

Member and Staff Relations Policy

Board of Directors Approved November 11, 2015 Confirmed by Membership February 22, 2016

The co-op is responsible for ensuring that they maintain a workplace for their employees or contracted staff that is a safe, positive environment for staff and members. The Board of Directors is responsible for ensuring the safety for both staff and members.

This policy sets out specific guidelines and responsibilities regarding appropriate actions that must be followed for investigation of allegations of abuse on the part of staff, members or directors and resolution of conflict arising between the parties mentioned above.

1. Violence, Harassment and Discrimination

- 1.1 Definitions and explanations of prohibited conduct: In this Policy “prohibited conduct” means (i) violence and (ii) discrimination and harassment contrary to the *Ontario Human Rights Code* (including sexual harassment).
- 1.2 Violence can be real or threatened. Violence can be physical or psychological and sexual or non-sexual.
- 1.3 The *Ontario Human Rights Code* prohibit discrimination in employment and accommodation on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, same-sex partnership status, family status and disability. The *Code* also prohibits discrimination in employment on the grounds of record of offences for which a pardon has been obtained and in accommodation on the grounds of receipt of public assistance.
- 1.4 The *Code* defines harassment as a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome on the same grounds stated in paragraph c. The victim does not have to object to harassment at the time it occurred if a reasonable person would have thought the behaviour was unwelcome. Harassment includes any reprisals arising out of the objections to prohibited conduct.
- 1.5 Sexual harassment includes unwanted sexual comments, suggestions, physical contact or coercion that someone finds objectionable or offensive or that cause them discomfort.
- 1.6 **Difference between prohibited conduct and job complaints:**
Complaints about the Staff’s job performance for members or directors do

not constitute prohibited conduct unless it is motivated by one of the prohibited grounds of discrimination stated in paragraph 1.3, even if the complaints are ill-founded, pressing, persistent or impolite. Even though they are not prohibited conduct, they could in some circumstances constitute constructive dismissal, either by themselves or when taken together with other circumstances.

- 1.7 **Co-op responsibility to Staff:** The co-op will use its best efforts to ensure that no one in authority over the staff commits any prohibited conduct against the staff. This includes members of the board, Co-op officers or other employees.
- 1.8 The staff recognizes that the co-op is not in a position to control all the acts of members or other occupants of the co-op, including any members who may have psychological or emotional difficulties. Therefore, by this policy the co-op does not assume any responsibility for acts of members or other occupants of the co-op. To the extent that the co-op might have any such liability under the law, this policy does not reduce that liability.
- 1.9 The co-op will take appropriate steps to protect the Staff from prohibited conduct by members when requested by the Manager and when it is reasonable in the circumstances. This could include such things as alarm systems and temporary extra security.
- 1.10 **Manager's responsibility to the Co-op:** The Manager has the responsibility of advising the Board on all matter dealt with in this Policy. The Manager will be alert to prohibited conduct by or against other staff or members or occupants of the Co-op and will recommend or institute ways to prevent or reduce it. The Manager will frequently evaluate the co-op's position and bring suggestions for improvement to the board whenever needed.
- 1.11 If the Manager becomes aware of instances of prohibited conduct by or towards staff or has any suspicions of prohibited conduct by or towards staff, the Manager will report the matter to the Staff Liaison. If the Staff Liaison is involved, or the Manager wishes, the Manager can submit the report to another director.
- 1.12 The Manager will be conscious of prohibited conduct by or towards members and other residents and will address such situations by taking actions, keeping records and reporting such matters to the Board, as appropriate.
- 1.13 In addition, the manager is responsible for setting a standard and providing leadership for the rest of the staff and for Co-op members (including directors) who use the office and other co-op facilities.

1.14 The Manager will not commit any prohibited conduct against any other employee or any member or occupant of the co-op or anyone else on co-op property or in connection with the co-p.

1.15 **Complaints:** Complaints by the Manager about prohibited conduct against the staff must be in writing and should be given to the Staff Liaison. If the Staff Liaison is involved, or the manager wishes, the Manager can submit the complaint to another director.

1.16 **Time Limits:** Unless there are special circumstances, the Manager must submit a complaint within six months from the time when the prohibited conduct took place, or if it took place over a period of time, six months from it ended.

1.17 **Interim Action:** While the complaint is being considered, the co-op will take immediate action (depending on the circumstances to

- a) try to limit contact between the staff person and the person complained of
- b) provide extra security, if appropriate
- c) arrange for counseling or other help for the staff person, if appropriate or if requested,
- d) consider giving the staff in question a leave of absence. Whether it is paid or unpaid would be decided in Section 2, paragraph 23 and 24.

1.18 **Human Right Commission:** Some prohibited conduct is a breach of the Ontario *Human Rights Code*. The staff has the right to file a complaint with the Ontario Human Rights Commission about some prohibited conduct. This is in addition to the staff's rights under this contract. Complaints to the Human Rights Commission must normally be made within six months from when the prohibited conduct took place.

1.19 Some prohibited conduct is a crime. The Manager has a right to report this to the police at any time and should do so in the case of imminent danger.