



## **Workplace Harassment and Violence Prevention Policy and Procedures**

The Canadian Dance Assembly (CDA) is committed to sustaining a positive work environment that is free of conflict, verbal, physical, sexual, or psychological harassment and promotes an inclusive workplace. This Workplace Harassment and Violence Prevention Policy and Procedures document has been established to provide guidelines on types of conflict and harassment and the procedures for addressing such concerns and complaints. CDA complies with the provincial and federal statutes covering issues of conflict and harassment in the workplace, including those acts covering occupational health and safety, employment standards, employment equity, and human rights.

The CDA (employer) is responsible for worker health and safety and is committed to the prevention of workplace violence and harassment. CDA will take all necessary steps to protect the staff from workplace violence or harassment from all sources and address incidences of workplace violence or harassment in a timely manner according to our policy.

Workplace violence and harassment is unacceptable from anyone, including staff, members of the CDA Board of Directors, committee members, members and affiliates (hereafter referred to as employees). All employees are expected to uphold this policy and to work together to prevent workplace violence.

The Canadian Dance Assembly is committed to providing a work environment in which all individuals are treated with respect and dignity. CDA ensures equitable employment opportunity without discrimination or harassment on the basis of race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, or marital status. CDA prohibits any such discrimination or harassment.

Workplace harassment will not be tolerated from any person in the workplace. Everyone in the workplace must be dedicated to preventing workplace harassment. All staff members are expected to uphold this policy and will be held accountable by the employer.

The CDA (the employer) will ensure the policy is implemented, enforced, and maintained; and all staff, board of directors, members, and affiliates are provided accurate information and resources to protect them from workplace violence or harassment.

All staff members are required to raise any concerns about workplace violence or harassment and to report any violent incidents or threats. New employees and volunteers will be given a copy of this policy during an orientation session.

The employer pledges to investigate and deal with all incidents and complaints of workplace violence or harassment in a timely and fair manner respecting the privacy of all concerned to the extent possible.

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## 1. Purpose

The CDA's workplace violence and harassment prevention strategy are outlined in this policy. It includes protocols, measures, and procedures to protect workers from workplace violence and harassment. The policy outlines accessing assistance for concerns and the process for reporting incidences. This policy also outlines the outcomes that may happen following reporting.

This policy and procedures are intended to:

- Define workplace violence and harassment
- Outline workplace violence and harassment prevention strategies
- Outline the process to resolve a conflict or complaint quickly, fairly, and without reprisal.
- Support a positive workspace for staff by assigning responsibility to management to prevent and resolve conflicts and complaints. Ensure confidence in management decisions by providing a process whereby management decisions are transparent and can be objectively reviewed. Improve communication among staff.
- Provide guidance to individuals on how to report harassment, violence, or discrimination

Any conflict between staff and/or act of harassment committed by or against any employee, volunteer, grantee, or other individual is unacceptable and will not be tolerated. CDA is committed to investigating reported incidents of conflict and harassment in a prompt, objective, and sensitive way taking corrective action and providing appropriate support for those involved. Penalty, either explicit or perceived, for reporting harassment will not be tolerated and could be grounds for disciplinary action.

*This policy does not prevent or discourage a worker from filing an application with the Human Rights Tribunal of Ontario on a matter related to Ontario's Human Rights Code within one year of the last alleged incident. The worker also retains the right to exercise any other legal avenues that may be available.*

## 2. Definitions

### 2.1 Definition of Conflict

An active effort by an individual or a group for its own preferred interests at the cost of others. Some conflict is inevitable in any organization because of basic divergence of interests between the subordinates and management. Conflict can refer to a disagreement between two individuals.

CDA recognizes that conflicts are diverse. By providing more than one process for resolution, CDA hopes to offer flexibility and the opportunity to resolve conflicts with positive outcomes.

### 2.2 Definition of Harassment

Harassment is an unsolicited interaction which directly or indirectly affects or threatens to affect a person's job security, prospects of promotions or earnings, working conditions or opportunity to secure a position. Harassment can be verbal, physical, or psychological. It may be a single act or a series of acts such as behaviors or comments which intimidate, discredit, ridicule, humiliate, belittle, prevent expression, deny or distance an individual. The act does not need to be intentional in order to be considered offensive or intimidating and therefore harassment.

The test to determine whether harassment has occurred is two-fold:

- Whether a person knew or ought to have known that the behavior would be considered unwelcome or offensive by the recipient.
- The recipient found the behavior offensive.

Workplace harassment means engaging in vexatious comments or conduct against a worker in a workplace. A comment or conduct that is known or ought to be reasonably known to be unwelcome is considered harassment. Harassment may but does also not have to relate to a form of discrimination as set out in the [Ontario Human Rights Code](#).

