



## Human Rights Policy

### Purpose

Millhouse Resthome is committed to building and preserving an open, inclusive and, healthy working environment for its staff members based on mutual respect. In accordance with the *Ontario Human Rights Code*, Millhouse Resthome does not condone or tolerate acts of discrimination or harassment in the workplace against or by any staff member. Bethany Residence is also committed to upholding the Code in all of its practices and policies.

**Scope** The Human Rights Policy applies to Millhouse Resthome, its staff members, management team and any individual conducting business on behalf of the Company at all times.

In accordance with workplace rights set out under the *Ontario Human Rights Code*, every staff member has a right to freedom from:

- Discrimination when accessing and using goods and services. Every person has the right to equal treatment with respect to services, goods and facilities, without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability.
- Unequal treatment with respect to employment without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability.
- Harassment in the workplace by the employer or agent of the employer or by a resident or by another staff member because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability.



- A sexual solicitation or advance made by a person in a position to confer, grant or deny a benefit or advancement to the person where the person making the solicitation or advance knows or ought reasonably to know that it is unwelcome.
- A reprisal or a threat of reprisal for the rejection of a sexual solicitation or advance where the reprisal is made or threatened by a person in a position to confer, grant or deny a benefit or advancement to the person.

## Definitions

Discrimination: any form of unequal treatment based on a Code ground, whether imposing extra burdens or denying benefits. It may be intentional or unintentional. It may involve direct actions that are discriminatory on their face, or it may involve rules, practices or procedures that appear neutral, but have the effect of disadvantaging certain groups of people. Discrimination may take obvious forms, or it may occur in very subtle ways. In any case, even if there are many factors affecting a decision or action, if discrimination is one factor, that is a violation of this Policy.

Harassment: a course of comments or actions that are known, or ought reasonably to be known, to be unwelcome. It can involve words or actions that are known or should be known to be offensive, embarrassing, humiliating, demeaning, or unwelcome, based on a ground of

Discrimination identified by this Policy. Harassment can occur on any of the grounds of discrimination.

Sexual Harassment: sexual harassment is a form of harassment that can include: gender-related comments about an individual's physical characteristics or mannerisms, paternalism based on gender which a person feels undermines his or her self-respect or position of responsibility, unwelcome physical contact, suggestive or offensive remarks or innuendoes about members of a specific gender, propositions of physical intimacy, gender-related verbal abuse, threats or taunting, leering or inappropriate staring, bragging about sexual prowess or questions or discussions about sexual activities, offensive jokes or comments of a sexual nature about an

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staff member or client, rough and vulgar humour or language related to gender, display of sexually offensive pictures, graffiti or other materials, including through electronic means, demands for dates or sexual favours.

Equal: subject to all requirements, qualifications and considerations that are not a prohibited ground of discrimination.

Employment: Employment includes paid employment, volunteer work, student internships, special job placements, and temporary, contract, and seasonal or casual employment.

## **General Guidelines**

The intent of Millhouse Resthome's Human Rights Policy is to provide a working environment for all staff members that fosters openness and tolerance. This Policy is intended to ensure that Millhouse Resthome's practices and the practices of all our staff members are free from direct and indirect discrimination as well as any form of harassment. Under the Ontario Human Rights Code, employers have the ultimate responsibility for ensuring a healthy and inclusive work environment, including preventing and addressing discrimination and harassment.

The *Code* states that every person has a right to equal treatment with respect to employment without discrimination or harassment because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, family status or disability.

The right to "equal treatment with respect to employment" covers every aspect of the workplace environment and employment relationship, including job applications, recruitment, training, transfers, promotions, apprenticeship terms, dismissal and layoffs. It also covers rate of pay, overtime, hours of work, holidays, benefits, shift work, discipline and performance evaluations.

## **Application of this Policy**



Millhouse Resthome will not tolerate any form of harassment or discrimination against any individual, including residence, job candidates, staff members, and managers, on any grounds. This commitment applies to, but is not limited to, such areas as training, performance, assessment, promotions, transfers, layoffs, remuneration, and all other employment practices and working conditions.

