



ANTI-DISCRIMINATION & ANTI-HARASSMENT POLICY, INCLUDING SEXUAL HARASSMENT

APPLICABILITY:

All employees, all job positions, all volunteers, all departments at work and at events, activities and programs which may be held on-site, off site or after normal business hours at the Schwartz/Reisman Centre and/or Prosserman JCC or as part of, hereafter referenced as the "J".

INTENT:

To ensure that all J employees and volunteers enjoy a productive, professional and safe work environment which is free from discrimination or harassment and which respects and upholds the inherent dignity, worth and rights of each person.

POLICY:

The J, in consultation with both the Schwartz/Reisman Centre and Prosserman JCC Joint Health and Safety Committees prohibits discrimination, as per the *Ontario Human Rights Code*, which is based on race, ancestry, place of origin, color, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, same sex partnership status, family status, and disability.

The J undertakes to pursue equality, as defined by freedom from adverse discrimination or harassment, either psychological, or personal or sexual, and the removal of unreasonable barriers to equal opportunity.

It is unlawful and a violation of the J's policy to retaliate against any employee either for complaining about a violation of this policy, or for cooperating in an investigation of a complaint under this policy.

The J takes a position of Zero Tolerance with regards to workplace discrimination and harassment, including sexual harassment. No worker under any circumstance is allowed to exhibit discriminating or harassing, including sexually harassing, behavior towards others, including but not limited to employees, clients, customers, consultants, service providers, or any other third parties that are interacted with through the course of work for or with the J.

Should an employee perpetrate an act of workplace discrimination or harassment, including sexual harassment, the J will exercise measures in response to that employee's behavior, up to and including termination of employment.

The J will implement an ongoing anti-discrimination and anti-harassment, including sexual harassment, education program to create awareness and reduce incidents of harassment, including sexual harassment, and discrimination in the workplace. This will include annual policy review, posting the policy on our health and safety bulletin boards, and including the policy in our staff handbook and on our websites. In addition, anti-discrimination and anti-harassment, including sexual harassment, training will be provided to staff, both at time of hire through the onboarding process, and then during the course of employment.

In addition, the J has established a Review Panel to respond to incidents of workplace discrimination and/or harassment, including sexual harassment, by implementing risk



Prosserman JCC

4588 Bathurst Street • Toronto, ON • M2R 1W6
416.638.1881 • prossermanjcc.com



**UJA FEDERATION
of Greater Toronto**



**Schwartz/Reisman
Centre**

9600 Bathurst Street • Vaughan, ON • L6A 3Z8
905.303.1821 • srcentre.ca



assessments, investigative and reporting procedures, decision making processes and prevention with the objective of promoting a safe and secure work environment for all employees. The Review Panel consists of the Executive Director, the Chief Operating Officer and the Chief of Programs. Investigations will be conducted by the Human Resources department and Outside Counsel, where appropriate. The Review Panel is bound by strict confidentiality requirements. Adjustments to the Review Panel will be made if one of the members is involved in the complaint.

DEFINITION:

Illegal discrimination and/or harassment, including sexual harassment, is inappropriate, unwelcome, offensive or demeaning conduct, whether verbal, physical, visual or otherwise, where:

- submission to such conduct is made an explicit or implicit term or condition of employment;
- submission to or rejection of such conduct is used as a basis for employment decisions; or
- such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Reasonable action taken by an employer or supervisor relating to the management of its workplace is not workplace harassment.

EXAMPLES:

Verbal conduct such as racial epithets, comments or slurs, lewd comments, sexual jokes, offensive e-mails, unwanted sexual advances or comments, or threats and demands that may demean, ridicule, intimidate, or offend;

Physical conduct such as assault, sexual flirtation, unwelcome touching, sexual advances, or other physical interferences;

Visual conduct such as offensive cartoons, pictures, photographs, or gestures, or viewing or sharing offensive internet materials;

Bullying such as coercing someone to do something they don't feel comfortable doing;

Retaliation for having reported discrimination and/or harassment, including sexual harassment.

PROCEDURES:

Any employee who believes that they have been subjected to any kind of discrimination or harassment, including sexual harassment, coercion, or intimidation by anyone, whether a volunteer, donor, vendor/supplier, visitor, member, delivery personnel, co-worker, former employee or member of management, may pursue either of the following two methods to resolve the matter.

Any member of management who learns of or observes conduct which violates, or may be seen to violate this policy, has the responsibility to pursue either of the following two methods, and must inform the J's Executive Director, or Human Resources Director of their actions.

Informal Method - Complaint

Step 1:

At the time of experiencing the discrimination and/or harassment, including sexual harassment, the employee is to indicate disapproval to the harasser and request that the behaviour cease. If the harassment does not



Prosserman JCC

4588 Bathurst Street • Toronto, ON • M2R 1W6
416.638.1881 • prossermanjcc.com



UJA FEDERATION
of Greater Toronto



Schwartz/Reisman
Centre

9600 Bathurst Street • Vaughan, ON • L6A 3Z8
905.303.1821 • srcentre.ca



stop, or if the employee is uncomfortable confronting the harasser, Step 2 is an option.

Step 2:

The employee may speak with their Manager or the Director of Human Resources about the incident(s). The employee may also consult with a Union Representative (if applicable) or a representative of the Joint Health and Safety Committee. The individual consulted will assist in identifying how best to address the discrimination or harassment, including sexual harassment and will assist the employee in taking appropriate action to stop the discrimination or harassment, including sexual harassment.

