

Volunteer Workplace Violence and Harassment Policy

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Context and Purpose

The Canadian Institute of Actuaries (CIA) recognizes the possibility that its volunteers may be subjected to violence and harassment by members, volunteers, clients, or others who conduct business with the organization. In these circumstances, the CIA acknowledges its responsibility to support and assist the volunteer subjected to violence and harassment regardless of who the alleged offender may be, to the extent it is possible.

All volunteers are responsible for respecting the dignity and rights of other volunteers and the people they serve in the workplace both during and after working hours. The organization extends its responsibility to encouraging its volunteers to react to incidents of violence and harassment they have witnessed or have been affected by, even if the violence and harassment was not directed at them and has not yet resulted in a complaint.

The CIA management ensures that all parties in a violence and harassment complaint will be treated with objectivity, following the basic rules of natural justice and fairness, and that complaints will be investigated expeditiously and handled in a confidential manner, to the extent it is possible.

Information collected and retained may be subject to release under the Access to Information and Privacy Acts and the rules governing court or other proceedings under the law.

Scope

This policy applies to any person providing services to the CIA, including volunteers, agents, consultants, and contractors (all of whom are 'workers' for the purposes of this policy) and to all activities that occur while on the CIA's premises or while engaging in CIA-related activities or social events. CIA staff have a similar policy to which they must adhere as well. Everyone is expected to uphold this policy and to work together to prevent workplace violence and harassment.

Policy Statements

The CIA believes that every volunteer has the right to work in a professional atmosphere that promotes equal opportunity and is free from all forms of violence and harassment, including harassment because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, sex, sexual orientation, gender expression, gender identity, record of offences, marital status, family status, or disability. The CIA will not tolerate, ignore, or condone workplace violence and harassment from full-time, part-time, probationary, or

contract employees, volunteers, agents, or contractors, considering them very serious offences that may result in disciplinary action, up to and including termination of employment, cancellation of a contract or services, or referral to the Professional Conduct Board.

This policy also protects workers from workplace violence and harassment by other individuals with whom they may have contact in the course of their duties, including clients and suppliers of goods and services to the CIA.

Objectives

To adhere to the provisions of the Ontario Human Rights Code and the Ontario Occupational Health and Safety Act (or corresponding provincial code depending on the location of the incident), if and as applicable, and to commit to providing a courteous working environment where all persons are treated with respect and dignity.

To inform all volunteers, agents and contractors who do business with the CIA of this policy and hold them accountable to adhere to it.

To ensure that all CIA volunteers are treated fairly and consistently.

Exemptions

N/A

Escalation Procedures/Management of Non-compliance with this Policy

- [Volunteer Code of Conduct](#)
- [Volunteer Whistle-Blowing Policy and Procedures](#)

Definitions and Abbreviations

“Workplace” covers places where volunteers provide services to the CIA, and includes all places where CIA business occurs, including, but not limited to, the following:

- i. CIA buildings (whether owned or leased) and perimeters including parking lots, sidewalks, and driveways;
- ii. CIA vehicles;
- iii. Off-site locations where CIA business occurs;
- iv. CIA-led events; and,
- v. Travel for CIA business.

“Workplace violence” is defined as the following:

- i. The exercise of physical force by a person against a worker, in a workplace, that causes, or could cause, physical injury to the worker;

- ii. An attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker; and
- iii. A statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

A person who has a personal relationship with a worker—such as a current or former spouse or partner—may attempt or threaten to physically harm that worker or the worker’s colleagues. In such a situation, domestic violence is considered to be workplace violence and is covered under this policy. If the CIA is aware of a domestic violence situation that could expose a worker to physical injury, it will take every precaution reasonable in the circumstances for the protection of the worker and other volunteers.

“Workplace harassment” means “engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome”¹ or “workplace sexual harassment”. This may include comments or actions in the workplace that negatively affect working relationships or productivity or create a poisoned work environment.

Harassment may occur as one incident or a series of incidents involving unwelcome comments or conduct.

Workplace harassment includes psychological or personal harassment and bullying, as well as comments and conduct prohibited under the grounds stipulated in the Ontario Human Rights Code. Sexual harassment is a form of workplace harassment.

