

Human Resources Policy Manual

(For the staff of the General Council Office and Regional Councils
of The United Church of Canada)



The United Church of Canada / L'Église Unie du Canada

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Introduction

Welcome to The United Church of Canada's Human Resources Policy Manual. This manual has been written to provide employees with a clear understanding of the principles, guidelines, and practices that govern our human resources policies. As an organization committed to fostering a positive work environment, our policies have been developed to align with relevant legislation, to uphold the ethical standards under which all work within the church is conducted, and to meet the unique needs of both our organization and our valued employees.

Policies in the Human Resources Policy Manual apply to all staff, including Order of Ministry and lay, in the General Council Office and Regional Councils of The United Church of Canada, regardless of the source of funding for their salaries.

The United Church recognizes the dynamic nature of legislation and the diversity of our work locations. Where applicable, links to the most up to date legislation per jurisdiction are included as a reference. When government legislation changes or new legislation is adopted, policies and procedures will be updated to reflect those changes. While policy updates are in process, direction from the most current legislation will be followed.

The General Council Executive has oversight in the development and approval of human resources policies. The Shared Services Unit–Human Resources, together with the appropriate managers, is responsible for interpreting, implementing, monitoring, and ensuring compliance with these policies. Employees and managers are encouraged to provide input regarding the content of this manual for consideration by Human Resources.

As the United Church continues to evolve, so too do our policies and procedures. At a minimum, policies are reviewed every three years, with some policies requiring an annual review for legislative reasons. A number of policies have been updated in this January 2024 edition of the HR Policy Manual, and new policy formatting has been introduced. Over the coming year, each policy in the manual will be reviewed and reformatted, but in the interim, readers will note inconsistencies in how the policies are presented. We appreciate your patience as the HR Policy Manual is updated.

Policy updates are communicated to employees using the [Narthex HR page](#). Employees are asked to review changes and complete the attestation process to confirm this review. Questions should be directed to your immediate supervisor or Human Resources.

By adhering to the policies and procedures set out in this manual, you are contributing to a positive and respectful workplace where each individual is appreciated for the skills that they bring and the work that they do. Thank you for your commitment to the United Church and the values and goals that drive this organization forward.

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SECTION 1: EMPLOYMENT

Employment Equity

1.0 Purpose

The Employment Equity Act (1995) is a federal legislation that aims to provide equal workplace opportunities to people from four designated groups: “Women, Aboriginal peoples (for the purposes of the United Church of Canada’s policy, the church uses the term “*Indigenous Peoples*”), persons with disabilities and members of visible minorities (for the purposes of The United Church of Canada’s policy, the church uses the term “Racialized peoples”).”

In keeping with the Act, The United Church of Canada’s Employment Equity policy documents the ways in which the United Church strives to address issues of systemic discrimination and inequity for these four federally designated groups, as well as people of all identities, so as to reduce barriers in our places of work for all.

2.0 Definitions

The following definitions are as used by the Government of Ontario:

Employment Equity: “encourages the establishment of working conditions that are free from barriers, seeks to correct conditions of disadvantage in employment, and promotes the principle that it requires special measures to accommodate differences for the four (4) designated groups in Canada.”

Reasonable Accommodation: “employers and unions, housing and service providers have a legal duty to accommodate the needs of people because of their gender identity or gender expression, unless it would cause undue hardship. The goal of accommodation is to help everyone have equal opportunities, access and benefits.”

Designated Groups: “refer to Women, Aboriginal peoples, persons with disabilities and members of visible minorities.”

Women: “the category of women includes people who identify as cisgender and trans.

Aboriginal peoples: “persons who are Indians, Inuit or Métis” (For the purposes of The United Church of Canada’s policy, the church uses the term “Indigenous Peoples”; peoples who have inhabited territories since before the arrival of colonizers—First Nations, Métis, and Inuit.).

Persons with disabilities: “persons who have a long-term or recurring physical, mental, sensory, psychiatric or learning impairment; and who consider themselves to be disadvantaged in employment by reason of that impairment, or believe that an employer or potential employer is likely to consider them to be disadvantaged in employment by reason of that impairment, and includes persons whose functional limitations owing to their impairment have been accommodated in their current job or workplace.”

Disability: any degree of physical disability, infirmity, or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing,

includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair;

- a) or other remedial appliance or device;
- b) a condition of mental retardation impairment or a developmental disability;
- c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
- d) a mental disorder; or
- e) an injury or disability for which benefits are claimed or received under the workplace injury or illness insurance plan established by the applicable province.

Members of visible minorities: “persons, other than Aboriginal peoples, who are non-Caucasian in race or non-white in colour” (For the purposes of The United Church of Canada’s policy, the church uses the term “*Racialized People*”; this term is commonly used instead of “racial minority,” “visible minority,” “person of colour,” or “non-White”).

3.0 Policy

- 3.1 This policy applies only to the General Council Office and the Regional Council offices. However, communities of faith are welcome to use this policy as applicable.
- 3.2 The United Church of Canada is committed to creating an equitable and just workplace in the calling, appointment, development, and advancement of staff. The church will use data-informed approaches, in keeping with its commitments to equity, inclusion, diversity and accessibility, to reduce employment barriers and discriminatory employment practices.
- 3.3 Recruitment, employment, development, promotion practices, succession planning, and policies shall be as free as possible from both systemic and institutionalized barriers. Proactive and progressive measures for recruiting, employing, training, and promoting members of designated groups will be implemented.
- 3.4 The United Church of Canada will strive to incorporate strategies to increase the inclusion and participation of Indigenous peoples, racialized peoples, women, and persons with disabilities, across all occupational categories and at all levels of employment, in keeping with the organization’s strategic objectives.

4.0 Procedures

- 4.1 *Posting*
Each job posting shall contain a statement that references the United Church’s policy commitments to equity and anti-oppression, as well as a welcoming message to encourage applications from members of the designated groups, and people from all identities to apply. There will be additional and concerted efforts to actively recruit diverse and minoritized candidates to further diversify the United Church’s staff team.
- 4.2 *Job Descriptions*
Documentation listing of the requirements needed to perform the job satisfactorily must be

developed and approved by Human Resources prior to the posting of a vacancy.

Employing Units of the General Council Office and Regional Councils will ensure that the competencies and qualifications are bona fide requirements and do not preclude specific groups. These job descriptions will also include clear statements that reference the church's various commitments to equity, anti-racism and anti-oppression, as well as copyright/ownership clauses.

4.3 *Reasonable Accommodation*

In keeping with our duty to accommodate, Employing Units of the General Council Office and Regional Councils will provide reasonable accommodation to applicants, candidates and employees, when requested.

4.4 *Selection Panel*

Human Resources and the respective Hiring Manager will make every effort to have a balanced and fair representation of qualified diverse team members to participate in the panel which will review a candidate's suitability for an advertised position.

4.5 *Selection Process*

Selection will be based on the principles of merit, fairness, and equity. Some staff positions, however, require membership in The United Church of Canada. The Ministry and Employment Unit shall ensure that extreme care is taken to justify this requirement before recruiting begins and will liaise with the regional Human Rights Commission as required. Additional efforts to create equitable interview processes and practices will also be put into place.

4.6 *Compensation*

Existing and new employees will be compensated in a systematic and fair manner as per the United Church's Salary Schedule for General Council Office & Regional Council Staff, updated and published annually. The salary schedule is developed in a way to ensure that employees receive a livable wage and competitive in comparison to industry (not for profit) standards. Where practical and sustainable, the salary schedule may be adjusted to take into account cost-of-living calculations.

4.7 *New Hires*

Demographic statistics on new hires, relevant to meeting Employment Equity standards, will be collected to assist the United Church in capturing data that will better inform the organization's commitments to meet workplace equity and diversity.

4.8 *Retention and Workplace Change*

Staff of the General Council Office and Regional Councils are invited to participate in surveys surrounding workplace equity, yearly. These surveys are utilized in working towards workplace change and creating a more equitable workplace year to year.

5.0 Responsibility

- 5.1 Human Resources will collect, house and analyze the individual and notational data on the representation of designated groups, and other minority groups, and provide aggregate data to the Anti-Racism and Equity Lead who will report same to the General Secretary.

Analysis of said data will also be used to inform the administration of the Employment Equity Policy by Hiring Managers.

- 5.2 Staff of the General Council Office and Regional Councils will be invited to participate in Leadership Counts—the voluntary identity-based data collection for staff. Aggregate data on staff identities, so that no one individual may be identified, may also be shared and reported.
- 5.3 Human Resources will assist the General Council Office and Regional Councils in complying with this policy, including the evaluation and progress of its commitments.
- 5.4 Senior Leadership and Human Resources will:
 - 5.4.1 Establish and enable an environment that is supportive of diversity and employment equity;
 - 5.4.2 Analyze and monitor employment systems to identify and remove barriers to employment, retention and advancement for members of the designated groups.
- 5.5 The General Secretary will report on its progress in employment equity yearly to the Executive of the General Council (GCE), including recommendations to address gaps.

6.0 Education

- 6.1 Integral to successfully administrating and practicing the principles of this policy is ongoing training. The Anti-Racism and Equity Lead, in collaboration with the Learning and Development Lead, will utilize the following methods to inform and prepare training on equity, diversity, accessibility, and inclusion:
 - 6.2 *Equity Arc* - Consists of staff training material to assist in recognizing and responding to issues surrounding, but not limited to:
 - 6.2.1 Anti-Racism and Racial Justice
 - 6.2.2 Disabilities
 - 6.2.2 Indigenous Church
 - 6.2.3 Workplace Discrimination, Harassment, Violence Response
 - 6.2.4 Mental Health Equity
 - 6.2.5 Sexual Orientation and Gender Identity
- 6.3 Review the United Church's Equity Commitments: The United Church's [Commitments to Equity](#) are published and accessible by the general public. These commitments are lived out in ways that influence staff annual goal reviews and training materials, as well as influence other ongoing operational and administrative processes of the General Council Office and respective Regional Council Offices.

