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## SAFE CONDUCT & ANTI-HARASSMENT POLICY

### I. Policy Statement

The Polish Combatants' Association, Branch No. 20, Toronto, Inc. ("SPK Branch 20") is committed to providing an environment free from harassment, discrimination, and violence, where every individual is treated with respect and dignity. In accordance with the *Ontario Human Rights Code*, every person has the right to be free from harassment and discrimination.

Harassment, discrimination, and violence will not be tolerated, condoned, or ignored at SPK Branch 20. Any breach of this policy is a serious matter and may result in disciplinary action, up to and including termination of employment or volunteer status, or the immediate termination of a rental agreement and removal from the premises. If a worker needs further assistance, they may also contact the Ontario Human Rights Legal Support Centre.

### II. Our Commitment

SPK Branch 20 will undertake to ensure a safe and respectful environment, including:

- Making this policy easily accessible to all employees, volunteers, members, and renters.
- Educating employees, volunteers, and Board members on this policy and promoting appropriate standards of conduct.
- Ensuring renters are made aware of this Policy as a condition of their rental agreement.
- Posting this Policy in visible locations within the facility.
- Providing an effective, timely, and fair procedure for addressing complaints.
- Conducting an annual review of the policy.
- Giving workers instruction on how to recognize, report, and respond.

### III. Definitions

**Personal Harassment.** Engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome. This includes behaviour that causes humiliation, offence, or embarrassment, or creates an intimidating, hostile, or offensive environment. A single serious incident can also constitute harassment.

Harassment may include, but is not limited to:

- Physically or verbally intimidating behaviour and/or threats.
- Ridiculing, taunting, belittling, or humiliating another person.
- Derogatory name-calling, inappropriate remarks, gestures, jokes, or innuendo.
- Unwanted questions or comments about a person's private life.
- Displaying offensive materials, including on social media.
- Bullying, which is a form of harassment that may include loud or abusive behaviour, unjustified criticism, or deliberately isolating or excluding others.

**Sexual Harassment.** Engaging in a course of vexatious comment or conduct because of sex, sexual orientation, gender identity, or gender expression, that is known or ought reasonably to be known to be unwelcome.

Sexual harassment may include, but is not limited to:

- Unwelcome remarks, jokes, or taunting about a person's body, attire, gender, or sexual orientation.
- Unwanted touching or any inappropriate physical contact.
- Unwelcome questions or comments about a person's sex life.
- Leering or other suggestive sounds.
- Making sexual advances when it has been made clear they are unwelcome.
- Displaying sexually oriented materials.
- Demands for sexual favours.

**Reasonable Action.** A reasonable action taken by a manager or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.

**Discrimination.** Harassment may be a form of discrimination. The Ontario Human Rights Code prohibits discrimination and harassment based on the following protected grounds:

- Age
- Ancestry, colour, race
- Citizenship
- Ethnic origin
- Place of origin
- Creed
- Disability
- Family status
- Marital status (including single status)
- Gender identity, gender expression
- Receipt of public assistance (in housing only)
- Record of offences (in employment only)
- Sex (including pregnancy and breastfeeding)
- Sexual orientation.

**Reprisal.** Any adverse action taken against an individual because they reported harassment, made a complaint in good faith, or participated in an investigation. Reprisal is a distinct offence under this policy. Anyone found to have engaged in reprisal will be subject to sanctions, regardless of the outcome of the original complaint. Reprisal is strictly prohibited and will be treated as a serious violation of this policy.

#### **IV. Application of this Policy**

**Who is Covered?** This policy applies to all individuals at SPK Branch 20, including but not limited to: employees, volunteers, Board members, renters (clients) and their guests, contractors, service providers, and any other visitors.

**Where Does this Policy Apply?** This policy applies to all activities occurring on SPK Branch 20's premises, including the building, grounds, and parking lot. It also applies to any off-site, SPK Branch 20-sanctioned events.

**When Does This Policy Not Apply?** This policy is not intended to interfere with normal social relationships or routine management functions. It does not apply to:

- Expressing differences of opinion respectfully.
- Offering constructive feedback or guidance about work-related behaviour.
- A manager providing reasonable direction or managing performance.

## **V. Complaint Resolution Process**

Everyone at SPK Branch 20 has the right to feel safe and to report any incident. SPK Branch 20 will ensure that an investigation appropriate in the circumstances will be conducted into complaints or incidents of workplace harassment. All complaints will be taken seriously, investigated promptly, and handled with as much confidentiality as possible. The rights of all parties will be respected.

