



# Human Resources Policies & Procedures

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For Volunteers

# Table of Contents

## SECTION 1

### Introduction

Objectives	3
Policy Statement	3
Eligibility & Scope	3
Implementation & Monitoring	3
File Management and Amendments	3

## SECTION 2

### General Policies

Fostering a culture of excellence	4
Code of Ethics	4
Harassment-Free Workplace	5
Confidentiality	6
Conflict of Interest	7
Reporting Violations	8
Insurance for Volunteer use of own Auto	9
Contact with Media	10

## SECTION 3

### Employment Information

Travel and Expense Claims	12
Professional Development	12

## SECTION 5

### Health and Safety

Health and Safety	23
Fitness for Duty	24

## SECTION 6

### Recruitment

Recruitment Process	26
Recruitment	27
Selection	27
Orientation	29

## SECTION 7

### Problem Resolution

Progressive Development	32
Complaint or Harassment Procedure	23
Promotion of Respectful Conduct Policy	35

## Introduction to the Policy

### Objectives

The Human Resources Policy and Procedures Manual for Volunteers contains the human resources policies and procedures for the Niagara Community Foundation. The objectives to this manual are to:

- Provide a standard reference for the Foundation volunteers in understanding their rights and responsibilities;
- Encourage continuity and consistency in the administration and application of human resource policy; and
- Provide direction and authority in the day-to-day administration of human resources.

### Eligibility and Scope

These policies are approved by the Board of Directors, administered by the Executive Director and apply to all employees and volunteers of the Niagara Community Foundation.

### Implementation and Monitoring

The Executive Director will be responsible for the implementation and monitoring of the Human Resources Policies and Procedures for Volunteers.

### File Management and Amendments to the Manual

Volunteers are requested to assist in keeping the human resources policies up-to-date by notifying the Executive Director whenever problems are encountered or improvements may be made in the administration of the policies and procedures.

All parts of this document are supplementary to applicable federal and provincial legislation. In the event of conflict, such legislation will prevail.

## General Policies

### Fostering a culture of excellence

Policy Number: 2.1

Creation Date: September 2015

Last Updated:

The volunteers of the Niagara Community Foundation are driven by a deep commitment to helping good people do great things in their community. That commitment extends to the way we carry out our work and to our interactions with each other and our stakeholders. We foster a culture of excellence by being:

**Responsive.** We are forward-looking, adapting to a constantly changing environment. We value our relationships and encourage feedback and ideas for improvement from within and outside the organization.

**Honest.** We value integrity, trust and honesty.

**Caring.** We value positive and respectful working relationships that take into consideration the needs of others. As part of our caring culture, we encourage and promote a healthy work/life balance.

**Results-oriented.** We are committed to setting and achieving goals that make a difference for the Foundation, our donors and our region.

**Professional.** We take pride in our work and in working with others. We pursue our goals with zeal and a commitment to the highest levels of professionalism.

## Code of Ethics

Policy Number: 2.2

Creation Date: April 22, 2010

Last Updated:

### PREAMBLE:

As a matter of fundamental principle the Foundation requires the highest ethical standards because public trust in our performance is the bedrock of our legitimacy. Donors, volunteers and grant recipients trust the Foundation to carry out our mission, to be good stewards of endowment funds, and to uphold rigorous standards of conduct.

The Foundation must earn this trust every day. It is therefore essential the people involved with the Foundation, board members, staff and volunteers demonstrate their ongoing commitment to the core values of integrity, honesty, impartiality, openness, respect, and responsibility.

Simple adherence to the law is not enough. The Foundation will often need to go beyond legal requirements and make sure that our actions are transparent, open and responsive to public concerns.

