

College of Audiologists and Speech-Language Pathologists of Ontario

Respect in the College Policy

The College of Audiologists and Speech-Language Pathologists of Ontario (College) recognizes the dignity and worth of every Council and committee member, and to that end believes in providing and maintaining a working environment in which all Council and committee members are free from violence, harassment and discrimination when conducting College business. This policy applies to all Council and committee members and covers all forms of violence, harassment and discrimination prohibited under human rights legislation.

Definitions

“College Business Setting” means any place where College-related activities are conducted. It includes, but is not limited to, the College’s physical work premises, work-related social functions (social events, golf games, etc.), meetings outside the College’s office, events where the individual represents the College, work-related travel and work-related conferences or training sessions.

“Violence” means the threatened, attempted or actual conduct of a person that causes or is likely to cause physical injury at a College Business Setting.

“Discrimination” means the differential treatment of an individual on the basis of race, colour, ancestry, place of origin, religious beliefs, gender, age, physical disability, mental disability, marital status, family status, and sexual orientation or any other factor that is legally protected (“Prohibited Grounds”).¹

“Harassment” means engaging in a course of vexatious comments or conduct that is known, or ought reasonably be known, to be unwelcome. It may include unwelcome, unwanted, offensive, or objectionable conduct that may have the effect of creating an intimidating, hostile or offensive work environment; interfering with an individual’s performance on behalf of the College; adversely affecting an individual’s relationship with the College; and/or denying an individual’s dignity and respect. Harassment may result from one incident or a series of incidents. It may be directed at specific individuals or groups.

Examples of harassment and discriminatory conduct include but are not limited to the following:

¹ The actual language from the Ontario *Human Rights Code* at the time of approval reads: “race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability”. The *Occupational Health and Safety Act* can also apply to some forms of discrimination and most forms of harassment.

- Humiliating a Council or committee member in front of colleagues;
- Subjecting an individual to unwelcome remarks or jokes;
- Consistent subjection of an individual to practical jokes or ridicule;
- Making any College-related decision (including appointments, administrative support, evaluations, training or security of position) not on the basis of merit, but on the basis of any of the Prohibited Grounds;
- Comments which are intended, or that ought reasonably be known, to promote stereotyping on the basis of any of the Prohibited Grounds;
- Jokes or comments which draw attention to, for example, a person's disability, age, ethnic, racial, or religious background or affiliation, or which draw attention to a person's gender, sexuality or sexual orientation with the effect of undermining such person's role in a professional environment or that by their nature are known or ought reasonably be known to be embarrassing or offensive; and
- Derogatory remarks, verbal abuse or threats directed toward members of one gender or regarding one's sexual orientation or sexuality or with respect to a person's or group's ethnic, racial or religious background or affiliation. Such remarks can be made to someone other than the object (e.g., statements made to a College employee about another Council member).

Harassment encompasses sexual harassment, which is defined as any conduct, comment, gesture or contact of a sexual nature that is likely to cause offence or humiliation to any Council or committee member or that might, on reasonable grounds, be perceived by that Council or committee member as placing a condition of a sexual nature on appointments, administrative support, evaluations, training or security of position. Examples include but are not limited to:

- Unwelcome remarks, jokes, innuendoes or taunting of a sexual nature about a person's body, attire, age, marital status or sexuality;
- Unwelcome or intimidating invitations or requests with sexual overtones whether indirect or explicit;
- Leering or other gestures;
- Unwelcome physical contact such as touching, patting or pinching;
- Unwelcome display or objects or pictures of a sexual nature; and

- Sexual advances, request for sexual favours, or other verbal or physical conduct of a sexual nature when:
 - i. Submission to such conduct is made explicitly or implicitly a term or condition of appointments, administrative support, evaluations, training or security of position;
 - ii. Submission to or rejection of such conduct is used as the basis for decisions affecting a Council or committee member's appointments, administrative support, evaluations, training or security of position; and/or
 - iii. Such conduct has the purpose or effect of humiliating an individual or substantially interfering with a Council or committee member's performance or in creating an intimidating, hostile or offensive environment.

Please note that a reasonable action taken by the Council, a committee or its representatives, including the Registrar, relating to the management and operation of the College, the Council or a committee is not Harassment. For example, conducting a performance review of Council or Committee members to enhance accountability would not constitute discrimination or harassment unless the performance review is based on Prohibited Grounds.

