



Anglican Diocese of Ontario

Anti- Harassment Policy

Version 1.0

Approved By Synod Council June 27, 2017

Policy Statement:

Harassment, whether sexual, racial, based on a personal characteristic, or through abuse of authority, is an unfortunate reality in our society. Christ has taught us that we are all created equal, we are all to treat others as we would like to be treated. But harassment and bullying is also against the laws of our Country. It has a negative impact on employees, parishioners, volunteers, and costs in money and productivity.

The Diocese of Ontario is committed to building and preserving a safe, trusting and healthy environment that promotes the values of the Gospel of Jesus Christ and is consistent with the laws and teachings of the Anglican Church of Canada. This must be manifest in our own values and behaviour. The Church manifests a deep respect and concern for the well-being of all persons and upholds the fundamental goodness of all persons in God's creation. Through the death and resurrection of Jesus all humanity is saved, lifted up and transformed. We are deeply aware of the continuing weakness of human beings and the sinfulness of humanity. Knowing that, we must take seriously and respond appropriately to any misconduct including our own clergy, staff, volunteers and parishioners.

Therefore, harassment and bullying will not be tolerated in The Diocese of Ontario, including in individual Parishes/Congregations, at parish events on church property or off, nor at non-church programs being held on Church property. Immediate steps will be taken to end any instances of harassment of which the Church becomes aware.

All members of the Diocese of Ontario have a responsibility as Christians to ensure that parishes are free from harassment and bullying. Wardens and rectors bear the primary responsibility for encouraging and maintaining a safe and healthy environment. They are free to act, and should act, on this responsibility, regardless if they are in receipt of individual complaints or not. It is the obligation of the Wardens, Incumbents and all persons in leadership positions to be familiar with this policy and, where appropriate, to undertake training, to ensure that they are able to fulfill these responsibilities.

The Diocese of Ontario strongly believes that harassment and bullying is a form of misconduct that undermines the integrity of the relationship of those to whom we minister. All persons have the right to be free from all forms of discrimination and conduct which can be considered harassing, coercive, or disruptive, including sexual harassment. Anyone engaging in harassing conduct will be subject to discipline, ranging from a warning to termination or inhibition. For further details on discipline, please refer to Canon D1, D2, D3 (2013 Canons) and Canon 20 (2016 Draft) .

Please note: This policy deals with harassment and bullying that are not of a sexual nature. For the Sexual Misconduct Policy, please see Canon D3 (2013) and Canon 21 (2016 Draft). If at any point in the investigative process contained herein, it is determined that it is a sexual misconduct situation, this process will be stopped and the process described for investigations of sexual misconduct will be instituted.

Harassment is against the law

Both the *Ontario Human Rights Code* and the *Employment Standards Act* protect employees from harassment related to work. The *Criminal Code* protects people from physical or sexual assault.

The Corporations of our Parishes are also responsible for ensuring that those who are not employees, i.e., volunteers, parishioners, contracted workers, employees of other employers that the Parish might be utilizing, are also in compliance with this policy.

Harassment is any behaviour that demeans, humiliates or embarrasses a person, and that a reasonable person should have known would be unwelcome. It includes actions (e.g. touching, pushing), comments (e.g. jokes, name-calling), or displays (e.g. posters, cartoons). The *Ontario Human Rights Code* prohibits harassment related to race, national or ethnic origin, colour, religion, age, sex, marital status, family status, disability, pardoned conviction, or sexual orientation.

Disrespectful behaviour, commonly known as "personal" harassment is not covered by human rights legislation. While it also involves unwelcome behaviour that demeans or embarrasses a person, the behaviour is not based on one of the protected grounds named above. Nevertheless, as followers of Christ, we choose to generally include personal harassment in our anti-harassment policy.

Purpose:

The purposes of this policy are:

- a) to be educational, in that its existence will increase awareness of and sensitivity to the negative impact of harassment and bullying and an understanding of how it contravenes Jesus' teachings;
- b) to prevent harassment and bullying by indicating the seriousness with which the Diocese of Ontario views this issue;
- c) to provide a framework for the diocese and its parishes to be compliant with legislation.