## **CODE OF ETHICS:**

The Board of Directors promotes the highest standards of ethical behaviour. This Code of Ethics has been established to provide appropriate guidelines. Excerpts from the Code, which relate specifically to Foundation staff include:

1. **Integrity:** Foundation members shall act with competence, honesty, integrity, respect and fairness while carrying out their obligations for the Foundation.
2. **Role:** The well-being of the people of Niagara will be the primary role of Foundation members. In addition Board, Staff and Volunteers will act in the best interests of the Foundation in fulfilling its mission.
3. **Accountability and Transparency:** In carrying out philanthropic activities Foundation Directors, staff and volunteers act within the letter and the spirit of the law. The Foundation embraces public interest, takes full responsibility for its actions, communicates truthfully, and ensures public records are easily available while maintaining appropriate privacy and confidentiality. The Foundation will manage its resources carefully and frugally, actively avoiding excessive expense.
4. **Diversity and Inclusiveness:** The Foundation seeks diversity and inclusiveness in order to reflect all of Niagara. The Foundation strives to ensure that a full range of perspectives contribute to the common good of our local society. In conducting its business all members of the Foundation will listen to and treat all others who come together under the auspices of the Foundation with respect.

## Harassment-free Workplace

Policy Number: 2.3

Creation Date: February 2011

Last Updated:

### **Policy Statement**

The Niagara Community Foundation is committed to providing a work environment that is free of harassment and supportive of the dignity, self-esteem and productivity of every employee and volunteer. The Foundation will not tolerate any form of harassment of, or by, employees, stakeholders, volunteers, students, contractors, suppliers or other individuals associated with the Foundation while engaged in activities pertaining to the workplace. The Foundation has developed a more comprehensive policy addressing the details surrounding this issue; please refer to Policy 7.2 in this document.

# Confidentiality

Policy Number: 2.4

Creation Date: September 9, 2004

Last Updated:

## Policy Statement

### 1. General

All members of the Foundation will treat information provided or gathered by the Foundation with discretion. Any information received through involvement with the Foundation will not be used for personal gain.

### 2. Donors

Donor requests for confidentiality and anonymity will be strictly respected. Access to donor information will be restricted to only those who need it for the function of their duties. Paper records are kept locked and computer records are protected using password protocols. Donor lists are not shared with any other fundraising organizations. The Foundation does not use outside contract fundraisers

### 3. Grant Recipients

The Foundation grant-making process requires charities and agencies to provide detailed project and organizational information. This may often be sensitive and will be treated in confidence.

### 4. Contracts/Grants

The Foundation as a necessity will contract with professional and business corporations and details of all such transactions will be treated with respect and discretion. Information relating to personnel, litigation and property contracts and resulting transactions will be kept confidential

### 5. Meetings

The Board and all its committees act as a whole. Deliberations including the opinions of individual Board and Committee Members will be kept confidential. Third party opinions with respect to contracts or grants applications will be kept confidential.

## Procedures:

1. All volunteers must sign the Niagara Community Foundation confidentiality agreement during orientation.

2. Two copies of the confidentiality agreement will be made. A copy will go to the person signing the agreement and the second copy will be filed electronically, which has been labeled "Confidentiality Agreements."

## Conflict of Interest

Policy Number: 2.5

Creation Date: September 9, 2004

Last Updated:

### Policy Statement

Niagara Community Foundation always strives to conduct its affairs in an honest, forthright and impartial manner. It is not enough that those making decisions believe that they are operating from the highest motives, and that any particular action is innocent. So far as possible, actions and relationships must avoid any appearance of impropriety that may raise questions in the minds of the public.

The Niagara Community Foundation recognizes that volunteers and employees will be associated with organizations that, from time to time, may apply for funding. While it is recognized that volunteers work for or have associations with organizations relevant to their work on the Board or a Committee, it is important that volunteers understand that they have been invited to serve as individuals, not as representatives of other organizations.

The policy is directed towards the sources of most potential conflict. These include conflicts arising as a result of affiliation with:

- an organization which has, or is negotiating, a business relationship with Niagara Community Foundation;
- an organization seeking funding or other support from the Niagara Community Foundation

### Definitions:

*Conflict of interest* (as it applies to an "Individual") means an actual, apparent or potential conflict of interest in the exercise of unbiased judgment on behalf of the Niagara Community Foundation and its dealings with any Person, who may be obligated to the Foundation or may benefit from dealings with the Foundation.

For the purpose of this definition:

'Individual' means any officer, director, employee, or volunteer who is working for or on behalf of the Foundation and includes members of the Individual's immediate family including, without limitation, the Individual's common law spouse. 'Person' means an individual person, corporation or body corporate, partnership, organization, or any other recognizable group or association that purports to deal with the Foundation.

