



Policy Title: RESPECT & DIGNITY POLICY
Date Policy Approved: <u>January, 2022</u>
Date of Next Review: ??
Cross Reference to Other Policies: Conflict as an Opportunity Policy Safe Congregations Policy Staff Complaints Policy (to be developed)
Cross Reference to Other Documents: Destructive Behaviour Guidelines

POLICY

It is the intent of Neighbourhood Unitarian Universalist Congregation to treat all members, employees, volunteers and visitors in a fair and equitable manner, and to seek constructive solutions to problems which may arise within the congregation. It is also NUUC’s intent that all disputes/issues/concerns will be resolved as speedily as possible.

This policy deals specifically with complaints that may arise from behaviours deemed as harassment, maltreatment or *misconduct*. When *conflicts* or *disagreements* are dealt with early (see Conflict as Opportunity policy), the procedure attached to this policy may not be required.

Religious or spiritual community is not a courtroom. It is a place where complaints and concerns are aired with the aim of growth and learning. This document is submitted in trust that it will be used in good faith by the Congregation.

It is important that in managing our differences and conflicts we consider:
Our Mission Statement, which informs the basis for **our Respect and Dignity policy**:
 Our mission is to empower spiritual growth and shared action for the care of our world.

We must also follow our **Eight Principles**:

As a Unitarian Universalist Congregation, we affirm and promote:

- The inherent worth and dignity of every person.
- Justice, equity and compassion in human relations.

- Acceptance of one another and encouragement to spiritual growth in our congregations.
- A free and responsible search for truth and meaning.
- The right of conscience and the use of the democratic process within our congregations and society at large.
- The goal of community with peace, liberty and justice for all.
- Respect for the interdependent web of all existence of which we are a part.
- Individual and communal action that accountably dismantles racism and systemic barriers to full inclusion in ourselves and our institutions.

In addition to the above-noted mission and principles which guide our actions and behaviours, as a legal entity in the province of Ontario, we are committed to an environment of respect and dignity for every individual in our congregation in keeping with all legal requirements put forward by our provincial government.

The Ontario Human Rights Code provides for equal treatment in the areas of services, goods and facilities, accommodation, contracts, and employment and without discrimination on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, disability, age, family status, marital status, same-sex partnership status, the receipt of public assistance and record of offences. The Code provides for freedom from harassment or other unwelcome comments and actions. It is the privilege and responsibility of every person in Ontario to honour and adhere to the letter and spirit of the Code, and to support its aim of creating a climate of understanding and mutual respect for the dignity and rights of each individual.

Our Congregation is committed to ensuring these principles and behaviours are upheld in all of our activities. Moreover, in relationships of trust, power, authority, and confidentiality, the greatest care will be taken to ensure that no one involved in our Congregation will take advantage of trust, abuse power, or misuse the responsibility of authority.

Below is a list of definitions relevant to this policy.

- **Discrimination.** Any form of unequal treatment based on a ground of discrimination that is prohibited under human rights codes applicable in *Ontario* that results in disadvantage, whether imposing extra burdens or denying benefits. It may be intentional or unintentional. It may involve direct actions that are discriminatory on their face, or it may involve rules, practices or procedures that appear neutral, but have the effect of disadvantaging certain groups of people. It may be obvious, or it may occur in very subtle ways. Discrimination needs only to be one factor among many factors in a decision or action for a finding of discrimination to be made.
- **Domestic violence in the workplace.** Employers must take every reasonable precaution to protect employees from physical injury, which includes exposure to domestic violence that may enter the workplace. Some indicators that domestic

violence may occur in the workplace include reported concerns from the targeted employee or other employees, threatening calls or unwelcome visits at the workplace.

- **Maltreatment.** Improper, cruel or harmful treatment or abuse.
- **Misconduct.** Unacceptable or improper behavior, especially by an employee or professional person.
- **Workplace sexual harassment.** Includes unwelcome advances of a sexual nature. "Unwelcome" means that a person, or persons, are made uncomfortable by the actions of another. Sexual Harassment occurs when a person does not stop the inappropriate behaviour when they have been asked to do so. Generally, the actions are repeated over time.

Sexual harassment also includes engaging in a course of vexatious comment or conduct against another in the 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. Examples of this may include: sexually suggestive gestures, sexual jokes or discussions of a sexual nature, leering, advances or propositions or display of sexually offensive material.

Sexual harassment also includes making 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 another and the person knows, or ought reasonably to know, that the solicitation or advance is unwelcome.

- **Workplace.** Any place where *NUUC* employees may gather or meet for work-related or social functions, whether in actual *NUUC* office premises or offsite establishments (restaurants, banquet facilities, conference centres, etc.) in Canada or abroad.
- **Workplace bullying.** Usually seen as acts or verbal comments that could 'mentally' hurt or isolate a person in the workplace. Sometimes, bullying can involve negative physical contact as well. Bullying usually involves repeated incidents or a pattern of behaviour that is intended to intimidate, offend, degrade or humiliate a particular person or group of people. It can also be described as the assertion of power through aggression.
- **Workplace harassment.** Engaging in a course of vexatious comment or conduct against another in the workplace that is known or ought reasonably to be known to be unwelcome. "Unwelcome" means that a person, or persons, is made uncomfortable by the actions of another. Workplace harassment may include bullying, intimidating or offensive behaviour, including jokes or innuendos, displaying or circulating offensive pictures, comments or materials, or offensive

or intimidating phone calls. Offensive behaviour includes prejudice and overt bias, hostility or negative feelings expressed about a person or group from a racial group and stereotyping. A reasonable action taken by an employer or supervisor relating to the management and direction of an employee in the workplace is not workplace harassment.

