

## **CPF National SECTION B: Governance Policy - GOV 11 - Safe and Respectful Workplace**

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### **1. Overall Guiding Principle**

Canadian Parents for French is committed to maintaining a safe and respectful work environment that is free from violence, harassment, bullying, sexual harassment and discrimination.

### **2. Objective**

The purpose of this policy is to:

- maintain a working environment that is founded upon mutual respect, cooperation and understanding.
- confirm for all CPF Board Directors, management, employees, and volunteers that violence, discrimination, harassment, bullying and sexual harassment will not be tolerated; and
- establish a mechanism under which complaints of workplace violence, discrimination, harassment, bullying, sexual harassment or any other improper activity or behaviour may be brought forward and properly addressed.

This policy offers guidance on how everyone can contribute towards making and keeping CPF a safe and respectful workplace.

### **3. Policy:**

To provide CPF Board Directors, management, employees, and volunteers with a safe and respectful workplace, we provide all stakeholders at CPF with appropriate information, instruction, and training (as needed or required by law) regarding this policy.

CPF will investigate and address all incidents and complaints of workplace violence, harassment, bullying, sexual harassment or discrimination received in writing. The results of this process may lead to disciplinary measures up to and including termination of employment with cause, or removal of a Board Director or other CPF volunteer.

Complainants, respondents, and any individuals who are interviewed during an investigation must not disclose any information obtained or discussed during the investigation process to any

other party, either internal or external to the Corporation, except as may be required by law or instructed by CPF. Where an individual breaches the confidentiality of an investigation in violation of this policy, CPF will take appropriate disciplinary action, up to and including termination of employment with cause, or removal of a Board Director or other CPF volunteer.

Individuals are entitled to seek advice or report concerns without fear of retaliation. Retaliation against anyone who in good faith reports a possible violation or participates in an investigation is strictly prohibited, even if insufficient evidence is found to substantiate the concern. Where an individual participates in retaliatory conduct in violation of this policy, appropriate disciplinary action will be taken, up to and including termination of employment with cause, or removal of a Board Director or other CPF volunteer.

### Policy Application

This policy applies to all CPF Board Directors, management, employees (including permanent, temporary, and contract workers), and volunteers.

This policy covers any work-related environment, including:

- the office.
- any location where the business of CPF is being carried out,
- work-related conferences, meetings, or training sessions.
- official and unofficial work-related social functions or settings before or after meetings.

Violence, harassment, bullying, sexual harassment and discrimination is not limited to face-to-face encounters in the physical workplace itself. It extends to all methods of communication such as calls, texts, emails and social media usage by employees or any other external stakeholders, regardless of whether it occurs during or outside of working hours.

### Workplace Violence

Violence or threats of violence by any employee or member against another individual at CPF will not be tolerated.

Workplace violence, as defined in this policy, means:

- The exercise of physical force by a person against anyone in the workplace that causes or could cause physical injury to that person.
- The attempt to exercise physical force by a person against anyone in the workplace that could cause physical injury to that person.
- A statement or behaviour that could reasonably be interpreted as a threat to exercise physical force against a person in the workplace that could cause physical injury to that person.

Some examples of the types of workplace violence include, but are not limited to:

- verbal exploitation – use of profanities, insults, yelling and/or other aggressive language.
- physical assault - pushing, hitting, kicking, and/or punching.
- sexual assault – groping, unwanted touching, sexually explicit and/or inappropriate comments
- threatening behaviour – stalking, destroying property, shaking fists, uttering and/or writing threats.

The term violence as used in this policy covers violent behaviour that is intentional and unintentional, violent behaviour that may be due to an injury or illness, including a psychiatric condition, and/or violent behaviour that may be attributable to an employee being under the influence of drugs or alcohol. Accidental situations, such as inadvertently tripping, falling, or sliding, that results in unanticipated accidental bodily contact with another individual is not meant to be covered under this policy.