**Procedure:**

Each Board and Committee agenda will include Declaration of Conflict of Interest. A conflict of interest on the part of a member of the Board of Directors, a volunteer or a staff member of the Niagara Community Foundation will be disclosed. When any such interest becomes a matter of Board or Committee action, such individuals shall declare the conflict, absent themselves from the discussion and abstain from voting. The minutes of all actions taken related to the matter will clearly reflect that these requirements have been met.

## Reporting Violations

Policy Number: 2.6

Creation Date: February 2010

Last Updated:

**Policy Statement**

It is each employee's personal responsibility to bring violations or suspected violations of the Foundation's Code of Ethics, or Conflict of Interest Policy to the attention of their supervisor. The Foundation's policy prohibits any retribution against employees who come forward to make such reports. Whenever practical, all reports or allegations will be thoroughly investigated by management prior to judgments being made or action being taken in response to suspected violations.

## Insurance for volunteer use of own auto

Policy Number: 2.8  
Updated:

Creation Date: February 2011

Last

**Policy Purpose**

The purpose of this policy is to outline the volunteer's and the Foundation's insurance coverage when an employee uses their own auto for Foundation business.

**Policy**

When a volunteer is using their personal vehicle while on Foundation business, their personal auto insurance is the primary insurer. The Foundation's limit for non-owned automobiles is \$2 million. This is paid in excess of the underlying automobile insurance for the owner of said vehicle.

For example, if the volunteer has an underlying liability limit of \$1 million (as is typical) and uses their vehicle for NCF purposes and a claim is substantiated in the amount of \$2.5 million, the owner's automobile policy would pick up the first \$1 million and the Foundation's insurance would pick up the additional \$1.5 million.

# Contact with Media

Policy Number: 2.9

Creation Date: January 2011

Last Updated:

## **Policy Purpose**

The purpose of this policy is to outline the protocol for Foundation contact with the media

## **Applicability**

This policy applies to all Niagara Community Foundation personnel and volunteers.

## **Policy**

The Board Chair of the Foundation is the official spokesperson on governance and policy issues. Both the Board Chair and the Executive director can speak on major announcements. The Executive Director is the spokesperson on operational issues. The Executive Director is the media contact.

Should volunteers be contacted by the media for comment, they are to refer the media to the Executive Director who will respond and/or refer appropriately.

## Travel and Expense Claims

Policy Number: 3.3

Creation Date: September 9, 2004

Last Updated:

Volunteers are reimbursed for expenses incurred in the fulfillment of Foundation responsibilities, upon submission of appropriate receipts to the Executive Director for approval. Such expenses include but are not limited to: mileage and transportation costs, meals and overnight accommodation. Mileage rates are set and reviewed annually by the Board. Mileage claims start from the volunteer's normal place of business. The Foundation does not cover the cost of alcoholic beverages. When volunteers travel out of town to attend overnight Foundation related activities, a cash advance against anticipated expenses can be submitted and a report with receipts in support of the advance is to be filed within 30 days.

## Professional Development

Policy Number: 4.3

Creation Date: September 9, 2004

Last Updated:

### **Policy Statement**

The organization values professional development for its volunteers and will budget annually for such opportunities.

**Procedure:** The Chair of the Board, in consultation with the Executive Director, approves all training for Board members. The Executive Director must approve all requests for training for all other volunteers.

# Health and Safety

## Health and Safety

Policy Number: 5.1

Creation Date: September 9, 2004

Last Update:

### **Policy Statement**

The Niagara Community Foundation acknowledges it has a duty under the current Occupational Health & Safety Legislation and Federal Labour Standards to take all reasonable precautions to protect all persons working on site, (employee, volunteers, board members, donors) and all visitors.

The Niagara Community Foundation will maintain all Statutory Health and Safety practices and implement such others as are consistent with our needs and position as a charitable organization. All persons when on site are required to refrain from any activity, which may jeopardize the health and safety of others.

