



Conflict Discrimination Violence Harassment Policy

Draft: Integration of Constructive Discipline Policy, Workplace Safety Plan, and Policy and Procedure for Ministerial Misconduct Policies is not yet complete

DEFINITIONS

Capitalized words in this document will normally be given the meaning assigned to them in the Definitions component of the document.

Constituent – an individual who is a member or participant of an MCEC congregation, a pastor credentialled by MCEC, a donor to MCEC or a representative of an affiliated MCEC organization

Employee – an employee of the corporation Mennonite Church Eastern Canada

Executive Minister – The lead executive staff person overseeing the MCEC staff or, if unavailable, the individual designated by the Executive Minister to play this role. In the implementation of MCEC policies, the term “Executive Minister” can also mean the Moderator, if the Executive Minister is implicated in the concern that is being addressed. In this event, the Executive Minister’s policy implementation role will be exercised by the Moderator or the Moderator’s designate.

MCEC – the not-for-profit corporation known as Mennonite Church Eastern Canada

Moderator – the Chairperson of the MCEC Executive Council, the Assistant Moderator, or an individual designated by the Moderator or Assistant Moderator

Volunteer – someone who volunteers on-site in the MCEC offices, sits as a volunteer on an MCEC Council, committee or task force, engages in an MCEC volunteer project or assignment, and individuals who have been designated to represent MCEC to other organizations

Worker – an Employee, Volunteer or contract provider working on behalf of MCEC

Workplace – the MCEC office or any premises or location where a Worker conducts business, employment activity or volunteer assignments on behalf of MCEC

Workplace Conflict – unresolved relational or organizational disputes that impede a Worker(s) from conducting work in a productive or collegial manner and/or diminishes the organization’s ability to accomplish its mission

Workplace Discrimination - The Ontario *Human Rights Code* (Code) states that it is public policy in Ontario to recognize the dignity and worth of every person and to provide equal rights and opportunities without discrimination. Discrimination prohibited under the Code includes issues such as racism and racial discrimination, sexual and gender-based discrimination and harassment, disability accommodation, pregnancy and breastfeeding, age discrimination, gender identity, sexual orientation and family status.

Workplace Harassment – the Ontario *Occupational Health and Safety Act* defines workplace harassment as engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome. Some examples of this type of persistent harassment behaviours include sexual harassment, teasing, intimidating or offensive jokes or innuendos, display or circulation of offensive pictures or materials,

unwelcome, offensive or intimidating phone calls, bullying, leering, unwelcome gifts or attention, offensive gestures, yelling, verbal assault, belittling another's opinions, ignoring or excluding another Worker, sabotaging another Worker's work, threatening comments, spreading malicious rumours, or maliciously alleging harassment by another. Workplace harassment does *not include* reasonable challenges to work performance or negative job-related feedback that is meant to improve performance to an acceptable standard.

Workplace Violence – the *Occupational Health and Safety Act* defines workplace violence as the following:

- The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
- An attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker; or,
- Oral or written threats or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker. Some examples of violent behaviour include shaking a fist, hitting, pushing, destroying property, physical assault, sexual assault, stalking, criminal harassment, or robbery.

POLICIES REGARDING CONFLICT, DISCRIMINATION, VIOLENCE & HARASSMENT, CONSTRUCTIVE DISCIPLINE, SAFETY AND MISCONDUCT

Roles and Responsibilities

- a. MCEC will ensure that measures and procedures in the following policies associated with Conflict, Discrimination, Violence and Harassment, Constructive Discipline, Safety and Misconduct will be carried out.
- b. MCEC will post a hard copy of the following policies at a location accessible to all Workers:
 - i. *Conflict Resolution*
 - ii. *Policy Against Workplace Discrimination, Violence and Harassment*
 - iii. *Constructive Discipline Policy*
 - iv. *Workplace Safety Plan*
 - v. *Policy and Procedure for Ministerial Misconduct*
- b. MCEC will conduct regular risk assessments of the workplace, establish control measures to minimize identified risks, deliver training and education for all Workers (at the time of their initial orientation and otherwise) and integrate safe and conflict healthy behaviour into day-to-day operations.
- c. MCEC will investigate all reports or threats of Discrimination, Violence and Harassment in a prompt, objective and sensitive way and will ensure that measures are taken to