Examples of harassing behaviour prohibited under this policy are the following:

- i. Verbal abuse or inappropriate displays of anger;
- ii. Bullying;
- iii. Comments or actions that constitute harassment or discrimination under the Ontario Human Rights Code, including, but not limited to, sexual harassment and harassment or discrimination based on an individual’s race, ancestry, colour, creed, gender expression, gender identity, sex, sexual orientation, place of origin, ethnic origin, citizenship, marital status, family status, record of offences, age, or disability;
- iv. The display, circulation, or electronic transmission of pornographic, racist, or other offensive or derogatory text or pictures;
- v. Conduct that interferes with a person’s work performance and creates an intimidating, hostile, or offensive work environment;
- vi. Unfounded complaints that are made in bad faith, in reprisal, frivolously, or with malicious intent;
- vii. Interfering with a workplace violence or harassment investigation;

¹ Source: [Occupational Health and Safety Act](#), Ontario Ministry of Labour, accessed October 12, 2018.

- viii. Intimidating a complainant, respondent, or witness or influencing a person to give false or misleading information; and/or
- ix. Failure of individuals in positions of authority to respond in accordance with this policy to incidents of misconduct or allegations of discrimination or harassment. Such failure may be considered as condoning such behaviour and therefore a violation of this policy.

“Sexual harassment” means “engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity, or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome”, or “making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant, or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome”.

Sexual harassment can also take the form of a reprisal or threat of reprisal for the rejection of a sexual solicitation or advance made by a person who is in a position to grant or deny a benefit.

Sexual harassment includes, but is not limited to, the following:

- i. Leering;
- ii. The display of sexually offensive material;
- iii. Sexually degrading words used to describe a person;
- iv. Derogatory or degrading remarks directed towards members of one sex or one sexual orientation;
- v. Sexually suggestive or obscene comments or gestures;
- vi. Inquiries or comments about a person’s sex life;
- vii. Unwelcome sexual flirtations, advances, or propositions;
- viii. Persistent unwanted contact or attention after the end of a consensual relationship;
- ix. Requests for sexual favours;
- x. Unwanted touching;
- xi. Verbal abuse or threats; and
- xii. Sexual assault.

This policy for the prevention of workplace harassment is not intended to limit or constrain the reasonable exercise of management functions in the workplace. Specifically, this policy does not prohibit management staff from carrying out functions that fall within their rights and responsibilities, provided this is done in an appropriate, professional manner that does not constitute an abuse of power. Such functions include, but are not limited to, the following:

- i. Conducting performance appraisals;
- ii. Addressing performance, conduct, and dress issues;
- iii. Delegating work assignments; and
- iv. Determining work locations and schedules for volunteers.

As such, a reasonable action taken by a CIA representative relating to the management and direction of volunteers or the workplace is not workplace harassment.

Any act of retaliation against a person using this policy in good faith to report an incident of workplace violence or harassment or a person who is assisting in an investigation under this policy will be treated as an act of harassment in and of itself. For this policy to be effective, people must feel free to report and assist in the investigation of charges of workplace violence or harassment. Retaliation is seen as an attempt to undermine the express purposes of this policy, and will attract sanctions.

Associated Documents

- [Volunteer Code of Conduct](#)
- [Volunteer Whistle-Blowing Policy and Procedures](#)

References

N/A

Monitoring, Evaluation, and Review

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Next review date	2021

Procedures

Volunteer Workplace Violence and Harassment Program

Appendix A – Volunteer Workplace Violence and Harassment Process

The CIA's workplace violence and harassment process includes measures to protect workers from workplace violence and harassment, procedures for summoning immediate assistance if workplace violence occurs, and a process for workers to report incidents or raise concerns.

The CIA will ensure that the Workplace Violence and Harassment Policy and the supporting process are implemented and maintained and that all volunteers have the appropriate information and instruction to protect them from violence and harassment in the workplace.

All workers are encouraged to raise any concerns about workplace violence and harassment, and to report any violent incidents or threats or incidents of workplace harassment, including sexual harassment, regardless of whom the offender may be.

