

HARASSMENT POLICY

OBJECTIVE/BACKGROUND

Canadian Foodgrains Bank (“Foodgrains Bank”) recognizes that harassing and demeaning behaviour and attitudes have no place in the workplace. This policy is intended to outline Foodgrains Bank’s commitment to a respectful and safe working environment for its personnel, for anyone working with or on behalf of the Foodgrains Bank, and for those with whom we interact in our work, and to ensuring that, so far as possible, no one is subjected to harassment or bullying in the workplace.

The procedures specify steps for reporting and addressing incidents or patterns of harassment and bullying.

SCOPE

This policy applies to all Foodgrains Bank staff, both paid and voluntary, contract personnel and board directors, when they are engaged in activities on behalf of or representing the Foodgrains Bank, as well as others who may from time to time be asked to represent the Foodgrains Bank, when they are in that role.

Foodgrains Bank strives to be an organization where individual self-worth and dignity are respected and affirmed. Consequently, this policy may be more stringent than applicable harassment laws. This is intentional. Conduct may be unacceptable, even if it is not illegal.

This policy is a partner to the Foodgrains Bank’s *Prevention of Sexual Exploitation and Abuse* and *Professional Standards* policies.

DEFINITIONS

Harassment and other unacceptable workplace conduct can take many forms. This policy deals with three common forms of unacceptable workplace conduct: harassment, sexual harassment and personal harassment (also known as “bullying”). Unacceptable workplace conduct can be perpetrated by an individual or group, or by an institution.

Behaviour may be experienced as harassing or bullying and therefore unacceptable even if that was not the intent of the perpetrator.

Harassment

“Harassment” means:

- a) any unwelcome, abusive comment or objectionable conduct, comment, or display that is a violation of another person that demeans and disrespects them and results in the other person feeling objectified, dominated, threatened, or unsafe, and is based on an individual’s economic status, race, creed, religion, colour, sex, sexual orientation, gender-determined characteristics, marital status, family status, source of income, political belief, political association, political activity, disability, physical size or weight, age, nationality, ancestry or place of origin (collectively “Protected Characteristic”): or

- b) severe conduct, if it could reasonably cause an individual to be humiliated or intimidated and is repeated, or in the case of a single occurrence, has a lasting, harmful effect on an individual covered by this policy

Harassment can be perpetrated through actions, gestures, words and other communications, or the reasonable perception of same that leads to the creation of an offensive or intolerant work environment, or leads to adverse job-related consequences for the victim because of a Protected Characteristic. This includes:

1. Creation of an intimidating, hostile, or offensive work environment by inappropriate personal characteristic oriented action, language, innuendo, or behaviour.
2. Examples of objectionable behaviours include, but are not limited to:
 - racially or ethnically disparaging or offensive epithets
 - display of racially or ethnically or religiously disparaging or offensive posters/objects/pictures
 - racially or ethnically disparaging gestures
 - offensive remarks, jokes, innuendoes, taunting, or threats on the basis of a Protected Characteristic.
3. Actual denial, or implied or expressed threat, or perception of threat of denial of employment or advancement opportunities based on race or ethnicity or on the basis of any Protected Characteristic.

Sexual Harassment

Harassment includes Sexual Harassment. "Sexual harassment" means any unwelcome conduct of a sexual nature, whether intended to be harassing or not and includes the conduct described in our Prevention of Sexual Exploitation and Abuse (Staff and Representatives) Policy. Examples of conduct that may amount to sexual harassment includes but is not limited to:

1. Actual reward or an implied or expressed promise of reward in return for compliance with a sexually oriented request.
2. Actual denial or implied or expressed threat of denial of employment opportunity for refusal to comply with a sexually oriented request.
3. Actual reprisal or an implied or expressed threat of reprisal for noncompliance with a sexually oriented request.
4. Creation of an intimidating, hostile or offensive work environment by inappropriate sexually-oriented action, language, innuendo, or behaviour.
5. Examples of objectionable behaviours that may constitute sexual harassment include, but are not limited to:
 - 5.1 Verbal harassment:
 - sexually explicit, suggestive or degrading words to describe an individual,
 - sexually explicit jokes,
 - sexually suggestive noises,
 - unwelcome comments or questions about a person's sexual practices,
 - graphic verbal commentaries about the body or sexual experiences,
 - innuendo of a sexual nature directed at a person or people or about a person or people,
 - unwelcome sexual flirtations, advances or propositions,
 - verbal or nonverbal communication that is reasonably perceived as pressure to comply with sexual requests, abuse or threats, and
 - persistent and unwanted attention whether after the end of a consensual relationship or otherwise.

