



Birth Mark Respectful Workplace Policy

Purpose

The purpose of this policy is:

- To ensure that the Birth Mark Team (Employees, Independent Contractors, Volunteers) is aware that harassment and discrimination are unacceptable practices and are incompatible with the Core Values of this organization, as well as being a violation of the law.
- To set out the types of behaviour considered inappropriate and prohibited by this policy.
- To outline the rights of Birth Mark Team members with respect to their entitlement to just, equitable treatment.
- To offer clarity around escalation procedures in response to incidents of harassment and discrimination.

Applying The Policy

The right to freedom from harassment and discrimination extends to the entire Birth Mark Team.

It is unacceptable for any Birth Mark Team member to engage in harassment or discrimination when dealing with clients, potential clients, other associated professionals, or the public.

This policy applies to all levels of Birth Mark affiliates, and to every aspect of the workplace environment and working relationships. This includes, but is not limited to, recruitment, selection, promotion, transfers, training, remuneration, and termination.

This policy also applies to events that occur outside of the physical workplace such as meetings, workshops, professional development events, fundraisers, and social gatherings.

Birth Mark's Commitment To A Respectful Workplace

Birth Mark is committed to providing an environment free of discrimination and harassment, where all individuals are treated with respect and dignity, can contribute fully, and have equal opportunities.

Birth Mark complies with the Ontario Human Rights Code which states that every person has the right to be free from harassment and discrimination. Harassment and discrimination will not be tolerated, condoned, or ignored at Birth Mark. We are committed to a positive, healthy, and

collaborative work environment where all Birth Mark Team members are treated in alignment with our Core Values.

Birth Mark is committed to a comprehensive strategy to address harassment and discrimination, including:

- Providing a copy of this policy with all contracts to new Employees, Independent Contractors, and Volunteers
- Ensuring that this policy has been appended to the existing contracts of all currently working with Birth Mark
- Regularly auditing (externally and internally) all Birth Mark policies, procedures, systems, documents, and practices with an equity and anti-discrimination lens
- Providing an effective and fair grievance and escalation procedure to address concerns of harassment, discrimination, and/or toxic work culture
- Promoting and upholding appropriate standards of conduct at all times.

Definitions

Discrimination - Any form of unequal treatment based on the following examples, whether imposing extra burdens or denying benefits. It may be intentional or unintentional. It may involve direct actions that are overtly discriminatory, or it may involve rules, practices, or procedures that appear neutral, but disadvantage or exclude community members, or lack of consent. Discrimination may take obvious forms, or it may happen in very subtle ways. Birth Mark has a zero-tolerance for any act discrimination in any size or form.

Examples of discrimination

This policy prohibits discrimination or harassment based on the following grounds, and any combination of these grounds (this list is not exhaustive):

- Ability
- Age
- Ancestry
- Citizenship
- Colour
- Ethnicity
- Family/marital status
- Gender
- Gender identity/expression
- Immigration status
- Neurodiversity
- Place of origin
- Public Interests
- Race
- Religion

- Sexual orientation
- Size
- Socio-economic status
- Association or relationship with a person identified as one or more of the above grounds

Discrimination based on the assumption or perception about any of the above is still considered discrimination and warrants investigation and escalation. See below under “Responses”.

Harassment - Is any type of non-consensual comments or actions that are disrespectful, unwelcome and usually recurring or continuous. If one incident is serious enough, harassment can also constitute one event. It can involve words or actions that are offensive, embarrassing, humiliating, demeaning, or unwelcome. Harassment can occur based on any of the grounds of discrimination.¹

Examples of harassment:

- Epithets, remarks, jokes, or innuendos related to a person’s race, gender identity, gender expression, sex, ability, sexual orientation, creed, age, or any other ground
- Posting or circulating offensive pictures, graffiti, or materials, whether in print form or via email or other electronic means
- Singling out a person for humiliating or degradative “teasing” or bullying on the basis of any of the above listed groups or cultures
- Utilization of Quid pro quo, violence or intimidation, reprisal/retaliation
- All forms of bullying, inclusive of microaggressions
- Verbal and physical threats to one’s physical or psychological safety
- Performance management that is unclear, inconsistent, persistent, discriminatory, uncivil, or arbitrary

Sexual Harrassment² - Is any non-consensual interaction between individuals, regardless of gender, that can be characterized as an unwelcome sexual advance or misconduct.