### 2.3 Definition of Sexual Harassment

Sexual Harassment is defined as any unwelcome or inappropriate sexual remarks, physical advances or behaviours that create a hostile environment; offensive, or intimidating atmosphere. There are 2 types of sexual harassment as described below.

#### 2.3.1 Definition of Quid Pro Quo Sexual Harassment

Quid Pro Quo is defined as a favor or advantage granted or expected in return for something. This type of harassment tends to occur by a supervisor or someone who can have an influence on your career. This type of harassment can be a one-time incident or ongoing and can involve conditioning and threats to your career path.

### **2.3.2 Definition of Hostile Work Environment Harassment**

A hostile work environment is one where the words and actions of a supervisor, manager or coworker negatively or severely impacts another employee's ability to complete their work. Other examples can include but not limited to words or conduct, through physical contact – hugging, inappropriate touching, through language that can be demeaning.

## **3. Workplace Violence and Harassment Prevention Strategies**

### **3.1 Violence Prevention Program**

As a part of our commitment to violence and harassment prevention, the CDA will annually review The Workplace Violence Prevention Policy each fiscal year and may be updated or amended.

### **3.2 Violence Risk Assessment**

Considering the type of work, conditions of work and the nature of the workplace, the risk of violence in the workplace is considered to be low. Each employee and employer can conduct their own workplace violence risk assessment

[Public Services Health and Safety Association | Workplace Violence Risk Assessment Tool in Any Sector \(pshsa.ca\)](https://www.pshsa.ca/Workplace-Violence-Risk-Assessment-Tool-in-Any-Sector)

Assessments can include:

1. Environmental Assessment
2. Site specific Assessment
3. Personal Assessment

### **3.3 Controlling the Risks of Workplace Violence**

Once the risk assessment has been conducted, it is important to mitigate the risks identified and have tools in place that employees can use in case of workplace harassment or violence. The workplace environment can contribute harassment and workplace violence. It is important to evaluate and understand the risks that are present in the physical environment of the workplace.

Examples of this may include:

- Office layout
- Position of work stations in relation to the hallways, other work stations and access to exits
- Visibility
- Ability to communicate with others in case of emergency
- Lighting
- Emergency plans

Physical Environment: The CDA team is teleworking until further notice.

## 4. Steps for Reporting Incidences

### 4.1 Immediate assistance reporting

Immediately report to a trusted co-worker or person in the organization (See APPENDIX 1 bottom of document for contact information).

Complainants are encouraged but are not obliged to explain to the person who is harassing or discriminating against them that the conduct is unwelcome, as each case is different. If addressing the person responsible could lead to an escalation of the harassment or discrimination, or to safety risks of any sort, the complainant should not be expected to have to directly interact with that person. If a complainant feels that they can safely make it known to the person responsible that their behaviour is unwelcome, this may resolve the matter. It may also assist the complainant if later if they make a formal complaint.

Indirect or direct threats of violence, incidents of actual violence, and suspicious individuals or activities should be reported as soon as possible to a supervisor.

All complaints should be made in writing, including details of:

1. *What happened – a description of the events or situation*
2. *When it happened – dates and times of the events or incidents*
3. *Where it happened*
4. *Who the events or incidences involved (the accused)*
5. *Who saw it happen – the names of witnesses, if any*
6. *Any other important details in regards to the allegations*

A complainant may also use the Incident Report template provided.

### 4.2 Steps in Reporting and Resolution:

The CDA provides three ways to address alleged violations of this policy through:

- Informal Resolution
- Formal Resolution
- Alternative Methods of Resolution

The descriptions below offer an explanation of potential outcomes from reporting workplace violence or harassment as a way to prepare yourself for what to expect.

#### 4.2.1 Informal Resolution Process

- Employees who experience a work-related conflict or who have a complaint about harassment may, if they choose, first attempt to discuss the matter with the perceived

perpetrator. In some situations, this may be difficult or inappropriate. In these cases, the employee may request a meeting with the next level of management or the human resources designate to discuss the issue in confidence.

- Within two (2) working days the supervisor (or other designate) will respond by informing the employee of the proposed plan of action.
- If the employee is not satisfied with the informal resolution, they may proceed informally to the next level of management (including the CEO and Board of Directors as needed) or proceed with the formal resolution process.