The Niagara Community Foundation, as the employer, is ultimately responsible for worker health and safety and every reasonable precaution will be taken. Management will be held accountable for the health and safety of all workers and, as such, is responsible to ensure that the workplace is safe and that all workers are in compliance with established safe work practices and procedures. All workers will receive adequate training in their specific work tasks to protect their health and safety.

All workers must protect their own health and safety by working in compliance with the law and with safe work practices and procedures established by the Niagara Community Foundation. It is in the best interest of all parties to consider health and safety in every aspect of daily activity. Commitment to health and safety must form an integral part of our culture.

### **Employee and volunteer Rights**

Employees and volunteers have three basic rights under the joint responsibility health and safety model:

- The right to know about workplace safety hazards,
- The right to refuse unsafe work if they have “reasonable cause” to believe the work is dangerous,

- The right to participate in the occupational health and safety process.

## **Employee and Volunteer Obligations**

Maintaining a safe work environment requires the continuous cooperation of all employees and volunteers.

- All employees and volunteers must recognize that it is their duty to comply with all Health and Safety rules, regulations and guidelines.
- All persons are required to refrain from any unsafe practices or hazardous actions and to exercise due care and diligence.
- Any unsafe conditions, materials or equipment and all accidents or injuries must be reported.

## Fitness for Duty

Policy Number: 5.2

Creation Date: February 2011

Last Update:

For the health and safety of all Foundation employees and volunteers, the use of illegal drugs is strictly prohibited during working hours. Where employees and volunteers choose to consume alcohol at Foundation events and other functions where employees and volunteers represent the Foundation, responsible consumption and associated conduct is expected at all times.

### **Use of Illegal drugs**

- a) The use, sale, purchase or possession of illegal drugs while on the job or Foundation property is strictly prohibited.
- b) Employees and volunteers may not work under the influence of illegal drugs.
- c) Employees and volunteers are required to immediately notify their supervisor of any suspected instance of use, possession, or knowledge of someone under the influence of such substances on Foundation property.
- d) Prescribed medical treatment with a controlled substance should be reported to the employee's supervisor when an employee's ability to perform the job assignment in a safe manner is affected and/or when the controlled substance will be on Foundation premises. It is critical for the Foundation to know such use is occurring, as a temporary job reassignment may be necessary in order to accommodate the employee.

### **Use of Alcohol**

The Foundation does not provide funds for the purchase of alcohol at Foundation-sponsored activities. However, employees and volunteers may consume alcohol if they so choose under the following guidelines:

- a) Employees and volunteers are expected to make travel arrangements at functions where they are representing the Foundation and at which they are consuming alcohol, such as: assign a designated driver, take alternate transportation, or arrange to stay in a hotel.

- b) An employee or volunteer may be asked to stop consuming alcohol if it is believed they are exhibiting inappropriate behaviour.

# Recruitment

## Recruitment Process

Policy Number: 6.1

Creation Date: September 9, 2004

Last Updated:

### **Policy Statement**

The success of the Foundation in attempting to achieve its vision depends on having the right staff and volunteers, properly trained and motivated, applying their skills and talents to all assigned responsibilities outlined in job descriptions.

The Foundation will follow consistent guidelines in order to maximize the chances for success in fulfilling its mission by recruiting the most qualified and competent volunteers for all vacancies.

### **Procedures:**

1. To be eligible to volunteer with The Niagara Community Foundation, individuals must:
  - meet the stated requirements for the position being sought;
  - be willing to work in accordance with the Foundation's vision, goals, objectives, policies and procedures; and
2. The Niagara Community Foundation is an equal opportunity employer and adheres to the Ontario Human Rights Code.
3. The recruitment and selection process will be fair and consistent.
4. Throughout the recruitment and selection process, volunteer's personal information will remain confidential.

# Recruitment

Policy Number: 6.2

Creation Date: September 9, 2004

Last Updated:

## Policy Statement

The Foundation will endeavor to recruit the most competent individuals to fill all volunteer positions. Board recruitment is the responsibility of the Nominating Committee. For most volunteers, the recruitment will be through a referral from a current volunteer or staff person. Through this process, our current volunteer/staff is familiar with the potential volunteer and provides an additional screening mechanism in the recruitment process.