- safeguard and support Workers who are affected by or alleged to have participated in Workplace Violence and Harassment.
- d. MCEC will review all policies associated with Conflict, Discrimination, Violence, Harassment, Misconduct, Discipline and Safety once per year. All records of reports and investigations will be kept on file for five years.
 - e. The Executive Minister will be accountable for responding to and resolving concerns as they arise with respect to these policies. The Executive Minister will review all reports to ensure appropriate actions were taken.
 - a. Workers of MCEC shall participate in education and training programs with respect to these policies as provided by MCEC.
 - b. MCEC Workers will comply with these policies and related procedures and work together to create a safe and conflict healthy workplace free of Workplace Violence and Harassment.
 - c. MCEC Workers will participate in assessments and investigations, seek support when confronted with Workplace Conflict, Discrimination, Violence, Harassment or threats of Violence, and receive medical attention if required.

CONFLICT RESOLUTION

I. Scope

- a. This process is intended for the use of the following persons when encountering Workplace Conflict:
 - i. Workers of MCEC (paid employees at all levels and all Volunteers)
 - ii. Persons from other organizations or individuals who are employed for specific tasks or services by MCEC
 - iii. MCEC constituents and the general public
- b. This procedure will apply but not be limited to interpersonal conflicts and the alleged improper interpretation, application or violation of the terms and conditions of employment and administration of MCEC business. Complaints about discrimination, violence threats of violence, sexual harassment, and other forms of harassment should be processed according to the guidelines set out in the MCEC's *Policy against Workplace Discrimination, Violence and Harassment*).

II. Philosophy

- a. Workplace Conflict is a normal part of the workplace environment. Differences of opinion, disputes, and dismissals may occur from time to time. It is important that situations and relationships be handled sensitively and with goodwill. The goal of these procedures is to work for reconciliation between individuals and to ensure that the institution acts fairly and in a manner consistent with its policies and values in the treatment of employees, volunteers and constituents.
- b. We strive to follow the spirit of Jesus' teaching in Matthew 18: 15-17. When we encounter conflict and when it is appropriate and possible to do so, we will first

approach the other person directly. It is our hope that this open and direct communication will lead to constructive problem solving and positive courses of action.

III. Conflict Resolution Process Remarks

- a. All parties are required to maintain confidentiality at all of levels of this process except for limits imposed by law.
- b. When supervisors or the Executive Minister are engaged in helping to resolve the dispute, they will document their actions, informing parties both verbally and in writing with respect to these actions.
- c. Generally, the supervisor and the Executive Minister will work together to address the conflict except in cases where the supervisor or Executive Minister is implicated in the conflict. When the supervisor is implicated, Workers will raise their concerns with the Executive Minister who will act in consultation with the Moderator. When the Executive Minister is implicated, Workers will raise their concerns with the Moderator who will act in consultation with the Assistant Moderator. In this event, the Moderator or their designate will exercise the Executive Minister role as outlined in this policy.
- d. All time lines are subject to the availability of personnel, and may be extended because of scheduling demands or if concerns involve people who are not easily accessible due to geographical distance, leaves of absence or other unforeseeable events.
- e. A record of any disciplinary measures taken will be filed in the employees' personnel files.

IV. Informal Conflict Resolution Process

- a. If a person has a concern with another person, he/she is encouraged to engage in prayerful reflection regarding the situation, considering what happened, how he/she was impacted, his/her own contribution and any possible extenuating circumstances that may have contributed to the situation.
- b. Following a period of personal reflection, the individual with the concern is encouraged to discuss the matter directly with the person, committee or council involved, with the aim of resolving the particular difficulty. This should be done as soon as feasible after the circumstance(s) that gave rise to the problem, preferably within five working days.
- c. When discussing matters directly, the parties involved are encouraged to speak and listen respectfully to one another and to engage one another with a spirit of humility, openness and curiosity.
- d. If within 10 working days, the conflict remains unresolved, or in situations in which one of the parties is unable to approach the other party directly, one or more of the parties may wish to seek assistance from their supervisor or the Executive Minister.
- e. The supervisor or Executive Minister will help the party with concern to discern whether and/or how to proceed with further direct dialogue with the other party, whether to pursue the Formal Conflict Resolution Process or whether to engage the Workplace Harassment and Violence Prevention Policy. The supervisor/Executive Minister may also consider pursuing the matter under the Constructive Discipline Process.
 - i. It is expected that the parties involved will have 10 working days following conversation with their supervisor or the Executive Minister to either resume

interpersonal attempts to resolve the dispute or pursue the formal conflict resolution process.

