



<b>Policy Objective</b>	The purpose of this policy is to ensure that all people involved with St. John Ambulance enjoy a safe organizational atmosphere free of harassment and discrimination.
<b>Policy Statement</b>	St. John Ambulance is committed to providing a safe organizational environment free from discrimination and harassment. It does not tolerate or condone harassment or discrimination, whether it is between members, or between a member of the organization and a member of the public. It is the policy of St. John Ambulance that harassment or discrimination complaints will be taken seriously and dealt with promptly, thoroughly, fairly and in confidence.
<b>Effective Date</b>	September 2004
<b>Applies To</b>	All volunteers, instructors and employees (18 years of age or older) affiliated with St. John Ambulance in any capacity.

### Policy Context

St. John Ambulance (SJA) recognizes the diverse and multicultural composition of its organization and the communities that it serves, and appreciates the dignity, worth and contribution of its members and clients.

### Definitions

*Complainant*—a person who makes a harassment or discrimination complaint against another person.

*Discrimination*—the act or practice of treating a person differently based on prejudice. Under the applicable Provincial/Territorial human rights legislation, discrimination means a person is treated unfairly because of his/her:

- race, ethnic origin, nationality
- ancestry
- language
- place of origin
- sexual orientation
- same-sex partnership
- gender/sex
- pregnancy



- disability
- receipt of public assistance/social condition status
- creed/religion
- colour
- political beliefs
- citizenship
- age
- marital or civil status

In some cases, discrimination also means a person is treated unfairly because he/she has a criminal record or has been pardoned for a criminal offence.

*Harassment*—any unwanted physical or verbal comment or conduct that offends or humiliates a person. It can interfere with a person’s ability to do a job or obtain a service. The unwelcome comment or conduct does not have to be directed towards a specific person for that person to take offence. Harassment is a type of discrimination, and can take many forms including:

- threats
- intimidation
- verbal abuse
- unwelcome or sexually suggestive remarks or gestures
- requests for sexual favours
- unnecessary physical contact
- physical assault

*Member(s)*—all volunteers, instructors and employees affiliated with SJA

*Respondent*—a person against whom a complaint has been made.

### **Policy Requirements**

1. SJA recognizes that there may be variations in provincial/territorial human rights statutes and that it has an obligation to ensure that policy-related procedures are in accordance with jurisdictional human rights legislation.
1. All members are required to take a Harassment training course, at least once. A record of training is required and added to volunteer profile in UNITY.
3. SJA will make every reasonable attempt to ensure that the privacy and confidentiality of records are protected as per federal and provincial legislation and the SJA Privacy Policy.



- 2.1 If, as a result of a harassment or discrimination complaint, there is disciplinary action, the reason for discipline as well as the nature of the discipline will be recorded in a respondent's personnel file.
- 2.2 All documentation involved in the complaint process, including the final report, will be maintained in confidence in the office of the Provincial/Territorial CEO. In all instances, such documentation will be kept separate from members' personnel files.
3. SJA's harassment and discrimination policy cannot limit any person from making a complaint to a Provincial/Territorial Human Rights Commission or from taking any other step that, by law, the person is entitled to take.

### **Responsibilities/Accountabilities**

The Provincial/Territorial CEO is responsible for:

- ensuring that harassment or discrimination complaints are taken seriously and dealt with promptly, thoroughly, fairly and in confidence; and,
- ensuring that complaints are handled according to the procedures outlined here.

Persons in positions of authority are responsible for:

- ensuring that the harassment and discrimination policy is communicated to all members of SJA; and,
- ensuring that complaints are handled according to the procedures outlined here.

Members of SJA are responsible for:

- recognizing and respecting the diverse and multicultural composition of the organization and the communities it serves, and for appreciating the dignity, worth and contribution of each member and client.

### **Procedures for Dealing with Harassment and Discrimination Complaints**

#### *The Complaint Process*

1. Any member who files a complaint
  - can do so without fear of embarrassment or reprisal;
  - may be represented and accompanied by a person of his/her choosing during the interviews related to his/her complaint;



- will not have the complaint, or the fact that they have filed a complaint, recorded in his/her personnel file; and
  - will be kept informed throughout the process, and advised of the final outcome.
2. Any member who has a complaint filed against him/her will:
- receive fair treatment in an environment free of harassment and discrimination;
  - be informed immediately that a complaint has been filed;
  - be informed of the complaint process;
  - be presented with a written statement of allegations;
  - be given an opportunity to respond in writing;
  - have the opportunity to be represented and accompanied by a person of his/her choosing during the interviews related to the complaint;
  - be kept informed throughout the process, and advised of the final outcome.