Application of the Policy

1. This policy prohibits harassment or bullying by any member of the Diocese. Any parishioner, appointee or employee may make a complaint of harassment or bullying against another parishioner, Incumbent or employee.
2. This policy applies to incidents of harassment or bullying that occur in the course of ministry or participation in church-sponsored organizations, activities and programs, whether they occur on-site or off-site. Examples of offsite settings include, but are not limited to, field trips, pastoral visits, conferences or training events, and church sponsored social functions.
3. Persons who are not employees or parishioners of the Church (hereafter called "Third Parties") may have concerns about harassment and are encouraged to express their concerns to the Diocesan Executive Officer. The DEO will advise the person raising the concern and, where appropriate, refer the matter to the appropriate individual. In appropriate circumstances, these procedures may be used where a Third Party makes a complaint against a parishioner or employee who was involved in the course of her/his ministry or participation in Church-sponsored organizations, activities and programs. Third parties include, but are not limited to, contractors, their employees and agents; vendors of goods and services to the Church, their employees and agents; visitors to the Church; volunteers; and others with similar connections to the Church.
4. Third Parties using Church property are expected to conduct themselves in any Church-related activity in a manner consistent with this policy. Allegations of harassment or bullying against a Third Party will be dealt with by the Church as unacceptable behaviour that may result in suspension of Church privileges, such as access to the Church, or other appropriate action. Such allegations should be reported to the Diocesan Executive Officer.
5. This policy will not be applied or interpreted in such a way as to detract from the right of those in supervisory roles to manage and discipline employees and volunteers in accordance with normal Church practices, or from any existing rights or obligations contained within any existing code of conduct or legislation.
6. This policy is to be interpreted and administered in a way that is consistent with the principles of religious freedom. Neither this policy in general, nor its definitions are to be applied in such a way as to detract from the right of staff, volunteers and parishioners to engage in the frank discussion of potentially controversial matters, such as age, race, politics, religion, sex and sexual orientation.
7. Notwithstanding the existence of this policy, every person continues to have the right to seek assistance from the Human Rights Commission or, where a criminal act is involved, the police, even when actions are being taken under this policy.

Definition

Workplace Violence or Bullying: workplace violence or bullying is the exercise, statement or behaviour of physical force by a person against another person, in a workplace (including Parish), that causes or could cause physical injury, such as:

Physical acts (e.g., hitting, shoving, pushing, kicking, sexual assault, throwing an object)

Any threat, behaviour or action which is interpreted to carry the potential to harm or endanger the safety of others, result in an act of aggression, or destroy or damage property.

Disruptive behaviour that is not appropriate to the environment

Domestic Violence: a person who has a personal relationship with a person – such as a spouse or former spouse, current or former intimate partner or a family member – may physically harm, or attempt or threaten to physically harm. In these situations, domestic violence is considered workplace violence.

Personal Harassment: any unsolicited, unwelcome, disrespectful or offensive behaviour that an underlying sexual, bigoted, ethnic or racial connotation and can be typified as:

Behaviour that intends to degrade an individual based on personal attributes, including age, race, nationality, disability, family status, religion, gender, sexual orientation, any other Human Rights protected grounds.

Sexual solicitation or advances

Unwelcome remarks, jokes, innuendoes, propositions, or taunting about a person's body, attire, sex or sexual orientation and/or based on religion;

Suggestive or offensive remarks;

Bragging about sexual prowess;

Offensive jokes or comments of a sexual nature about an employee;

Unwelcome language related to gender;

Displaying of pornographic or sexist pictures or materials;

Leering (suggestive persistent staring);

Physical contact such as touching, patting, or pinching, with an underlying sexual connotation;

Any actions that create a hostile, intimidating or offensive workplace. This may include physical, verbal, written, graphic, or electronic means.

Any threats of physical violence that endangers health and safety

Racial/Ethnic/Gender Harassment: any conduct or comment which causes humiliation to an employee because of their racial or ethnic background, their gender, colour, place of birth, citizenship or ancestry. Refusing to speak to or work with someone or treating someone differently because of their ethnic, gender or racial background.

Bullying is when one person uses power in a willful manner with the aim of hurting another individual

General

The Diocese of Ontario is committed to providing a safe and healthy work and parish environments free from violence, threats of violence, discrimination, harassment, intimidation and any other misconduct. Similarly, weapons are strictly prohibited from the all Diocesan properties.

It is also a violation of The Diocese of Ontario's Anti-Violence and Harassment Policy for anyone to knowingly make a false complaint of violence or harassment or to provide false information about a complaint. Individuals who violate this Policy are subject to disciplinary and / or corrective action, up to and including termination of employment or appointment.

This Policy prohibits reprisals against individuals, acting in good faith, who report incidents of workplace violence or act as witnesses. Management will take all reasonable and practical measures to prevent reprisals, threats of reprisal, or further violence. Reprisal is defined as any act of retaliation, either direct or indirect.

Parish

Each Parish with any Employees or Contractors (Full Time or Part Time) is legally responsible to ensure it has a "Harassment in the Workplace" Policy and that it is posted in a public place. A Sample Policy is available from the Diocese.

Review

As required by the Occupational Health and Safety Act, The Diocese of Ontario will review this policy annually and will post the policy on the Website