V. Formal Conflict Resolution Process

- a. If the Workplace Conflict is not resolved satisfactorily during the Informal Conflict Resolution Process, either party may make a statement in writing regarding the conflict to their supervisor or the Executive Minister. The statement must be initiated within 15 working days of its occurrence, or within 10 working days of the conclusion of the Informal Conflict Resolution Process.
 - i. Information in this statement must include:
 - a. Name, email address, address, and telephone number of person making the statement
 - b. Name(s) of the other party(ies)
 - c. A description of the conflict
 - d. A statement of one's own contribution to the situation
 - e. Date(s) on which the conflict occurred
 - f. Witnesses, if any, should be named with, if possible, their addresses, telephone numbers, email addresses, positions and a brief description of what it is they are alleged to have seen or have knowledge of
 - g. Other information that will assist in the formal conflict resolution process
 - h. Desired outcome
 - ii. If a statement contains incomplete information, those responsible for addressing the matter will gather the necessary information from the person making the statement. This person is expected to cooperate by providing relevant information relating to the conflict.
- b. The supervisor and Executive Minister will assess the statement of concern. They will take the following actions:
 - i. If appropriate, consult with an external consultant.
 - ii. Assess the statement(s) regarding the conflict as confidentially as possible to determine their validity and to discern appropriate next steps. This may include but is not limited to interviewing other involved parties, interviewing alleged witnesses and considering related documents. Those interviewed are expected to cooperate by providing relevant information relating to the matters of concern.
 - iii. Provide a brief written report of their findings regarding the validity of the complaint as well as recommendations regarding next steps. This report will be provided to the parties involved in the dispute.
 - iv. Recommendations may include but are not limited to the following:
 - a. Further assessment and recommendation development by an external consultant
 - b. Mediation
 - c. Arbitration
 - d. Organizational review and/or organizational development.
 - e. Policy development and/or revision
 - f. Education/training

- g. Leadership and/or conflict coaching
 - h. Actions as outlined in the Constructive Discipline Process
 - i. Investigation by an external investigator, should the review conclude that Workplace Discrimination, Harassment and/or Violence may have taken place and/or that an investigation would be a more appropriate avenue for addressing this situation
- c. Should “further assessment and recommendation development by an external consultant” be chosen, the external consultant will interview the parties involved and possibly other staff or council members.
 - i. The external consultant will provide a report, a version of which will be provided to those interviewed. This report shall outline both the findings of the consultant and the consultant’s recommendations regarding next steps.
 - ii. The assessment by the consultant may make a variety of recommendations including but not limited to the following:
 - a. Mediation
 - b. Arbitration
 - c. Organizational review and/or organizational development.
 - d. Policy development and/or revision
 - e. Education / training
 - f. Leadership and/or conflict coaching
 - g. Referral to the Constructive Discipline Process
 - h. Referral to the Investigation Process, should the assessment conclude that Harassment and/or Violence may have taken place and/or that an investigation would be a more appropriate avenue for addressing this situation
- d. If in Steps b or c mediation is recommended, the mediation will begin within 15 days of the conclusion of the assessment.
 - i. The parties involved will be given an opportunity to have input with regard to the selection of the mediator. The Executive Minister will make the final decision regarding the selection of the mediator.
 - ii. The parties involved will be given up to three mediated sessions to work through their concerns.
 - a. Note: Mediated sessions are typically considered confidential.
 - iii. If and when the parties agree to a resolution, a memo of understanding shall be composed and signed by all parties and will be held in the appropriate personnel file(s).
 - a. Note: The mediation agreement may include further recommendations as per Step c.ii above.
 - iv. If after three mediated sessions the parties have not reached a resolution to their conflict, the Executive Minister may refer the matter to arbitration or, if appropriate, the Executive Minister may address the situation under the Constructive Discipline Process.
- e. If coaching is recommended, coaching will begin within 15 days of the conclusion of the assessment or mediation.
 - i. The parties involved will be given an opportunity to have input with regard to the selection of the coach. The Executive Minister will make the final decision regarding the selection of the coach.