5.2 Physical harassment:

- sexual assault,
- impeding or blocking movement,
- unwelcome touching,
- shadowing (constantly hanging around),
- leering (suggestive staring),
- intentionally brushing against another person's body, or
- requiring a person to wear sexually suggestive clothing

5.3 Visual harassment:

- derogatory posters, cartoons or drawings in physical or electronic format, or
- obscene letters or writings.

Personal Harassment ("Bullying")

Personal Harassment or "Bullying" means the use of persistent aggressive, threatening or demeaning behaviour against another person by an individual or group, or the reasonable perception of the same. Examples of objectionable behaviour that may be bullying or reasonably perceived as bullying include, but are not limited to:

1. Verbal and nonverbal communication that is perceived as or intended to be threatening or humiliating.
2. Psychologically abusive, intimidating, threatening, or dismissive behaviour.
3. Physically abusive, intimidating, threatening, or dismissive behaviour.

What is not Harassment or Bullying?

Reasonable actions by management personnel or directors to help manage Foodgrains Bank or to guide or direct workers or the workplace are not harassment or bullying. Employee performance reviews, counselling or discipline by a supervisor or manager is not harassment or bullying.

Reflecting the Christian nature of the Foodgrains Bank, employees that work closely with member churches, supporters and volunteers, and overseas partners, or hold management and policy making positions must have a clear Christian faith. Actions taken by the organization during recruitment or employment for such as position, where a candidate or employee does not demonstrate a required Christian identity, and as allowed by law, are not harassing or bullying.

POLICY

1. Foodgrains Bank is committed to providing a safe and respectful working environment for its personnel and anyone working with or on behalf of the Foodgrains Bank.

Further, Foodgrains Bank is committed to treating with due respect and safety anyone, whether connected to the organization or not, who corporately or personally interacts with any individual or group representing the Foodgrains Bank. Every worker has the right to work free from harassment, sexual harassment and/or bullying.

2. Foodgrains Bank prohibits those behaviours that contribute to the creation of or the perception of a hostile or offensive work environment whether on the basis of ancestry, sex or any other Protected Characteristic, internally or externally, or that contribute to an individual or group of people experiencing hostile, offensive, threatening or belittling behaviour or perception of same as a result of interaction with anyone representing Foodgrains Bank.
3. Acts or communications (verbal, written, electronic) that are demeaning, threatening, intimidating, or insulting, related to a person's race, creed, religion, colour, sex, sexual orientation, gender-determined characteristics, political belief, political association or political activity, marital status, family status, source of income, disability, physical appearance, size or weight, age, nationality, ancestry or place of origin, whether intended as harassment or not, will not be tolerated.
4. Foodgrains Bank will take seriously any reports or observations of harassment as defined in this policy, and will investigate the incident or pattern of behaviour in good faith, and will take action promptly and as warranted to ensure a safe and respectful workplace for its employees, and to ensure that those representing the Foodgrains Bank treat others with due respect.
5. Any staff person who feels harassed is strongly encouraged to report the incident or pattern of behaviour to their supervisor, or to the director of human resources or other trusted co-worker. Reports of harassment will be treated with all due care. Foodgrains Bank will protect the confidentiality and privacy of the complainant(s) and respondent(s) as defined by our Procedures. Foodgrains Bank will take all reasonable steps to preserve the safety of the complainant(s) and respondent(s).
6. All personnel are expected to take part in maintaining a working environment, both internally and externally, free from unacceptable workplace behaviours and attitudes. Any staff person witnessing an incident of harassment or bullying or perceiving that harassment has been perpetrated by a co-worker or other individual acting on behalf of or representing the Foodgrains Bank, or a member of the general public towards someone acting on behalf of or representing the Foodgrains Bank, is expected to make a report to an appropriate supervisor or the director of human resources.