#### Special Procedures Regarding Workplace Violence

Any person that witnesses or personally experiences behaviour which they feel may conform to the above definition of workplace violence must take measures to seek immediate help to ensure their safety and that of our other employees. If necessary, that person should go to a safe place, call dial 911 and report their experience. Once they are safe, they should contact their direct supervisor or the Network Human Resources Manager to notify them of the incident. In all cases, the Network Human Resources Manager must be notified, directly or indirectly, in a timely manner. This step is essential to ensure continued safety, to secure any required counseling or medical attention, and to allow for a preliminary internal investigation. If you were a witness to an incident, you have a duty to report the incident. Where appropriate, the incident should be reported to law enforcement authorities.

#### Workplace Harassment and Bullying

CPF will not tolerate any form of workplace harassment or bullying to its Board of Directors, management, employees, or volunteers by anyone. For these purposes, workplace harassment and bullying are defined as any inappropriate conduct or course of comments in the workplace that is known, or ought reasonably to have been known by the perpetrator, to be unwelcome, humiliating and/or intimidating. Harassment encompasses comments or conduct that specifically pertain to the Prohibited Grounds under the Human Rights Code. If there is no direct tie to a Prohibited Ground, the conduct or comment is considered to be bullying.

#### Examples of bullying and/or harassment include:

- Verbal or physical aggression.

- Threats, derogatory remarks, micro aggressions, jokes, innuendo or taunts about another person's physical appearance or beliefs, or any other prohibited ground (e.g., gender, age, race, etc.).
- The display of racist or offensive images including on social media.
- Practical jokes that result in awkwardness or embarrassment.
- Unwelcome invitations or requests (whether explicit or implied).
- Intimidation, leering or other objectionable gestures.
- Condescension or paternalism that undermines self-confidence or the recipient's authority, and
- Unwanted physical contact, including touching, patting, pinching, or punching.

There is a difference between bullying and harassment and other types of incidents that can happen in the work environment. The following behaviours may not be bullying and harassment if they are approached in a respectful manner:

- Expressing differences of opinion
- Offering constructive feedback, guidance or advice about work-related behaviour and performance
- Making a legitimate complaint about someone's conduct or performance through established procedures.

Bullying and harassment should not be confused with someone in a leadership position at CPF exercising their proper authority as part of their job. Examples of reasonable management action might include making decisions relating to an employee's duties, workloads, deadlines, transfers, reorganizations, work instructions or feedback, work evaluation, performance management, or disciplinary actions.

### Sexual Harassment

Workplace sexual harassment means engaging in a course of comments or conduct based on sex or gender that is known, or ought reasonably to have been known, to be unwelcome. It includes any unwanted physical contact, invitations, attention, demands, jokes, or comments of a sexual nature which may cause offense or humiliation to any employee or be perceived to place a condition on an individuals' job or volunteer position, or has the effect of creating an intimidating, hostile or offensive work environment. A single incident may be enough to constitute sexual harassment if the conduct is serious enough that the offender must have reasonably been expected to know that it was offensive.

Examples of workplace sexual harassment include:

- Unwelcome physical contact, such as touching, patting, pinching, kissing, or hugging.
- Making offensive remarks.
- Making ostensibly flattering remarks about physical appearance.

- Inappropriate staring.
- Telling offensive jokes.
- Displaying offensive pornographic or sexually explicit pictures or other materials.
- Asking questions or initiating or participating in discussions about sexual activities; or
- Making comments that could reasonably be expected to be viewed as paternalizing or which could undermine the recipient's authority and/or professional reputation.

These prohibitions against workplace sexual harassment are not intended to include romantic and/or sexual relationships arising at work that are consensual.

### Discrimination

CPF is committed to ensuring that our diverse workplace is free from discrimination of all kinds. As such, CPF will make all employment decisions, including those related to recruitment, training, transfers, promotions, apprenticeships, compensation, benefits, performance evaluations, discipline, layoffs, and dismissals on a non-discriminatory basis. This includes prohibiting discrimination based on any of the prohibited grounds as defined below, unless for a bona fide occupational requirement. Where an essential job requirement negatively affects a person based on a prohibited ground, CPF will take appropriate measures to reasonably accommodate that person insofar as the accommodation does not place undue hardship on the Corporation.

