

# Respect in the Workplace Policy

This policy covers MakeWay Foundation and MakeWay Charitable Society, collectively called MakeWay.

MakeWay is committed to providing workplaces and operations that protect the right to be free of hate activity based on age, ancestry, citizenship, colour, disability, ethnic origin, family status, gender identity, level of literacy, marital status, membership in a union or staff association, place of origin, political affiliation, race, receipt of public assistance, record of offences, religion, sexual orientation or any other personal characteristics.

MakeWay believes that everyone has the right to a work environment where one is treated with dignity and respect, and that in turn one has a responsibility to treat others the same way. MakeWay supports its workers in preventing discrimination and harassment, reporting and resolving conflicts early and informally, where possible, and in eliminating causes of discrimination, harassment and conflict.

The MakeWay workplace is characterized by:

- ▷ Polite and considerate behaviour toward others;
- ▷ An appreciation for inclusion and diversity, supporting different backgrounds, cultures, strengths and opinions;
- ▷ Safety and protection from disrespectful, discriminatory, bullying and harassing behaviour;
- ▷ Constructive resolution of disputes ... through appropriate conflict resolution processes
- ▷ Accepting responsibility should one's behaviour offend another worker;
- ▷ Support for employees to help them practice personal conflict resolution and respectful workplace skills.

The guidelines outlined here apply to behaviour on MakeWay premises; during work related travel; at conferences, training sessions, and seminars attended for work; on non-MakeWay premises where MakeWay workers gather under the auspices of the organization; during off-site social events organized by the organization for workers who are off-duty; and to all written, verbal and electronic communication taking place in such venues.

## Harassment

Harassment is any improper conduct by a worker directed at another worker that a person knows or reasonably ought to know would cause offence or harm. It includes any act, comment or conduct that demeans, belittles, causes personal humiliation or embarrassment, or creates a hostile work environment, and any act of intimidation or threat, where the conduct serves no

legitimate work-related purpose. Types of harassment are: sexual harassment, discriminatory harassment and personal harassment.

### **Sexual Harassment**

Sexual harassment can occur between any two individuals and is:

- ▷ Conduct or comment of a sexual nature made by an individual that is unwelcome to the recipient; or
- ▷ Sexual conduct or comment that has the effect of creating an intimidating, hostile or offensive environment; or
- ▷ Expressed or implied promise of reward for complying with a request of a sexual nature; or
- ▷ Reprisal or an expressed or implied threat of reprisal for refusal to comply with a request of a sexual nature.

Examples of sexual harassment include, but are not limited to:

- ▷ Remarks, jokes, innuendos, or other comments regarding an individual's body, appearance or sexual life;
- ▷ Unwelcome questions about or sharing of personal information regarding an individual's sexual life;
- ▷ Displaying sexually graphic or offensive or derogatory pictures or other pictorial or written materials (including those on a computer screen);
- ▷ Leering, ogling or sexually oriented gestures;
- ▷ Persistent, unwelcome invitations or requests of a sexual nature;
- ▷ Persistent unwelcome touching, closeness, brushing against or other unwelcome physical proximity;
- ▷ Sexual assault.

### **Discriminatory Harassment**

Discriminatory harassment is any behaviour by an individual directed against another individual, related to their race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, age, or because of a conviction for a criminal or summary conviction offence unrelated to their employment, that a reasonable person would know or ought to know would:

- ▷ Have the effect of interfering with the individual's work or participation in work-related activities; or
- ▷ Create a hostile, intimidating or offensive environment for work or participation in work-related activities.

### **Personal Harassment**

Personal harassment is any behaviour by an individual directed against another individual that a reasonable person would know or ought to know would cause offence, humiliation or intimidation, where the conduct serves no legitimate work-related purpose. Such behaviour includes but is not limited to:

- ▷ making derogatory comments to or about another individual
- ▷ swearing
- ▷ yelling
- ▷ shunning
- ▷ inappropriately interfering in another individual's work
- ▷ derogatory gestures
- ▷ embarrassing practical jokes
- ▷ ridicule
- ▷ gossip
- ▷ heedless disregard or denial of another's rights
- ▷ improper use of power or authority
- ▷ uttering threats
- ▷ physical assault

### **Actions Not Considered Harassment**

Nothing in this Policy restricts :

- ▷ The legitimate exercise of direct supervisory responsibilities, including giving advice; assigning work; performance appraisal; performance or behaviour correction; and discipline for cause; or
- ▷ Respectful discussion of different points of view; or
- ▷ The freedom of workers to choose with whom they socialize in activities not related to the workplace.

### **Process for Dealing with Disrespect / Harassment**

1. If you feel safe doing so, speak to the individual engaging in disrespectful behaviour. Tell the offending individual that his or her behaviour is unwelcome and ask him or her to stop. If you do not feel safe speaking directly to the individual, ask your direct supervisor or MakeWay Human Resources for help.
2. If, after asking the other individual to stop his or her behaviour, the activity continues, make notes of what occurred, the date it occurred and any witnesses to the events. Report the inappropriate behaviour to your direct supervisor or to MakeWay Human Resources.

3. Where appropriate, your direct supervisor or the Human Resources representative may attempt to facilitate a discussion between you and the other individual to resolve the complaint.
4. If the complaint involves an allegation of harassment, you or your supervisor must report to the Human Resources representative and a third party consultant may conduct an investigation. If your concern relates to the Human Resources representative, you may contact the President and CEO.
5. Upon receipt of a harassment complaint an investigation is undertaken immediately, and all necessary steps are taken to resolve the situation. In most cases, both the complainant and the individual who is alleged to have acted inappropriately are interviewed, along with any individuals who may be able to provide relevant information. Every attempt will be made to ensure all information gathered is kept as confidential as possible.
6. Please note that anonymous complaints are not investigated under this policy; the person accused of harassment has the right to be informed of the specific actions in the allegations and to defend him or herself.
7. Upon completion of the investigation, and where warranted, MakeWay will promptly take appropriate corrective measures, which could include counselling, reprimand, reassignment, or dismissal of a worker (where the accused is a fellow worker). If the complaint was filed in good faith, no documentation whatsoever is placed in the complainant's file (if an employee), regardless of whether or not the complaint is upheld.
8. A complete written record is kept of each complaint that proceeds to an investigation, including how it was investigated and resolved.
9. If the problem is not resolved to your satisfaction, and if you are not comfortable discussing your problems or concerns with your direct supervisor, you may speak with the MakeWay HR Representative. Be prepared to describe the concern as well as how you feel the issue can be resolved.
10. If the matter relates to legal rights, you should contact the Human Resources representative.

### **Retaliation and False Complaints**

Retaliation against an individual for reporting a disrespectful incident in good faith will not be tolerated. Any individual so retaliating will be subject to corrective action up to and including dismissal (if an employee) or legal action.

It is a serious offence for a complainant to bring knowingly false charges against an alleged harasser. If MakeWay finds that a claim of harassment or discrimination was made in bad faith, MakeWay will take corrective action against the person who made the bad faith claim, up to and including dismissal (if an employee) or legal action.