#### **4.2.2 Formal Resolution**

- Employees who have a complaint or require management intervention in relation to a work-related conflict and wish to initiate the formal resolution process must prepare written documentation, with supporting details, of the conflict situation or complaint and submit it to their supervisor. If it is not appropriate to submit the documentation to the supervisor, it can be submitted to the next level of management or the human resources designate. If the Executive Director is party to the conflict or complaint, the documentation should be submitted to the human resources designate for review by the Chair of the Board of Directors.
- The supervisor or human resources designate will investigate the nature of the complaint. The supervisor will consult with management, the human resources designate, or other relevant individuals, as needed.
- Within five (5) working days of receiving the conflict resolution request or complaint, the supervisor or human resources designate will complete the investigation and prepare a written response. The response should be presented to the complainant and respondent who must sign to confirm receipt and may submit any comments, including agreement or disagreement, on the plan of action.
- If the complainant and respondent agree with the recommended plan of action, the signed plan shall be included in their personnel file, and the plan should begin.
- If the conflict or complaint has not been resolved to the complainant's and/or respondent's satisfaction, the supervisor or human resources designate will forward the complete file, including the conflict resolution request or complaint, documentation of relevant factual information, analysis of the information, the conclusion, and the recommended resolution, to the next level of management.
- The next level of management will investigate any relevant issues in the file and any newly discovered evidence or information that may arise during the resolution process. The next level of management will forward a response to the complainant and



respondent either concurring with the previous resolution or proposing an alternative resolution.

- If the complainant and respondent agree with the planned resolution at this stage, a copy of the signed response shall be included in the employee's personnel file.
- If the complaint has not been resolved at this stage, the complainant and or respondent can request the complaint be investigated by the CEO with advice from the Board of Directors. If the CEO is a party to the complaint, the issue will be forwarded to the Chair of the Board of Directors. The decision and recommendations made by the CEO (or Chair of the Board of Directors) will be final.
- The person receiving the complaint will notify the person(s) complained against ("the respondent(s)") of the complaint and provide the respondent(s) with a copy of the written complaint.

#### **4.2.3 Alternative Methods of Conflict Resolution:**

- CDA is open to alternative methods of conflict resolution if the parties involved agree to the format and process without reservation. Alternative methods include (but are not limited to) neutral evaluation, direct negotiation, or mediation by an objective third party. The complainant should report the incident to his or her supervisor or human resources designate as soon as possible. If the Executive Director is party to the report, the recipient should submit the information to the human resources designate for review by the Chair of the Board of Directors.
- An investigation by the supervisor or human resources designate will begin immediately, including individual interviews and any evidence gathering.
- If conflict, harassment or other unacceptable conduct has taken place, then appropriate disciplinary action, up to and including termination, will be taken. All documentation will be added to the offender's personnel file.
- No action/documentation will be added to the recipient of the harassment's personnel file.
- If no harassment is found, no documentation will be filed. Both parties will be notified of the results of the investigation. If needed, both parties may be referred to conflict resolution.
- The CDA will respect the confidentiality of the individuals involved. Any individual has the right to contact the Ontario Human Rights Commission to file a complaint or seek legal counsel at his or her expense for further advice at any time.

### 4.3 Providing confidential Information

Workers will be informed by the Executive Director about persons they may encounter in the workplace who have a history of violence and who pose a risk of physical injury in the workplace. Workers have the right to refuse work if they have a reason to believe they are in danger from workplace violence.

Workers are encouraged to report any incidents of workplace harassment. If a worker unsure about reporting an incident because he or she is unsure if it qualifies for workplace violence or harassment, the worker is invited to ask one of the listed contacts. The employer will investigate and deal with all concerns, complaints or incidents of workplace harassment in a fair and timely manner respecting workers' privacy as much as possible.

## 5. Procedure for Reporting Harassment and Workplace Violence

### 5.1 Making a Complaint

If the situation cannot be resolved by speaking to the person responsible, a complaint may be made as follows:

- Any incidents of a staff-to-staff nature - report the incident to the Executive Director
- Any incidents of Executive Director to staff nature - report the incident to the CDA Board President
- Any incidents of Board members to staff nature—report the incident to the Executive Director

Report the following information if possible:

- a. Names of individuals involved, including witnesses*
- b. Date, time, and place of incident*
- c. Circumstances that led to the incident*
- d. Incident details*

## Contact information

The responsible persons designated by the employer are as follows:

Fannie Bellefeuille, President  
514-933-4583  
[fannie@rbdg.c.ca](mailto:fannie@rbdg.c.ca)

Tatum Wildeman, National Council member  
306-241-9141  
[tatum.dance.project@gmail.com](mailto:tatum.dance.project@gmail.com)

Karla Etienne, Executive Director  
514-979-0311  
[karla@cda-acd.ca](mailto:karla@cda-acd.ca)

Any person who witnesses a situation involving harassment is also invited to report it to one of the above-mentioned responsible persons.

### 5.2 Reprisals

Every person has a right to claim and enforce their right to a workplace free of violence, harassment and discrimination. No person shall be negatively treated for bringing forward a complaint, providing information related to a complaint, or assisting in the resolution of a complaint. It is a violation of CDA Policy to discipline or punish a person because he or she has brought forward a complaint, provided information related to a complaint, or otherwise been involved in the complaint resolution process. Reprisal may be the subject of a complaint under this Procedure, and persons engaging in reprisal are subject to disciplinary measures, up to and including termination of employment.

