol or drugs or the misuse of medications and notify People Services when there is a drug or alcohol related personnel concern or if aware of a staff or volunteer's limited ability to perform their duties due to the use of medications;
- Ensure that a staff, volunteer, or contractor is removed from the workplace and that People Services is contacted if there are concerns about the staff, volunteer, or contractor's immediate ability to safely perform assigned duties without limitations due to the use or after-effects of alcohol, drugs, or medications;
- In conjunction with OH&S committee, ensure investigations of work-related incidents including post incident alcohol or/and drug evaluation is conducted within the appropriate timelines;
- Ensure that investigation for alcohol and/or drugs is performed when there are reasonable grounds to believe that the conduct of any staff, volunteer, or contractor while on duty (including meals and other breaks) in a Safety Sensitive Position is indicative of the use or after effects of alcohol or drugs;



- Assist People Services with the periodic verification of a staff member or volunteer's compliance with a reintegration or return to work program;
- Ensure that Safety Sensitive Positions are identified within the department for which they are responsible and that Certification for staff members or volunteers occupying, or beginning work in Safety Sensitive Positions has been performed in accordance with the requirements of this policy;
- Notify People Services team / YW Security if they reasonably suspect the presence of unauthorized alcohol, illegal or other drugs, or drug paraphernalia on premises where YW work is being conducted or in YW assigned vehicles.