The CIA encourages prompt reporting of complaints so that a rapid response and appropriate action may be taken. However, recognizing the sensitivity of these problems and the emotional toll such conduct may have on a person, the late reporting of complaints may not in itself preclude the CIA from taking action.

Complaints may be lodged by a volunteer who is not experiencing workplace violence or harassment directly but who has witnessed or is affected by workplace violence or the harassment of others. A worker who becomes aware of situations where workplace violence, harassment, or discrimination may be occurring is requested to notify their volunteer group chair or the Director, Operations. The potential problem will be actively monitored and, when necessary, investigated. Steps will be taken to correct the situation.

When a worker is alleged to be involved in an incident of workplace violence or harassment, their term of service as a volunteer may be suspended pending an investigation of the complaint. If the investigation does not support the charge of violence or harassment, the term of service will be resumed. However, if the investigation supports the charge of workplace violence or harassment, other appropriate measures may follow, such as a referral to the Professional Conduct Board.

Roles and Responsibilities

Workers have a responsibility to

- i. Treat individuals in the workplace with respect and dignity;
- ii. Be familiar and comply with the CIA's policy and procedures for handling incidents of violence and harassment;
- iii. Where the worker feels comfortable or confident doing so, promptly and clearly make known to the offender their disapproval of or unease with any offensive behaviour;
- iv. Promptly report incidents of violence and harassment to their volunteer group chair or to the Director, Operations;
- v. Promptly report systematic problems that may cause, contribute to, or encourage violence and harassment in the workplace to their volunteer group chair or to the Director, Operations, even if the problems have not yet resulted in a complaint;
- vi. Keep a written record of the details (including times, locations, and names of any

- witnesses) of the alleged incident(s) of violence or harassment; and
- vii. Ensure that all parties involved in a violence and harassment complaint understand the importance of keeping all information confidential.

Volunteer group chairs have a responsibility to

- i. Treat individuals in the workplace with respect and dignity;
- ii. Be familiar and comply with the CIA's policy and procedures for handling incidents of violence and harassment;
- iii. Ensure that their workers are aware of and understand the CIA's policy on violence and harassment;
- iv. Ensure that workers dealing with the CIA's workers acknowledge as part of the formal contract between the parties that they will abide by the CIA's policy on violence and harassment;
- v. Ensure that the workplace violence and harassment policy is consistently applied to workers;
- vi. Ensure that all parties involved in a violence and harassment complaint understand the importance of keeping all information confidential;
- vii. Assist CIA workers, when requested, to express disapproval or prepare a complaint, including against persons not directly employed or engaged by the CIA;
- viii. Promptly take action to resolve any incident of alleged violence and harassment, including violence and harassment by persons who are not employed or engaged by the CIA;
- ix. Report any systematic problems resulting in violence and harassment in their work environment to the Director, Operations, and take prompt action to correct the problem; and
- x. Implement the disciplinary action instructed by the Executive Director.

The Director, Operations, has a responsibility to

- i. Treat individuals in the workplace with respect and dignity;
- ii. Ensure all workers understand the CIA's policy and procedures for dealing with workplace violence and harassment;
- iii. Ensure consistent application of the workplace violence and harassment policy in all cases throughout the organization;
- iv. Ensure that all parties involved in a violence and harassment complaint understand the importance of keeping all information confidential;
- v. Review the policy and procedures regularly to ensure they continue to meet the objectives of the CIA;
- vi. Provide assistance, clarification, and guidance to supervisors and workers with respect to situations involving alleged violence and harassment;
- vii. Advise and counsel management on any systemic problems in the CIA's work environment;

- viii. Ensure the complainant and the alleged respondent are advised in writing of the details of a complaint, and of their rights and responsibilities where preliminary findings indicate the possibility that violence or harassment has occurred;
- ix. Ensure that allegations recorded in the investigation report are supported by evidence;
- x. Monitor the implementation of corrective or disciplinary action; and
- xi. Include a report of violence and/or harassment incidents and formal disciplinary action(s) taken in the offending worker's file, as applicable, and as appropriate and in a manner which protects access to this information.