Note: If a disciplinary action results from a harassment or discrimination complaint, the reason for discipline as well as the nature of the discipline will be recorded in a respondent's personnel file.

3. Members who feel that they may have been discriminated against or harassed may do the following:
- Ask the person who is the making the offending comments or acting inappropriately to stop what he/she is doing/saying (see *Informal Resolution of a Complaint*).
  - Make a written complaint against the person who is making the offending comments or acting inappropriately (see *Formal Resolution—Written Complaint Process*).
4. All parties involved in the resolution or investigation of a complaint, including the complainant, the respondent, and witnesses, are expected to facilitate the process, cooperate, and maintain confidentiality.

#### *Informal Resolution of a Complaint*

1. SJA encourages members to resolve harassment and discrimination complaints between themselves, if possible.
2. If necessary, the complainant or respondent can ask another SJA member or supervisor to provide, on an informal basis, neutral, third party assistance.



SJA recognizes that not all members will feel comfortable speaking directly to an alleged offender. Nor is it appropriate for a member to do so in some circumstances. For example, if the member has spoken to the person who has offended him/her, and the unwelcome comment or conduct persists, or if the alleged offender is the member's supervisor or a senior member of the organization, then the member may pursue formal resolution through a written complaint process.

*Formal Resolution—Written Complaint Process*

1. A complainant may make a written complaint without any attempt at an informal resolution. At any time, a member may submit a written complaint to his/her direct supervisor or to the Provincial/Territorial CEO.
  - 1.1 The written complaint should document the following:
    - What happened?
    - When did it happen?
    - Where did it happen?
    - What was said/done and who said/did it?
    - Who heard/saw what happened?
    - What did you do at that time?
  - 1.2 If requested, a complainant's supervisor can also initiate a written complaint on the complainant's behalf.
2. The complainant's or his/her supervisor will forward the written complaint to the Provincial/Territorial CEO. The supervisor will not make copies of the written complaint.
3. The Provincial/Territorial CEO may attempt to resolve the matter through discussion or may initiate a formal investigation (see *Investigating a Complaint*).
  - 3.1 The Provincial/Territorial CEO will notify, in writing, the person named in the complaint (the respondent).

*Investigating a Complaint*

1. The purpose of investigating a complaint is to determine whether the complaint is substantiated. Any investigation initiated under this policy will be conducted impartially, thoroughly, sensitively, discreetly, confidentially and in a timely manner.



2. The Provincial/Territorial CEO may conduct the investigation or appoint an impartial investigator or investigation team.
  - 2.1 The investigator or investigation team will:
    - consult with the Provincial/Territorial CEO,
    - interview both the complainant and the respondent as soon as possible,
    - interview witnesses,
    - review pertinent documentation,
    - document the situation accurately and completely, and maintain a complete documentary file,
    - make findings with respect to the complaint,
    - make written recommendations to the Provincial/Territorial CEO,
    - request that members who are involved with or questioned about the complaint maintain confidentiality and not discuss the complaint with anyone else.
3. Where the complaint is substantiated, the Provincial/Territorial CEO shall:
  - determine appropriate corrective action,
  - advise the complainant and respondent of the findings/resolution,
  - monitor the implementation of the corrective action,
  - retain a confidential record in the office of the Provincial/Territorial CEO,
  - ensure that there are no reprisals against the parties involved (except for the imposed corrective action).
4. Where the complaint is not substantiated, the Provincial/Territorial CEO shall:
  - take no further action against the respondent,
  - advise the complainant and respondent of the findings/resolution,
  - retain a confidential record in the office of the Provincial/Territorial CEO,
  - ensure that there are no reprisals against the parties involved.

#### *Appealing the Decision*

1. Members who are dissatisfied with the outcome of the formal complaint may submit a written appeal to the respective Provincial/Territorial Council Board of Directors and request a review of the decision. The written appeal must explicitly state the reasons for the requested appeal.
2. The written request for an appeal will be provided to the opposite party in the complaint (respondent or complainant) and a written response from the opposite party will be requested.



3. The Provincial/Territorial Council Board of Directors will convene to discuss the matter and may:
  - affirm the decision and disciplinary measures
  - affirm the decision but alter the disciplinary measures
  - institute a new investigation into the complaint.

### **Resources**

Human Rights Commission  
HR and Related Policies  
SJA Privacy Policy

### **Policy Review**

This policy will be reviewed at a minimum of every three years and as required.