### **How to Report a Complaint:**

1. **Informal Response (If Safe to Do So):** A person who believes they have been subjected to harassment (the "Complainant") is encouraged, if they feel safe and comfortable, to clearly inform the person responsible (the "Respondent") that the behaviour is unwelcome and must stop.
2. **Report to a Person in Authority:** If an informal response is not safe, possible, or effective, the Complainant should report the incident to a person in a position of authority. This could be an SPK Branch 20 employee, the lead volunteer on duty, an event organizer, or a Board Member.
3. **Formal Written Complaint:** If the issue is not resolved, the Complainant should submit a written report containing:
  - The names of the people involved.
  - The time, date, and location of the incident(s).
  - A detailed description of the incident(s).
  - The names of any witnesses.
  - Any steps already taken to resolve the complaint.
4. **Submitting the Complaint:** The written report should be submitted to the President of the Board of Directors ([president@spk20.ca](mailto:president@spk20.ca)) or an SPK Branch 20

staff member. If the President or staff member are named or there is a perceived conflict, the complaint may be submitted to the Vice President or Secretary.

The Board will acknowledge receipt within 5 business days and complete investigations within 30 days where possible.

### **Investigation Procedure:**

1. **Appointment of Investigators:** Upon receiving a formal complaint, the recipient will inform the President. The Board will appoint at least two impartial individuals (the "Investigators"), typically from the Board of Directors, to investigate the complaint. If the complaint involves a Board member or creates a conflict of interest, the Board may appoint an external investigator.
2. **Investigation:** The Investigators will meet with the Complainant to review the complaint. The Respondent will be notified of the complaint and given an opportunity to respond. The Investigators will conduct a fair and confidential investigation, which may include interviewing witnesses.
3. **Conclusion:** Following the investigation, the Investigators will determine their findings and report them to the Board of Directors. The Complainant and Respondent will be informed in writing of the investigation's outcome and any actions that will be taken.
4. **Sanctions:** If the investigation finds that a breach of this policy has occurred, the Board of Directors will impose appropriate sanctions.
  - For **employees or volunteers**, this may include disciplinary action up to and including termination of their position.
  - For **renters or their guests**, this may include immediate removal from the premises, termination of the rental agreement without refund, and/or prohibition from future rentals.
  - For **any individual**, this may include being banned from SPK Branch 20's premises.
5. **Record Keeping:** A confidential record of the investigation and its resolution will be securely stored. All records related to an investigation will be kept for a minimum of one year following the conclusion of the investigation.

### **Relationship to the Committee for the Resolution of Conflicts and Discipline.**

All complaints received under this policy will be reviewed by the Board of Directors or its designated investigators. The Board is responsible for investigating all matters related to harassment, discrimination, and violence to ensure compliance with provincial law.

If a complaint is determined to fall exclusively under the jurisdiction of the Committee for the Resolution of Conflicts and Discipline as outlined in Article 13 of By-Law No. 1, the Board will refer the matter to the Committee for handling.

In cases where an incident may violate both this policy and the bylaws, the investigation under this Safe Conduct & Anti-Harassment Policy will take precedence. Following the Board's investigation, any findings may be referred to the Committee for consideration of additional disciplinary measures related to membership status.

**Confidentiality.** SPK Branch 20 will protect the privacy of all individuals involved and will not disclose the identity of the parties or the circumstances of the complaint, except where necessary for investigation and resolution, or as required by law. While an investigation is ongoing, the complainant, the respondent, and any witnesses are expected not to discuss the matter with other workers or witnesses unless necessary to obtain advice about their rights.

**Right to Other Options.** Nothing in this policy prevents or discourages a Complainant from seeking recourse through other avenues, such as the Ontario Human Rights Tribunal or legal action, at any point.

## **VI. Workplace Violence**

**Definition of Workplace Violence.** In accordance with Ontario's *Occupational Health and Safety Act*, workplace violence is defined as:

- The exercise of physical force by a person against another that causes or could cause physical injury.
- An attempt to exercise physical force against another person that could cause physical injury.
- A statement or behaviour that is reasonable for a person to interpret as a threat to exercise physical force.

Workplace violence includes, but is not limited to, hitting, shoving, pushing, kicking, sexual assault, throwing an object at another person, or threatening to harm someone.

**Domestic violence in the workplace.** Where SPK Branch 20 becomes aware that domestic violence may occur in the workplace and expose a worker to injury, it will take every reasonable precaution for that worker's protection.

**Response and Reporting Procedure.** SPK Branch 20 is committed to responding to threats or acts of violence immediately and protecting all individuals at the premises. The following procedure must be followed.

**If You Are in Immediate Danger or Witness an Act of Violence:**

1. **Prioritize Safety:** Remove yourself from the situation and get to a safe location if possible.
2. **Call 911:** Contact the police or emergency services immediately for assistance.
3. **Report to SPK Management:** Once you are safe, report the incident to the President, a Board Member, or the most senior employee/volunteer on duty.

**Reporting an Incident After it Occurs:** If you experience or witness an act of workplace violence that does not pose an immediate threat, or if you are reporting a threat of violence, you must report it as soon as possible to SPK staff or a member of the Board of Directors.

**Investigation.** All reports of workplace violence will be taken seriously and will be investigated promptly and confidentially. The investigation will be undertaken in a fair and objective manner, consistent with the procedure outlined in the "Complaint Resolution Process" section of this policy.

SPK Branch 20 will take every precaution reasonable in the circumstances for the protection of individuals from workplace violence.