### 5.3 Dispute Resolution

Where appropriate, the person receiving the complaint will offer the parties an opportunity to mediate the complaint.

### 5.4 Appointment of an Investigator

Should that not be possible the Executive Director or the President of the Board or a member of the Board as appropriate will be appointed as the investigator. The investigator receiving the complaint will, to the extent possible, protect the confidentiality and privacy of persons involved in a complaint, subject to the requirements of a fair investigation and resolution process.

### 5.5 Investigation Process

The investigator is responsible for ensuring a thorough, fair and impartial investigation of the allegations. The investigator will interview the complainant, the respondent(s), and relevant

witnesses suggested by the complainant or respondent(s), and gather documents relevant to the complaint.

All staff of the organization are required to cooperate with the investigator. The investigator will, wherever possible, complete the investigation within 30 days of receiving the assignment. At the conclusion of the investigation, the investigator will prepare a written report summarizing the allegations and the investigation results and will forward the report to the Executive Director or the CDA Board of Directors as appropriate. Based on the findings in the report, the Executive Director or CDA Board of Directors, as appropriate, shall make a decision if the Policy has been violated.

## **5.6 Outcome**

If it is determined that the Policy has been violated, the Executive Director or the CDA Board of Directors as appropriate shall determine the appropriate consequences for person(s) who have been found to have violated the Policy. These may include:

- An apology
- Counselling or mediation
- Education and training
- Verbal or written reprimand
- Suspension with pay
- Suspension without pay
- Termination of employment

In determining the appropriate consequences, the Executive Director or the CDA Board of Directors as appropriate shall take into account the nature of the violation of the Policy, its severity, and whether the individual has previously violated the Policy.

Where a violation of the Policy is found, the Executive Director or the CDA Board of Directors as appropriate shall also take any steps necessary to repair the effects of the discrimination or harassment on the complainant, and to prevent any further recurrences of harassment or discrimination within the organization.

The Executive Director or the CDA Board of Directors as appropriate will be responsible for monitoring the outcome of the complaint.

## **5.7 Communications**

The complainant and the respondent(s) shall each be provided with a copy of the investigator's report, and the decision regarding outcomes.

Where a complainant is dissatisfied with the outcome of the complaint, he or she shall be reminded of his or her rights under the Ontario *Human Rights Code*.

## APPENDIX 1 – RESPONSIBLE PERSONS DESIGNATED BY THE EMPLOYER

The Canadian Dance Assembly

- ensures that the designated responsible persons are properly trained and have at their disposal the tools needed to process and follow up on the complaint or report;
- allows the designated responsible persons work time for carrying out their assigned duties.

The following persons are designated to act as the persons responsible for the application of the CDA Workplace Harassment and Violence Prevention Policy and for the processing of complaints:

Fannie Bellefeuille, President  
514-933-4583  
fannie@rbdg.c.ca

Tatum Wildeman, National Council member  
306-241-9141  
tatum.dance.project@gmail.com

Karla Etienne, Executive Director  
514-979-0311  
[karla@cda-acd.ca](mailto:karla@cda-acd.ca)

These persons primary responsibilities are to:

- inform staff about the organization’s policy on psychological or sexual harassment;
- intervene informally to try to resolve situations;
- receive complaints and reports;
- recommend actions to be taken to stop the harassment.

### Commitment of responsible persons

I hereby declare my commitment to abide by this policy and to ensure that my interventions will be impartial, respectful and confidential.

Fannie Bellefeuille, President

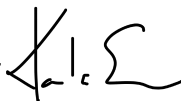
Date

Tatum Wildeman, NC Member



Date 3/23/2023

Karla Etienne, Executive Director



Date 23 mars 2023

## APPENDIX B: Step-by-Step Procedures to Report

1. Review this policy and procedure in detail
2. Attempt to speak with the person (if safe to do)
3. If unable to speak to trusted co-worker or contact person below
4. Document your experiences with as much detail and accuracy as possible including:
  - a. *Names of individuals involved, including witnesses*
  - b. *Date, time, and place of incident*
  - c. *Circumstances that led to the incident*
  - d. *Incident details*
5. Decide on route of reporting you would like to peruse (see section below)
6. Report incident following specific route procedures (see below section)
7. Complaints will be:
  - a. Taken seriously and investigated
  - b. Acted upon promptly when received
  - c. Resolved using appropriate resources
  - d. Support offered

### Contact information

The responsible persons designated by the employer are as follows:

Fannie Bellefeuille, President  
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