7.0 Confidentiality

- 7.1 All information gathered for the purposes of employment equity is kept confidential, accessible only by appropriate Ministry & Employment team members, with aggregate data being provided to the Anti-Racism and Equity Lead to inform required reporting by the General Secretary.

8.0 Retention and Use of Equity Equipment

8.1 Specific demographical data is collected to ensure compliance with employment equity standards regarding The United Church of Canada's hiring and staff complement. This information is kept confidential and used for the purposes of yearly reporting.

9.0 Additional Notes to the Policy

9.1 This policy should be read along with the following:

- Employment Equity Act (1995)
- Accessible Canada Act (2019)
- Accessibility and Customer Service
- Workplace Accommodation: Disability

Position Approval

Purpose

The United Church of Canada is committed to ensuring fair and equitable staffing and a consistency of position descriptions across all occupational categories and at all levels of employment. This policy outlines the process for approval of a new position.

Policy

The senior staff person of the employing unit/Regional Council is responsible for recruitment of current vacancies and realignment of existing staff positions within approved budgets.

Approval for new permanent staff positions, that are additions to employing units in the General Council Office, must be approved by the General Secretary. This will be reported at the next Executive or Sub-Executive for information.

In the Regional Councils, any new positions must be authorized by the Regional Council Executive.

Position Descriptions

Purpose

The United Church of Canada is committed to ensuring that position descriptions are accurate, comply with legislation, and provide coverage for the tasks required to carry out the work of each unit/Regional Council.

Policy

Employing units/Regional Councils are responsible for writing position descriptions in a format consistent with the template established by the Ministry and Employment Unit, and assigning appropriate titles, so that the strategic goals of the unit/Regional Council can be met. Final authority for position descriptions rests with the Executive Officer/Minister, Regional Council Executive Minister, in consultation with the Ministry and Employment Unit.

Procedures

1. Position descriptions should include the tasks and responsibilities of the position, its relationship to other positions, the conditions under which the work is performed, and the qualifications required.
2. Position titles should be brief and descriptive of the work, and, where possible, be consistent with other similar positions in the General Council and Regional Councils.
3. Changes to position descriptions must be submitted to the Ministry and Employment Unit to ensure compliance with category benchmarks, human rights legislation, and employment equity objectives, and to determine whether the changes are significant enough to warrant a category review.

Position Evaluation

Purpose

The United Church of Canada is committed to providing a fair and equitable position evaluation system for all positions in the General Council Office and Regional Councils. Position evaluation determines the category of a position using an external system designed to compare positions in relationship to others within and outside the organization. The process takes into account internal equity, established benchmarks, and external market comparisons.

Policy

Positions will be evaluated by the Ministry and Employment Unit based on current duties and responsibilities, and are evaluated in relationship to other positions within the organization.

Procedures

1. Position descriptions will be sent to the Ministry and Employment Unit following approval by the senior staff person of the employing unit/Regional Council.
2. All communication regarding outcomes will be made by the Ministry and Employment Unit to the senior staff person of the employing unit/Regional Council.
3. The effective date for evaluations will be the first of the month following the date the finalized position description is received by the Ministry and Employment Unit.
4. Should an employee request that the categorization be reconsidered, the appeal process as follows:

Step 1:

Employees may appeal the categorization of their position to the Ministry and Employment Unit within one month of the date of notification, if after discussing the position description with the supervisor, it is subsequently found that relevant information was missing.

Step 2:

If the incumbent is not satisfied with the response from Step 1, they may appeal the decision to the General Secretary, who, along with advice from the Executive Officer of the Ministry and Employment Unit or Regional Council Executive Minister will reconsider the relevant information received. A final and binding decision will then be made.

Recruitment and Selection of Staff

Purpose

The United Church of Canada is committed to ensuring a fair and consistent recruitment and hiring process in all units and at all occupational levels in the General Council Office and Regional Councils.

Policy

When a vacancy is declared, a new/revised position description will be prepared by the employing unit/Regional Council, and sent to the Ministry and Employment Unit. Proposals for new staff positions must be approved prior to submission for categorization. See Position Approval - Policy 1.1.

The Ministry and Employment Unit is responsible for ensuring that the appropriate procedures are followed in all recruitment and selection processes. It will take into account the accessibility needs of all applicants with disabilities; remove unnecessary barriers that restrict employment; notify all applicants of the availability of accommodation through all steps of the recruitment process and provide accommodation plans, as requested.

Procedures

1. Appropriate approval must be obtained and communicated, in writing, to the Ministry and Employment Unit in order to begin the process for all positions in the General Council Office and Regional Councils.
2. Recruitment for all positions will include postings, advertisements, and the use of agencies, as deemed suitable. For internal candidates, please refer to the Transfers section in this policy, below.
3. The approval/appointment level to hire is listed on Tables 1a and 1b.
4. Candidates under consideration for employment will be notified of the availability of accommodation for applicants with disability during the recruitment process.
5. Candidates will be interviewed by a Selection Committee, the members of which are listed on the Committee Representation Tables 2a and 2b. The Ministry and Employment Unit will assist the Selection Committee as requested or required.
6. If a selected applicant requests accommodation, the Ministry and Employment Unit will consult with applicant and provide or arrange for the provision of a suitable accommodation in a manner that takes into account the applicant's accessibility needs due to a disability.
7. Successful applicants will be notified of policies for accommodating employees with disabilities.

8. Hiring approval/appointment for all positions is as follows:

Approval or Appointment Levels – General Council Office	Table 1a
Moderator	
<ul style="list-style-type: none"> · Elected by the General Council 	
General Secretary	
<ul style="list-style-type: none"> · Appointed by the Executive of the General Council 	
Positions Reporting to the General Secretary	
<ul style="list-style-type: none"> · The Executive of the General Council and General Secretary, Executive Ministers/Officers · General Secretary for other positions 	
All Other Positions	
<ul style="list-style-type: none"> · Executive Minister/Officer 	

Approval or Appointment Levels – Regional Councils	Table 1b
Regional Council Executive Minister	
<ul style="list-style-type: none"> · General Secretary and the Executive of the General Council 	
All Other Positions	
<ul style="list-style-type: none"> · Regional Council Executive Minister, and/or Search and Selection Committee, and/or Staff Committee depending upon the Regional Council structure 	

9. Selection Committee representation (minimum requirements) for committees with elected member participants: It is desirable that members reflect regional representation, lay/ordered, ethnic diversity, and gender balance, and every effort will be made to accomplish this. Depending upon the nature of the position, members with appropriate technical skills may also be represented.
10. Composition of the Selection Committee will be reviewed in advance by the Executive Officer, Ministry and Employment Unit, to ensure consistency throughout the organization as it relates to the hiring process.

Committee Composition – General Council Office	Table 2a
<p>Administrative/Technical/Program/Specialist/Manager</p> <ul style="list-style-type: none"> · Immediate supervisor · 1 Ministry and Employment Unit facilitator (acts as staff resource) · Consideration should be given to including other members of the organization, depending upon the nature of the position · There may be positions with high visibility within the United Church where it is recommended that an elected member also be included 	
<p>Executive Minister/Officer</p> <ul style="list-style-type: none"> · General Secretary · Chair of a related committee or designate · 1–2 Executive of the General Council members as designated by the General Secretary or designate · 1 Ministry and Employment Unit facilitator (acts as staff resource) 	

Committee Composition – Regional Councils	Table 2b
<p>Administrative/Technical/Program/Specialist/Manager</p> <ul style="list-style-type: none"> · Regional Council Executive Minister or designate · 1 human resources representative acting as staff resource (Staff Committee member or designate, or staff member from Ministry and Employment Unit, General Council Office, depending upon the Regional Council structure) · Consideration should be given to including other members of the Regional Council, depending upon the nature of the position · There may be positions with high visibility within the United Church where it is recommended that a Regional Council Executive member also be included 	
<p>Regional Council Executive Minister</p> <ul style="list-style-type: none"> · General Secretary · 2–3 representatives selected by the Regional Council Executive, or designate · 1 human resources representative acting as staff resource (Staff Committee member or designate, or staff member from Ministry and Employment Unit, General Council Office, depending upon the Regional Council structure) 	

11. Reference checks will be conducted on all hires.

12. Transfers:

- Internal candidates are encouraged to advise their supervisor of their intent to apply prior to submitting an application.
- All internal candidates in all employing units/Regional Councils will be given consideration for any vacancies for which they are qualified.
- For vacancies in categories 1–7 that occur within the immediate employing unit/Regional Council, staff may be transferred directly into a vacant position without posting the position, if the position is the same category.
- An employing unit/Regional Council, in consultation with the Ministry and Employment Unit, may move a term employee into the permanent position during the term without posting the position, provided that the term staff has previously gone through the full cycle of the selection process.
- Any position changes between Regional Councils, or between a Regional Council and the General Council Office, are considered transfers or promotions, and not a new employment relationship.
- Reference checks or consultation with past/current supervisors will be conducted. The hiring employing unit/Regional Council has the option of doing this directly with the current supervisor or having the Ministry and Employment Unit act on its behalf.
- Start dates will be negotiated between the supervisors, in consultation with the Ministry and Employment Unit.

Term Employment

Purpose

The United Church of Canada provides opportunities for term employees to be employed for a defined period of time. Term employment includes employees who are employed on an “as-needed” basis, including those seconded from other courts of the church. Term employees are paid through the General Council payroll. This policy does not include fee-for-service arrangements, as these individuals are not employees of The United Church of Canada.

Policy

1. To ensure a fair and transparent process, approval must be received by the Ministry and Employment Unit who will initiate the recruitment process, similar to that for all positions in the General Council Office and Regional Councils. Term employment vacancies will be filled according to the regular recruiting procedures.
2. Under normal circumstances, term employment will not be for longer than three years. However, in exceptional circumstances, an extension for specific projects will be considered, in consultation with the Ministry and Employment Unit.
3. For term positions of one year or more, applicable benefits will be offered unless the employee is already a member of the plan.
4. The terms and conditions of the term position, including salary placement within the category, will be determined by the hiring unit/Regional Council, in consultation with the Ministry and Employment Unit.
5. Employment situations that are considered “fee for service” and that may require a specific contract for work in the General Council Office and Regional Councils, and that are not term employment as defined above, must be reviewed with the Ministry and Employment Unit before arrangements are made.

