



## **Ontario Climbing Federation (OCF)**

### **WORKPLACE HARASSMENT AND WORKPLACE VIOLENCE POLICY**

#### **Application**

1. This Policy applies to all individuals who perform work for the OCF including employees, managers, supervisors, temporary workers, volunteers, student volunteers, part-time workers, the Board of Directors, and independent contractors (“Workers”) who feel they have been harassed within the Workplace.

#### **Purpose**

2. The OCF is committed to providing an environment in which all Workers are treated with respect and dignity. Workplace harassment will not be tolerated from any person in the workplace.
3. This Policy is intended to ensure that the OCF meets its obligations under the Ontario *Occupational Health and Safety Act* to prevent Workplace Harassment, including Sexual Harassment, and to provide the procedures that will be followed to address and manage complaints of Workplace Harassment.

#### **Definitions**

4. The following terms are defined in the *Code of Conduct*:
  - a) Harassment
  - b) Sexual Maltreatment
5. The following terms have these meanings in this Policy:
  - a) “*Workplace*” - Any place where business or work-related activities are conducted. Workplaces include but are not limited to, the OCF’s office, work-related social functions, work assignments outside the OCF’s offices, work-related travel, work-related conferences or training sessions, and competition venues and hotels.
  - b) “*Workplace Harassment*” – Vexatious comment or conduct against a worker in a Workplace that is known or ought reasonably to be known to be unwelcome. Workplace Harassment should not be confused with legitimate, reasonable management actions that are part of the normal work/training function, including measures to correct performance deficiencies, such as placing someone on a performance improvement plan, or imposing discipline for workplace infractions. Types of behaviour that constitute Workplace Harassment include, but are not limited to:
    - i. Bullying;
    - ii. Workplace pranks, vandalism, bullying or hazing;
    - iii. Repeated offensive or intimidating phone calls or emails;
    - iv. Inappropriate sexual touching, advances, suggestions or requests;
    - v. Displaying or circulating offensive pictures, photographs or materials in printed or electronic form;
    - vi. Psychological abuse;
    - vii. Excluding or ignoring someone, including persistent exclusion of a particular person from work-related social gatherings;
    - viii. Deliberately withholding information that would enable a person to do his or her job, perform or train;
    - ix. Sabotaging someone else’s work or performance;
    - x. Gossiping or spreading malicious rumours;

- xi. Intimidating words or conduct (offensive jokes or innuendos); and
  - xii. Words or actions which are known or should reasonably be known to be offensive, embarrassing, humiliating, or demeaning.
- c) “*Workplace Violence*” – The use of or threat of physical force by a person against a worker in a Workplace that causes or could cause physical injury to the worker; an attempt to exercise physical force against a worker in a Workplace that could cause physical injury to the worker; or a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker in a Workplace that could cause physical injury to the worker. Types of behaviour that constitute Workplace Violence include, but are not limited to:
- i. Verbal or written threats to attack;
  - ii. Sending to or leaving threatening notes or emails;
  - iii. Physically threatening behaviour such as shaking a fist at someone, finger pointing, destroying property, or throwing objects;
  - iv. Wielding a weapon in a Workplace;
  - v. Hitting, pinching or unwanted touching which is not accidental;
  - vi. Dangerous or threatening horseplay;
  - vii. Physical restraint or confinement;
  - viii. Blatant or intentional disregard for the safety or wellbeing of others;
  - ix. Blocking normal movement or physical interference, with or without the use of equipment;
  - x. Sexual violence; and
  - xi. Any attempt to engage in the type of conduct outlined above
6. Importantly, reasonable action taken by the OCF relating to the management and direction of Workers or the Workplace (e.g., scheduling or conducting an annual performance review) is not Workplace Harassment.

### **Reporting Sexual Maltreatment**

7. Sexual Maltreatment (defined in the *Code of Conduct*) is a serious crime and should be immediately reported to the proper authorities, including the OCF.
8. If you have experienced or witnessed Sexual Maltreatment:
- Go to a Safe Place
  - Call your local Police or go to the nearest police station
  - Call your local Rape Crisis Centre
  - Call your local Victim Services Organization
  - Report the experience to the OCF (strongly recommended if the incident involved a staff member with the OCF)

### **RESPONSIBILITIES**

9. Senior Management, in collaboration with the Health and Safety Representative, is required to prepare a Workplace Harassment policy (this Policy) under the *Occupational Health and Safety Act*. All workers are expected to read, understand and adhere to the policy.
10. Managers are responsible to take appropriate preventive or corrective action and to put a stop to any harassment they are aware of, whether or not a complaint is filed. Failure to take appropriate action may result in disciplinary measures being imposed on the manager as well as the offending person.
11. In addition, management’s responsibility is to ensure all complaints or incidents of Workplace Harassment are investigated and dealt with in a fair, respectful and timely manner.

