

ROMAN CATHOLIC DIOCESE OF PRINCE ALBERT

APPENDIX 18A- HARASSMENT POLICY

Statement of Commitment

Our diocese and parishes are committed to providing a safe environment for all its employees, ministry leaders and participants free from all forms of harassment or misconduct where everyone is treated with dignity and respect.

Definition of Harassment

Pursuant to 3-1 (1) (1) of *The Saskatchewan Employment Act*, harassment means:

- Any inappropriate conduct, comment, display, action or gesture by a person that constitutes a threat to the health or safety of the worker, and is either:
 - Based on race, creed, religion, colour, sex, sexual orientation, marital status, family status, disability, physical size or weight, age, nationality, ancestry or place of origin; or
 - Adversely affects the worker's psychological or physical well-being and that the person knows, or ought reasonably to know, would cause a worker to be humiliated or intimidated (sometimes referred to as personal harassment).

Personal harassment usually involves repeated occurrences; however, a single serious incident may also constitute harassment if it is shown to have a lasting harmful effect on a worker or a volunteer.

Sexual harassment is conduct, comment, gesture or contact of a sexual nature that is offensive, unsolicited or unwelcome.

Diocese & Parish Commitment

The Prince Albert Roman Catholic Diocese and all its parishes will take all complaints of harassment seriously. We are committed to implementing this policy and to ensuring it is effective in preventing and stopping harassment, as well as creating a productive and respectful workplace and parish community.

Employee's and Volunteer's Duty

In accordance with Part III of *The Saskatchewan Employment Act*, all workers, including all clergy and parish administrators employed in the Prince Albert Roman Catholic Diocese and its Parishes shall refrain from causing or participating in the harassment of another person, and cooperate with any person investigating harassment complaints. In addition, all persons serving as volunteers in ministries, including deacons, shall refrain from causing or participating in the harassment of another person, and cooperate with any person investigation harassment complaints.

Complaint Procedure

A person who believes that he or she has been subjected to harassment is encouraged to first clearly and firmly make known to the alleged harasser that the harassment is objectionable and must stop.

Where this cannot be done, or is unsuccessful, the person should report the alleged harassment to:

- 1) their parish priest (for employees or volunteers of a parish)
- 2) the Diocese Office Manager (for employees at the Diocesan Center)
- 3) the Vicar General (when clergy members are the alleged harasser)
- 4) the Director of Responsible Ministry (when there is a conflict of interest involved with the originally assigned recipient of the complaint and/or the complaint is potentially criminal).

Alleged Harasser Not Named & Informal Resolution Sought	Alleged Harasser Named & Informal Resolution or Mediation Sought	Alleged Harasser Named & Formal Investigation Potentially Required
An individual reports an incident or concern and does not wish to disclose the name of the alleged harasser. A Harassment Complaint Form is completed (attached) with no name or witnesses provided.	An individual reports an incident or concern by completing a Harassment Complaint Form (attached), naming the alleged harasser and requesting a specific informal resolution process.	An individual reports an incident or concern by completing a Harassment Complaint Form (attached), naming the alleged harasser and requesting a formal resolution process.
The person receiving the complaint reviews the policy with the complainant. A plan of action is then developed and shared with the complainant before implementation.	The person receiving the complaint reviews the policy with the complainant and reviews the complaint with the appropriate body (PRMC or RMAT) where an action plan is determined. The person receiving the complaint also meets with the alleged harasser to review the complaint and determine whether there is agreement on a resolution process.	The person receiving the complaint reviews the policy with the complainant and provides a written copy of the complaint to the appropriate body (PRMC or RMAT). The person receiving the complaint also meets with the alleged harasser to review the complaint and provides the alleged harasser with the written copy or adequate summary of the complaint and reviews the policy with the alleged harasser.
<p>Appropriate Actions May Include:</p> <ul style="list-style-type: none"> • Staff meeting to discuss and review the policy • Providing workshops or resource materials on prevention of harassment. <p>Documentation of the process provided to DRM.</p>	<p>Agreement? PRMC or RMAT facilitates resolution (apology, mediation etc.) and person who received the complaint follows up with the complainant.</p> <p>No Agreement or Continued Harassment? – Complainant informed of formal complaint procedure.</p> <p>Documentation of the process provided to DRM.</p>	The PRMC or RMAT review the complaint and appropriate resolution options that may be acceptable to the complainant and the alleged harasser. This group will also investigate if required. Documentation of the process provided to DRM.

