

<b>Title:</b>	MC Policy: Harassment and Discrimination		
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## MC Policy: Harassment and Discrimination

### Policy Statement

Myeloma Canada is committed to fostering a harassment-free workplace where all employees and volunteers are treated with respect and dignity.

The *Canadian Human Rights Act* protects employees and volunteers from harassment based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, disability and conviction for an offence for which a pardon has been given.

Harassment at Myeloma Canada is not tolerated. Employees and volunteers who are found to have harassed another individual may be subject to disciplinary action. This includes any employee or volunteer 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.

Myeloma Canada will take whatever steps are reasonable to protect employees and volunteers from harassment from all sources, including having employees, vendors, volunteers or other people removed from the relevant premises by security or police, or suspending or removing any company-issued communications access.

### Application

This policy applies to all current employees and volunteers of Myeloma Canada, including board and non-board volunteers. This policy also applies to job and volunteer applicants.

This policy applies to all behaviour that is in some way connected to paid or voluntary work for Myeloma Canada, including during off-site meetings, training and on business trips.

### 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, gender identity or expression, marital status, family status, genetic characteristics, disability and conviction for an offence for which a pardon has been given.

**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**

Myeloma Canada is responsible for:

- providing all employees and volunteers with a harassment-free environment.

Myeloma Canada's Chief Executive Officer is responsible for:

- ensuring that this policy is applied in a timely, consistent and confidential manner;
- determining, or facilitating the determination of, whether allegations of harassment are substantiated;
- determining what corrective action is appropriate where a harassment complaint has been substantiated;
- and transferring these duties to the Myeloma Canada's Chair of the Board in situations where the Chief Executive Officer cannot impartially execute them, such as if the Chief Executive Officer or a board member is directly involved in a complaint.

Myeloma Canada's Chair of the Board is responsible for:

- executing the responsibilities of the Chief Executive Officer in situations where the Chief Executive Officer is not able to impartially do so.

Myeloma Canada's Director of Operations is responsible for:

- 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.

Employee and volunteer supervisors are responsible for:

- fostering a harassment-free environment and setting an example about appropriate behaviour;
- communicating the process for investigating and resolving harassment complaints made by employees and volunteers;
- 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;
- and ensuring harassment situations are dealt with in a sensitive and confidential manner.

Employees and volunteers are responsible for:

- treating others with respect;
- reporting harassment to their supervisor, the Director of Operations, the Chief Executive Officer, or the Chair of the Board;
- cooperating with a harassment investigation and respecting the confidentiality related to the investigation process.

Employees and volunteers can expect:

- to be treated with respect in the workplace;
- that reported harassment will be dealt with in a timely, confidential and effective manner;
- to have their rights to a fair process and to confidentiality respected during a harassment investigation;
- to be protected against retaliation for reporting harassment or cooperating with a harassment investigation;
- That any attempts at retaliation or reprisal will be dealt with seriously and swiftly as a separate and singular incident of harassment;
- That reporting harassment in good faith will never negatively impact their position or how they are treated in the workplace;
- To be treated with kindness and respect during the recording, mediation and investigation of a harassment complaint

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

### **Filing a Complaint**

Employees and volunteers can file a harassment complaint by contacting their supervisor, the Director of Operations, the Chief Executive Officer, or the Chair of the Board of Directors. The complaint may be verbal or in writing. If the complaint is made verbally, the person who received the complaint will record the details provided by the employee or volunteer.

In the case of a board volunteer, they should file a harassment complaint directly with the Chair of the Board. If they are not comfortable doing so, they can instead file with the Chief Executive Officer or the Director of Operations.

The employee or volunteer may be asked to provide details such as what happened; when it happened; where it happened; how often and who else was present (if applicable). All efforts will be made to support the employee or volunteer through this process.

Where appropriate, the person receiving notice of the complaint will immediately make the Director of Operations and the Chief Executive Officer aware. If not appropriate, the Chair of the Board will immediately be made aware of the complaint.

The Director of Operations will tell the person that the harassment complaint has been made against, in writing, that a harassment complaint has been filed, unless this may present a certain or perceived risk to the complainant. The letter will also provide details of the allegations that have been made against them unless this may present a certain or perceived risk to the complainant. If for some reason the Director of Operations cannot fulfill this duty, it will be performed by the Chief Executive Officer or Chair of the Board.

Every effort will be made to resolve harassment complaints within ten days. The Chief Executive officer will advise both parties of the reasons why if this is not possible.

If any party to a harassment complaint believes that the complaint is not being handled in accordance with this policy, they should contact the Chief Executive Officer, or the Chair of the Board.

### **Mediation**

Wherever appropriate and possible, the parties to the harassment complaint will be offered mediation prior to proceeding with a harassment investigation.

Mediation is voluntary and confidential. It is intended to assist the parties to arrive at a mutually acceptable resolution to the harassment complaint.

The mediator will be a neutral person, agreed upon by all parties. The mediator will not be involved in investigating the complaint.

Each party to the complaint has the right to be accompanied and assisted during mediation sessions by a person of their choosing.

### **Investigation**

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

This report will be submitted to the Chief Executive Officer. All parties to the complaint will be given a copy.

### **Substantiated Complaint**

If a harassment complaint is substantiated, the Chief Executive Officer will decide what action is appropriate. If the Chief Executive Officer is directly involved in the complaint, the Chair of the Board will decide instead.

Remedies for the employee or volunteer who was harassed may include: an oral or written apology; compensation for lost wages; compensation for any lost employment benefits such as sick leave; and compensation for harm.

Corrective action for the employee(s) or volunteer(s) found to have engaged in harassment may include: a reprimand; a suspension; a transfer; a demotion; and/or dismissal.

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

### **Other Redress**

An employee or volunteer who is not satisfied with the outcome of the harassment complaint process may file a discrimination complaint with the Canadian Human Rights Commission or the Commission des droits de la personne et des droits de la jeunesse.

### **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.

Information regarding a complaint will only be shared with those that need to know. The identity of the complainant and nature of the complaint will be shared with as few individuals as possible to protect the privacy of all involved.

All documents related to a complaint, including the written complaint, witness statements, investigation notes and reports, and documents related to the complaint, will be securely maintained by the Human Resources Department, separate from personnel files.

### **Review**

Myeloma Canada will review this policy and associated procedures on an annual basis, or as required, and will make necessary adjustments to ensure that it meets the needs of all employees and volunteers.

### **Enquiries**

Enquiries about this policy and related procedures can be made to the Directors of Operations.