Where required by law, incidents of harassing behaviour or assault must be reported to the proper government authorities. In reporting harassment to government authorities, Foodgrains Bank will abide by the wishes of the complainant as much as possible without contravening the law.

7. Department managers are responsible for maintaining a working environment that is safe and free from sexism, racism, and other forms of harassment and bullying, and are expected to act on any reports or observations of harassing or intimidating behaviour.
8. The executive director will be informed of all complaints pursuant to this policy involving an employee of the Foodgrains Bank. If the executive director is implicated in a complaint, the chair of the Human Resources and Compensation committee will be informed of the complaint and consulted regarding plans for investigating and addressing the complaint.
9. Foodgrains Bank recognizes that behaviours may be reasonably experienced as harassing even if that was not the intent of the person whose conduct is in question. Foodgrains Bank will treat the report or observation of perceived harassment, sexual harassment or bullying with the same care as reports or observations of overt incidents of harassment, sexual harassment or bullying.
10. Whenever possible, Foodgrains Bank seeks to be corrective rather than punitive in addressing harassment and bullying issues. However, staff found to be in breach of this policy may face sanctions up to and including termination of employment.
11. No one who raises a harassment or bullying complaint will be discriminated against, and each complaint will be taken seriously. No retaliation against anyone who makes a complaint will be permitted.

12. Foodgrains Bank will ensure that its staff, board directors, and anyone representing the Foodgrains Bank knows and understands the organizational expectations as outlined in this policy. All staff and representatives must be familiar with this policy, and procedures for how to respond to observed or reported incidents of harassment, sexual harassment or bullying.

Foodgrains Bank will implement appropriate training and prevention mechanisms.

PROCEDURES

Investigating and Resolving an Internal Harassment Complaint

1. Directly Addressing a Concern

Whenever possible, and if it feels safe to do so, anyone who experiences harassment or bullying from someone associated with, representing or otherwise working on behalf of the Foodgrains Bank is encouraged as a first step to speak directly to the person whose conduct is in question and inform them of the impact of their behaviour, and the expectations of an immediate change in behaviour.

Note: Foodgrains Bank recognizes that harassment and/or bullying usually involves misuse of power. For this reason, directly addressing a concern between a complainant and respondent is not required as a first step in resolving a complaint. Foodgrains Bank promises that complainants will not be penalized in any way, nor will their employment be jeopardized in any way, for choosing to not directly confront the person accused of harassment or bullying.

2. Reporting

When directly addressing the concern is not advisable, or the complainant does not feel able or safe enough to speak directly with the respondent, a report should be made to the complainant's own supervisor or to the human resources director. Reports of harassment should be made as soon as possible after an incident. In most cases, the complaint should be made within six months of the incident in question.

If at any time the supervisor or the human resources director are not perceived to be safe persons to speak to or are otherwise involved in the complaint, the complainant is invited to make a report to another manager, or a trusted co-worker who will take the complaint forward to an uninvolved manager.

When a report of harassment is made to a supervisor or manager, they will inform the human resources director unless the human resources director is otherwise involved in the complaint, in which case the supervisor or manager will report directly to the executive director

The human resources director or manager will inform the executive director of all complaints and any reported incidents or perceptions of harassment.

If the executive director is implicated in a harassment complaint, the chair of the Human Resources and Compensation committee will be informed.

3. Investigation Plan

The human resources director will take responsibility for establishing an investigation plan to hear, review and examine the complaint. When the human resources director is otherwise involved in the complaint, the executive director will take responsibility for establishing an investigation plan or will appoint a manager or other designate to act on behalf of the human resources director.

The complainant will be consulted about the investigation plan before it is put into action.