12. Management will also ensure that all Workers receive annual training on Workplace Harassment and supervisors and managers will receive advanced training. Proof of completion will be placed in each Worker's file.

## **PROCEDURES**

### Reporting Workplace Harassment

13. If a Worker feels that they are being harassed, the Worker should first advise the person harassing them to stop, if they feel comfortable in doing so. If the Worker does not feel comfortable doing so, or if the harassment continues, the Worker is encouraged to report any incidents of Workplace Harassment to the appropriate person. Workers are not to be penalized or disciplined for reporting an incident or for participating in an investigation involving Workplace Harassment.

### Where to File a Workplace Harassment Report

14. An incident or a complaint of Workplace Harassment should be reported as soon as possible after experiencing or witnessing an incident. This allows the incident to be investigated in a timely manner.

15. A Workplace Harassment incident or complaint must be reported directly to the Workplace Harassment Officer:

**Nathan Abdelnour, Executive Director ([nabdelnour@climbontario.ca](mailto:nabdelnour@climbontario.ca))**

16. If the Workplace Harassment Officer is the alleged harasser, the Worker should report the complaint to the Chair of the Board of Directors.

17. All incidents or complaints of Workplace Harassment shall be kept confidential except to the extent necessary to protect Workers, to investigate the complaint or incident, to take corrective action or otherwise as required by law.

### How to File a Workplace Harassment Report

18. Workers may report incidents or complaints of harassment verbally or in writing. When submitting a written complaint, Workers are asked to use the Workplace Harassment Incident Report Form (**Appendix A**). When reporting verbally, the Workplace Harassment Officer along with the Worker will complete the Workplace Harassment Incident Report Form.

19. The report of the incident should include the following information:

- a) Name(s) and contact information of the Worker who has allegedly experienced harassment
- b) Name(s) and contact information, if available, of the alleged harasser(s)
- c) Names of the witness(es) (if any) or other person(s) with relevant information to provide about the incident (if any) and contact information (if known)
- d) Details of what happened including date(s), frequency and location(s) of the alleged incident(s)
- e) Any supporting documents the Worker may have that are relevant to the complaint (e.g., emails, texts, etc.).
- f) A list any documents that may be relevant to the complaint.

### What Happens After Filing a Workplace Harassment Report

20. All incidents or complaints will be kept confidential except to the extent necessary to protect the Worker, to investigate the complaint or incident, to take corrective action, or otherwise as required by law.

21. In particular, the Workplace Harassment Officer may inform the Board of Directors that a Workplace Harassment complaint has been filed and needs to be investigated. The Workplace Harassment Officer may recommend that the investigation be conducted by an outside third party and the Executive Director (or designate) and/or Board of Directors may not unreasonably withhold funding for any outside third-party investigator.
22. The Workplace Harassment Officer is not required to reveal the name(s) of the Worker and alleged harasser(s), or details of the incident, at this stage of the process unless the safety of students or Workers may be at risk and/or if temporary action (e.g., a suspension of the alleged harasser(s) while an investigation takes place) is required.

**RESPONSE TO WORKPLACE HARASSMENT COMPLAINTS**

23. The OCF will use the *Discipline and Complaints Policy* to process incidents of Workplace Harassment or receipt of a complaint of Workplace Harassment.

**UNSUBSTANTIATED COMPLAINTS AND RETALIATION**

24. Intentionally accusing someone of harassment, known to be false, is a serious offence and may be subject to disciplinary action. The OCF reserves the right to discipline those whose complaints are frivolous or vexatious.
25. Any interference with the conduct of an investigation, or retaliation against the Worker filing the complaint, the alleged harasser, or witness, may itself result in disciplinary action.

**RECORD KEEPING**

26. The OCF will keep records of the investigation including:
  - A copy of the complaint or details about the incident;
  - A record of the investigation including notes;
  - A copy of the Investigator’s Report (if any);
  - A summary of the results of the investigation that was provided to the Worker who allegedly experienced the Workplace Harassment and the alleged harasser, if a Worker of the OCF; and
  - A copy of any corrective action taken to address the complaint or incident of Workplace Harassment.
27. All records of the investigation will be kept confidential. Records will be kept indefinitely. If the investigation does not find evidence to support the complaint, no record will be kept in the file of the alleged harasser. When the investigation finds harassment occurred, the incident and the corrective action will be recorded in the harasser’s personnel file.

<b>Policy History</b>	
Policy Ref	<b>OCF-Admin-05</b>
Approved	<b>June 11, 2023</b>
Next Review Date	<b>Fall 2024</b>

## Appendix A – Workplace Harassment Complaint Form

**Date:**

**Your name, position, and contact information:**

**Have you been harassed?\_\_\_\_\_ or, Did you witness what you are about to report?\_\_\_\_\_**

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

**Details of the complaint of Workplace Harassment:**

*Please describe in as much detail as possible the harassment 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) (behaviour 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.*