

LiRN Inc.

Workplace Harassment and Violence Policy

Purpose & Background

1. LiRN is committed to providing a work environment in which all employees are treated with respect and dignity. Workplace harassment will not be tolerated from any person in the workplace.
2. The purpose of this policy is to describe the process for reporting, investigating a complaint of workplace harassment and/or violence and taking reasonable measures to protect the employee experiencing workplace harassment.

Application

3. LiRN employees and Board members are expected to adhere to this policy and will be held responsible by LiRN for not following it.
4. Employees are not to be penalized or disciplined for reporting an incident or for participating in an investigation involving workplace harassment.
5. Law Associations that have not already done so are encouraged to adopt similar policies to ensure their employees are treated with respect and dignity.

Definitions:

1. Workplace harassment means:
 - a. engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome, or
 - b. workplace sexual harassment.
2. Workplace sexual harassment means:
 - a. engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
 - b. making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the employee and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

3. Workplace violence means:
 - a. the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the employee;
 - b. an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the employee;
 - c. a statement or behaviour that it is reasonable for an employee to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the employee.
4. Reasonable action taken by the employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment, including but not limited to:
 - a. measures to correct performance issues, such as placing an employee on a performance improvement plan;
 - b. imposing discipline for workplace infractions;
 - c. Normal workplace conflict that may occur between individuals or differences of opinion between co-workers

Accountabilities & Responsibilities

5. LiRN employees and Board Members will:
 - a. refrain from engaging in workplace harassment or violence;
 - b. report all incidents of harassment to the Managing Director or, where reporting to the Managing Director is not appropriate, to the Chair of the Board's Governance Committee; and
 - c. co-operate with any efforts to investigate and resolve matters arising under this policy.
6. LiRN's Managing Director / Chair of the Board's Governance Committee will:
 - a. investigate reported incidents of workplace and deal with all complaints or incidents of workplace harassment in a fair, respectful and timely manner.
 - b. take action to respond to those incidents to protect the employee.
 - c. keep all information provided about an incident or about a complaint confidential except as necessary to protect workers, to investigate the complaint or incident, to take corrective action or as otherwise required by law.
7. The Governance Committee will
 - a. provide consultation about the development, establishment and implementation of this workplace harassment policy;

- b. take part in an annual review, or sooner if indicated, of the workplace harassment policy.

Complaint Process

8. An employee who believes they have been subjected to workplace harassment or violence will make a complaint to the Managing Director or Chair of the Board's Governance Committee as appropriate in writing. While there is no time limitation on making a complaint, it is recommended that employees bring forward concerns as soon after any incident as possible.
9. All reported incidents of workplace harassment are to be taken seriously.
10. Upon receiving a complaint, an investigation will be commenced. The Managing Director / Chair of the Governance Committee will gather information from all parties and any witnesses.
11. If there are reasonable grounds to suspect that workplace harassment or violence has occurred, the following actions may be taken:
 - a. resolve the situation between the parties;
 - b. seek additional assistance or advice from the Board of Directors;
 - c. disciplinary actions up to and including termination; and
 - d. the complainant and respondent will be informed of the results of the investigation and any corrective actions that have been taken as a result.
12. If a worker needs further assistance, he or she may contact a human rights legal support centre.

Date of Board Approval: January 26, 2022