- ii. The parties for whom coaching is recommended will receive up to six coaching sessions following which the situation will be assessed to determine whether the matter is being resolved and/or whether further coaching is recommended and/or whether further intervention such as mediation or arbitration may be recommended.
 - iii. If the parties for whom coaching is recommended decline this intervention, another intervention may be sought and/or the situation will be referred to the Executive Minister to be addressed under the Constructive Discipline Process.
- f. If arbitration is recommended, arbitration will begin within 15 days of the conclusion of the assessment or mediation or coaching.
 - i. The parties involved will be given an opportunity to have input with regard to the selection of the arbitrator. The Executive Minister will make the final decision regarding the selection of the arbitrator.
 - ii. The arbitrator will interview the parties involved and make a decision with respect to the outcome of the dispute.
 - iii. When the arbitrator reaches a resolution, a memo of understanding will be composed and provided to the Executive Minister who will inform the parties involved, or it will be provided to the Moderator who will inform the parties involved if the investigation pertains to the Executive Minister.
 - iv. The arbitrator's report is the property of MCEC and will be held in the appropriate personnel file(s).
 - v. The decisions of an arbitrator are considered final. There may be no appeal of arbitrated decisions.
- g. While arbitration outcomes may not be appealed, the parties involved may initiate an appeal of an outcome within 30 calendar days following the conclusion of an assessment, mediation or coaching. The appeal must be provided, in writing, to the Executive Minister. The Executive Minister will appoint an arbitrator as per Step f above who will make a final decision on the matter.

POLICY AGAINST WORKPLACE DISCRIMINATION, VIOLENCE AND HARASSMENT

I. Scope

- a. The MCEC *Policy against Workplace Discrimination, Violence and Harassment* applies to MCEC Workers. It also applies to Workplace Discrimination, Workplace Violence and Workplace Harassment of Workers by MCEC Constituents or persons not in the MCEC constituency.
- b. The application of this policy is subject to the requirements and provisions of Ontario's *Occupational Health and Safety Act*, Ontario's *Human Rights Code*, and Canada's *Criminal Code* or other lawful authority. MCEC respects and supports the Human Rights Code. When appropriate, MCEC also reserves the right to *legally* be in variance with this code according to the beliefs and values of its faith tradition. **[Needs review by legal counsel.]**

II. Philosophy

- a. MCEC believes that all persons deserve to be treated with respect, dignity, and compassion. In particular, MCEC is dedicated to the Mennonite understandings of non-violence and the practice of restorative justice. In light of these commitments, MCEC is dedicated to providing a safe, healthy and supportive work environment, which treats Workers and Constituents with respect, fairness and sensitivity. MCEC believes that preventing and responding to Workplace Discrimination, Violence and Harassment is a joint responsibility of the organization and all those who work within it. MCEC is committed to working with Workers and Constituents to provide a working environment free of Discrimination, Violence and Harassment. MCEC undertakes to do so by instituting this policy, familiarizing MCEC Workers with these policy expectations and protocols, and by requesting Workers to take responsibility for prevention and corrective action. In the event of actual injury, or threat of injury, MCEC will respond in a timely and consistent manner to address the injury and minimize risk of reoccurrence. MCEC will support Workers to embrace the process of truth-telling, healing, seeking justice and working toward reconciliation.
- b. In no circumstances will MCEC use the reporting of Workplace Discrimination, Violence/Harassment or risks of Violence for the purpose of discipline against the reporting Worker.