Recruitment and Selection of the General Secretary

Purpose

The United Church of Canada is committed to ensuring a fair and consistent recruitment and appointment process for the position of General Secretary of the General Council of The United Church of Canada.

Policy

The General Secretary is appointed by the Executive of the General Council or General Council. When the Executive of the General Council declares that the General Secretary's position is, or will be, vacant, the General Secretary's Supervision Committee will review and update the job description.

The Ministry and Employment Unit is responsible for ensuring that the appropriate procedures are followed in all recruitment and selection processes. The Executive Officer of the Ministry and Employment Unit will be available to provide support and advice as requested by the Selection Committee.

Procedures

1. A Selection Committee will be appointed by the General Council Executive on the recommendation of the Nominations Committee. The composition of this committee will be as follows:
 - The Moderator (who will act as chair)
 - The Chair of the General Secretary's Supervision Committee
 - Three members of the Executive of the General Council, nominated from its membership
 - One member-at-large from the United Church
 - If required, two additional appointments from within The United Church of Canada to provide a balance of gender, regions, lay/ordered, and experience
2. The Selection Committee will be made up of at least six, but not more than eight, members.
3. The Selection Committee may also include an executive search professional recommended by the Ministry and Employment Unit, who will participate as a non-voting consultant in the process.
4. Posting and advertising for this position will be done as widely as possible. This includes posting the vacancy within The United Church of Canada constituency (for example, courts of the church, General Council Office), The United Church of Canada website and any other appropriate medium. It may also be posted nationally through job websites, newspapers, electronic media or other venues.
5. The Selection Committee will screen candidates and short-list a minimum of two candidates to be interviewed.

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6. Before a candidate for the position of General Secretary is recommended to the General Council or Executive of the General Council, an independent professional assessment may be done with the leading candidate(s) to ensure compatibility with the leadership expectations and culture of the United Church. The assessment may be facilitated by an outside professional consultant and the findings made available to the Selection Committee in its discernment process.
7. Reference checks will be done, and a decision may be made to have a third-party conduct reference checks with input from the Selection Committee. The timing and number of references required for either short-listed or final candidate(s) will be determined by the Selection Committee.
8. Before the General Secretary is appointed, the Selection Committee will provide the name to the Executive of the General Council or General Council for approval. The name of the candidate will be kept confidential pending the appointing body's approval.
9. As soon as the General Secretary is appointed, the Ministry and Employment Unit will draw up the terms of appointment for this position, consistent with the policies of The United Church of Canada.
10. Should the incumbent leave the position within six months of being appointed, the original Selection Committee will be reconvened to determine the future strategy and timelines for a new appointment.

Employment of Relatives

Purpose

The United Church of Canada is committed to ensuring fair employment practices as related to the employment of relatives. Employment of relatives that has the potential of creating difficulties in supervision, hindering conflict resolution, or creating a conflict of interest is not permitted. Extreme care and judgment must be exercised by employing units/Regional Councils to ensure that neither employees nor the church are placed in such potentially difficult situations.

Policy

No employee will be directly or indirectly supervised by a relative. Relatives of staff with hiring authority in an employing unit/Regional Councils will not be employed in the same employing unit/Regional Council unless approved by the unit supervisor/Regional Council Executive Minister on the advice of the Ministry and Employment Unit.

Employment of relatives by the same employing unit/Regional Council or in other employing units/Regional Councils is prohibited in cases where one party has access to information that may be prejudicial to the other, thereby creating a conflict of interest.

Procedures

1. In order to help protect the employee(s) and the General Council Office and Regional Councils from adverse criticism, open disclosure of situations as stated above is required prior to hiring. During the recruitment process, reasonable steps will be taken to ensure that there is no conflict of interest. Employing units/Regional Councils will consult with the Ministry and Employment Unit before proceeding with a hiring in such situations.
2. For purposes of this policy, a “relative” means a member of the employee’s immediate family, usually considered to be the partner or spouse, child, stepchild, birth or adoptive parent, father-in-law, mother-in-law, sister, brother, grandparents, or stepparents.

On-Boarding and Training

Purpose

The United Church of Canada will provide on-boarding for new employees in order to introduce them to the purpose and work of the General Council, employing units, and Regional Councils and to ensure the newly hired employees receive an effective and standardized introduction to the United Church's mission, vision, employment policies, practices, benefits, and to provide training in accordance with government regulations.

Policy

All new employees in the General Council Office and Regional Councils will receive orientation within the first month of employment. Ministry & Employment Unit in collaboration with the Unit/Regional Council will coordinate the process of onboarding for all new employees.

The onboarding will include an overview of the organization, unit or Regional Councils and information on human resources policies and procedures.

New employees will be required to complete the following mandatory training within the first four (4) weeks of their employment all:

- Required Health & Safety training
- Required personal information protection training
- Accessibility standards training
- Required human rights training
- Required job duty training to address any accommodation needs, if applicable
- Other training required by law

The United Church shall inform all new employees with regards to its policies supporting employees with disabilities as soon as employment begins.

Refer to Professional and Vocational Development Policy 2.15 for all other training provided by the church.

Procedures

1. Human Resources will collect required employee documentation for the following:
 - Tax deduction forms including Social Insurance Number (SIN)
 - Proof of eligibility to work in Canada
 - Employee benefit enrolment or exemption forms, where appropriate
 - Other documents deemed necessary from time to time

2. As a minimum, each new employee shall receive, information, and/or training about:
 - United Church's Mission Vision and Values
 - Organizational charts
 - Conditions of Employment
 - Code of Conduct
 - Privacy Information Policy
 - Performance Standards
 - Map of locations
 - Complaints procedures
 - Harassment & Discrimination Policy
 - Policies used to support employees with disabilities; but not limited to policies on the provision of job accommodations that take into account and employee accessibility needs due to disability.
 - Other information deemed appropriate by the hiring manger and as required by law.
3. Prior to completion of the probationary period, the manager and new employee shall complete and sign the On-Boarding Check List form, which will form part of the employee's personnel file.
4. Ministry & Employment Unit will maintain records for all employee training including but not limited to, the names of the employees who received training, the content of the training, and the date. Records will be maintained in accordance with legislative requirements and will form part of the employee's file.

Code of Ethical Conduct



Our Call, Vision, and Values are an expression of who we are at our core, what we expect of each other and what we aspire to be. The United Church defined key behavioural attributes and descriptions of Integrity, Respect, Equity, Service and Innovation as they relate to our work environment. It is these behaviours that guide our actions, interactions and decision making.

Integrity:	We make principle-based decisions
Respect:	We care for the individual (those we work with and serve), we listen and don't judge
Service:	We are client centric and purpose focused
Equity:	We accept differences, provide opportunities, and invite to fully participate
Innovation:	We are bold, adaptable, and inspire growth

1.0 Purpose

- 1.1 The United Church of Canada is committed to providing a satisfactory, fulfilling, and mutually rewarding working experience for all employees. The United Church strives to act, and be seen to act, in the best interests of the church and those it serves, and with the highest ethical standards.
- 1.2 The purpose of this Policy is to uphold United Church compliance with the Ontario Human Rights Code ("the Code"), the Occupational Health and Safety Act ("OHSA"), other applicable legislation, UCC statements and overall expectations regarding workplace conduct.
- 1.3 This Policy applies to all United Church ministry and lay staff, volunteers, contractors, and students. We also expect our community partners to know and honour our Policy.

2.0 Responsibility

- 2.1 Management has the overall responsibility for ensuring compliance with the Code of Ethical Conduct; Respectful Workplace Policy. This involves cultivating a values-based, respectful and inclusive workplace where people feel safe to raise their concerns about all forms of inappropriate conduct, human rights violations, harassment and discrimination.
- 2.2 The Shared Services Unit has general oversight for this Policy and will review regularly to ensure compliance with any changes in applicable provincial legislation and other workplace requirements, as necessary.
- 2.3 All staff must uphold responsibilities and obligations under this policy, in good faith. Building and maintaining positive and productive workplace relationships aligned with our values and rooted in professionalism and civility are key components of these expectations. All staff subject to this policy will be asked to review and acknowledge their understanding of this policy.

3.0 Policy

- 3.1 The United Church of Canada believes that all people are children of God, created in the image of God and therefore worthy of respect and love. Living out that belief requires a deep sense of mutuality, respect, trust, and accountability.
- 3.2 The United Church of Canada strives to provide a positive work environment where employees can contribute to a productive, respectful, and professional atmosphere, with equal opportunity for all.
- 3.3 All employees of The United Church of Canada's General and Regional Council offices are expected to behave in ways that are aligned with the organization's Call Vision and Values and foster a healthy, inclusive workplace culture. The General Council and Regional Council offices work to foster an open, trusting, and collegial work environment and therefore will not tolerate or condone any behaviour that creates or contributes to a poisoned work environment.

4.0 Professional Behaviour

- 4.1 All employees are expected to conduct themselves in a courteous and professional manner. Employees are expected to respect and comply with all organizational policies and guidelines, and to demonstrate respect and accountability to their colleagues.

Employees will respect the ethos of The United Church of Canada and deal with all individuals during their work, both internally and externally, in a manner that demonstrates respect, mutuality, and beloved community. The following are examples of inappropriate conduct, not limited to:

- Acts of dishonesty or fraud/breach of trust (including falsification of expense claims)
- Unauthorized disclosure of confidential information
- Abuse or misuse of corporate expense card
- Inappropriate use of information technology networks and resources, including but not limited to viewing or downloading inappropriate content

- . Insubordination
 - . Criminal conduct
 - . Fighting, using abusive language, threats, or threatening conduct
 - . Failing to cooperate with, or providing false, misleading or incomplete statements to, auditors, investigations regarding any matter relating to the church's and
 - . Other activities not in the best interest of the United Church and its stakeholders.
- 4.2 Behaviour that is not in keeping with this policy will be addressed with the employee and their manager to ensure expectations are clear going forward. Depending on the circumstances, disciplinary processes may be implemented, with HR support.
- 4.3 Behaviour that involves acts of discrimination, harassment, bullying, violence, inappropriate language, and physical /verbal abuse will be managed through the [Workplace Discrimination, Harassment and Violence policy](#). For more information on this topic, please refer to the policy in the HR Manual. [Harassment and Workplace Violence Policy.pdf](#).