## Procedure:

1. Approval to recruit for vacant or newly created positions will be granted by the Executive Director.
2. Recruitment information shall include the following information:
  - Volunteer position
  - Knowledge, related experience and skills required
  - Roles and responsibilities
  - Starting/ending date where applicable
  - Expected time commitment/meeting frequency
  - Name of staff 'supervisor;

# Selection

Policy Number: 6.3

Creation Date: September 9, 2004

Last Updated:

## Policy Statement

The Foundation will conduct a screening process that is fair and equitable.

## Procedures:

1. It is the responsibility of each new volunteer to demonstrate that s/he meets the requirements of the position.
2. Volunteers will meet with the staff member who will be their 'supervisor' who will determine whether the volunteer's skills, experience and attributes match the requirements of the volunteer position available.
3. Once a final candidate has been determined, a verbal confirmation can be made.

# Orientation

Policy Number: 6.5

Creation Date: September 9, 2004

Last Updated:

## **Policy:**

The Foundation recognizes the importance of providing essential information to new volunteers. All new volunteers will be provided with an orientation session at a mutually convenient opportunity that aligns with the work that the volunteer will be undertaking.

## **Procedure:**

1. The volunteer's 'supervisor' will conduct the orientation.
2. Brief the new volunteer on the role, purpose, vision and mission of the Foundation. Provide the volunteer with copies of recent annual reports and other supporting documents that help to define the mandate of the Foundation.
3. Review the Volunteer Human Resources Policies and Procedures.
4. Have the volunteer read and sign the Confidentiality Agreement (Appendix 1), file the signed copy in the volunteer file.
5. Inform the new volunteer of expected responsibilities and review the job and/or committee responsibilities
6. Answer any questions as required.

# Problem Resolution

## Progressive Development

Policy Number: 7.1

Creation Date: September 9, 2004

Last Updated:

### Policy Statement

The Foundation uses progressive development for all employees and volunteers whose performance requires improvement. The purpose of the process is to correct, not punish, those employees who have not followed Foundation guiding principles, policies and procedures. Consistent and fair procedures for progressive development gives employees and volunteers ample opportunity to improve.

### Definitions:

#### *Progressive Development:*

- emphasizes correction and establishes clear goals to help employees and volunteers change from poor performance to satisfactory performance.
- focuses on the performance rather than the person.

### Procedures:

1. The Executive Director will implement *Progressive Development* when addressing performance issues.
2. If, through the application of progressive development, conduct or performance problems are unable to be resolved, the Foundation will institute a process, which will result in increasingly serious actions to correct the volunteer's performance. The Executive Director will follow a consistent procedure to:
  - Let employees and volunteers know that continuing improper actions will lead to increasingly severe corrective actions, up to and including termination.
  - Provide a written report on all actions taken.
3. The steps in the disciplinary process are as follows:
  - Verbal warning (with written documentation)
  - Written Warning (and privately hold a second discussion with that employee or volunteer regarding conduct)

- 2<sup>nd</sup> written warning
- Termination

## Complaint or Harassment Procedure

Policy Number: 7.2

Creation Date: September 9, 2004

Last Updated: March 11, 2013

### Policy Statement

The Niagara Community Foundation assures every employee and volunteer fair and equal treatment and consideration. According to the Human Rights Code, harassment is defined as “engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome”. It is a form of discrimination and can include behaviour such as demands, threats, gestures, innuendo, unwelcome remarks, jokes, slurs, display of offensive material, physical or sexual assault or taunting about a person’s body, clothing, habits, customs or mannerisms. Harassment can also include inappropriate or unwelcome comments regarding a person’s physical characteristics and/or mental health.

The Foundation has a legal obligation to ensure the safety and well-being of all employees and volunteers, therefore, depending on the nature and gravity of an incident, the Foundation reserves the right to conduct an investigation regardless of whether or not a formal complaint has been filed.

It is the responsibility of any employee or volunteer experiencing or aware of any type of harassment within the Foundation to report the situation to the Executive Director.

Where, in the opinion of the employee or volunteer, unfair treatment has been rendered or a problem arises, the following procedure shall be followed.