III. Workplace Discrimination, Violence and Harassment Process Remarks

- a. All parties are required to maintain confidentiality at all of levels of this process except for limits imposed for reasons of safety and/or by law.
- b. When supervisors or the Executive Minister are engaged in helping to resolve the dispute, they will document their actions, informing parties both verbally and in writing with respect to these actions.
- c. Generally, the supervisor and the Executive Minister will work together to address complaints except in cases where the supervisor or Executive Minister is implicated in the complaint. When the supervisor is implicated, Workers will make their complaints to the Executive Minister who will act in consultation with the Moderator. When the Executive Minister is implicated, Workers will make their complaint to the Moderator who will act in consultation with the Assistant Moderator. In this event, the Moderator or their designate will exercise the Executive Minister role as outlined in this policy.
- d. Unless otherwise indicated, all time lines are subject to the availability of personnel, and may be extended because of scheduling demands or if concerns involve people who are not easily accessible due to geographical distance, leaves of absence or other unforeseeable events.
- e. MCEC will not impose negative consequences or discipline on Workers who, with good intentions, provided information about actions they believed to be discriminatory, violent, harassing or potentially harassing should an investigation prove their report to be unsubstantiated.

- f. MCEC will impose negative consequences and/or discipline on Workers who are found to have maliciously and/or intentionally wrongfully accused an individual of Workplace Discrimination, Violence or Harassment.
- g. A record of any disciplinary measures taken will be filed in the employees' personnel files.

IV. Workplace Discrimination, Violence and Harassment Process – Verbal Reporting and Immediate Actions

- a. In the event that a Worker observes Discrimination, Violence, Harassment, or the threat of Violence, the Worker will respond to such actions by clearly requesting that the offending party immediately stop their offensive behaviour when the Worker deems that this can be done without significant risk to himself/herself or others.
- b. MCEC Workers will immediately report (verbally) all incidents or injuries related to Workplace Discrimination, Violence or Harassment and threats of Workplace Violence or Harassment to their supervisor or the Executive Minister.
 - i. This disclosure includes the threat of Violence in relation to a domestic relationship when the Worker perceives that there is a reasonable risk that Violence might extend into the workplace.
 - ii. As required by law, MCEC will report any deaths or critical injuries related to Violence or Harassment to a Ministry of Labour (MOL) inspector and/or the police. A report will be provided to all parties within 48 hours of the occurrence explaining the circumstances and including information and particulars prescribed by the Occupational Health and Safety Act and regulations.
- c. As appropriate, the Executive Minister together with the supervisor will provide the following support to Workers involved in situations of Workplace Discrimination, Violence or Harassment:
 - i. Take seriously all complaints to ensure the safety and wellbeing of the complainant and other Workers.
 - ii. Ensure that emergency and/or immediate measures are taken to safeguard and support Workers including the following:
 - a. Facilitation of medical intervention
 - b. Referral to community agencies
 - c. Referral to the MCEC Employee Assistance Program;
 - d. Debriefing by a skilled professional
 - e. Assistance with completion of incident reports, and if applicable, reports to the Ministry of Labour (critical injury or fatality);
 - f. Assistance with reporting to police;
 - iii. Curtail the Workplace Discrimination, Violence or Harassment including notification of authorities when appropriate.
 - a. When physical violence occurs or is threatened, the police will be notified. Police investigations will take precedence over internal investigations such that internal investigations will be suspended until the completion of police or Ministry of Labour investigations.
 - iv. Take immediate statements from all parties concerned in order to assess risk and determine whether it is safe for the complainant or others to resume duties prior to a formal investigation.

- a. If necessary, impose segregation or separation of the affected parties until further notice or pending the outcome of the investigation
 - b. If circumstances warrant, suspend one or more of the parties with pay immediately, pending the outcome of the investigation
- v. As circumstances require, develop a safety plan with the Worker's input. This plan will identify actions to mitigate the risk of further Violence and increase Worker safety.
 - a. If necessary, inform all staff who might be affected by any dangerous situations related to the reporting of an incident of Workplace Violence/Harassment or of the potential risk and the associated safety plan to minimize risk.
 - b. If appropriate, offer Workers Critical Incident Debriefing
- vi. The Executive Minister or supervisor will discuss with the Worker any matters of concern with respect to confidentiality. While utmost care will be taken to protect Worker confidentiality, in order to ensure safety of others and to prevent recurrence, circumstances may require the sharing of confidential information to appropriate parties (e.g. contents of a police report or threats of Violence that may affect others).

