

NATIONAL EMERGENCY NURSES ASSOCIATION



Board Policy	Respectful Workplace Policy
Number of Pages	1
Approval Date	November 2022
Past Revision Dates	January 2021

Policy Statement

1. NENA is committed to fostering a harassment free workplace where all employees/volunteers and members are treated with respect and dignity.
2. The *Canadian Human Rights Act* protects all from harassment based on race, national or ethnic origin, colour, religion, sexual orientation, marital status, family status, disability or pardoned conviction.
3. Harassment is not tolerated.
4. Employees/volunteers and members who are found to have harassed another may be subject to disciplinary action. This includes:
 - a. Any interference in the resolution of the harassment
 - b. Retaliation for filing a complaint/concern
 - c. Filing of an unfounded complaint intended to cause harm

Application

This policy applies to:

1. All current employees/volunteers and members of NENA, including full time, part time, casual, contract, permanent and temporary employees/volunteers/members.
2. All behaviour that is any way connected to the NENA's work, including meetings, training and during business.

Definitions

Harassment is:

- offending or humiliating someone physically or verbally or,
- threatening or intimidating someone or,
- making unwelcome jokes or comments about someone's race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability or pardon conviction

Sexual Harassment is:

- offensive or humiliating that is related to a person's sex, sexual orientation or gender identity or,
- behaviour of a sexual nature that creates an intimidating, unwelcome, hostile or offensive environment or,
- behaviour of a sexual nature that could reasonably be thought to put sexual conditions on a person's job or opportunities

Responsibilities and Expectations

NENA is responsible for:

- Providing all employees, volunteers and members a harassment free space.

The **NENA President** is responsible for:

- Ensuring the policy is applied in a timely, consistent and confidential manner
- Determining whether or not allegations are substantiated and
- Determining corrective action that is appropriate where a complaint is substantiated

The **NENA President Elect** is responsible for:

- The administration of the policy;
 - reviewing annually or as required
 - making necessary adjustments to ensure the policy supports safe spaces and the needs of the employees, volunteers and members

NENA Board of Directors are responsible for:

- Fostering a harassment free work space and setting an example about appropriate workplace behaviour
- Communicating the process for investigation

Employees, Volunteers and Members are responsible for:

- Treating others with respect
- Reporting harassment to President (or delegate)
- Cooperating with an investigation and respecting the confidentiality related to the process

Employees, Volunteers and Members can expect:

- To be treated with respect
- That reported harassment will be dealt with in a timely, confidential, and effective manner
- To have their rights to a fair process and to be respected during the investigation
- To be protected against retaliation for reporting harassment or cooperating with an investigation

Procedure for Addressing a Harassment Complaint

Filing:

- an employee, volunteer or member may file a complaint with the President (or delegate in their absence)
 - it may be verbal, in writing or by message
 - if it is verbal, the President will record the conversation
- the person should be prepared to provide details such as what happened, when it happened, where it happened, how often and who else may have been present

.Complaints should be made as soon as possible but no later than one year of the last incident of the perceived harassment, unless there are circumstances that prevented the person from coming forward

- The President (or delegate) will then notify, in writing, the person who the allegation are made against including details of the perceived harassment that have made against him/her/they.
- Every effort will be made to resolve the complaint within 30 days. The President will advise both parties, of the reason why, if this is not possible

Mediation

- Wherever appropriate and possible, the parties will be offered mediation prior to proceeding with an investigation
- Mediation is voluntary and confidential It is intended to assist the parties to arrive at a mutually acceptable resolution.
- The mediator will be a neutral person, mutually agreed upon. The mediator will not be involved in the investigation.
- Each party to the complaint has the right to be accompanied and assisted during mediation sessions by a person of their choosing.

Investigation

- If mediation is inappropriate, is not agreed to or does not resolve the issues, an investigation will be conducted.
- All investigations will be conducted by an individual who has the necessary training and experience. In some cases, an external consultant may be engaged to this purpose.
- The investigator will interview the person who made the complaint, the person who the complaint was made against and any identified witnesses. All people who are interviewed will have the right to review their statement, as recorded by the investigator, to ensure accuracy.
- The investigator will prepare and submit a report to the President (or delegate) a report that will include:
 - a description of the allegations
 - the response of the person the complaint was made against
 - summary of information provided by witnesses (if applicable)
 - a decision as to whether, on balance, harassment did occur.

Substantiated Complaint

- If a harassment complaint is substantiate, the President (or delegate) will decide what action is appropriate.
- Remedies for the employee, volunteer or member who was harassed may include but is not limited to:
 - an oral or written apology
 - compensation for lost wages
 - compensation for lost benefits such as sick leave
 - compensation for hurt feelings
- Corrective action for the employee, volunteer or member found to have engaged in harassment may include but is not limited to:
 - reprimand
 - suspension
 - dismissal
 - removal from NENA membership

Both parties to the complaint will be advised, in writing, of the decision.

Other Redress

- Either party, not satisfied with the outcome may file a discrimination complaint with the Canadian Humans Rights Commission (CHRC).

Privacy and Confidentiality

- All parties to harassment complaint are expected to respect the provacy and confidentiality of all other parties involved and to limit the discussion of a harrassment complaint to those that need to know.
- NENA and all individuals involved in the complaint process, will comply with all requirements of the *Personal Information Protection and Electronic Documents Act* (PIPEDA).