- **Workplace violence.** An exercise of physical force or the attempt to exercise physical force by a person against another person in a workplace that causes, could cause, or threatens to cause physical injury to another.

Guiding Principles for this Policy:

1. This policy applies to every member of the Congregation: every volunteer, the minister, employees, and lay people involved in activities of the Congregation. Activities include those in the Congregation building, off-site meetings related to Congregation activities, and to social functions or planning functions sponsored by the Congregation. These could include, but are not limited to, committee meetings, retreats, seminars, or social functions sponsored by the Congregation. It also includes telephone conversations, email, regular mail, internet communications, or other forms of congregational communication.
2. All employees and volunteers have the right to work in an environment that is free of sexual misconduct or any behaviour related to the Ontario Human Rights Code.
3. Adherence to this policy is mandatory. The minister, interns, employees, volunteers and members are expected to be familiar with the policy, provide signed indication that it has been read, as well as an agreement to adhere to it at all times.
4. Where a person suspects on reasonable grounds that a child needs or may need protection as a result of being at risk, the suspicion must be reported to the child protection authority. In Ontario, such authority is the local Children's Aid Society. This provision specifically includes an obligation on the minister or other clergy. A person does not need to be sure that a child is or may be in need of protection to make a report to the Children's Aid Society. "Reasonable grounds" are what an average person, given his or her training, background, and experience, exercising normal and honest judgment would suspect. (* **Also refer to Safe Congregations Policy**)
5. A complaint will be dealt with promptly, seriously, and in a systematic fashion as outlined later in this document. When necessary, there will be co-operation with the proper authorities as appropriate.

6. This policy is not intended to preclude a complainant from seeking legal counsel or a civil remedy. However, if there is notice that civil proceedings have commenced or a complaint has been filed with the Ontario Human Rights Commission, any procedure under this policy will normally be suspended, except for the offer of emotional support as outlined in this policy.

7. All complaints under this policy are confidential. This means that information will not be shared with parties outside of the complaint process as outlined in this policy. However, confidentiality may be limited as necessary for the administration of this policy, or as is required by law, or where anyone is at risk, or if confidentiality is waived by the parties.

8. Anonymous written complaints (complainants not identifying themselves) generally will not be acted upon.

9. No person or persons shall knowingly make a false or vexatious complaint. If it is determined that there was no misconduct and the complaint was initiated maliciously, then appropriate disciplinary action will be taken by the *Spiritual Life Team* to deal with the person appropriately.

10. Where misconduct has been established, proper actions will be undertaken by those deemed appropriate to deal with the matter.

11. The Vice President of the Board and the Personnel Committee will review the policy periodically as necessary.

12. The Neighbourhood Unitarian Universalist Congregation will actively try to prevent any harassment through prevention and education of all staff, the minister, lay ministers, the Board of Directors and members & friends of the Congregation. The Board of Directors will be responsible to ensure that the implementation of training for members, volunteers and clergy takes place on a regular basis.

Commitment to Prevention

We affirm and promote the dignity of every person within all our services and activities.

1. We are committed to the prevention of harassment through appropriate education and training for the Board of Directors, Spiritual Life Team, the minister, other clergy who work with our congregation, chaplains, volunteers, employees, and members of the congregation.

2. In addition to this policy statement, a training package will be available for all members. Any new staff member and new volunteer is will be required to take training

in the Right Relations and the Conflict as an Opportunity Policy, and to sign a written agreement to adhere to the policy as stated.

3. New members attending the Membership Orientation program given on a regular basis, will receive a summary policy statement, and the policy will be reviewed with emphasis on the Principles upon which we affirm our faith.

4. This policy will be revisited by Board Members periodically as a “refresher”, and with new Board Members as required for orientation purposes.

5. This policy statement available for review at all times. The policy statement document and the training package will be posted on the congregational bulletin board and website.

Processes to Deal with Complaints

Typical arguments, differences of opinion and conflict between two individuals is not necessarily **harassment**. These can be dealt with using our **Conflict as an Opportunity** process. Before filing a “complaint”, complainants will ensure that they have first followed steps outlined in the **Conflict as an Opportunity Policy**.

The following processes outline the procedure to make a complaint **that involves harassment, maltreatment or misconduct**. We believe that the informal process will be effective in most cases to bring about resolution. Therefore, we encourage every member to be familiar with the learnings from the training program - the emphasis on prevention of harassment, and the resolution of conflict. Participants will work through this process in a timely manner.

PROCEDURE

As a spiritual community, we aspire to be our “higher selves”. We promote a culture where staff, congregants, friends and visitors are empowered to speak up, from a place of strength and engage in healthy, respectful dialogue.