5.0 Alcohol and Drugs

- 5.1 While the use of medical drugs is clearly acceptable, employees may not use or distribute alcohol or non-medicinal drugs in the workplace. While The United Church of Canada is committed to providing support and assistance in dealing with dependencies, employees may not report to work while under the influence of alcohol, other drugs or intoxicants.

“Under the influence” means that a reasonable person would consider effectiveness impaired to the extent that it could pose a hazard or embarrassment to the employee or to The United Church of Canada, or employment duties cannot be performed properly.

6.0 Confidentiality

- 6.1 Employees of the General Council and Regional Council offices may, in the course of their work, come to know, be made aware of, or obtain confidential information concerning The United Church of Canada, its employees, and/or its constituents. This information must not be used for personal gain or disclosed to persons not authorized to be in receipt of the information and must be held in strict confidence. This duty of confidentiality continues to apply after employees have left The United Church of Canada with no time limitations.
- 6.2 Communication of confidential information within and outside of The United Church of Canada will only be permitted when the recipient of the information has a legitimate need to know and the information is limited to that which is required to perform his or her duties. If an individual is in doubt about whether or not information can be shared, the individual should contact their manager.
- 6.3 This requirement of confidentiality applies to any asset of The United Church of Canada, including computer software, organizational records and other proprietary information, and to personal information of all kinds.

7.0 Confidentiality Agreements

7.1 When entering into a working relationship with a third party, the General Council and Regional Council staff must advise the third party that they are not to divulge the information to anyone without written authorization from the General Council or regional council staff who are empowered to do so, and written confirmation from a third party must be received upon acceptance of these conditions.

8.0 Conflict of Interest

8.1 Situations are to be avoided where personal interests are, or may potentially be, in conflict with an employee's duty to The United Church of Canada. When faced with an actual, perceived, or potential conflict of interest, the employee is required to exercise the judgment of a responsible person, un-influenced by considerations other than the best interests of The United Church of Canada.

8.2 If an employee knows that an actual, perceived, or potential conflict of interest exists, the employee must immediately provide all details of the conflict to the Executive Officer, Shared Services Unit. If there is uncertainty as to whether a conflict may exist, the employee should discuss the matter with the Executive Officer, Shared Services Unit.

9.0 Ownership and Copyright

9.1 For the purposes of this Code, the term "Work" means all books, music (including lyrics, tune and any other musical composition), photographic, cinematographic and artistic works, computer programs, and all other intellectual property, products and materials in written or other format, and all improvements made in relation to any of the foregoing, that are created, authored, developed or produced by employees of the General Council and the regional councils of The United Church of Canada as part of their employment duties.

9.2 Unless otherwise expressly agreed or provided for under General Council policy:

9.2.1 The United Church of Canada retains the copyright, ownership and all other legal rights and entitlements to all Work; and

9.2.2 employees of the General Council and regional councils may not use any Work, or permit, facilitate or assist in any use of any Work, except as part of their employment duties.

9.3 Upon separation of employment employees, are required to return immediately all correspondence, document, data information equipment belonging to The United Church of Canada.

10.0 Gifts Received from Third Parties

10.1. An employee may accept gifts from persons or companies unrelated to The United Church of Canada which represent promotional items of minimal value.

10.2. Reasonable business promotion benefits (normally not to exceed \$200.00 in value) may also be accepted but may not be sold or converted to cash.

10.3. Normally, a gift which exceeds \$200.00 is to be considered as one given to the organization and not to the person. If a gift is offered which exceeds \$200.00, the employee should discuss this with their manager.

11.0 Public Conduct and Media Contact

11.1. Only authorized staff may speak to the media on behalf of The United Church of Canada and must be done on the authority of the General Secretary and Communications Unit.

11.2. For the General Council Office:

- The Moderator or designate
- The General Secretary

11.3. For the Regional Councils:

- The Regional Council Executive Minister

11.4. When making comments in a public forum or on social media on any matter relating to the United Church, employees will reflect the Call, Vision and Values of the United Church.

12.0 Out of Hours Conduct

12.1. The values, reputation and image of the United Church extend beyond the workplace. There can be instances where an employee's conduct outside of work time has the capacity to adversely impact the work environment or the image and reputation of the United Church. Employees are required to avoid any actions which publicly disparage The United Church of Canada or any personal behaviour which could damage the reputation of The United Church of Canada.

12.2. Employees are required to always be mindful of their conduct outside of work and how it could adversely impact relationships at work, capacity to perform role and the image and reputation of the United Church.

13.0 Internet and Social Media

13.1. Social media, which may include apps like Instagram, Tik Tok or other Internet networking applications like Facebook, should not be used during work hours except as it relates to business.

13.2. Although social media should not be used at work, employees are expected to handle their personal social media accounts appropriately outside of the office. Employees should always work to ensure that their personal accounts clearly state that their views do not represent our organization. Employees should never share any intellectual property, or the status of any of their assignments on social media.

14.0 Relationships

14.1. The United Church of Canada does not prohibit personal relationships between employees of the same level. However, relationships between junior and senior employees in the same unit are not permitted. Employees are expected to maintain professionalism in the workplace regardless of the status of their relationship.

Privacy and Personal Information

Note: This Personal Information Policy covers General Council and regional council offices. It does not apply to communities of faith, which can be guided by this policy and any applicable provincial or territorial legislation.

Commitment to Privacy

For The United Church of Canada, respecting privacy rights and personal information has always been an important part of our commitment to our members, volunteers, employees and partners.

The United Church of Canada is committed to protecting the privacy, confidentiality, accuracy, and security of personal information that is collected, used, retained, and disclosed in compliance with applicable federal, provincial and territorial privacy legislation. This includes, but is not limited to, the federal Personal Information Protection and Electronic Documents Act (PIPEDA) (2000, c.5). For more detailed information, please refer to the PIPEDA in Brief page on the Office of the Privacy Commissioner of Canada website.

Privacy legislation, including the federal PIPEDA legislation and provincial and territorial legislation, establishes rules for the collection, use and disclosure of “personal information.” It addresses two issues:

- the way an organization collects, uses, discloses, and protects personal information; and
- the right of individuals to access personal information about themselves.

The 10 Principles

The United Church of Canada is committed to following the 10 principles for handling personal information as set out in Schedule 1 of PIPEDA. These principles are:

- Accountability
- Consent
- Limiting use, disclosure, and retention
- Safeguards
- Individual access provision of recourse
- Identifying purposes
- Limiting collection
- Accuracy
- Openness
- Challenging compliance

Personal Information

Personal information includes any factual or subjective information, recorded or not, about an identifiable individual—that is, it is information which can, directly or indirectly, identify an individual. Personal information does not include the name, title, business address, or business telephone number of an employee of an organization.

Personal information includes information in any form (i.e. printed/electronic) including home address, home phone number, age, personal e-mail address, race, national or ethnic origin, colour, religion, sexual orientation, marital status, mental or physical disability, family members' names, employee files, identification numbers, evaluations, disciplinary actions, the existence of a dispute and related opinions, comments, social status, income, credit and bank records, donation information, loan records, or medical records.

All personal information obtained, compiled, maintained, and disclosed for The United Church of Canada by third-party agents and contractors must comply with standards comparable to The United Church of Canada Privacy Information Policy and applicable federal/provincial/territorial privacy legislation. Contractual provisions requiring such compliance must be incorporated into all third-party agent and contractor agreements.

Collection of Information

The United Church of Canada collects personal information for the following intended purposes:

- ministry personnel /lay employee records
- pension and benefits records
- information required for church records
- stewardship development and donor information
- elected member information
- legal/regulatory requirements
- financial and asset information

Personal information can only be used for the purposes for which it is collected. Specific permission must be sought if personal information is to be used for any other purpose than that for which it was initially collected.

Accountability

The United Church of Canada is responsible for all personal information in its possession or custody, which means information, whether factual or subjective in nature, about an identifiable individual. This includes personal information that has been transferred to, or received from, a third party in the course of commercial activities for processing or other purposes for which consent has been given.

Personal information collected by The United Church of Canada includes, but is not limited to, health and financial information, such as:

- Name and age
- Address, telephone number, and e-mail address
- Medical records
- Identification numbers (such as Social Insurance Numbers)
- Income, assets, and transaction information
- Opinions, evaluations, and comments related to health and financial information
- Credit records and loan records
- Bank account or credit card information

Safeguards

The United Church has a records and archives management process for the collection, management, retention, and disposition of personal information. Categories of individuals for which personal information is being collected and maintained include ministry personnel, lay employees, elected and appointed members, volunteers, donors, and retail customers. Personal information is contained in paper and electronic records within the possession or under the control of The United Church of Canada. Each employee and pensioner of The United Church of Canada, whether full-time, part-time, contract, or retired, has confidential and secure personnel, pension, benefits, and payroll files.

All personal information is the property of The United Church of Canada and all individuals have controlled access to their personal information. Personal information is to be stored under lock and key or is digitally secured if in electronic format, and only certain authorized individuals have access to it.

Retention and Transfer of Information

Personal information is retained only as long as it is required to meet any potential obligations or legal or government requirements. Once the personal information is no longer required, it will be destroyed in compliance with federal and/or provincial territorial retention rules. When this personal information is no longer required, methods to destroy it are carried out using the same care as is used for preserving this information in compliance with the church's records retention schedules. In some cases, records are of archival value and transferred to the archives where restrictions are in place consistent with privacy standards.

If personal information is transferred to a third party for processing (for example, when printing cheques, managing claims and client statements, or for data processing) the person or organization providing the services on behalf of the church are required to protect confidentiality of all information in a manner consistent with that used in The United Church of Canada, or as required by law.

Access to Personal Information

Each person has the right to access their own personal information that is in the possession or control of The United Church of Canada.

In order to access this personal information, requests should be made in writing to The United Church of Canada, Privacy Officers, stating as specifically as possible which personal information is being requested.

