

Anti-Discrimination and Harassment Policy

Objective:

The Royal Canadian College of Organists (“RCCO”) is committed to providing an environment free of discrimination and harassment, in which all individuals are treated with respect and dignity, are able to contribute fully, and have equal opportunities.

Under the *Ontario Human Rights Code* (“the Code”), every person has the right to freedom from harassment and discrimination on the basis of the grounds set out in the Code, which include:

- race
- ancestry
- place of origin
- colour
- ethnic origin
- citizenship
- creed
- sex
- sexual orientation
- gender identity
- gender expression
- age
- record of offences
- marital status
- family status, and
- disability

In addition, under the Occupational Health and Safety Act (“OHSA”), employees have the right to be free from workplace harassment. Harassment and discrimination will not be tolerated, condoned, or ignored at the RCCO. If a claim of harassment or discrimination is proven, disciplinary measures will be applied to the perpetrator, up to and including (as applicable): termination of employment, termination of the contractual or volunteer relationship, and/or termination of membership.

The objectives of this Policy are to:

- Ensure that RCCO personnel are aware that harassment and discrimination are unacceptable practices and are incompatible with the standards of this organization, as well as being a violation of the law.
- Set out the types of behaviour that may be considered offensive and are prohibited by this Policy.

Application

This Policy applies to all directors, employees and volunteers of the RCCO who are acting in the course of their duties on behalf of the RCCO. For the purposes of this Policy, the term “personnel” will be used to refer to all such individuals.

Prohibited Behaviour

The following behaviour is prohibited by this Policy:

Discrimination: which means any form of unequal treatment based on a Code ground, 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. Discrimination may take obvious forms, or it may occur in very subtle ways. In any case, even if there are many factors affecting a decision or action, if discrimination is one factor, that is a violation of this Policy.

Harassment: which means a course of comments or actions that are known, or ought reasonably to be known, to be unwelcome. It can involve words or actions that are known or should be known to be offensive, embarrassing, humiliating, demeaning, or unwelcome, and it includes workplace harassment, sexual harassment, and any other form of harassment based on a ground set out in the Code (as listed above). However, it is important to note that harassment does *not* include routine performance feedback between a manager and an employee or volunteer, provided that such feedback is delivered in an appropriate and professional manner. Even if the performance feedback is unwelcome or disputed, it will not amount to harassment unless it involves inappropriate and unprofessional words or actions that are known or ought to be known to be offensive, abusive and unnecessarily humiliating or demeaning.

Sexual Solicitation: which means sexual advances by any person who is in a position to grant or deny a benefit to the recipient of the solicitation or advance. This includes managers and directors as well as co-workers where one person is in a position to grant or deny a benefit to the other. Reprisals for rejecting such advances or solicitations are also prohibited.

All RCCO personnel who are acting in the course of their duties on behalf of the RCCO are expected to uphold and abide by this Policy by refraining from any form of discrimination, harassment or solicitation and by cooperating fully in any investigation of a harassment or discrimination complaint.

Managers and directors have the additional responsibility to act immediately on observations or allegations of discrimination, harassment or solicitation. Managers and directors are responsible for creating and maintaining a harassment and discrimination-

free organization, and they should address potential problems before they become serious.

Complaints and Investigations

Any RCCO personnel who becomes aware of an actual or apparent breach of this Policy is encouraged to immediately bring the matter to the RCCO's attention by filing a complaint under this Policy.

All such complaints must be in writing and should contain sufficient information about the nature of the alleged misconduct and the parties involved to allow the complaint to be investigated. The written complaint must be submitted to the Executive Director. In the event that the complaint involves allegations about the Executive Director's conduct, the complaint may be submitted to the RCCO's Secretary & Chair of Human Resources, who can be reached in writing at:

Dr. Patrick Carter
Chair of Human Resources
Royal Canadian College of Organists
201-720 Bathurst St
Toronto, ON M5S 2R4
Email: prncarter@hotmail.com

The Executive Director (or the Chair of Human Resources, if applicable) is responsible for investigating the complaint as soon as possible. The conduct of the investigation may be delegated to another individual (or a 3rd party investigator) at the Executive Director's (or the Chair of Human Resources') discretion.

The investigation should include the following steps:

1. The investigator will review the written complaint.
2. The investigator will interview the complainant to confirm the details of the complaint and identify any additional information or witnesses relating to the complaint.
3. The investigator will provide the respondent with a copy of the written complaint for review.
4. The investigator will request a response to the complaint from the respondent. The response can be provided by way of an interview between the investigator and the respondent, a written response from the respondent, or a combination thereof, at the investigator's discretion.
5. The investigator may interview any relevant witnesses if the investigator determines that it is necessary to do so in order to determine whether the complaint is validated.
6. The investigator will consider all of the information that has been gathered and

will make a determination as to whether it is more likely than not that the allegations in the complaint occurred. If the allegations in the complaint are validated, the investigator will determine whether the respondent has breached this Policy and/or any other applicable law or Bylaw. The investigator should consult with the RCCO's legal counsel when making this assessment.

7. The investigator will provide the Board with a confidential, written summary of the findings from the investigation including a brief summary of the reasons why the complaint was or was not validated. The Board members may not share or publicize the findings in the investigator's report except as set out in this Policy.
8. The Board will hold an in-camera meeting to consider the investigator's findings and to determine what, if any, remedial or disciplinary steps should be taken.
9. The Board will separately notify the complainant and the respondent, in writing, of the following:
 - a. A brief summary of the investigation's findings;
 - b. A brief summary of the steps, if any, that have been taken in response to the complaint investigation.
10. Every attempt will be made to respect the privacy of those involved in the complaint investigation, subject to the requirements of a fulsome and fair investigation.

The RCCO will not engage in any reprisal against any person for having made an honest and bona fide complaint under this Policy.

The provisions of this Policy in no way affect the right of any person to exercise his or her rights under the Code or the OHSA within the time limits specified by those statutes.

This Policy will be reviewed and updated, as necessary, from time to time.