V. Workplace Discrimination, Violence and Harassment Process – Written Reporting

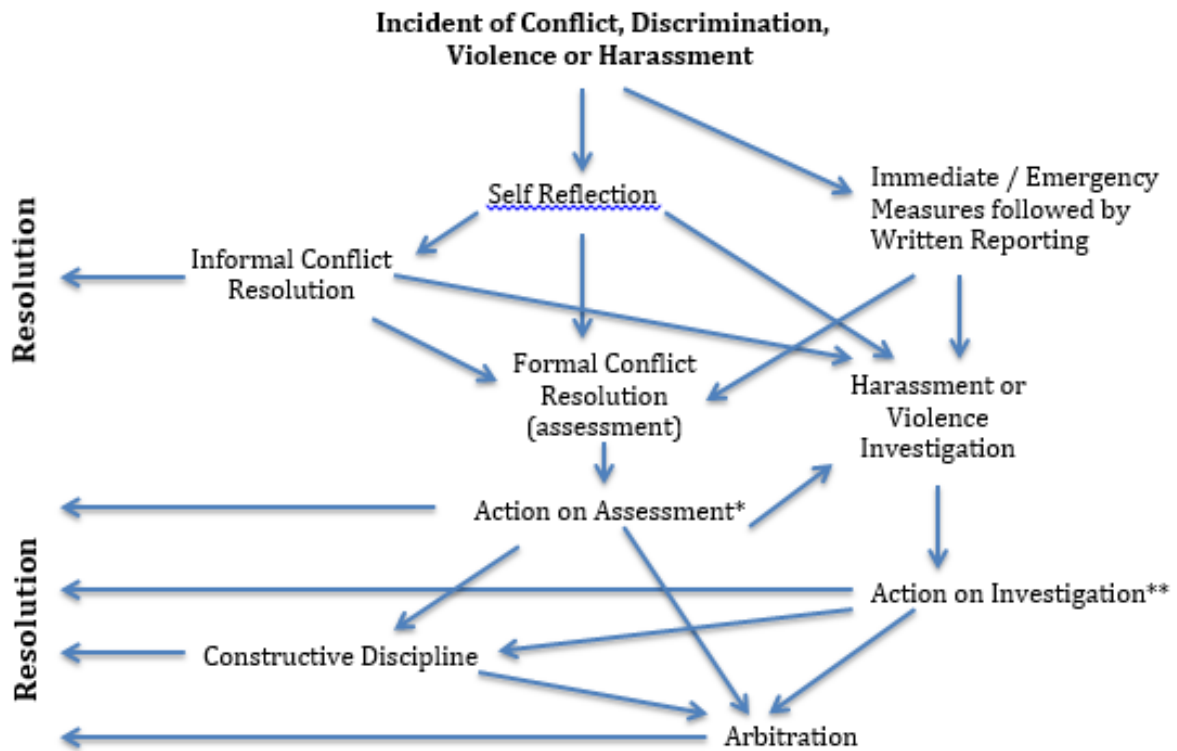
- a. Workers will complete the Workplace Discrimination, Violence and Harassment Report Form within 48 hours of the verbal report and will provide this report to their supervisor or if he/she is implicated to the Executive Minister or if he/she is implicated to the Moderator.
 - i. In the presence of Violence or the threat of Violence, the report will, to the extent possible, be acted upon immediately and safety protocols will be engaged as soon as possible. Otherwise, the report will be considered within 3 days and follow-up will occur within 5 days.
 - ii. The Executive Minister and supervisor will consider the complaint, if necessary engaging with preliminary interviews with the parties involved. Based on these conversations, the Executive Minister and supervisor will determine whether an Investigation Process, the Formal Conflict Resolution Process or the Informal Conflict Resolution Process is more appropriate to address the matter.
 - i. The Informal Conflict Resolution Process will only be recommended following discussion and agreement by the parties involved. If the Informal Conflict Resolution Process is recommended, the parties will follow the Informal Conflict Resolution Process as outlined in MCEC's *Conflict Resolution* policy.
 - ii. If the Formal Conflict Resolution Process is recommended, the parties will be notified and action will follow according to the Formal Conflict Resolution Process as outlined in MCEC's *Conflict Resolution* policy.

- iii. If the Investigation Process is recommended, the parties will be notified and action will follow according to the Investigation Process as outlined in Section VI of this policy.
- iv. When physical Violence has been threatened or occurred, the Investigation Process will automatically be followed as outlined in Section VI of this policy.