### Procedure

1. The employee or volunteer shall discuss the matter with the Executive Director within seven (7) days from the day the alleged unfair treatment or problem has occurred. If the dispute involves the latter, the employee or volunteer shall take the matter to the Board Chair.
2. If the Executive Director has not resolved the grievance within (10) working days, the employee or volunteer shall take the matter to the Board Chair. The Board Chair, in consultation with selected Board members, shall resolve the grievance within ten (10) working days.
3. Should the matter remain unresolved after the above steps have been taken, the employee or volunteer shall retain the right to file the grievance with the appropriate legal body without fear of recourse. The Niagara Community Foundation shall retain the right to dispute the grievance, as it feels necessary.

## **Definitions:**

*Discrimination:* Means any action, inaction or behaviour which negatively affects the status of an employee or anyone with whom we come into contact at the Foundation. It is also the treatment of anyone unequally, on the basis of any prohibited ground under human rights legislation, such as sex, race, colour, creed, religion, national or ethnic origin, age, disability, family or marital status or sexual orientation.

*Workplace:* The workplace is not solely the office in which business of the Foundation is conducted. Any improper conduct occurring outside of the office but having repercussions in the work environment and adversely affecting employment relationships may also be defined as workplace harassment.

*Verbal Harassment:* Foul or obscene language, derogatory racial comments, demeaning ethnic jokes or slurs, unwanted sexual comments, implied or expressed promises of reward for complying with, or threats or reprisal for not complying with, a sexually oriented request.

*Physical & Sexual Harassment:* Practical jokes, pushing, shoving, aggressive behavior and the like. Acts of sexual harassment include any unwanted physical contact, unnecessary touching, or physical interference with work or movement.

*Visual Harassment:* Obscene gestures, demeaning posters, cartoons, graffiti or drawings which are shown to an individual or group or displayed in plain view. Where these have a sexual orientation, this will constitute sexual harassment.

## **Harassment and Discrimination Prevention**

The Foundation is committed to providing every employee and volunteer with a workplace free from harassment and discrimination, whether prohibited by human rights legislation or otherwise. The Foundation will not tolerate incidents of harassment or discrimination brought to its attention, and will act swiftly to investigate and resolve all such matters.

The Foundation recognizes that employees and volunteers may also be subject to harassment and discrimination from volunteers and others who conduct business with NCF. In these circumstances, because this policy is intended to apply in all cases of harassment and discrimination, the Foundation will assist and support the person affected by the harassment or discrimination.

The Foundation also recognizes that prohibited harassment and discrimination can occur at places other than the physical workplace. Employees and volunteers have the right to be free from harassment and discrimination in all locations where work is conducted on behalf of the Foundation, or where the individual is present at the location only by virtue of their employment with the Foundation.

### **Procedures:**

1. If possible, immediately tell the person whom you feel is harassing you that their conduct or behaviour is unwelcome and that you wish it to be stopped.

2. Make some notes about what happened (what was said or done), when it happened (date, time and place), who was involved and who may have witnessed the incident. You will want these details to refresh your memory and in case the problem is not corrected and you have to take the matter further.
3. If the harassing behaviour continues, or if you feel unable to approach the harasser directly about this problem, report the incident to the Executive Director. If the Executive Director is the cause of the problem the situation should be discussed with a Board member. The employee or volunteer has the choice of either discussing the problem (in the case of an informal concern) or submitting a formal or written concern.
4. In cases where the concern can be corrected in an informal manner, the Executive Director (or Board Member) may discuss the situation with everyone involved, develop an action plan, and check with the employee periodically to ensure the problem is being resolved.
5. In cases where the concern has been put in writing, a full investigation will be carried out and every effort will be made to resolve the problem to the employee's satisfaction.
6. If the complaint is not resolved within 10 working days the written documentation will be provided to the Board Chair and in consultation with Board members they will attempt to resolve the issue within 7 days.
7. Should the matter remain unresolved after the above steps have been taken, the employee shall retain the right to file a grievance with the appropriate legal body without fear of recourse. The Foundation shall retain the right to dispute the grievance, as it feels necessary.

