

# The Canadian Fair Trade Network

## Sexual Harassment Policy

Effective Date:

Approved by:

### Policy Statement

The Canadian Fair Trade Network is committed to providing a safe environment for all its employees and members free from discrimination on any ground and from harassment including sexual harassment. The Canadian Fair Trade Network will operate a zero tolerance policy for any form of sexual harassment in the workplace, treat all incidents seriously and promptly investigate all allegations of sexual harassment. Any person found to have sexually harassed another will face disciplinary action, up to and including severing the relationship with the organization. All complaints of sexual harassment will be taken seriously and treated with respect and in confidence. No one will be victimised for making such a complaint.

### Definition of Sexual Harassment

Sexual harassment is unwelcome conduct of a sexual nature which makes a person feel offended, humiliated and/or intimidated. It includes situations where a person is asked to engage in sexual activity as a condition of that person's employment, as well as situations which create an environment which is hostile, intimidating or humiliating for the recipient. Sexual harassment can involve one or more incidents and actions constituting harassment may be physical, verbal and non-verbal. Examples of conduct or behaviour which constitute sexual harassment include, but are not limited to:

#### *Physical Conduct*

- Unwelcome physical contact including patting, pinching, stroking, kissing, hugging, fondling, or inappropriate touching
- Physical violence, including sexual assault
- Physical contact, e.g. touching, pinching
- The use of organization-related threats or rewards to solicit sexual favours

#### *Verbal Conduct*

- Comments on a worker's appearance, age, private life, etc.
- Sexual comments, stories and jokes
- Sexual advances
- Repeated and unwanted social invitations for dates or physical intimacy
- Insults based on the gender identity of the worker
- Condescending or paternalistic remarks
- Sending sexually explicit messages (by phone or by email)

#### *Non-Verbal Conduct*

- Display of sexually explicit or suggestive material
- Sexually-suggestive gestures
- Whistling
- Leering

Anyone can be a victim of sexual harassment, regardless of their the gender of the harasser. The Canadian Fair Trade Network recognises that sexual harassment may also occur between people of the same gender. What matters is that the sexual conduct is unwanted and unwelcome by the person against whom the conduct is directed.

The Canadian Fair Trade Network recognises that sexual harassment is a manifestation of power relationships and often occurs within unequal relationships, for example between members of the Board of Directors or staff and members.

Anyone, including employees of the Canadian Fair Trade Network, members, board members, casual workers, or contractors who sexually harasses another will be reprimanded in accordance with this internal policy.

All sexual harassment is prohibited whether it takes place within the Canadian Fair Trade Network premises or outside, including at social events, trips, training sessions or conferences sponsored by the Canadian Fair Trade Network.

### **Complaints Procedure**

Anyone who is subject to sexual harassment should, if possible, inform the alleged harasser that the conduct is unwanted and unwelcome. The Canadian Fair Trade Network recognises that sexual harassment may occur in unequal relationships and that it may not be possible for the victim to inform the alleged harasser.

If a victim cannot directly approach an alleged harasser, they can approach one of the Members of the Board of Directors responsible for receiving complaints of sexual harassment.

When a designated person receives a complaint of sexual harassment, they will:

- immediately record the dates, times and facts of the incident(s)
- ascertain the views of the victim as to what outcome they want
- ensure that the victim understands the company's procedures for dealing with the complaint
- discuss and agree the next steps: either informal or formal complaint, on the understanding that choosing to resolve the matter informally does not preclude the victim from pursuing a formal complaint if they are not satisfied with the outcome
- keep a confidential record of all discussions
- respect the choice of the victim
- ensure that the victim knows that they can lodge the complaint outside of the company through the relevant legal framework

The Canadian Fair Trade Network recognises that because sexual harassment often occurs in unequal relationships within the workplace, victims often feel that they cannot come forward. The Canadian Fair Trade Network understands the need to support victims in making complaints.

## **Informal Complaints Mechanism**

If the victim wishes to deal with the matter informally, the designated person will:

- give an opportunity to the alleged harasser to respond to the complaint
- ensure that the alleged harasser understands the complaints mechanism
- facilitate discussion between both parties to achieve an informal resolution which is acceptable to the complainant, or refer the matter to a designated mediator within the company to resolve the matter
- ensure that a confidential record is kept of what happens
- follow up after the outcome of the complaints mechanism to ensure that the behaviour has stopped ensure that the above is done speedily and within 14 days of the complaint being made

## **Formal Complaints Mechanism**

If the victim wants to make a formal complaint or if the informal complaint mechanism has not led to a satisfactory outcome for the victim, the formal complaint mechanism should be used to resolve the matter.

The designated person who initially received the complaint will refer the matter to the Board of Directors to instigate a formal investigation. The Board of Directors may deal with the matter themselves, refer the matter to an internal or external investigator.

The person(s) carrying out the investigation will:

- interview the victim and the alleged harasser separately
- interview other relevant third parties separately
- decide whether or not the incident(s) of sexual harassment took place produce a report detailing the investigations, findings and any recommendations
- if the harassment took place, decide what the appropriate remedy for the victim is, in consultation with the victim (i.e.- an apology, a change to working arrangements, training for the harasser, discipline, suspension, dismissal)
- follow up to ensure that the recommendations are implemented, that the behaviour has stopped and that the victim is satisfied with the outcome
- if it cannot determine that the harassment took place, they may still make recommendations to ensure proper functioning of the workplace
- keep a record of all actions taken ensure that the all records concerning the matter are kept confidential
- ensure that the process is done as quickly as possible and in any event within 14 days of the complaint being made

## **Sanctions and Disciplinary Mechanisms**

Anyone who has been found to have sexually harassed by another person under the terms of this policy is liable to any of the following sanctions:

- verbal or written warning
- reduction in wages transfer
- demotion
- suspension
- dismissal

The nature of the sanctions will depend on the gravity and extent of the harassment. Suitable deterrent sanctions will be applied to ensure that incidents of sexual harassment are not treated as trivial. Certain serious cases, including physical violence, will result in the immediate dismissal of the harasser.

### **Implementation of this Policy**

The Canadian Fair Trade Network will ensure that this policy is widely disseminated to all relevant persons. All new employees must be made aware of the content of this policy as part of their induction into the company. Every year, the Canadian Fair Trade Network will require all employees to review the content of this policy. It is the responsibility of the Executive Director to ensure that all their employees are aware of the policy.

### **Monitoring and Evaluation**

The Canadian Fair Trade Network recognises the importance of monitoring this sexual harassment policy and whether or not it is effective. The Executive Director and/or the Board of Directors and those responsible for dealing with sexual harassment cases will report on compliance with this policy, including the number of incidents, how they were dealt with, and any recommendations made. Annual reporting on the effectiveness of this policy will be done during a meeting of the Board. As a result of this reporting, the company will evaluate the effectiveness of this policy and make any changes needed.