The United Church of Canada has the right to refuse a request for access to personal information if:

- the information is protected by solicitor-client privilege
- granting access would reveal confidential financial information
- doing so could reasonably be expected to threaten the safety or security of another individual
- the information was collected for purposes related to the detection and prevention of fraud
- the information was generated in the course of a formal dispute resolution process, or
- the information would likely reveal personal information about another individual
- the information was collected in the course of a disciplinary process within The United Church of Canada that is ongoing as of the date of the request.

Contact Information

For more information, please contact The United Church of Canada's Privacy Officers:

Nicole Treksler
Email: privacy@united-church.ca
Website: united-church.ca

Information Management and Technology

1.0 Purpose

- 1.1 The United Church of Canada provides access to Internet resources and cloud-based services in order to provide its employees with the ability to conduct business efficiently and effectively on behalf of The United Church of Canada.

2.0 Policy

- 2.1 Incidental personal use of technology, such as Internet resources and cloud-based services, is acceptable, as long as it does not consume resources unnecessarily, interfere with productivity, pre-empt any business activity, expose or inhibit data privacy, or otherwise breach this policy. These usage policies are designed to maintain security and confidentiality and to ensure that users do not engage in inappropriate conduct which could result in legal liability for The United Church of Canada.
- 2.2 The United Church of Canada has the right and the ability to access, monitor, and record local computer, Internet, network, and cloud-based service usage, including files stored in private areas of its networks and online services, to ensure compliance with these policies. The United Church of Canada has the right to grant, deny, or terminate a user's access to all technology systems owned or licensed by it. All data transmitted or stored on The United Church of Canada's systems or online services is the property of The United Church of Canada.
- 2.3 Technology resources and systems owned or licensed by The United Church of Canada include, but are not limited to:
- Desktop, laptop, and tablet personal computers;
 - Software (including Internet browsers) installed on computers and mobile devices;
 - Networks and third-party services provided or arranged by The United Church of Canada;
 - Mail, file, and data storage systems supplied or arranged by The United Church of Canada

3.0 Guidelines

- 3.1 Employees are expected to:
- Ensure internal contacts and related information are not given to anyone outside of The United Church of Canada and that passwords are not made available to others;
 - Use e-mail and other online communication forums appropriately and take responsibility for contents of e-mails that are created, keeping in mind the importance of considering the wider audience receiving the message;
 - Utilize electronic mail signatures in compliance with the organizational standard indicating job title, organization name, phone number, and land acknowledgement on all electronic mail messages. Images and personal quotes should not be included in signatures;
 - Co-ordinate e-mail or mailings with 100 recipients or more with the Communications Unit;

- Leave e-mail addresses on a website, give out or post e-mail addresses, only when required for United Church business purposes and only in compliance with CASL standards;
- Ensure that attachments are virus and malware-free to the best of their knowledge, legal, and conforming to United Church standards;
- Not install any programs without authorization by the IT department;
- Not use United Church e-mail for any partisan political purposes;
- Ensure messages and attachments belonging to another user are not altered in any way without the originator's permission;
- Maintain confidentiality about The United Church of Canada and/or its members or volunteers in any online forums.

3.2 When an e-mail is sent to someone within The United Church of Canada, it is sent on The United Church of Canada's cloud-based e-mail tenant, which is protected and secure. E-mails sent to anyone outside are transmitted over the open Internet, which is a public network. There is no guarantee that the message will be confidential or secure. When confidential or sensitive e-mail messages or attachments are being sent, clearly specify that such messages and attachments should not be forwarded or copied. Keep in mind that information being sent via the open Internet, and especially to external e-mail, is not secure.

4.0 Passwords and Security

- Employees will require a password to log in to their computer/tablet each day, and also to access cloud-based services.
- Employees will be prompted to change their passwords at regular intervals. Failure to do so in a timely manner may result in the inability to access the device and United Church services.
- Complex passwords will be enforced to improve security. Passwords should not include an employee's name and must include letters, numbers, and special characters.
- Passwords should never be shared with anyone who is not a member of IT Services.
- Employees with regular access to sensitive data may be required to use multi-factor authentication. This is a secondary step, in addition to a regular password, that will send an authentication code or request to a smart device or other service. The employee will then be required to either enter the code or approve the authentication request to gain access to online services.
- Antivirus and firewall software is installed on all United Church devices and services. It should never be disabled, and should always be allowed to update automatically unless otherwise instructed by United Church IT Services.

5.0 Primary Devices and Services

- All major job functions utilizing technology should be done on a United Church issued computer or tablet. Organizational data, applications, or project files should never be stored primarily on personal devices. E-mail and calendars may be synced to personal devices with their manager's permission, so long as they adhere to the Mobile Device Policy.

- If working from home or a remote location, files may be downloaded locally for offline work. However, files should be uploaded to United Church network or cloud service storage immediately upon return to a place of work, or uploaded from remote to prevent possible loss of information.
- Unless written permission is granted from the IMTSC, employees must not use their personal e-mail for regular job functions or communication. Use of a United Church issued e-mail account for work-related communications is required.
- Unless otherwise authorized in writing by IMTSC, employees must use United Church issued Microsoft services for storing and sharing files and information. Use of third-party products (Dropbox, Google Drive, Evernote, Salesforce, etc.) is not permitted for organizational use.

6.0 IT E-mail Naming Conventions

- 6.1 An e-mail naming convention policy is a set of guidelines and rules that The United Church of Canada has established to create a standardized and organized approach to naming e-mail addresses. This policy helps ensure consistency, professionalism, and clarity in e-mail communication.
- 6.2 This e-mail naming convention is applicable across all domains or organizations in United Church e-mail systems and platforms, including @united-church.ca, @kairoscanada.org, @egliseunie.ca, etc.

7.0 Standards

- 7.1 When creating e-mail addresses for individuals, the naming formats of firstname.lastname@united-church.ca or firstname.lastname@egliseunie.ca or firstname.lastname@kairoscanada.org will be followed.
- a. **First Name** must be either the individual's legal name or the preferred name that the employee has provided to HR on their signed Employee Personal Data Form.
 - b. **Last Name** must be the individual's legal name; can be one or more last names.
- 7.2 There is limited use of generic addresses; unit or region-specific generic addresses allowed, e.g., info@united-church.ca or info.pmmc@united-church.ca.
- 7.3 E-mail aliases may be set up for convenience, but primary e-mail address should follow naming convention. Messages sent to aliases will be forwarded to the primary e-mail address.
- 7.4 HR and IT teams should be notified promptly of any name changes. Updates will be made within 48 hours of notification.
- 7.5 The local part (before the @) of the address cannot exceed 64 characters as outlined in [RFC 5321](#), and the entirety of the address cannot exceed 256 characters.
- 7.6 While having a standardized convention is important, there may be situations where flexibility is needed to accommodate unique situations. For example, for those employees with the same first name initial and the same last name, a unique e-mail address can be provided to avoid confusion and duplication. Please note that this only applies to exact duplicate e-mail accounts of new hires.

8.0 Enforcement and Exceptions

8.1 Non-compliance may result in failure to receive important communications or temporary suspension of e-mail access.

8.2 This standard does not apply to:

- a) Email-enabled accounts that are not the primary account of the individual. These include service accounts, groups, administrative accounts, shared mailbox accounts, and other such accounts.
- b) @churchhub.ca, @giftswithvision.ca, @ucrdstore.ca, @unitedchurchfoundation.ca, and other domains not for individuals.

9.0 Support

9.1 For more information or support around the implementation of this policy, contact helpdesk@united-church.ca.

Electronic Monitoring

1.0 Background

- 1.1 There are provisions under the *Employments Standards Act, 2000* (ESA) which come from Bill 88, *Workers Right Act*, enacted in April 2022. The provisions under the ESA require employers with 25 or more employees to draft an Electronic Monitoring Policy by October 11, 2022, even if they do not engage in any monitoring.

2.0 Purpose/Scope

- 2.1 This policy, in keeping with legislative requirements, is intended to outline the electronic monitoring devices and software currently available. This policy should be read along with other applicable Church policies, guidelines or standards, including the Employee Code of Conduct and the General Council Office's IT Policy.
- 2.2 This policy applies to all employees, as defined by the *Ontario Employment Standards Act, 2000*). Legislation in other jurisdictions will apply, where available.

3.0 Definition

- 3.1 Electronic monitoring includes all forms of employee and assignment employee monitoring that is done electronically.

4.0 Policy

- 4.1 The United Church of Canada (the "Church") is committed to transparency regarding electronic monitoring. Currently, the Church **does not routinely use** electronic monitoring devices and/or software for the purpose of monitoring employee activity, whether remotely or in the office. However, the Church endeavours to create a safe work environment therefore it may use electronic monitoring in the following circumstances; integrity of our security systems, safety in the workplace, negligence, misconduct, for cause and/or as deemed necessary.

5.0 Procedures

- 5.1 The Church may use data collected from Active or Passive Electronic Monitoring tools for employment-related purposes including protecting the privacy and security of the Church's information assets, physical assets, and to protect the health and safety of its employees.
- A summary of tools the Church may use in electronic monitoring and the purposes for which information obtained through electronic monitoring tools may be used by the Church is provided at the end of this policy.
- 5.2 The Church values employee privacy and its use of any electronic monitoring tools for employment-related or disciplinary purposes is discretionary. The Church's use of any electronic monitoring tools for employment-related purposes is further subject to any rights an employee may otherwise have under their employment contract, collective agreement or otherwise at law.

- 5.3 This Policy does not provide employees with any new privacy rights or a right to not be electronically monitored. This Policy does not affect or limit the Church's ability to conduct, or use information obtained through, electronic monitoring unless otherwise indicated in a contract or collective agreement.
- 5.4 The Church will provide all current employees with access to or a copy of this Policy, including any amended policies, within 30 calendar days of implementation.
- 5.5 New employees will have access to or a copy of this policy within 30 calendar days of the employee's start date.
- 5.6 The Church will provide a copy of this Policy to employees assigned to perform work for the Church within 24 hours of the start of the assignment or within 30 days of the Policy's implementation, whichever is later.
- 5.7 The Church shall retain a copy of this policy for three (3) years after the policy ceases to be in effect.