The investigation plan must be reviewed by the executive director. If the executive director is otherwise implicated in the complaint, the investigation plan will be reviewed by the chair of the Human Resources and Compensation Committee.

3.1. An investigation plan may include the following steps:

- 3.1.1. An internal investigation of the incident or pattern of behaviour by the human resources director or designate:
 - Reviewing any written documentation.
 - Interviewing the complainant.
 - Interviewing the respondent.
 - Interviewing other staff who may have witnessed the incident or pattern of behaviour.
- 3.1.2. An external investigation of the incident or pattern of behaviour:
 - Contracting a professional human resources investigator to review the incident or pattern of behavior.
 - Contacting government authorities to investigate a complaint when warranted by the scope of the complaint, or when required to report by law, in which case the complainant will be informed.

The human resources director or designate will communicate the details of the investigation plan to the complainant within five working days. Within the same time period, the human resources director or designate will inform the respondent that a complaint has been lodged against them and that an investigation plan has been established, including the details of that plan.

Implementation of the investigation should commence no later than 30 days after the incident or pattern of behaviour is reported and should be completed as quickly as possible.

4. Safety Plan

In conjunction with the investigation plan, the human resources director or designate will establish and implement a safety plan for the complainant and the respondent which will take effect immediately. The safety plan may include the following:

- 4.1. Relocation of either or both the complainant and the respondent for the duration of the investigation if they work in close proximity.
- 4.2. Reassignment of job duties for either or both the complainant and the respondent for the duration of the investigation if they work on shared or intersecting tasks.
- 4.3. Other plans to restrict contact between the respondent and the complainant for the duration of the investigation.
- 4.4. Any intervention up to and including temporary suspension with pay of the respondent, depending on the severity of the harassment or bullying reported, to ensure the ongoing safety of all parties and to create space for an impartial investigation of the complaint.

The safety plan must be reviewed by the executive director. If the executive director is otherwise involved in the complaint, the safety plan will be reviewed by the chair of the Human Resources and Compensation Committee.

5. Recommendations for Resolution

Upon completion of the investigation, the human resources director or designate will make recommendations for resolving the complaint. Investigation outcomes and recommendations will be presented to the executive director prior to implementing any recommendations. If the executive

director is otherwise involved in the complaint, the investigation report and recommendations will be brought to the chair of the Human Resources and Compensation Committee for review and approval.

We will take corrective action in any instance where a person under our direction is found to have subjected any co-worker to harassment or bullying.

Both parties will be expected to participate fully and honestly in steps toward resolving the complaint. Failure on the part of any employee to participate will be recorded in the employee's personnel file and may result in discipline.

Recommendations for resolution may include, but are not limited to:

- 5.1. A facilitated conversation or mediation process, when appropriate physical and emotional safety has been established for both parties.
- 5.2. Specific corrective actions, if an employee is found to be in breach of this policy. This may include, but is not limited to:
 - sensitivity/awareness training
 - counseling
 - reporting to an accountability group
 - being mentored
 - removing responsibilities for supervising others
- 5.3. Termination of employment, when corrective action is not deemed to be a sufficient response to the scope of the incident or when the respondent refuses to participate in corrective action.
- 5.4. Contacting appropriate government authorities when warranted by the scope of the incident or pattern of behaviour, or when the behaviour is in breach of the law.

The complainant will be consulted prior to reporting the respondent to government authorities and efforts will be taken to ensure the safety of the complainant if a report is made. However, the Foodgrains Bank retains the right and responsibility to make a report at any time to appropriate government authorities when a person representing the Foodgrains Bank is in breach of the law.

6. Communicating the Results of the Investigation

Foodgrains Bank will communicate to the complainant and the respondent the results of the investigation in a timely manner.

7. External Representation

At any point in a resolution process, both complainant and respondent are entitled to seek external representation and support. Foodgrains Bank will act in good faith with any external resources solicited.

No external resources will be contracted by Foodgrains Bank without the direction of the executive director or, when needed, the direction of the chair of the Human Resources and Compensation Committee.