Informal Process

Step One:

If a person feels they have been harassed, they are strongly encouraged to speak to the other person involved, preferably face-to-face, telling them how the behaviour makes them feel and asking them to stop the specified behaviour in the future.

In rare circumstances where a person is not able to speak about the situation with the other person responsible, then the person may consult with a member of the Spiritual

Life Team with whom she/he/they feels comfortable to empower them to meet the person from a place of strength and respect. This would strictly be for clarifying their thoughts and taking a healthy and objective distance to gain new appreciation for the situation at hand. It is anticipated that the individual would then feel that the consultation was sufficient to resolve the issue for them. If this is not the case, then they will be informed about how to proceed with one of the other options.

If it is purely an informal complaint and with the consent of the Complainant, Spiritual Life Team will go to the other person involved and inform him/her/them of the complaint and seek to arrive at a solution to the situation by facilitating communication between the parties. The member of the Spiritual Life must be impartial and ensure private and confidential discussions take place with both parties.

If the person hearing the complaint believes, at any time during this process, that any other person is at risk, (including workplace violence or maltreatment) appropriate next steps will be taken in a prompt systematic manner. (* **Also refer to the Destructive Behaviour Guidelines**)

Formal Process:

If the complainant wishes to proceed to the Formal Process (**only** if the informal process did not achieve resolution) these are the steps involved:

Step 1:

The complaint must be made **in writing** to the Spiritual Life Team. The President of the Board of Directors will be informed that a complaint has been made.

The complainant may request help in writing the letter of complaint by the Minister or any member of the congregation. This will be **treated with confidentiality by the person assisting with the letter and be dealt with in a timely manner.** The complaint letter should detail what happened, and its effect. It should include times, places, and other details to clarify the matter.

*Note: If the complaint involves the minister or a member of the Spiritual Life Team complaint will be submitted in writing to the Board president, who will establish a small committee to deal with the matter.

Step 2:

The Spiritual Life Team must meet in a timely fashion following the receipt of the complainant's letter. The Spiritual Life Team will, without undue delay, provide a copy of the complaint and of this policy to both parties.

If both parties are employees, then the Congregation will make every reasonable effort to accommodate a request from either party, should it be made, for minimal contact.
(* Also refer to Staff Complaint Policy)

Step 3:

Confidential interviews with relevant parties will be conducted. Each party will have the opportunity to be heard and to share their perspective. The Spiritual Life Team can ask for additional information from other relevant parties, as needed.

Pastoral care will be offered to both participants, within the resources of the Congregation. Pastoral Care could come from the minister, or other resources.

Step 4:

The Spiritual Life Team will offer a written recommendation to both parties and the president of the Board of Directors. We expect that this entire process, after the receipt of the formal complaint, will be concluded within 30 days. The recommendations will be kept confidentially and filed in a locked cabinet in the Congregation office.

This process may be stopped at any time at the request of the person making the complaint.

Special Considerations: Children, Adolescents and Vulnerable Adults (* Also refer to our Safe Congregations Policy)

Any employee of the congregation who is the subject of a complaint in which children, adolescents or vulnerable adults are at risk or have been harmed will be immediately suspended while the investigation is underway with arrangements made to either maintain or suspend his or her income until the allegations are cleared or substantiated.

Any staff or volunteer under investigation will not be allowed to be with children or attend any children's activities in the Congregation and may not under any circumstance speak to the child(ren) involved.

Our Minister and or Lifespan Learning Director will seek opportunities to provide individual care and counsel both for the abuse victim and their family by referring them to appropriate community services.

The Director of Lifespan Learning and/or the President of the Board of Directors will work in conjunction with the proper authorities in any investigative procedure. If the complaint involves the Director of Lifespan Learning or the President of the Board of Directors, they will not take part in the investigation. The Committee on Ministry should be involved in this situation.

An employee of the congregation found guilty of sexual or physical assault of a child or a vulnerable adult in the criminal or civil court process will be dismissed immediately. **(refer to Staff Complaint Policy)** A volunteer or congregational member found guilty will be removed from the Congregation.

If the investigation is not conclusive, or if the accused is found “not guilty” the *Spiritual Life Team* along with the Board of Directors will determine the appropriate course of action to bring resolution and offer support to the accused and the accusers. Special consideration will need to be taken if both parties are wishing to continue to be involved within NUUC.

Conclusion:

Every person in the congregation is responsible to help ensure that all activities in the Congregation or any related to Congregation activities, wherever they occur, remain respectful and harassment-free at all times and under any circumstance. Once again, training and education programs will be offered on a regular basis to all members of the Congregation to ensure that preventative measures work to keep the environment harassment-free.

References:

- The Ontario Human Rights Code (**Human Rights Code, RSO 1990, c H-19.Aug. 25, 2020**)
- Neighbourhood Unitarian Universalist Congregation Resource Materials
- *Human Resources Guide to Managing Sexual Harassment* by Lynda Ackroyd
- *A Practical Guide to the Ontario Human Rights Code* by Nancy Eber

Original R&D Policy developed by Galina Coffey-Lewis, 2002
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Congregation

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