## Promotion of Respectful Conduct Policy

Policy Number: 7.3

Creation Date: September 26, 2013

Last Updated:

### **POLICY**

All Staff and volunteers will demonstrate and support respectful conduct at Niagara Community Foundation.

### **Background**

The Foundation is committed to a safe work environment characterized by healthy, positive, respectful, supportive relationships among all employees and volunteers. The purpose of this policy is to foster and maintain a workplace culture of understanding and mutual respect so that every person is valued, and is enabled to contribute fully to the success of the Foundation. This policy ensures that respectful behaviour is practiced by all employees. When employees are subjected to inappropriate behaviour, they may express their concerns appropriately to the identified contact persons in accordance with this policy.

**Definition**

Disrespectful conduct is defined as the verbal, non-verbal or behavioural actions by any individual or group of individuals that a reasonable person would find offensive, patronizing, intimidating, humiliating, threatening, disparaging, abusive, coercive, belittling, sabotaging, and isolating, an abuse of authority, or an unjustified punishment.

**Responsibilities and Rights**

Individuals, who believe they are the target of disrespectful conduct by one or more persons, can address with the issue directly with the individuals as they may be comfortable in resolving this issue.

**Retaliation**

It is also disrespectful conduct in a single instance to retaliate, or threaten to retaliate, in any manner against persons because they made an informal or formal allegation of violation(s) of this policy, participated in interviews, provided a statement as a witness, assisted, or participated in any manner in an investigation or proceeding related to the complaint, including, but not limited to, internal proceedings, arbitration and mediation proceedings, and legal actions. Reprisal is an allegation separate from the original claim of disrespectful conduct and is also addressed in Policy 7.2 - Complaint or Harassment Procedure.

**PROCEDURES**

It is the primary responsibility of all employees and volunteers to report disrespectful workplace conduct issues. Any employee who is a witness to or a target of disrespectful workplace conduct, shall report the incident as soon as possible. Complaint(s) shall be deemed serious and conscientiously investigated in a confidential manner. The name of the complainant and the circumstances related to the complaint will not be disclosed except where disclosure is necessary for the purposes of investigating the complaint or taking disciplinary measures.

The Executive Director is to immediately address any form of disrespectful workplace conduct, whether formally submitted as a complaint or otherwise. If the complaint is against the Executive Director, the Chair of the Board of Directors is to immediately address the situation. If the complaint is against the Chair of the Board of Directors, the Vice-Chair of the Board of Directors, in consultation with the Executive Director, is to immediately address the situation.

If an employee feels they are the target of harassment, they have a number of options available as noted in this policy to address concerns. The employee may choose the option offering the greatest degree of comfort, security and belief that the matter will be resolved based on the circumstances.

**CONFIDENTIALITY**

Niagara Community Foundation will attempt to ensure all complaints, investigations and related records are managed in a confidential manner and involve only those persons necessary to investigate and resolve the complaint. It is recognized, however, that in some cases, absolute

confidentiality cannot be guaranteed. All documentation related to complaints made under this Policy shall be retained in Human Resources files to ensure confidentiality.

### **Optional Independent Resolution of Disrespectful Workplace Conduct (Informal Early Resolution)**

The employee or volunteer who feels they are the target of disrespectful workplace conduct may feel the most effective way to end the conduct is to deal with the matter promptly and directly with the person committing the offensive behaviour without having to resort to the formal complaint process. As this person may not be aware that the conduct or behaviour is unwelcome or distasteful, the person needs to be advised by the offended person clearly, politely and firmly to stop the identified offensive behaviour to ensure it does not continue. It may be beneficial to have a witness present in the event the behaviour does not stop following the request to stop the offensive behaviour. It is important to keep a written record of the incident(s), including dates, times, the nature of the behaviour, and witnesses, if any, in the event that the matter is not resolved and a complaint becomes necessary.

### **Formal Complaints**

If a complainant has attempted to deal with a matter directly with the alleged offender and this has been unsuccessful or if the complainant is uncomfortable in dealing with the matter directly with the alleged offender, the complainant should report the incident to their immediate manager. Where the immediate manager is alleged to have committed the act of disrespectful workplace conduct, the employee shall report the incident to the next level of management up to and including the Executive Director and/or the Board of Directors.

