

Natalis Counseling & Psychology Solutions
Policies & Procedures Manual
January 2021

Policy Name and Number:	1.44 Harassment & Discrimination
Date last reviewed:	
Approval or last revision:	
Approved by:	

POLICY

Natalis Counseling & Psychology Solutions recognizes the dignity and worth of every person and is committed to a policy of equal rights and opportunities without discrimination or harassment. Every individual has the right to work in an environment free from discrimination and harassment. No personnel may be discriminated against or harassed on the basis of the following prohibited grounds: race, ancestry, place of origin, color, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, age, record of offences, marital status, same-sex partnership status, family status, physical/mental /intellectual disability or economic status.

Natalis Counseling & Psychology Solutions seeks to create a climate of understanding and mutual respect. Discrimination, harassment and racist incidents or behavior will not be tolerated. All supervisors shall ensure that this policy is communicated to personnel within their team(s).

All individuals have the right, to file a complaint and Natalis Counseling & Psychology Solutions will investigate all allegations of harassment and discrimination.

SCOPE

All staff, volunteers and students are governed by this policy.

DEFINITIONS

Workplace Discrimination: Discrimination includes but is not limited to unequal treatment based on one or more of the prohibited grounds under this policy.

Workplace discrimination can be intentional, unintentional, direct, or indirect and can take many forms including:

- refusal of employment
- employment/contracting requirements, which are not essential to the performance of the job, which have an adverse impact on members belonging to a protected group under this policy
- refusal of promotion or workplace opportunities
- creating and contributing to or condoning a poisoned work environment
- failure to provide appropriate employment accommodation
- failure of management to respond to allegations of harassment

Workplace Harassment: Harassment is a form of discrimination. Harassment means engaging in a course of comment or conduct which is known or ought reasonably to be known to be unwelcome. Harassment can be one or a series of unwanted, unsolicited remarks, behaviors, or communications in any form, via any medium, that is directed toward a member of a group protected under this policy. The following are some examples of harassment:

- abusive behavior, racist or homophobic comments, demeaning jokes
- displaying or distributing pornographic or hate-based pictures or email
- unwelcome sexual attention, contact or comments; sexual innuendoes or gestures; unsolicited physical contact
- taunting about a person's clothes, customs, accent
- refusing to converse or work with service user or organization personnel because of his or her racial/ethnic background or gender/sexual orientation or disability
- interfering with, threatening, or intimidating an individual for exercising their rights under this policy

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Poisoned Work Environment: The presence of behavior, comments, or a work environment that ridicules, belittles or degrades people or groups identified by one or more of the prohibited grounds of this policy. A poisoned work environment could result from a series and/or a single event, remark or action and need not be directed at a particular individual.

PROCEDURES

1. While personnel cannot be required to report experiences of discrimination and harassment, they are strongly encouraged to bring forward complaints regarding violations of this policy.

2. If an individual believes they are being harassed or discriminated against, they can talk to the person on their own or with the support of a peer or supervisor.

3. The individual should notify the first level of management not involved in the complaint (free of bias or conflict of interest).

4. The individual can seek information or assistance from the Human Resources (HR) Department in bringing a complaint to management's attention. The HR Department is committed to responding neutrally and confidentially to any individual's request for information about this policy and aspects of managing workplace discrimination and harassment issues.

5. Supervisor's Responsibilities: In responding to allegations of discrimination and harassment, all Natalis Counseling & Psychology Solutions supervisors are responsible for:

- informing the relevant program director of the complaint as soon as possible
- acting quickly and appropriately
- determining the method by which to deal with the allegations based on the nature and complexity of the issue, needs, interests and goals of the parties involved -- possible methods include direct management action, informal or formal dispute resolution (i.e., mediation, investigation), and may involve both internal and external "service providers" (i.e., mediators, investigators)
- recognizing that harassment and discrimination conflicts often involve power imbalances between the parties and ensuring that the power can be balanced in the process selected
- ensuring contracted service providers have the required expertise
- exercising proactive, prevention-oriented, and cost-effective practices
- effectively managing workplaces in which there are possible policy violations
- declaring a potential conflict of interest in relation to an allegation where the supervisor is, or may be perceived to be, either condoning or directly involved with the allegation; in such a case, another supervisor will be appointed to respond to the complaint
- consulting with the HR Department regarding administering and enforcing this policy
- ensuring discrimination and harassment responses/remedies that aim to correct identified problems, prevent repeated violations, and restore the workplace
- imposing penalties, as appropriate to the circumstances of each case, up to and including termination of employment

6. Mediation: The following situations may not be appropriate for mediation:

- a significant power imbalance exists between the parties (e.g., status, position, authority, knowledge, resources)
- one or both parties has revenge or punishment as a primary goal
- hostility is so high that communication and problem-solving is impossible
- there is little desire to establish or mend a working relationship
- there is a need to have a determination of guilt or innocence, such as where the alleged offender has a history of similar behavior or where discipline is an obvious remedy

7. Timeframes: While every effort must be made to comply with the following, failure to do so does not void the process.

1. Unless the situation warrants immediate referral for formal dispute resolution or investigation, supervisors will attempt to resolve complaints themselves (in consultation with HR) within 30 days of becoming aware.
2. Dispute resolution must be completed within 15 days after assignment of a service provider unless extenuating circumstances exist.
3. An investigator must be assigned within 15 days after management's decision that the complaint will be investigated.
4. An investigation must be completed and final report submitted to management within 60 working days after assigning a complaint to an investigator, unless there are extenuating circumstances.
5. Parties and managers involved must be notified of the outcome of an investigation within 30 days of receiving the final report; and where an allegation is upheld, a statement regarding discipline imposed and/or other appropriate action taken.

8. Penalties/Discipline: Individuals found to have violated this policy will receive penalties/discipline, as appropriate to the circumstances of each case, up to and including termination of employment.

9. Confidentiality and Privacy:

- During the resolution of possible violations, all information must remain confidential subject to the rules below, except where sharing information is required by law.
- Complainants, respondents (the person against whom the complaint is made) and witnesses have access to statements they have made and information that they have provided.
- Respondents and complaints must have access to enough information about the allegations and responses of other parties and witnesses to enable them to make a defense or rebuttal.
- If a complaint is found to be unsupported, provided the complaint was not made in bad faith, no documentation will be placed on the personnel files of the individuals involved.