If the discrimination or harassment, including sexual harassment continues, or the employee is not satisfied with an informal resolution, a formal complaint is the recommended option.

Formal Method - Investigation

All formal complaints of discrimination and/or harassment, including sexual harassment, must be submitted in writing to the Human Resources Director, or directly to The Review Panel if the complaint involves the Human Resources Director, using the attached form. All complaints will be investigated as thoroughly, objectively, confidentially, and promptly as possible by the Human Resources Department, and or independent Counsel. A report will be given to The Review Panel upon completion.

The investigation will include separate interviews with all relevant parties, i.e. the complainant, the respondent, and any individual believed to have information regarding the alleged transgressions. Any employee approached will be required to cooperate in such an investigation. **Employees will be informed of their rights to and obligations surrounding confidentiality through the investigation and reporting process.** Confidentiality agreements will be signed by each person participating in an investigation prior to the start of such investigation

A summary report of the findings, together with recommendations, will be communicated to the complainant and alleged harasser involved. Where the complaint is substantiated, the Review Panel will ensure that appropriate remedial action is taken.

The Review Panel will endeavor, if possible, to have the investigation completed and oversee the implementation of any required remedial action, within thirty days of the filing of the complaint.

INVESTIGATION PROCESS:

The Review Panel ensures the following steps are followed:

- Informs Senior Leaders, including the Board President, and the Joint Health & Safety Committee that a formal complaint of workplace harassment, including sexual harassment, or discrimination has been submitted and an investigation is taking place.
- Information provided about the incident or complaint, including the complainant and alleged harasser's name, will not be disclosed to protect employees' privacy, except as necessary to investigate the complaint or incident or to take corrective action or where required by law
- Contacts all necessary authorities regarding the incident (Police, Ministry of Labor, etc)



Prosserman JCC

4588 Bathurst Street • Toronto, ON • M2R 1W6
416.638.1881 • prossermanjcc.com



UJA FEDERATION
of Greater Toronto



Schwartz/Reisman
Centre

9600 Bathurst Street • Vaughan, ON • L6A 3Z8
905.303.1821 • srcentre.ca



- Consults legal counsel for guidance as needed
- Conducts interviews with complainants, accused, and witnesses to obtain incident reports
- Compiles police reports, if applicable
- Compiles report of the complainant
- Compiles statements and responses from the accused
- Reviews all documentation
- Engages in consensus decisions-making process where applicable
- Makes decision and/or recommendations regarding the accused and/or the incident
- Shares decision where appropriate with Senior Leadership/ Legal Counsel where applicable, ensuring confidentiality is maintained
- Complies with Ministry of Labor order for an independent external investigation if issued
- Any report does not necessarily constitute a report which will be shared with the Health & Safety Committee or Representative or others within the organization apart from the Review Panel and Senior Leadership, and Legal Counsel who are bound by confidentiality to protect the complainant and the accused.

CONSEQUENCES:

Following an investigation of an incident or complaint, the J will take prompt and appropriate corrective and disciplinary action against anyone who violates this policy. It should also be understood that in addition to any of the procedures and remedies herein set out, the *Canadian Human Rights Act* also gives an employee the right to legal redress. A complaint for any form of discriminatory practice in the workplace, including harassment, and sexual harassment, may be made before the Canadian Human Rights Commission.

Appropriate corrective or disciplinary measures may include the following:

- a formal apology
- counseling
- written warning placed in the employee's personnel file
- change of work assignment
- suspension
- termination

In addition, The Review Panel may initiate any other action required to provide an effective remedy to the victim or to the overall workplace environment

APPEAL:

In the event a complainant or respondent feels that the investigation and results did not follow due process, they may file an appeal. This will be handled through UJA's Human Resources Department. The appeal must be made in writing with specific details submitted to the J's Review Panel who will forward it to UJA's Human Resources Director along with all relevant material. UJA's Human Resources Department will review all the steps of the investigation and results in confidence and will make a recommendation to the J's Review Panel.



Prosserman JCC

4588 Bathurst Street • Toronto, ON • M2R 1W6
416.638.1881 • prossermanjcc.com

Charitable Registration Number: 857936025RR0001



UJA FEDERATION
of Greater Toronto



Schwartz/Reisman
Centre

9600 Bathurst Street • Vaughan, ON • L6A 3Z8
905.303.1821 • srcentre.ca

Charitable Registration Number: 812231678RR0001



Management considers allegations of discrimination and/or harassment, including sexual harassment, as very serious. Therefore, should an investigation reveal that allegations have been made of a vexatious nature; disciplinary action will be taken against the complainant.

Creating a safe and respectful workplace for all our employees and volunteers is of paramount importance. Implementation of this policy will receive the highest attention, training and support necessary to achieve compliance.

Executive Director

August 08, 2019

Date



Prosserman JCC

4588 Bathurst Street • Toronto, ON • M2R 1W6
416.638.1881 • prossermanjcc.com

Charitable Registration Number: 857936025RR0001



UJA FEDERATION
of Greater Toronto



Schwartz/Reisman
Centre

9600 Bathurst Street • Vaughan, ON • L6A 3Z8
905.303.1821 • srcentre.ca

Charitable Registration Number: 812231678RR0001