Policy Statement

All Council and committee members in a College Business Setting have a right to participate in an environment free from violence, harassment and discrimination. To accomplish the College's goal of promoting a violence, harassment and discrimination free environment, the College will not tolerate violent, harassing or discriminatory behaviour from Council and committee members, College representatives (i.e., contractors, consultants, interns and volunteers), members, College staff, visitors, guests, or any others that attend upon a College Business Setting. In addition, the College will communicate its commitment to a College Business Setting free of violence, harassment and discrimination.

Retaliation or reprisals are prohibited against any individual who has complained under this policy in good faith, or has provided information regarding a complaint. Any retaliation or reprisal will be subject to immediate action, up to and including censure or removal. Alleged retaliation or reprisals are subject to the same complaint procedures and penalties as complaints of violence, discrimination and harassment.

The College recognizes that individuals may find it difficult to come forward with a complaint under this policy because of concerns of confidentiality. As such, all complaints concerning College Business Setting violence, harassment, or discrimination, as well as the names of parties involved, shall be treated as confidential to the greatest extent possible. The College's obligation to conduct an investigation into the alleged complaint may require limited disclosure. As it pertains to violence, where the College believes there to be imminent danger

to a Council or committee member, it may divulge such confidential information as is reasonably necessary. At the conclusion of each complaint process, all related documentation will be maintained for safe-keeping in a confidential manner by the Registrar or his or her designate.

Responsibilities

Each and every Council and committee member is responsible for creating and maintaining a violence, harassment and discrimination free College Business Setting. All Council and committee members are requested to report promptly when they become aware of alleged actions or complaints of violence, discrimination or harassment. College leaders such as a College officer or committee chair, in particular, have a responsibility to actively promote a positive environment and to intervene when problems occur. Failure to do so may be considered as a failure of the organization to exercise its authority and consequently be in contravention of legislation applicable to the College in this regard.

Complaint Procedure

Step 1 - Self Help: Council and committee members are encouraged to attempt to resolve their concerns by direct communication with the person(s) engaging in the unwelcome conduct. Where Council and committee members feel comfortable doing so, communicate disapproval in clear terms to the person(s) whose conduct or comments are offensive. Keep a written record of the date, time, details of the conduct, and witnesses, if any.

Step 2 – College Leadership Support and Intervention: Council and committee members who are not comfortable with direct communication and who believe they are victims of discrimination or harassment, or who become aware of situations where such conduct may be occurring, are encouraged to seek advice from and report these matters to the Registrar² (in respect of staff) or the President³ (in respect of a Council or Committee member).

Step 3 - Formal Complaint: If informal attempts at resolving the issue are not appropriate or are proving to be ineffective, a formal complaint may be filed. To file a formal complaint:

- i. Provide a letter of complaint that contains a brief account of the offensive incident (i.e., when it occurred, the persons involved, names of witnesses, if any). The letter should also include the remedy sought and be signed and dated by the person complaining;
- ii. File the complaint with the Registrar⁴; and

² If the concern is also about the conduct of the Registrar, the advice and report can be made to of the President or the Executive Committee who can call upon another staff person who helps manage human resources or legal counsel for assistance in addressing the concern.

³ If the concern relates to the President, the person should seek advice from and report to the matter to a Vice-President or, if all of them are involved in the concern, another member of the Council.

⁴ If the concern is also about the conduct of the Registrar, the complaint can be filed with the President or the Executive Committee who can call upon another staff person who helps manage human resources or legal counsel

- iii. Cooperate with those responsible for investigating the complaint.

Formal complaints will be investigated. If the complaint is about a Council or committee member, the process set out in the by-laws will be followed.⁵

If the complaint is about a staff person, it will be handled in accordance with the College's Respect in the Workplace Policy.

Any respondent(s), regardless of their position within the College, will be excluded from administering and managing the investigation and resolution process (save and except for their involvement as a respondent).

Complaints Against Third Parties

The College recognizes that a Council or committee member may be subject to violence, harassment or discrimination by a third party who interacts with the College. A Council or committee member who believes that he or she has been subjected to such conduct by a person who does not work for the College may seek the advice of the Registrar who will take whatever action is appropriate in the circumstances.

for assistance in addressing the concern.

⁵ To be consistent with how staff are treated, where the issue involves harassment, the alleged harasser and harassee will be informed in writing of the results of the investigation and any corrective action that has been taken or that will be taken as a result of the investigation.