VI. Workplace Discrimination, Violence and Harassment Process – Investigation Process

- a. When an Investigation Process is to be conducted, the Executive Minister will appoint an external investigator with the requisite qualifications and experience to do so.
- b. The investigator will interview all parties involved including but not limited to the complainant, the alleged perpetrator and witnesses to the incident.
 - i. All persons involved in the investigation or any circumstances related to the Worker making the formal complaint will be held in confidence except as necessary to investigate the complaint or take disciplinary action related to a complaint, where public safety is involved or as required by law.
- c. The findings of the investigation will be reported to the Executive Minister, or Moderator if the investigation pertains to the Executive Minister.
 - i. The investigative report is the property of MCEC and will be held in the appropriate personnel file(s).
 - ii. The investigation report will include the following:
 - a. A statement regarding the finding. (Did harassment or violence occur? To what degree did the harassment or violence impact personal dignity, work relationships and/or working climate? By whom? What factors contributed to the harassment/violence? What was the impact of the harassment/violence on the victim? Have there been previous occurrences of workplace violence or harassment involving this Worker and if so, what were the remedial actions taken and the impact, if any, of those actions?)
 - b. Recommendations of further actions to address the contributing factors so as to minimize risk of reoccurrence, restore and where possible resolve the matter with those involved, and to the greatest extent possible, return the workplace to health.
- d. Based on the outcome of the investigation, the affected parties will be provided with oral and written communication to clarify any disciplinary actions and/or expectations regarding conduct or adherence to policy. This feedback will be separately and whenever possible provided in-person to:
 - i. The person who made the complaint;
 - ii. The person against whom the complaint is made;
 - iii. The Executive Minister;
 - iv. Other staff as determined by the Executive Minister;
 - v. The police (if required by law); and
 - vi. Any other parties to the complaint, as determined by the Executive Minister.

- e. If the investigation reveals evidence to support the complaint of Workplace Discrimination, Harassment or Violence, corrective action will be taken. Any corrective action will be determined and carried out by the Executive Minister within 14 days of the finding of responsibility for Workplace Discrimination, Violence or Harassment, unless an appeal is filed. Corrective action may include, but is not limited to the following:
 - i. Written reprimand
 - ii. Suspension, with or without pay
 - iii. Requirement to provide a written apology
 - iv. Requirement to take anti-harassment/anti-violence training, and any other training deemed necessary to correct the situation
 - v. Loss of employment
 - vi. Actions and procedures as outlined in the Constructive Dismissal Policy
- f. The investigator may also recommend other actions to support the health of the workplace including but not limited to the following:
 - i. Mediation
 - ii. Organizational review and/or organizational development.
 - iii. Policy development and/or revision
 - iv. Education/training
 - v. Leadership and/or conflict coaching
- g. Workers may appeal the results of a formal Investigation Process by stating their reasons in writing and submitting them to the Executive Minister within 14 days after receiving the outcome of the investigation.
 - i. Within 30 days of receiving an appeal, the Executive Minister will request an external arbitrator to review the investigative process and to make a decision regarding the appropriateness of the process and the proposed actions. The arbitrator may choose to re-interview the parties involved.
 - ii. The parties involved will be given an opportunity to have input with regard to the selection of the arbitrator. The Executive Minister will make the final decision regarding the selection of the arbitrator.
 - iii. The arbitrator will provide the Executive Minister with a written finding within 30 days of receiving the appeal.
 - iv. The arbitrator's report will be provided to the Worker by the Executive Minister 30 days of receipt of the report.
 - v. The decisions of an arbitrator are considered final. There may be no appeal of arbitrated decisions.
- h. If the person being investigated is credentialed for ministry by MCEC and if the investigation substantiates the claim of Workplace Discrimination, Violence and/or Harassment, the written report of this finding will be shared with MCEC's credentialing body, the Leadership Council. In the exercise of its governance mandate, the Leadership Council will be responsible for determining the status of this individual's credentials.



* Action on assessment can include but is not limited to one or more of the following: Mediation, coaching, organizational review, policy development or revision, education and training and/or constructive discipline.

** Action on investigation can include corrective action. The investigator may also recommend but is not limited to one or more of the following: Mediation, coaching, organizational review, policy development or revision, education and training and/or constructive discipline.