The Executive Director has a responsibility to

- i. Treat individuals in the workplace with respect and dignity;
- ii. Ensure the CIA actively promotes a violence- and harassment-free workplace;
- iii. Ensure compliance by all workers with this policy;
- iv. Ensure that the policy and program are posted in the office and on the server (e.g., kitchen bulletin board, head-office Z drive, staff manual, volunteer portal, etc.);
- v. Ensure that all parties involved in a violence and/or harassment complaint understand the importance of keeping all information confidential;
- vi. Impose appropriate corrective or disciplinary action resulting from an investigation;
- vii. Ensure that workers who complain of workplace-related violence and/or harassment by a person who is not an employee of or engaged by the CIA, receive support and assistance from their supervisor and ensure that the supervisor takes appropriate action to resolve the situation; and
- viii. Assume the role of the Director, Operations, in incidents of alleged violence and/or harassment involving the Director, Operations.

The CIA President has the responsibility to

- i. Assume the role of the Executive Director in incidents of alleged violence and/or harassment involving the Executive Director.

Imminent Actual Workplace Violence Process

In the case of imminent or actual workplace violence or a threat of workplace violence, immediately alert your volunteer group chair, a CIA staff member, or security staff in the location your CIA business is taking place.

Take detailed notes of the incident, thereby ensuring that all events, including time, date, and names are properly documented. As soon as possible, contact your volunteer group chair or the Director, Operations.

Informal Complaint Process

All workers are encouraged to attempt to resolve their concerns by direct communication with the person(s) engaging in unwelcome conduct or comments, or otherwise engaging in conduct in violation of this policy. When workers feel confident or comfortable in doing so, they should make it clearly known to the person(s) responsible that the behaviour is offensive

and request that it stop. The respondent(s) may not realize that the behaviour is unwelcomed and offensive. You are encouraged to keep a written record of the date, time, details of conduct, and witnesses, if any.

In some situations, it may be difficult or inappropriate to address the conduct directly with the respondent, or the offensive behaviour may continue even after the respondent has been told the behaviour is offensive. In this case, workers should take immediate action as outlined below.

Workers who experience violence and/or harassment and attempt to deal directly with the respondent but fail, or feel that a direct approach is inappropriate, may choose to have the matter dealt with on an informal basis with the assistance of their volunteer group chair and/or the Director, Operations, without proceeding with a formal complaint. This step provides a means of obtaining information, voicing concern, and developing a way to deal with the problem. Workers are encouraged to discuss these matters directly with those management staff they feel comfortable with if they feel this could resolve the issue.

Where a worker is unsure that violence or harassment has occurred and would like help to determine whether the incident constitutes violence or harassment, the worker should immediately discuss the incident with their volunteer group chair and/or the Director, Operations.

Where the complainant finds the informal resolution to the problem unsuccessful, inappropriate, or unacceptable, the complainant may proceed with the formal complaint process.

Formal Complaint Process

All formal complaints will be investigated by the Director, Operations, and must be written and signed. The CIA may engage a third party to help with the investigation process. The complaint must include a description of the incident (when it occurred, the persons involved), witnesses, if any, steps already taken, if any, to resolve the matter, and the remedy sought by the complainant. Where a worker is unable to provide, or under the circumstances cannot reasonably provide, a written complaint, the volunteer group chair and/or the Director, Operations, will assist the complainant to ensure the statement is accurately recorded.

When a complaint is initially received by the volunteer group chair, it is the chair's responsibility to report it to the Director, Operations, within two working days of receipt of the complaint. The Director, Operations, will interview the complainant to discuss and clarify the circumstances surrounding the incident to determine if there is a possibility that violence and/or harassment has occurred.

Where as a result of an interview, the complainant and the Director, Operations, agree that the conduct in question does not constitute violence and/or harassment as defined in this policy, no further action will be taken and the matter will be treated as closed.

Where an investigation is conducted, the Director, Operations, will advise the alleged respondent in writing that a complaint has been made, the details of the complaint, and that an investigation will be conducted. The complainant will be sent a copy of this notice within two working days of the interview with the Director, Operations. If the results of the

interview or investigation indicate that there may be a malicious complaint, the report will be forwarded to the Executive Director for further action.