Sexual harassment can include, but is not limited to:

- Homophobia and transphobia
- Gender-related comments about a person’s physical characteristics or mannerisms
- Paternalism based on gender which a person feels undermines their self-respect or position of responsibility
- Unwelcome physical contact including touching others or oneself suggestively
- Suggestive or offensive remarks or innuendoes
- Propositions of physical intimacy
- Gender-related verbal abuse, threats or taunting
- Leering or inappropriate staring

¹ [OHRC](#)

² [Bill 132](#)

- Bragging about sexual prowess or questions or discussion about sexual activities
- Offensive jokes or comments of a sexual nature
- Rough or vulgar humour or language related to gender
- Display of sexually offensive pictures, graffiti, or other materials including through electronic means
- Demands for dates or sexual favours
- Unwanted, non-mutually-agreed-upon contact via email, telephone, or in-person beyond the bounds of a professional relationship.
- Stalking, following, or non-consensual monitoring
- Any sexual verbal and physical threats to one's physical or psychological safety

What harassment is NOT:

- Having a different opinion
- Friendship
- Setting deadlines/objectives
- Firm communication
- Criticism of poor performance
- Legitimate performance management
- Probation/discipline
- Rudeness

It may not be harassment, but it may not be appropriate either. Refer to the following sections for reporting and escalation procedures for Respectful Workplace Policy Infractions.

Toxic Work Environment - A toxic work environment is created by comments or conduct (including comments or conduct that are condoned or allowed to continue when brought to the attention of management) that create a discriminatory work or editorial environment. The comments or conduct need not be directed at a specific person, and may be from any person, regardless of position or status. A single comment or action, if sufficiently serious, may create a poisoned or toxic environment.

Violence - Exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker. Any attempt to exercise physical force that could cause physical injury. Statements or behaviours that a worker could reasonably interpret as a threat to exercise physical force against the worker are also rendered acts of violence³.

Roles And Responsibilities

All Birth Mark Team Members are expected to uphold and abide by this policy, by refraining from any form of harassment or discrimination, by cooperating fully in any investigation of a harassment or discrimination complaint, and by bringing any form of harassment or discriminatory behaviour of which they become aware to the immediate attention of Admin.

³ [Bill 132](#), [Bill 168](#)

The Executive Director has the additional responsibility to act immediately on observations or allegations of harassment or discrimination. The Executive Director and Admin Team are responsible for creating and maintaining a harassment and discrimination-free environment, and should wherever possible address potential problems before they become serious.

We encourage anyone who has a complaint against any Birth Mark Team Member to contact our Executive Director, Patice Romeo, or any member of the Admin Team to begin the escalation process.

Organization responsibilities: prevention, policies, responsiveness, respect, modelling (practices)

Individual responsibilities: emotional intelligence, good judgement, boundaries, ethics (skills)

Escalation Process

If you have experienced any form or a suspected form of workplace harassment, discrimination, or violence you will not be penalized for bringing it forward.

Options:

It is up to the complainant to choose the best option for them.

Informal

1. Conversation with Admin team member(s) of your choice
2. One on one mediated conversation with other involved parties

Formal

1. File a grievance per the Birth Mark Grievance Policy

Responses

If a claim of harassment or discrimination is substantiated, disciplinary measures will be applied, up to and including termination of contract of engagement. Please see Section III of the Birth Mark Grievance Policy "*Sanctions for a grievance*".

Resources:

- Continuum of Disrespect
- Ontario Human Rights Code