**MENNONITE CHURCH EASTERN CANADA
WORKPLACE VIOLENCE AND HARASSMENT POLICY
COMPLAINANT REPORT FORM**

Section A. Personal Information: MCEC Employee, Volunteer, Worker or Constituent
Please type or print clearly. Please use additional paper if required.

| | |
|--|-----------------|
| Name of Complainant: _____ | Position: _____ |
| Date and time of incident: _____ | |
| Date and time incident reported: _____ | |
| Incident reported to: _____ | |

Section B. Incident Type

| | | |
|---|--|---|
| <input type="checkbox"/> Threat | <input type="checkbox"/> Physical assault | <input type="checkbox"/> Verbal abuse |
| <input type="checkbox"/> Discrimination or harassment | <input type="checkbox"/> Robbery, arson, vandalism | <input type="checkbox"/> Weapon related |
| Other (specify) _____ | | |

Section C. Location of incident

| | | |
|---|--|--|
| <input type="checkbox"/> Private home | <input type="checkbox"/> MCEC office suite | <input type="checkbox"/> Church premises |
| <input type="checkbox"/> Private office | <input type="checkbox"/> 50 Kent premises | <input type="checkbox"/> Other (explain) |
| Were emergency or immediate response measures initiated? <input type="checkbox"/> Yes <input type="checkbox"/> No | | |
| Describe: _____ | | |

Section D. Classification of the incident (please refer to explanation provided)

| | |
|--|---|
| <input type="checkbox"/> Non-constituent | The complaint is being initiated against a person not related to the MCEC constituency and/or was a visitor to an MCEC workplace |
| <input type="checkbox"/> Constituent | The complaint is being initiated against an MCEC Constituent |
| <input type="checkbox"/> MCEC Employee | The complaint is being initiated against an MCEC Worker or Volunteer (see definitions in Definition section of the policy) |
| <input type="checkbox"/> MCEC Colleague | The complaint is being initiated by an Employee of MCEC in relation to another MCEC Employee |
| <input type="checkbox"/> Personal Relationship | The complaint or concern is being initiated against a person who has a relationship with an MCEC Employee (e.g. a concern re: domestic violence extending to the workplace) |
| <input type="checkbox"/> Criminal Offense | In addition to the above classifications, the complainant believes that they may be the victim of an act punishable by law |

Section E. Injury Type

| |
|---|
| <input type="checkbox"/> Physical Please describe in detail _____ |
| <input type="checkbox"/> Psychological Please describe in detail _____ |
| Other (specify) _____ |
| Was medical attention or first aid required? <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If yes, provide details: _____ |

| |
|--|
| Section F. Description of incident: (Please describe what happened in the space below) |
| Who was involved? █ |
| What events lead up to the incident? █ |
| Were other individuals involved? (e.g., MCEC Employees, visitors, constituents, etc.) █ |
| What precipitated the incident? █ |
| Describe the verbal or physical actions that occurred in this incident, both in relation to the person against whom the complaint is addressed and on the part of the complainant. █ |
| Other: █ |

| | |
|-------------------------------|---------------------|
| Section G. Witness(es) | |
| Name | Contact information |
| 1. █ | █ |
| 2. █ | █ |
| 3. █ | █ |
| 4. █ | █ |

| |
|---|
| Section H. Actions Taken |
| Please indicate actions taken (e.g., contacted supervisor, police or security, emergency service personnel, etc.) █ |

| | |
|--|--|
| Section I. Other Information | |
| Are you aware of any similar incidents in the past? If yes, provide details: █ | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Please provide any other information you think may be relevant, including any recommendations that you think would be helpful: █ | |

| | |
|---|--|
| Section J. Reporting | |
| Reported to supervisor? █ If yes, name of supervisor █ | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Reported to police? █ If yes, police report number █ | <input type="checkbox"/> Yes <input type="checkbox"/> No |

| | |
|---|--|
| Section K. Safety Measures | |
| Have adequate safety measures, controls or a modified work environment been put in place to address the risk of re-occurrence of this concern? If yes, describe: █ | <input type="checkbox"/> Yes <input type="checkbox"/> No |

| | |
|------------------------------|--|
| Section L. Signatures | |
| Signature of worker: | |
| Signature of supervisor: | |