External Resolution of a Harassment Complaint

This Harassment Policy is not intended to discourage or prevent any employee or person affiliated with the Foodgrains Bank from exercising their legal rights pursuant to any law, including but not limited to filing a complaint with the appropriate human rights authority in the jurisdiction.

Responding to an External Harassment Complaint

When a person external to the organization reports experiencing harassment, sexual harassment or bullying from an employee or other person representing the Foodgrains Bank, or when Foodgrains Bank becomes aware of such behaviour on the part of its staff or others representing the Foodgrains Bank,

Foodgrains Bank will initiate an investigation into the incident and take steps to resolve the complaint as outlined above.

Allegations concerning sexual exploitation or sexual abuse as defined in the Prevention of Sexual Exploitation and Abuse (Staff and Representatives) Policy shall also be subject to the additional procedures outlined therein.

Grieving Resolution of a Harassment Complaint: Staff, Volunteers or Others Internal to Foodgrains Bank

For employees and volunteers of the Foodgrains Bank, if the complainant is not satisfied with the findings of the investigation or the steps taken to resolve the complaint, they are entitled to file a grievance with the executive director as outlined in the Grievance Policy.

Likewise, if the respondent is not satisfied with the findings of the investigation or the steps taken to resolve the complaint, they are entitled to file a grievance with the executive director as outlined in the Grievance Policy.

Grieving Resolution of a Harassment Complaint: Persons External to Foodgrains Bank

For persons external to the Foodgrains Bank who make a complaint against anyone representing the Foodgrains Bank, if the complainant is not satisfied with the outcome of the steps to resolve the complaint or the outcome of the investigation, they are entitled to request a hearing from the chair of the Human Resources and Compensation Committee.

Such a request will result in investigation of the complaint and the investigation process by the Human Resources and Compensation Committee, separate from any processes implemented by and without interference from the human resources or executive offices.

Responding to a Complaint of Harassment by an External Source

Foodgrains Bank recognizes that its policies and expectations of conduct cannot be applied in a binding fashion to persons external to the Foodgrains Bank. Nonetheless, Foodgrains Bank intends to provide a safe working environment for staff and others working on behalf of or representing the Foodgrains Bank. Therefore, when an employee of Foodgrains Bank or other person representing the Foodgrains Bank reports experiencing harassment from someone external to the organization, Foodgrains Bank will work to address the behaviour to the extent that it is able. This may include:

1. Investigating the complaint by interviewing the complainant, the alleged perpetrator and others who may have witnessed the harassment.
2. Speaking directly with the alleged perpetrator about the incident and, when necessary, informing them of the impact of their behaviour and Foodgrains Bank's expectations of an immediate change in behaviour.
3. When appropriate safety has been established, inviting both parties to a facilitated conversation.
4. Removing the employee or other Foodgrains Bank representative from the situation where the harassment is occurring.
5. Alerting appropriate government authorities to the harassment as warranted by the scope of the complaint.

Conflict of Interest

When the director of human resources is involved in an incident, or a conflict of interest exists, staff are invited to direct their complaint to the executive director.

When the executive director is involved in an incident, or a conflict of interest exists, staff are invited to direct their complaint to the director of human resources.

If the complaint is about the executive director, the director of human resources will consult with the chair of the Human Resources and Compensation Committee to determine how best to proceed with hearing and responding to the complaint.

Documentation

Written documentation of a complaint, resolution process and results will be placed in a protected file, accessible only by the human resources director or the executive director. Information regarding a complaint will only be placed in the respondent's personnel file if they are found to be in breach of this policy.

Access to this protected information by any parties other than those mentioned above will require the approval of the chair of the Human Resources and Compensation Committee, or where required by law, appropriate subpoena, or other summons.

Confidentiality

Everyone involved in a harassment complaint is required to treat information related to the incident, investigation or resolution confidentially and we will not disclose the name of the complainant, respondent or the circumstances related to the complaint to any person, except where disclosure is:

1. Necessary to investigate the complaint or take corrective action with respect to the complaint, or
2. Required by law.