

***“We are called to be the Church, to celebrate God’s presence, to live with respect in Creation, to love and serve others, to seek justice and resist evil, to proclaim Jesus, crucified and risen, our judge and our hope.”*** (United Church of Canada Creed)

## **WORKPLACE SEXUAL AND GENDER-BASED HARASSMENT POLICY**

### **Policy**

Metropolitan United Church is committed to providing an environment in which all individuals are treated with respect and dignity. Workplace sexual and gender-based harassment will not be tolerated. Everyone must be dedicated to preventing harassment. It is not acceptable to ignore harassment, whether or not someone has formally complained.

### **Legislation and United Church of Canada Compliance**

Metropolitan United Church shall act in compliance with the Occupational Health and Safety Act of Ontario, the Ontario Human Rights Code, and the United Church of Canada’s Sexual Misconduct Prevention and Response Policy and Procedures (January 2019), and Workplace Violence and Harassment Policy (January 2019).

### **Theological Statement**

Abuse, exploitation and misconduct are destructive to God’s people, violating the love we know in Jesus and negating people’s ability to develop and use their gifts of creativity and wholeness. We believe God continues to call God’s people to love and to respect the Word made flesh and, where there is abuse, to seek restorative justice and healing. United Church of Sexual Misconduct Prevention and Response Policy and Procedures (July 2017).

### **Scope**

This policy applies to all individuals:

- Ministry personnel
- Full-time employees
- Part-time employees
- Fixed-term individuals
- Contract individuals
- Temporary and on-call employees
- Per diems
- Volunteers
- The congregation
- Visitors
- Third-party contractors, and
- Delivery persons.

This policy applies to any place an individual is engaged in Church work or activities and, therefore, is not limited to the Church building. All individuals shall uphold this policy and work together to prevent workplace sexual and gender-based harassment.

## **Definition**

Workplace sexual and gender-based harassment is any communication, vexatious comment or conduct against an individual or group in the workplace that is known or ought to be known to be unwelcome.

Harassment includes, but is not limited to:

- Unwelcome remarks, harassment jokes, innuendo or taunts about a person's body, attire, marital status, sexual orientation, gender identity.
- Displaying or distributing offensive material;
- Practical jokes which cause embarrassment and/or humiliation;
- Unwelcome invitations or requests;
- Asking for sex in exchange for a benefit or a favour;
- Making unnecessary physical contact, including unwanted touching;
- Leering or other inappropriate gestures;
- Behaviour that reinforces traditional heterosexual gender norms; and
- Cyberbullying, the use of information technology, internet services, Facebook, web pages, discussion groups or instant messaging to harass others in a deliberate, repeated manner.

## **Compliance**

Compliance with this policy is mandatory. Infractions of this policy will be considered to be misconduct for which an appropriate discipline will be imposed up to and including employment termination for cause, dismissal from the Church, or sanctions against the instigator.

## **Confidential Procedures**

1. Tell the harasser that their behaviour is unwelcome and ask them to stop the harassment.
2. Keep a record of incidents – date, times, locations, possible witnesses, what happened, your response. You do not have to have a record of events in order to make a complaint; however, a record can strengthen your case and help you remember details over time.
3. Initiate a complaint. If, after asking the harasser to stop their behaviour, the harassment continues, report the problem to a member of the Ministry and Personnel Committee or the Senior Minister, in person, by telephone, by e-mail or by filling out an incident report form.
4. A complaint will be kept strictly confidential.
5. Some complaints will follow the procedures outlined in the United Church of Canada's Sexual Abuse Prevention and Response policy.
6. Some complaints will be investigated by an external consultant.
7. An investigation will be undertaken immediately, and all necessary steps taken to resolve the problem. Both the complainant and the alleged harasser will be interviewed, as will any individuals who may be able to provide relevant information. All information will be kept in confidence.

8. If the investigation reveals evidence to support the complaint of harassment, the harasser will be disciplined appropriately. Discipline may include suspension or dismissal. The incident will be documented in the harasser’s file if the harasser is an employee. No documentation will be placed on the complainant’s file when the complaint has been made in good faith, whether the complaint is upheld or not.
9. If the investigation fails to find evidence to support the complaint, there will be no documentation concerning the complaint placed in the file of the alleged harasser.
10. Regardless of the outcome of a harassment complaint made in good faith, the person lodging the complaint, as well as anyone providing information, will be protected from any form of retaliation by either co-workers or superiors. This includes dismissal, demotion, unwanted transfer, denial of opportunities within the Church or harassment of an individual as a result of their having made a complaint or having provided evidence regarding the complaint.

### **The Right to File Complaint to Another Agency**

Complainant may, at any time during the internal process, file a complaint with other courts of the United Church of Canada, the Human Rights Tribunal, or the Police.

### **Workplace Sexual and Gender-Based Harassment Program**

1. The policy will be included in the policies section of the Church website.
2. Employee counselling, assistance and support to victims of harassment will be provided.

### **Policy Review**

The Ministry and Personnel Committee will review the policy to ensure:

- it addresses the needs of Metropolitan United Church, and
- conforms to any government legislation changes or policy changes by the United Church of Canada.

### **Related Documents/External Resources**

- Sexual Misconduct Prevention and Response Policy and Procedures (January 2019)
- Occupational Health and Safety Act
- Ontario Human Rights Code

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