## **EMPLOYEE COMPLAINT MANAGEMENT PROCESS**

### **Complaint Investigation and Reporting Process**

1. Steps in the investigation by the Lead investigator of a complaint shall include the following procedure:
  - a) Determine if interim measures are required
  - b) Interview the complainant and confirm allegations and also interview the alleged offender and explain allegations
  - c) Interview any witnesses
  - d) Re-interview the complainant and/or the alleged offender if necessary as a result of new information or new allegations
  - e) Document the situation accurately and completely
  - f) Analyze findings, prepare written report including recommendations and corrective measures upon completion of the investigation
  - g) Review report with accountable manager
2. Steps in implementing recommendations and/or corrective action by the accountable Manager shall include the following procedures:
  - a) Determining recommendations and/or corrective measures to be implemented as reported by the Lead investigator
  - b) Advising Complainant of findings and corrective measures to be taken

- c) Advising Respondent of findings and corrective measures to be taken
- d) Implementation of the recommendations and corrective actions determined necessary to resolve the matter
- e) Responsible for follow up on implementation of recommendations and/or corrective measures

**RIGHT TO DISCIPLINE**

Nothing in this Policy shall be deemed to limit or in any other way affect the right of Niagara Community Foundation to discipline employees or volunteers for violations under this policy, or other breaches, whether or not the action was part of the violation under this Policy.

**PREVENTION MISAPPLICATION OF THE POLICY**

Purposeful misapplication of the complaint processes by anyone will lead to appropriate consequences, including some form of discipline as the misapplication of this policy is a form of disrespectful misconduct. It is a misapplication of this policy to make a false report against another employee. False, vexatious or malicious complaints may result in disciplinary action, up to and including termination of employment with Niagara Community Foundation.

**TABLE # 1 – FORMAL COMPLAINTS – RESPONSIBILITY FOR EMPLOYEE OR VOLUNTEER COMPLAINT MANAGEMENT**

<b>COMPLAINT AGAINST</b>	<b>PARTY RESPONSIBLE TO RECEIVE THE COMPLAINT</b>	<b>LEAD INVESTIGATOR</b>
BOARD DIRECTOR	BOARD CHAIR WHO WILL CONTACT EXECUTIVE DIRECTOR TO ARRANGE FOR EXTERNAL INVESTIGATOR	EXTERNAL INVESTIGATOR
BOARD CHAIR	BOARD PAST-CHAIR WHO WILL CONTACT EXECUTIVE DIRECTOR TO ARRANGE FOR EXTERNAL INVESTIGATOR	EXTERNAL INVESTIGATOR
EXECUTIVE DIRECTOR	BOARD CHAIR WHO WILL CONTACT AN EXTERNAL INVESTIGATOR	EXTERNAL INVESTIGATOR
FOUNDATION STAFF	EXECUTIVE DIRECTOR	EXECUTIVE DIRECTOR
VOLUNTEER	STAFF PERSON TO WHOM THE VOLUNTEERS REPORTS	STAFF

**Employee/Volunteer Declaration:**

This is to verify that I, \_\_\_\_\_, have read this document, understand it and agree to comply with the terms contained within it. I understand that failure to comply may result in progressive development up to and including termination of my employment.

\_\_\_\_\_  
Employee/Volunteer Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Executive Director

\_\_\_\_\_  
Date

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**Need More Help or Information on the Employment Standards Act in Ontario?**

If you have questions about the Employment Standards Act, 2000 call the Ministry of Labour's Employment Standards Information Centre at (416) 326-7160 or 1-800-531-5551 or visit a Ministry of Labour office in person.

You can get a variety of publications on the ESA from:

- Ministry of Labour website, <http://www.labour.gov.on.ca/english/es/>
- Ministry of Labour Publication Sales unit, 1-800-809-4731
- Ministry of Labour Fax-on-Demand, (416) 326-6546
- Ontario government E-Laws website, <http://www.e-laws.gov.on.ca/>
- Service Ontario - Publications, 1-800-668-9938; hearing impaired, 1-800-268-7095 TTY

Employment Standards Program Information Centre  
**416-326-7160 or 1-800-531-5551**

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