Facing discrimination means experiencing an adverse impact in the workplace based, whether wholly or in part, intentionally or unintentionally, on a "prohibited / protected ground". A "prohibited ground" is defined as a characteristic that is protected from discrimination by human rights legislation. The specific prohibited grounds vary by province, however the intention of protecting people's rights is the same.

Examples of prohibited grounds include the following:

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|--------------------------------|--|
| • Race                         | • Marital status   |
| • Religion                     | • Family status  |
| • Sex                          | • Political belief   |
| • Sexual orientation           | • Gender Identity or expression  |
| • Physical & mental disability | • Conviction of a criminal or summary offence that is unrelated to a person's employment |
| • Age                          |  |
| • Ancestry                     |  |
| • Place of origin              |  |

## **4. Specific Directives**

## Employer and Employee Responsibilities

At CPF, we believe every individual is responsible for:

- Conducting themselves in accordance with the Respectful Workplace policy.
- Refraining from engaging in any behaviour or conduct that constitutes workplace violence, harassment, bullying, sexual harassment or discrimination.
- Immediately reporting to their direct supervisor or the Network Human Resources Manager all incidents or situations of which they become aware which could constitute a violation of this policy.
- Cooperating fully in any investigation conducted pursuant to this policy.
- Maintaining confidentiality of all complaints and investigations.
- Refraining from engaging in retaliation or reprisal against others who exercise their rights under this policy or who participate in any process or investigation conducted in accordance with this policy.

Additional Responsibilities for Board Directors and Management:

- Modeling behaviour that is consistent with the Respectful Workplace policy.
- Fostering an environment where individuals feel comfortable bringing concerns of workplace violence, harassment, bullying, sexual harassment or discrimination to their attention.
- Reporting all incidents of workplace violence, harassment, bullying, sexual harassment and/or discrimination of which they become aware, either informally or formally, to the Network Human Resources Manager or National Board President and initiating an assessment or investigative process.
- Implementing and acting upon the recommendations arising from an assessment or investigation of incidents of workplace violence, harassment, bullying, sexual harassment or discrimination.

## Resolving Complaints

Individuals who experience, witness, or otherwise become aware of instances of violence, harassment, bullying, sexual harassment and/or discrimination in the workplace should immediately report these issues to their direct supervisor or the Network Human Resources Manager, whomever they feel most comfortable with. Individuals are strongly encouraged to report all incidents as soon as possible in writing after they occur by way of completing a Respectful Workplace Complaint Form. The individual(s) receiving the complaint form, or verbal complaint, will take steps to resolve the situation. In all cases, the Network Human Resources Manager or National Board President must be informed, and appropriate resources will be allocated to the preliminary investigation and resolution process.

Alternatively, a trusted Director of the National Board or Senior Staff, serving as designates, must be informed so appropriate resources will be allocated to the process should the complaint be directed at either the Network Human Resources Manager or National Board President, or both.

Once the situation has been brought forward, it will be assessed in a timely manner by a neutral party (which may include the Network Human Resources Manager, or another external third party) to determine the appropriate course of action, which may take the form of a formal investigation. The individual(s) leading the investigation process must not in any way be involved in the reported incidents or be in a position of authority to the complainant(s), respondent(s) and/or witnesses, to ensure there is no conflict of interest.

In the event of a formal investigation, the responsibility for leading and assuming costs will be confirmed between the parties involved. Formal investigations will be limited to reported incidents having taken place in the last 24 months unless there are good and verifiable reasons for the delay in reporting.

CPF will aim to resolve a formal complaint, which has previously been raised informally, within 120 working days of receipt. If there is likely to be a delay the parties will be informed of this and the reasons for it.

During the investigation process, Board Directors, management, employees, and volunteers are expected to cooperate fully, including complying with all requests for additional information. All parties involved in the incident will have the opportunity to be heard and to respond to all allegations made against them.

The investigation process will be fully documented in writing, including all complainant, respondent, and witness statements, and will culminate in a report of findings and corrective actions. Such records shall be retained for not less than seven (7) years after the date of completion of the investigation. The Network CEO, or designate, will maintain the investigation file electronically and will safely guard it through password protection.