Every Millhouse Resthome staff members shall be held personally accountable and responsible for enforcing this policy and must make every effort to prevent discrimination and/or harassing behaviour. As such, staff members must report every incident of harassment and/ or discrimination immediately -- whether it was observed, happened to them personally, or if the problem was reported to them.

## **Reporting Procedures**

While Millhouse Resthome will ensure to adhere to following the Human Rights Code in all of its practices, it is essential that staff members adhere to the code as well. In the event that any staff member feels they are being discriminated against or harassed, the following reporting procedures have been put into place:

### **Informal Procedure**

If you believe you have been harassed or have faced discrimination you may:

- Confront the individual personally, or in writing, clearly stating the unwelcome behaviour/action and requesting that it stop immediately; or
- Discuss the situation with the Administrator.

Any staff member who feels discriminated against or harassed can and should, in all confidence and without fear of reprisal, personally report the occurrence to the Administrator.



## **Formal Procedure**

If you believe you have been harassed or discriminated against you may make a written complaint to the Administrator. The written complaint must be delivered to Administrator and include the following information:

- The date and time of each incident you wish to report.
- The name of the person(s) involved in the incident(s).
- The name of any person or persons who witnessed the incident(s).
- A full description of what occurred.

Once a written complaint has been received, Millhouse Resthome will complete a thorough investigation. Harassment and discrimination should not be ignored as silence can, and often is, interpreted as acceptance. Staff members will not be demoted, dismissed, disciplined or denied a promotion, advancement or employment opportunities because they rejected sexual advances or because they lodged a complaint when they honestly believed they were being harassed or discriminated against.

The investigation will include:

- Informing the accused of the complaint.
- Interviewing the complainant, any person(s) involved in the incident and any identified witnesses.
- Interviewing any other person(s) who may have knowledge of the incident(s) complaint.
- Statements from all parties involved will be taken and a decision will be made.
- If necessary, Millhouse Resthome may employ outside assistance or request the use of our legal counsel.
- Where it is determined that harassment has occurred, a written report of the remedial action will be given to the staff members concerned.

A copy of the complaint, detailing the complainant's allegations, shall be provided to the respondent(s) and contain the following information:

- The respondent is invited to reply in writing to the complainant's allegations.
- The reply will be made known to the complainant before the case proceeds.



- Millhouse Resthome will take all measures to prevent any unnecessary disclosure of the incident and the identities of the parties.

If the complainant decides not to lay a formal complaint, the Administrator may decide that a formal complaint is required, which will be based on the investigation of the incident, and will file such document(s) with the person(s) against whom the complaint is laid.

If it is determined that personal harassment or discrimination has occurred, appropriate disciplinary measures will be taken immediately.

## **Confidentiality**

All records of direct and indirect discrimination and harassment, reports filed, and subsequent investigations are considered confidential and will not be disclosed to anyone except to the extent required by law.

Millhouse Resthome will do everything it can to protect the privacy of the individuals involved and to ensure that the Complainant and the Respondent are treated fairly and respectfully. Millhouse Resthome will protect this privacy so long as doing so remains consistent with the enforcement of this Policy and adherence to the law.

## **Disciplinary Measures**

If it is determined by the company that any staff member has been involved in the harassment or discrimination of a resident or another staff member, immediate disciplinary action will be taken, up to and including immediate dismissal without further notice.

## **Training**

Each Staff Member will be informed of Millhouse Resthome Policies.

## **Evaluation**

Millhouse Resthome shall review this Policy, and its effectiveness on an annual basis or more often as deemed necessary.



### **Revision History of this Policy**

September 2014 – Development and implementation of Policy

### **Required Forms**

Discrimination / Harassment Complaint Form

Complaint Investigation Form

Discipline / Termination Letter (Under Progressive Discipline Policy)

### **Legislation/ Standards/ Regulations**

Human Rights Code