Tools and Software Currently Used

Electronic Monitoring Tool	Electronic Monitoring May Occur	How Electronic Monitoring Occurs	Purpose(s)
Microsoft Azure Security Center	Yes	A set of tools for monitoring and managing security of cloud computing resource in our organization hybrid environment tenant, including tracking and triggering events for suspicious or risky user activities	Azure System security
Email tracking	Yes	Managed by Microsoft Exchange online tracking tool to troubleshoot email issues	E-Mail system security
Communication and Interaction tracking	Yes	Tracks frequency of activities.	User activity and engagement
Electronic key fob system	Yes	Used to provide access to office or remove access. Used to provide access to staff for using MFP/Copiers and associated services	Facility security Network Security and Privacy
Firewalls/VPN/Web Gateways	Yes	To assist remote users to login to access resources on premises	Network security
Endpoint threat detection and response	Yes	Managed by third party to detect abnormalities and potential unauthorized use	Endpoint security
Surveillance	Yes	Cameras - Located at entrance to office	Facility security

Working Hours

Purpose

The United Church of Canada is committed to maintaining consistent and predictable workflow through regular hours of work, and where possible, providing provisions for alternative work arrangements such as job sharing, flexible work schedule (flex-time), and under exceptional circumstances, a compressed work week.

Policy

The standard working hours for full-time staff are seven hours per day, 35 hours per week. However, it is expected that staff in categories 8 and above may work more than a standard work week from time to time due to the nature of work being undertaken.

Flexible work schedule (flex-time) is defined as an arrangement where an employee can adjust their arrival and departure times subject to supervisory approval and the operational needs of the unit/Regional Council. Flex-time may be arranged between employees and their unit/Regional Council, as long as the proposed working hours are convenient for the unit/Regional Council and staffing coverage is provided. Flexible working hours must take into account that the core office hours are 9:30 a.m. to 3:00 p.m.

Job sharing is normally defined as a situation where two employees share the same full-time position, and each employee is classified as permanent part-time. Requests to set up job sharing arrangements will be considered, in consultation with the Ministry and Employment Unit, recognizing that this may involve added costs (i.e., benefits, office facilities) to the employing unit/Regional Council.

A compressed work week is normally defined as a four-day work week of 35 hours. Under exceptional circumstances, the employing unit/Regional Council, in consultation with the Ministry and Employment Unit, may permit permanent full-time employees to work a compressed work week. Compressed work weeks are most appropriate in situations in which employees do not have to keep pace with incoming work on a daily basis or where there are several employees that perform the same job. The needs of the employing unit/Regional Council are foremost and must be taken into account. All requests for a compressed work week must be approved by the Executive Officer/Minister or Regional Council Executive Minister of the employing unit/Regional Council in consultation with the Executive Officer, Ministry and Employment Unit.

Should working hours be less than 35 hours per week, vacation will be pro-rated based on the work week.

Lunch hours and rest periods must be consistent with each province's Employment Standards Act.

Procedures

1. Normal working hours of the General Council Office are 8:30 a.m. to 4:30 p.m., including lunch and breaks, Monday through Friday. The Regional Councils may have different start and end times.
2. Employees cannot skip their lunch break in order to have more time off.
3. The Ministry and Employment Unit must be consulted prior to approving any changes to an employee's work hours. This includes changes to regular hours, compressed work week, job sharing, and flexible hours.

Probation

Purpose

The United Church of Canada is committed to providing new employees with enough time at the beginning of the employment relationship to learn the scope of the position. This is referred to as the probationary period; it allows opportunities for both the unit or Regional Council and employee to assess the fit for the position.

Policy

The probationary period for all categories is three months. Supervisors are responsible for providing continuous feedback to the employee during this time, setting out clear expectations and identifying areas for improvement, if necessary. The employee also has a responsibility to identify potential problem areas as they arise. On completion of the probationary period, the supervisor will meet with the employee to discuss past performance and future goals.

Procedures

1. At the end of the 3-month probationary period supervisors must complete an assessment for new staff within their Unit by using the United Church's Probationary Review Tool.
2. A copy of the probationary review must be provided to The Ministry and Employment Unit for the employee's personnel file
3. The probationary period may be extended for an additional period not to exceed six months, if the supervisor considers that the employee has potential and that additional support is required. If there is an extension, the employee must be notified in writing at the beginning of the extension period.
4. If an employee's performance is not satisfactory, regardless of the training and support given, termination may come at any time during or at the end of the probationary period.
5. The Ministry and Employment Unit must be consulted in all cases where an extension is being considered, or where termination may result.

Moving Costs

Purpose

The United Church of Canada reimburses eligible permanent, full-time employees in categories 8 and higher for their actual housing search, moving, storage, and travel expenses to the extent that they are reasonable and/or properly authorized. This policy applies when staff positions are filled by people who are required to move to accept employment.

Policy

Eligible employees who are required to move to accept employment will be reimbursed for reasonable and/or properly authorized moving and related costs. The new staff member must remain in their position for a minimum of one year. If the staff person terminates employment within three years, they will reimburse the United Church on a pro-rated basis.

Procedures

1. When the Ministry and Employment Unit becomes aware of an upcoming move, the “Moving Guidelines Information” package will be provided. The guidelines include all relevant details on moving expenses.

Resignation

Purpose

The United Church of Canada has expectations related to the resignation of an employee.

Policy

Employees planning to end their employment with The United Church of Canada must formally notify their employing unit/Regional Council in writing. It is expected that two weeks of written notice will be provided, with consideration being given to a longer notice period if possible.

Procedures

1. Formal notification will be made in writing to the employing unit/Regional Council, with a copy to the Ministry and Employment Unit. The resignation date is the last day an employee is physically at work.
2. An exit interview will be conducted by the Ministry and Employment Unit or designate.

Termination

Purpose

This outlines the policy and procedures related to the termination of an employee.

Policy

In all cases of termination, payment in lieu of notice and amount of severance shall follow government regulations, employment standards, and case law where appropriate, with consideration given to such factors as length of service, career relocation prospects, reason for termination, and other circumstances prevailing at the time.

In the event that the termination is “for cause” the preceding may not apply.

Procedures

1. The Ministry and Employment Unit will make reasonable efforts to ensure that the manager has taken all the appropriate supervisory steps leading to a decision to terminate an employee.
2. Terminations can be moved forward only after consultation with the Ministry and Employment Unit.
3. All termination decisions must be first approved by the Executive Officer/Minister or the Regional Council Executive Minister of the employing unit/Regional Council, in consultation with the General Secretary.
4. The Executive Officer of the Ministry and Employment Unit then will meet with the General Secretary to review and seek approval for the pending action in advance of the termination date.
5. The Ministry and Employment Unit will advise and work with the manager to ensure appropriate support is in place for the termination meeting.

SECTION 2: COMPENSATION AND LEAVES

Compensation and Benefits

1.0 Purpose

- 1.1 The United Church of Canada seeks to embody the values of justice and fairness for all its employees and has established a compensation program with those values as guiding principles. The church seeks competitiveness in the employment market through compensation and benefit practices that are equitable, transparent, consistent, practical, and in accordance with the legal requirements of the Employment Standards Act, Pay Equity Act, Canada Revenue Agency, and other applicable legislation.

2.0 Policy

- 2.1 The United Church of Canada seeks to attract, retain, motivate, and recognize employees by establishing and maintain a competitive salary, benefits program and administering a recognition program while remaining cognizant of its fiscal responsibility.
- 2.2 The United Church of Canada will provide fair and equitable benefit plans and compensation to all employees by ensuring that total compensation is internally equitable and externally competitive with medium-sized public sector organizations (except in the case of senior management in categories 10 and higher, whose salaries will not lag by more than 10 percent with those of non-profit organizations).
- 2.3 Compensation will be established in a manner that is neither discriminatory nor arbitrary. Employees shall be paid a salary commensurate with the duties and responsibilities of the position they occupy. Base compensation shall be within the salary range of their pay category in accordance with the established United Church General and Regional Councils salary schedule.
- 2.4 While it is the belief that employees are primarily responsible for their own welfare and the welfare of their dependents, The United Church shall, through benefit packages, endeavor to provide appropriate benefit plans/programs that are designed to assist employees and their dependents.

3.0 Definitions

- 3.1 **Compensation:** For the purposes of this policy, 'compensation' is any form of monetary remuneration made to an individual for services rendered in the employee/employer relationship. Compensation includes, base pay, recognition pay, acting pay, premium allowances and other pay differentials as deemed necessary.
- 3.2 **Benefits:** For the purposes of this policy, "benefits" are considered to be those plans or programs that are not usually reflected in an individual's pay statement as direct monetary compensation for work performed. Benefits include pension, core health and dental insurance, life insurance, non-statutory paid leave, professional and vocational development funding, and other indirect forms of compensation.

3.3 **Job Evaluation:** For the purposes of this policy, “job evaluation” is a process to determine the relative value of positions within an organization utilizing pre-established criteria as a measurement tool so that positions can be compared to one another in compliance with Pay Equity Legislation.

4.0 Guidelines

4.1 Every individual forming an employer/employee relationship with The United Church of Canada must be enrolled through the church’s HR/Payroll system in order to receive monetary remuneration and/or benefits. Employees and individuals forming an employer/employee relationship shall not be paid through the Accounts Payable system.

4.2 Human Resources must be notified of all employee benefit and compensation related matters including hires, terminations, job transfers and salary changes, acting assignments, salary increments, reclassification, and any other pay changes involving compensation or lack thereof (including non-paid placements, government programs, and volunteerism) via the completion and submission of appropriate Human Resources documents. Benefit and compensation matters must be processed and approved by Human Resources prior to implementation and confirmation with the employee/individual.

4.3 Individual salaries and benefits are confidential and fall under the legislated requirements of the Municipal Freedom of Information and Protection of Personal Privacy Act (MFIPPA). Employees that fail to comply with this policy may be subject to disciplinary action up to and including termination.