Any decision arising out of an investigation that identifies the need for changes to CPF's current policies, by-laws, procedures, training, or practices will be implemented in the most expedited manner possible in the workplace. All CPF Branches and Offices will be responsible for implementing the expected changes. CPF will promptly take appropriate disciplinary action, which may include termination of employment or removal of a Board Director or other volunteer, with any individual deemed to have engaged in violence, harassment, bullying, sexual harassment, discrimination.

All complainants and respondents involved in the investigation process will be notified of the findings and recommended corrective actions to the full extent possible, while ensuring confidentiality is maintained for all investigation participants.

### Discriminatory Actions or Retaliatory Acts

Any individual at CPF who in good faith brings forward concerns about possible workplace violence, harassment, bullying, sexual harassment and/or discrimination is assured that there will be no reprisal for having come forward, even if the actions involved are later determined by the investigation not to have constituted a breach of this policy.

CPF is prohibited from taking discriminatory or retaliatory action against anyone for exercising or carrying out a duty under applicable workplace safety and/or human rights legislation. Retaliatory conduct against an individual that has complied with this policy in good faith will be dealt with seriously, up to and including termination or removal of a Board Director or other volunteer.

Individuals who exercised any of their following rights will be protected from discriminatory or retaliatory acts:

- having exercised a right or carried out a duty under workplace safety and/or human rights legislation.
- having invoked this policy in good faith, whether on their own behalf or on behalf of another individual.
- having participated in, or cooperated with, any process or procedure set out in this policy provided they did so in good faith.

### Malicious or Frivolous Complaints

Anyone who is found to have reported malicious or frivolous complaints under this Policy will be subject to discipline up to and including immediate termination of employment or removal of a Board Director or other volunteer. A malicious or frivolous complaint is one that is unfounded and is intentionally brought forward to seek to harm another individual or damage their reputation.

### Confidentiality

CPF will take the required action to ensure complaints filed under this policy are kept confidential, as appropriate. However, disclosure of certain information/evidence may be required to investigate and/or process a complaint. In some instances, disclosure to other persons or agencies of a complaint, or information/evidence pertaining to a complaint, may be permitted, or required by law. All participants in any complaint brought forward under this policy must maintain strict confidentiality respecting any information or evidence relating to the complaint to maintain the integrity of the investigation and to protect the wellbeing of all parties involved. Accordingly, any deliberate and unnecessary breach of confidentiality will be considered a violation of this policy, and/or a separate instance of bullying or harassment and/or retaliatory conduct. In all cases, the offender may be subject to discipline up to and



including termination of their employment, or removal from the Board or other volunteer position.

### External Stakeholders

CPF does not tolerate workplace violence, bullying, harassment, sexual harassment and/or discrimination from a non-workplace person towards any Board Director, member of management, employee, or volunteer. All efforts will be made to intervene effectively to stop such behaviour. An external stakeholder who exhibits violent, bullying, harassing, and/or discriminatory behaviour against a CPF individual may be refused services or the business relationship may be terminated.

While CPF may have limited ability to investigate or control the conduct of an external stakeholder, the company shall take reasonable action to stop or reduce the risk to its Board Directors, management, employees, and volunteers.

These actions may include:

- posting the Respectful Workplace policy in a location visible to external stakeholders; and/or
- requiring external stakeholders to accept and meet the terms of the Respectful Workplace policy to continue engaging in work or partnerships with CPF.

Where appropriate, the incident will be reported to law enforcement authorities.

Anyone at CPF who believes they have been subjected to workplace violence, bullying, harassment, sexual harassment and/or discrimination by an external stakeholder must bring it to the attention of their direct supervisor or the Network Human Resources Manager. If such case arises, the matter will be fully investigated possible.

Written complaints received from external stakeholders in relation to CPF Board Directors, management, employees and/or volunteers' behaviours will be investigated promptly to mitigate organizational risk. Details of the complaint will remain confidential to those parties involved. The depth of the investigation will vary dependent on the type and severity of the complaint. Where appropriate, the incident will be reported to law enforcement authorities. To ensure transparency and accountability, CPF will communicate with the Network when a resolution has been reached.

CPF will use any complaint made as an opportunity to improve its communications related to this policy and its services or practices.