Should an investigation be required, the investigators must act in accordance with the following guidelines:

- The investigation commences and concludes as soon as reasonably possible.
- Witnesses are interviewed separately and written witness statements are prepared.
- Witnesses are asked to review and sign their written statements.
- Witnesses are advised to keep the investigation and the identity of the complainant and alleged harasser in confidence, unless required by law to disclose them. The complainant and alleged harasser are entitled to legal counsel.
- During the investigation, both the complainant and the alleged harasser are entitled to be informed of all the allegations and allowed to respond in writing.

This does not mean either party is entitled to see or receive copies of the complete statements. However, both are entitled to see or receive an adequate summary of the evidence to make a full response.

Once the investigation is complete, investigators will prepare a written report setting out a summary of the evidence, a description of any conflict in the evidence, conclusions and reason for reaching those conclusions, as well as the recommended corrective action if harassment has occurred.

The report will be delivered to the priest (if a parish related complaint) or to the Diocese Office Manager (if a diocesan staff related complaint) or Vicar General (if clergy related complaint), the complainant and the alleged harasser. The report shall be marked confidential and delivered with the notation that it should be kept in confidence unless disclosure is required by law or is necessary to implement corrective action.

The priest/Diocese Office Manager/Vicar General will then take appropriate corrective action and inform the complainant and harasser of the corrective action taken. The complainant will also be informed of their right to file a complaint with the Saskatchewan Occupational Health and Safety Division or The Saskatchewan Human Rights Commission.

Where the corrective action is different from the action recommended in the report, the priest, Diocese Office Manager, or Vicar General should provide reasons for not taking the investigators recommended action and shall report this in writing to the investigating body (PRMC or RMAT).

After corrective action has been taken, the person who originally received the complaint shall follow up with the complainant to be sure that the corrective action was effective. If the complainant indicates harassment has not ended, or suffers reprisal, they should take additional or alternative corrective action. Further investigation may be necessary.

Confidentiality

Prince Albert Roman Catholic Diocese and Parishes shall not disclose the name of the complainant or the alleged harasser, nor any information that may identify them except where disclosure is necessary to investigate or take disciplinary action, or where such disclosure is required by law. All documents and statements obtained during the investigation shall be kept in a secure locked location in the diocese office.

Actions to Stop and Prevent Harassment

In acting to stop harassment and prevent its reoccurrence, Prince Albert Roman Catholic Diocese and Parishes will be guided by the following:

- Individual Awareness and Counselling
- Staff Awareness and Counselling
- Interim Action
 - If it is believed that a complainant will be exposed to continued harassment or reprisal while waiting for an investigation or resolution process to occur the following steps may be taken:
 - Cautioning the alleged harasser about the types of behaviour that will not be tolerated;
 - Moving the alleged harasser to another location;
 - Moving the complainant to another location at the complainant's request; and
 - Suspending the alleged harasser with pay while waiting for a final determination.
- Mediation
- Disciplinary Action
 - Options include reprimand, relocation, demotion, suspension or termination of employment or participation in certain ministry positions.
 - The severity of discipline will depend on:
 - Seriousness of the Alleged Conduct
 - Whether the conduct is an offence under the criminal code;
 - Whether the conduct is an offence under The Saskatchewan Employment Act or The Saskatchewan Human Rights Code;
 - The extent of the mental or physical injury caused to the complainant;
 - Whether the harasser persisted in behaviour that was known to be offensive to the complainant; or
 - Whether the harasser abused a position of authority.
 - Risk of the Harasser Continuing with Similar Harassment of the Complainant or Others
 - Whether the harasser acknowledges that conduct was unacceptable and makes a commitment to refrain from future harassment;
 - Whether the harasser has apologized to the complainant or acted to repair any harm; or
 - Whether the harasser has agreed to participate in awareness sessions, training or other recommended counselling or treatment.

Other Options for Complaints

Nothing in this policy prevents or discourages a complainant from referring a harassment complaint to the Saskatchewan Occupational Health and Safety Division under *The Saskatchewan Employment Act* and regulations or the Saskatchewan Human Rights Commission. An employee or volunteer also retains the right to exercise any other legal avenues available.

Ongoing Investigations

If a matter is referred to civil authorities, full cooperation shall be given by all parties under the guidelines of legal counsel.

At no time should persons involved engage in denial, minimization or blame, or admit responsibility which could prejudice the case or cause increased liability to the Diocese or Parish. Following the completion of any criminal or civil proceedings, the Roman Catholic Diocese of Prince Albert asserts the right and obligation to conduct an internal investigation to determine whether an accused member of the clergy, employee or volunteer poses a risk to others.

Personal & Sexual Harassment Complaint Flowchart