4.4 The United Church of Canada recognizes that it is important to foster a work environment in which employees support one another, and in which development opportunities are part of sound career and succession planning. Employees will be requested or afforded the opportunity to fulfill the duties and responsibilities of a job other than those contained in their position description on a temporary basis through acting assignments.

5.0 Types of Pay Increases

5.1 **Cost of Living (COLA):** Adjustments to the salary scale in response to economic variables are calculated using relevant information, with a formula that has been approved by the Executive of the General Council. Increases resulting from an economic adjustment are applied to salary schedule on January 1st of each year, subject to financial sustainability.

5.2 **Merit Pay:** Merit pay is awarded as a step increment based on established annual performance standards within the same category and pay range. Increases that reflect progression within a salary range occur on the 1st day of the anniversary month of employment in the position.

5.3 **Acting Pay:** Acting pay may be awarded as compensation for temporarily assuming job responsibilities for a position in a higher pay category. Acting assignments usually involve reduced scope and responsibilities and thus will normally be paid as an additional 10% based on base compensation for the employee’s regular full time or regular part-time position throughout the acting period. Scope and duration, however, may be taken into consideration by Human Resources in determining an appropriate remuneration.

5.4 **Recognition/Incentive:** An incentive may be awarded at the sole discretion of GS in collaboration with Human Resources, to support retention of talent, combat turnover, and motivate employees to higher level of performance.

5.5 **Recategorization Pay:** Recategorization pay is an increase of at least 10% relative to the employee's current salary resulting from the recategorization of an employee's position into a higher pay category.

6.0 Procedures

6.1 Each position shall be evaluated and categorized by Human Resources using a consistent and approved gender-neutral Job Evaluation process. Job evaluations shall be reviewed as needed/requested to ensure that compensation reflects the duties and responsibilities assigned to the position.

6.2 External wage comparisons shall be made as necessary using survey data from external, reputable organizations for jobs of comparable responsibilities in similar industries in the communities where we serve.

6.3 Salary schedules shall be reviewed annually to remain competitive with estimated wage changes in the external market.

6.4 Employee performance shall be reviewed annually in conformance with the church's policy and procedures. Salary increases which reflect progression within salary ranges occur on the anniversary date of employment in the position. Progression within the pay grade is contingent on satisfactory job performance. A performance review must be conducted prior to the employee's anniversary date and submitted by the employee's supervisor to Human Resources.

6.5 When a lay employee becomes ordered they are moved to Order of Ministry rate, the first of the following month of their commissioning or ordination.

6.6 A move to a higher category position or an upward re-categorization of an existing position is considered a promotion. The employee's anniversary date changes to the date of employment in the new position.

6.7 Employees who accept a position in a lower category will be paid at an appropriate level in the lower category.

6.8 Fluctuations in the marketplace can sometimes result in a group moving ahead in a range at a faster pace than others. Human Resources identifies these fluctuations through the ongoing analysis of salary data for all positions, which may include commissioning a salary survey, and will report these fluctuations to the appropriate body. If a group has fallen significantly behind prevailing rates of pay, such that it appears that recruiting and retaining appropriately qualified staff is being affected, then a range adjustment may be recommended.

- 6.9 Re-categorization is awarded when the duties of a position have changed to such a degree that the position is re-classified to a higher category based on the outcome of a gender neutral Job Evaluation conducted by Human Resources. The following process applies:
 - 6.9.1 Supervisor requests that Human Resources conduct a job evaluation by providing a new Job Description.
 - 6.9.2 Human Resources conducts a job evaluation and recommends any changes to the General Secretary.

- 6.10 Acting pay is awarded when an employee holds a regular full-time or regular part-time position for a period of more than 25 consecutive working days. The following applies:
 - 6.10.1 The employee is asked, formally in writing, to perform duties associated with a position in a higher category
 - 6.10.2 Acting assignments occur when the employee in the acting position is duly qualified and performing the majority or full duties of the position
 - 6.10.3 Acting Pay is not automatic and must be approved by Human Resources prior to commencement of the position
 - 6.10.4 No other additional benefits shall be received or accrued.

- 6.11 Recognition/Incentive options that supports competing for exceptional talent, combat turnover and motivate all employees to a higher level of performance will be at the discretion and approval of the General Secretary in collaboration with Human Resources, using The United Church of Canada's Recognition Program guiding principles.

- 6.12 The United Church of Canada's Recognition Program will apply the following key guiding principles:
 - 6.12.1 Principled use process for decision making: based on parameters/added value to the church's call and vision
 - 6.12.2 Inclusive: All types of jobs/all employees/all categories/all genders
 - 6.12.3 Transparent: Execution of outcomes/projects/initiatives, seen to be delivering the same and/or added value

Overtime/Compensating Time

Purpose

To outline the conditions under which employees will be compensated when required to work in excess of their normal weekly regular scheduled hours.

Policy

The United Church of Canada is committed to providing a workplace where employees are fairly compensated for extra hours worked during a work week in a fair and equitable manner.

Excessive overtime can be stressful, contribute to an unequal distribution of work, and lead to an unhealthy working style. Therefore, the need for overtime, in all cases, shall be temporary. This Overtime Policy outlines procedures for staff to follow and supports applicable legislations.

For the purpose of this policy a work week is defined as Sunday to Saturday.

Guidelines

Overtime under Employment Standards legislation refers to hours worked in excess of 44 hours per week (hours worked between 35 and 44 are not under legislation considered overtime for the purposes of overtime pay but are paid at the regular rate of pay).

Commuting between home and workplace is not considered as working, travel, or waiting hours.

Overtime hours are encouraged to be compensated through time in lieu ("compensating time") except where other agreements are in place.

Compensating time should be used as soon as possible after overtime hours have been worked, not saved and combined with other types of leave.

Overtime hours and compensating time must be recorded, approved in advance by the employing unit/Regional Council, and reported not less than monthly to the Ministry & Employment Unit at nationalpayroll@united-church.ca.

In accordance with the Employment Standards Act, staff whose work is managerial or supervisory in character do not qualify for overtime compensation under normal conditions. However, for intensive overtime initiated or required by the employing unit/regional council, the employing unit or regional council may provide compensating time with the agreement of the employee.

Air travel compensating guidelines

Due to the extra demands associated with air travel, the following guidelines shall be used to calculate compensation time, if applicable.

- For flights over four hours in the evening and/or weekend the employee will receive one day as compensating time.
- For flights between 7-15 hours, the employee will receive two days as compensating time.

- For flights over 15 hours, the employee will receive three days as compensating time.
- For every 7 consecutive days on the road (including travel time), employees will receive two days as compensating time.

Employees are encouraged to manage their time effectively and efficiently in accordance with the above guidelines and/or seek guidance from supervisor.

Procedures

Regular Full Time Salaried and Hourly Employees

1. All overtime hours must be approved, in writing, in advance by the manager. The approval must specify the number of hours being approved. Overtime that is not approved in advance will not be compensated.
2. In the event that the requirement for overtime cannot be planned in advance (for example in the event of an emergency), hours shall be tracked and reported to the manager as soon as possible and are subject to the manager's approval.
3. Overtime shall be kept to a minimum and must not form a regular part of the work schedule.
4. Upon request from the manager, employees may be required to work overtime. Such a request shall take into consideration any prior personal commitments that the employee may have made.
5. Overtime will be compensated at a straight time (1:1) for hours worked between 35 and 44 hours in a regular work week.
6. Overtime will be compensated at one and a half (1:1.5) for hours worked beyond 44 hours in a regular work week.
7. Where there is agreement between the employee and employer, employees may substitute time off in lieu of pay.
8. Compensating time is to be taken at a time that is mutually acceptable to the manager and employee and must be authorized by the manager.
9. Compensating time must be taken as soon as possible. Unless there are extenuating circumstances and consultation has occurred with Human Resources, compensating time beyond the three-month period will be lost.

Employees in a Managerial/Supervisory Position

10. For employees in a managerial/supervisory role there is no provision for overtime time to be paid out, however, time in lieu may be accumulated 1:1. Not more than two weeks may be accumulated before it must be taken.
11. Compensating time is to be taken at a time that is mutually acceptable to the executive minister and employee.
12. Compensating time must be taken as soon as possible. Unless there are extenuating circumstances and consultation has occurred with Human Resources, compensating time beyond the three-month period will be lost.

Acting Pay

Purpose

The United Church of Canada will provide for acting pay when an employee has been formally asked to take on an acting role related to a position in a higher category.

Policy

When a staff person is formally requested by the employing unit to take on an acting role for 25 consecutive days or more, additional remuneration will be paid if the acting position is remunerated at a higher level than that which the person assuming the acting position currently receives. No other additional benefits shall be received or accrued.

Procedures

Employing units/Regional Councils must consult with the Executive Officer, Ministry and Employment Unit, prior to discussing acting pay with employees.

Holidays

Purpose

To give employees time for rest and recreation, and in keeping with legislation, The United Church of Canada provides time off with pay for holidays.

Policy

Employees in every province are entitled to holidays as determined by provincial legislation. In addition, the General Council Office and Regional Councils will be closed between Christmas and New Year's. Holidays, including the week between Christmas and New Year's, are granted with pay to all permanent and term full-time employees. The policy recognizes provincially legislated holidays.

When National Indigenous Peoples Day falls on a workday, staff in the General Council Office and Regional Councils will receive that day off.

For provinces where Remembrance Day is not a provincially legislated holiday, staff in the General Council Office and Regional Councils in Ontario and Quebec will receive that day off, if November 11 falls on a weekday.

The General Secretary has the discretion to determine an early closing prior to a General Council Office and Regional Councils holiday.

Other Religious or Ethnic Holidays

Employees who wish to take time off to celebrate religious or ethnic not included on the list below may use other leave provisions.

Extra Holidays

Three days between Christmas and New Year's

One day at the discretion of the General Secretary

The statutory holidays and observances schedule for the current year can be found on Narthex under Human Resources (Topic: [The Workplace](#)).

Vacation

Purpose

The United Church of Canada provides each employee with a vacation entitlement to give employees time for rest and recreation, and in keeping with legislation.

Policies

The United Church calculates vacation entitlement based on the original date of hire.