If an investigation is to be conducted, it will include interviews with the complainant, the alleged respondent, and any witnesses. Depending on the circumstances, the investigation may be conducted by a third-party investigator. The investigator will prepare a written report of the investigation findings. The report shall be provided along with recommendations, if any, to the Executive Director for action.

Where the information gathered in the early stages of the complaint process suggests a reasonable possibility of a solution, the Director, Operations, may propose a resolution mechanism prior to proceeding with a full investigation.

The Director, Operations, will meet with the parties involved to discuss the findings of the investigation to date, inform them of the possibility of an early solution, and give them details of the proposed solution. This allows the parties to become aware of the tentative findings, and presents an opportunity, based on the information, to mutually agree to resolve the matter without further investigation.

Where an agreement is reached and the matter is deemed resolved, the Director, Operations, will prepare a summary report outlining the findings and recommendations. The summary report must be signed by the complainant and the respondent, if the respondent is within the authority/purview of the CIA.

When preliminary findings do not permit an early resolution of the incident, the investigation will be continued. The investigation will be completed and a comprehensive report will be presented to the Executive Director for action as soon as possible and within 90 days of the initial meeting with the complainant and the alleged respondent, where possible and appropriate.

The investigation will

- Be kept confidential, and identifying information will not be disclosed unless necessary to conduct the investigation. The investigator should remind the parties of this confidentiality obligation at the beginning of the investigation.
- Include a thorough interview of all relevant parties and any witnesses, to the extent possible.
- Provide the respondent the opportunity to respond to the specific allegations raised by the complaint, and in some circumstances, the complainant the opportunity to reply:
 - i. Include the collection and review of any relevant documents.
 - ii. Include notes and statements during interviews with parties and any witnesses.
 - iii. Include a written report summarizing the steps taken during the investigation, the complaint, the allegations of the complainant, the response from the respondent, the evidence of any witnesses, and the evidence gathered. The report will set out findings of fact and come to a conclusion about whether the complaint was founded or not.

After the investigation is completed, the complainant and the respondent, if the respondent is within the authority/purview of the CIA, will be informed in writing of the results of the investigation and any disciplinary/corrective action taken or that will be taken by the CIA to address the situation.

All references to the Director, Operations, will be replaced by the Executive Director when the Director, Operations, is the alleged offender. The procedures for reporting and investigating will remain the same.

Disciplinary/corrective action for violations of this policy will take into consideration the nature and impact of the violations and may include warnings, verbal or written reprimands, termination of volunteer assignment, and a referral to the Professional Conduct Board. Similarly, deliberate false accusations are of equally serious nature and will also result in disciplinary action. Note, however, that an unproven allegation does not mean that violence or harassment did not occur or that there was a deliberate false allegation. It simply means that there is insufficient evidence to proceed or that, while the complainant may have genuinely had reason to believe that there was violence or harassment, the investigation has not borne out the complaint.

The investigation will remain active for a reasonable period of time to allow for monitoring of the implementation of disciplinary/corrective action, if applicable, and the results achieved through that disciplinary/corrective action.

When workers consider that they have been harassed in the performance of CIA duties by a person who is not a CIA worker, they should seek assistance from their volunteer group chair or the Director, Operations. The volunteer group chair, with advice from the Director, Operations, will promptly take the necessary action to determine whether the worker has been subjected to harassment or violence. If harassment or violence has occurred, the CIA will ensure that the worker is given proper support and assistance. The CIA will take whatever action is appropriate in the circumstances.

The CIA will not in any way penalize or retaliate against a worker who in good faith makes a complaint of violence or harassment, nor permit anyone else to do so. Such action would be a serious violation of this policy and should be reported immediately.

The CIA will not tolerate any retaliation whatsoever against a worker for having complained of violence or harassment, or participated or cooperated in an investigation of a complaint. Workers who are found to have acted in such a manner may be subject to disciplinary action. Workers must cooperate in an investigation of violence or harassment.

Confidentiality

At all steps of the complaint and investigation, the confidentiality of the process, parties, and individuals, and information involved will be preserved except when the disclosure of a complainant's name or the circumstances related to the complaint is necessary to investigate the complaint, disciplinary/remedial measures are taken in relation to the complaint, or otherwise as may be required by law.