

## **Progressive Conservative Party of Newfoundland and Labrador**

### **Anti-Harassment and Respectful Behavior Policy and Procedures and Code of Conduct**

#### **Statement**

The Progressive Conservative Party of Newfoundland and Labrador (hereinafter referred to as “the Party”) is committed to fostering a healthy, harassment-free environment for all.

The Party, in co-operation with its Provincial Executive, Employees, District Associations, Affiliated Associations or Groups, Members, and Supporters, believe in respect and fairness, value diversity, and expect appropriate conduct from all its Members and Supporters.

Harassment within the Party is not tolerated. Those who are found to have harassed another individual may be subject to disciplinary action, up to and including, revocation of membership. This includes any member or supporter who: interferes with the resolution of a harassment complaint; retaliates against an individual for filing a harassment complaint; or files an unfounded harassment complaint intended to cause harm.

#### **Application**

This policy applies to all current Provincial Executive Members, Employees, District Associations, Affiliated Associations or Groups, Members, and/or Supporters of the Party.

#### **Definitions**

**Harassment is:**

- offending or humiliating someone physically or verbally;
- threatening or intimidating someone; or
- making unwelcome jokes or comments about someone’s race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability or pardoned conviction.

**Sexual harassment** is:

- offensive or humiliating behaviour that is related to a person's sex;
- behaviour of a sexual nature that creates an intimidating, unwelcome, hostile or offensive work environment; or
- behaviour of a sexual nature that could reasonably be thought to put sexual conditions on a person's job or employment opportunities.

**Responsibilities and Expectations**

**The Party** is responsible for:

- providing all Provincial Executive Members, Employees, District Associations, Affiliated Associations or Groups, Members, and/or Supporters a harassment-free environment.

**The Party President and/or Vice President** are responsible for:

- dealing with harassment situations immediately upon becoming aware of them, whether or not a harassment complaint has been made;
- taking appropriate action during a harassment investigation, including separating the parties to the harassment complaint, when appropriate;
- ensuring that this policy is applied in a timely, consistent and confidential manner;
- determining whether or not allegations of harassment are substantiated; and
- determining what corrective action is appropriate where a harassment complaint has been substantiated.

**The Party Chief Communications Officer (CCO)** is responsible for:

- communicating the process for investigating and resolving harassment complaints made by Provincial Executive Members, Employees, District Associations, Affiliated Associations or Groups, Members, and/or Supporters of the Party;
- the administration of this policy;

- reviewing this policy annually, or as required; and
- making necessary adjustments to ensure that this policy meets the needs of the organization.

**Provincial Executive Members, Employees, District Associations, Affiliated Associations or Groups, Members, and/or Supporters of the Party** are responsible for:

- treating others with respect in the workplace;
- reporting harassment to the Party CCO;
- cooperating with a harassment investigation and respecting the confidentiality related to the investigation process.

### **Procedures for Addressing a Harassment Complaint**

#### **Complaint Process**

An individual may file a harassment complaint by contacting the Party CCO. The complaint may be verbal or in writing. If the complaint is made verbally, the Party CCO will record the details provided by the individual and return for approval prior to initiating the resolution process.

The individual should be prepared to provide details such as what happened; when it happened; where it happened; how often and who else was present (if applicable).

Complaints should be made as soon as possible but no later than within one year individual from doing so.

The Party CCO will tell the person that the harassment complaint has been made against, in writing, that a harassment complaint has been filed. The letter will also provide details of the allegations that have been made against him or her.

Every effort will be made to resolve harassment complaints in a timely manner. The Party President and/or Vice President will advise both parties of the reasons why, if this is not possible.

If either party to a harassment complaint believes that the complaint is not being handled in accordance with this policy, they should contact the Party President and/or Vice President.

## **Informal Resolution**

Wherever appropriate and possible, the parties to the harassment complaint will be offered an informal resolution prior to proceeding with a harassment investigation. The informal resolution process is confidential. It is intended to assist the parties to arrive at a mutually acceptable resolution to the harassment complaint. The Party President or Vice-President will serve as the arbitrator for the informal resolution process, unless both are in a conflict of interest, in which case the Executive Committee by a majority vote shall decide who will be the replacement.

## **Investigation**

If an informal resolution is inappropriate or does not resolve the issue, a harassment investigation will be conducted. All investigations will be handled by an individual who has the necessary training and/or equivalent experience. In some cases, an external consultant may be engaged for this purpose.

The investigator will interview the person who made the complaint, the person the complaint was made against and any witnesses that have been identified. All people who are interviewed will have the right to review their statement, as recorded by the investigator, to ensure its accuracy.

The investigator will prepare a report that will include:

- a description of the allegations;
- the response of the person the complaint was made against;
- a summary of information learned from witnesses (if applicable); and
- a decision about whether, on a balance of probabilities, the harassment did occur.

This report will be submitted to the Party President. Both parties to the complaint will be given a copy.

## **Substantiated Complaint**

If a harassment complaint is substantiated, the ad hoc review committee will decide what action is appropriate.

The Ad Hoc Review Committee shall be comprised of

- i. the Party President, Party Vice-President, and, if applicable, Party Honourary Legal Counsel (as appointed by the Executive Committee). If one of the above are in a conflict of interest then that person shall step aside and the Executive Committee by a majority vote shall decide who will be the replacement;
- ii. An individual from the Party Membership Registry as recommended by the Member/Supporter who is the subject of the complaint;
- iii. An individual from the Party Membership Registry as recommended by the Party Leader.

Remedies for the individual who was harassed may include an oral or written apology.

Corrective action for the individual found to have engaged in harassment may include a reprimand, a suspension, and/or revocation of membership.

Both parties to the complaint will be advised, in writing, of the decision.

### **Privacy and Confidentiality**

All parties to a harassment complaint are expected to respect the privacy and confidentiality of all other parties involved and to limit the discussion of a harassment complaint to those that need to know.

### **Review**

The Party will review this policy and procedures on an annual basis, or as required, and will make necessary adjustments to ensure that it meets the needs of all its Provincial Executive, Employees, District Associations, Affiliated Associations or Groups, Members, and Supporters.

## **Enquiries**

Enquiries about this policy and related procedures can be made to the Party CCO.