For the purposes of vacation calculation, the original date of admission, commissioning, hiring, ordination, or recognition, so long as there has been continuous service, will be used to determine eligibility.

The vacation year is January 1 to December 31. Employees will be given credit for the entire month of hire, regardless of the commencement date. Employees may take their full vacation entitlement any time between the vacation year of January to December with their manager's approval before it has been fully earned. However, if an employee leaves before the end of the year, vacation days not yet earned but taken will be deducted from the final pay. Vacation will be pro-rated for the first year of service when less than one full year.

Vacation is accrued on the following basis:

15 working days (1.25 days per month)	= 1 to 4 years of service
20 working days	= 5 to 19 years of service
25 working days	= 20+ years of service

Full credit for vacation will be based on continuous years of service, while the employee is receiving regular salary.

Procedures

1. Vacation may be taken at any time during the year as agreed to by the immediate manager. The unit reserves the right to designate times of the year when vacations may or may not be taken.
2. Employees may carry-over up to five days in any given year. Approval must be obtained from the Executive Officer, Ministry and Employment, for carry-over of more than five days. All employees are encouraged to take their full vacation entitlement each year.

Sick Leave

1.0 Purpose

- 1.1 The United Church of Canada's sick leave policy is intended to provide a structured and compassionate framework for addressing employee health-related absences from work. This policy will serve as a tool to ensure employees receive the support and guidance they need during times of illness, while maintaining the operational integrity of the organization.

2.0 Policy

- 2.1 The United Church of Canada recognizes that employees may be unable to perform their work duties if they are sick and therefore provides all permanent full time and part time employees with access to occasional/incidental leave and short-term medical leave.

The policy outlines the procedures for sick leave use, documentation requirements and how the Restorative Care Plan (RCP) is accessed for short-term medical leave as adjudicated by the third-party provider.

3.0 Incidental or Non-Consecutive Usage

- 3.1 Sick leave is available for occasional medical absences during the work year. An employee must advise their manager when they know they will be absent from work due to illness and indicate the length of time they expect to be absent.
- 3.2 If an employee uses more than six, non-consecutive days of sick leave in a calendar year, the manager will review the circumstances with the employee. After 10 days of non-consecutive sick leave use in a calendar year by an employee, Human Resources will review their usage history and determine whether the matter should be referred on to the third-party adjudicator.

In these cases, the adjudicator will review information available regarding known medical conditions and associated limitations that may impact the employee's ability to attend work regularly. Where applicable, support will be provided to the employee to minimize the impact of their health condition on their work performance.

- 3.3 Employees who are absent for more than 5 and up to 10 consecutive days due to illness or injury must submit a physician's note to their manager upon their return to work. Failure to submit the required documentation may result in the days being unpaid or taken from accrued vacation leave.

4.0 Accessing the Restorative Care Plan (RCP)

- 4.1 The RCP is available to support employees who will be away from work for more than 10 days and up to 6 months due to illness or injury. In addition, the RCP also supports employees who require accommodations due to illness or injury through a modified schedule or a temporary change in duties.

- 4.2 The first 10 days of absence will serve as the qualifying period for the RCP. When an employee is absent due to illness/injury for more than 10 consecutive days, a claim must be filed by completing the Medical Absence Report (including a physician's note) and submitting it to the United Church Benefits Centre. For more information about the process, please visit the [Benefits Centre](#). Information received from the employee will be forwarded to the third-party provider for adjudication.
- 4.3 Employees are strongly encouraged to start this process as soon as they are aware their leave will extend beyond 10 days. This will ensure that delays in the process are minimized.
- 4.4 The third-party adjudicator will review the circumstances surrounding the illness and determine if the absence is medically supported. If the third-party adjudicator confirms a qualifying illness, Human Resources, in consultation with the adjudicator and the Unit Manager, will determine next steps, which may include developing an accommodation plan that takes into account the employee's limitations and restrictions and the service needs of the Unit. In some cases, a salary continuance for up to six months may be approved, depending on the circumstances.
- 4.5 If the third-party adjudicator does not support a qualifying illness, days taken as sick will be considered as vacation taken or leave without pay. This will be communicated to the employee and reflected on the next pay date.
- 4.6 Return to work following an extended absence will be managed by the third-party adjudicator, in collaboration with Human Resources and the Unit Manager. Depending on the circumstances, a gradual return to work plan with restrictions and or modifications may be recommended. Return to work planning must be accompanied by appropriate documentation and approved prior to the date the employee is returning to work. For more information on return-to-work processes, please see policy 3.7. of the HR Manual.
- 4.7 If it is anticipated that the employee will be applying for long-term disability, the third-party adjudicator and the UCC Benefits Centre will ensure that appropriate documentation is sent to the employee and their physician for completion.
- 4.8 Vacation continues to accrue during the time for which the employee is on an approved medical absence.
- 4.9 Leave granted under this policy is counted as "service" for purposes of salary and benefit calculations. Pension contributions and group insurance plans will continue during the leave provided the employee contributes or make suitable arrangements regarding payment of the employee's portion of premiums.

Pregnancy Leave

1.0 Purpose

- 1.1 The United Church of Canada is committed to supporting its employees in their work and family life. The Church recognizes the unique situation brought about by pregnancy and provides leave for expectant parents.

2.0 Policy

- 2.1 Employees will be granted pregnancy leave commencing before, on or after the date of childbirth. Employees granted pregnancy leave will receive top up payment, provided the organization is presented with proof that they are in receipt of pregnancy benefits under a government insurance plan.

3.0 Guidelines

- 3.1 If the employee is subject to the 1-week qualifying period before receiving government insurance plan benefits, they will receive 95% of their weekly rate of pay for one (1) week. The top-up payment will be 40% of the employee's weekly rate of pay for 15 weeks.

4.0 Procedures

- 4.1 The employee will complete the Pregnancy/Parental Leave Request Form, attaching a medical certificate stating their due date, and submit the signed form to Human Resources at least four (4) weeks in advance of the date of the leave, unless there is a valid reason why notice cannot be given.
- 4.2 Upon receipt of the form, pregnancy leave before, on, or after the birth of the child will be granted. The period of the pregnancy leave will be subject to the maximums set out by government insurance plans (i.e., Canadian Employment Insurance Plan/Quebec Parental Insurance Plan).
- 4.3 If an employee has not yet begun pregnancy leave and the newborn child is hospitalized, or the employee has begun pregnancy leave and then returns to work while the newborn child is hospitalized, then the pregnancy leave can be extended for every week the child is in the hospital, for up to 52 weeks following the week of the child's birth.
- 4.4 Pregnancy leave granted under this policy shall be counted as "service" for purposes of salary and benefit calculations.
- 4.5 The employee may elect to continue pension contributions and group insurance plans during the pregnancy leave. If the employee elects to continue, they and the organization will each pay their share of the benefit costs during the period of the leave.
- 4.6 For term employees (whose employment has a fixed end date), the pregnancy leave will end on the date the employee's term employment is completed, if the end date is prior to the conclusion of the period set out by a government insurance plan.
- 4.7 Pregnant parents are entitled to time off with pay to attend prenatal checkups.

4.8 The employee will provide a minimum of four weeks' notice in writing to the employer before their return to work.

5.0 Partner's Leave

5.1 Five (5) days of special leave at full salary and benefits will be granted to the partner of a person on pregnancy leave for needs directly related to the birth of a child. This leave is normally taken within the first week of the child's birth, but may be taken within four weeks of the birth of the child.

6.0 Miscarriages and Stillbirths

6.1 An employee who has a miscarriage or stillbirth more than 17 weeks before their due date is not entitled to pregnancy leave.

7.0 Government Insurance Plans

7.1 Information on the government insurance plans can be found on the Service Canada website and the Quebec Parental Insurance Plan.

Parental Leave

1.0 Purpose

- 1.1 The United Church of Canada is committed to supporting its employees in their work and family life. The Church recognizes the unique situation brought about by new parenthood and provides leave for new parents.
- 1.2 For the purposes of this policy, the definition of “child” is a person who has not yet reached the age of majority in the province/territory in which the employee resides.

2.0 Policy

- 2.1 Parental leave benefits are available to only to the biological, adoptive, or legally recognized parents while they are caring for their newborn or a newly adopted child or children. Parental leave benefits are payable either from the child's birth or from the date of the child's placement in the home.

3.0 Procedures

- 3.1 The employee will complete the Pregnancy/Parental Leave Request Form attaching a copy of the birth certificate or proof of adoption of a child and submit the signed form to Human Resources at least four weeks in advance of the date of the leave, unless there is a valid reason why notice cannot be given.
- 3.2 Upon receipt of the form, parental leave benefits will be granted. The period of the parental leave will be subject to the maximums set out by government insurance plans (i.e., Canadian Employment Insurance Plan/Quebec Parental Insurance Plan).
- 3.3 If the employee's child is hospitalized and the employee has not yet begun parental leave or the employee has begun parental leave and then returns to work while the child is hospitalized, the parental leave can be extended for every week the child is in the hospital, following the week of the child's birth or when the child comes into the employee's care.
- 3.4 Parental leave granted under this policy is counted as “service” for purposes of salary and benefit calculations.
- 3.5 The employee may elect to continue pension contributions and group insurance plans during the parental leave. If the employee elects to continue, the employee and the organization will each pay their share of the benefit costs during the period of the leave.
- 3.6 For term employees (whose employment has a fixed end date), the parental leave will end on the date the employee's term employment is completed, if the end date is prior to the conclusion of the parental leave set out by a government insurance plan. If both parents are employees of The United Church of Canada, both parents may take a period of parental leave provided that the total period of the leave taken by both parents does not exceed the maximum leave period as per government insurance plan.
- 3.7 The employee will provide a minimum of four weeks' notice in writing to the employer before their return to work.

3.8 This policy does not apply to newly blended families where the child is the biological or adoptive child of one of the partners of the new union.

4.0 Parental Top Up Payments

4.1 Employees granted parental leave benefits will receive top-up payments for a portion of the leave period while the employee is on parental leave, provided that the organization has been presented with proof that the employee is in receipt of parental benefits under a government insurance plan.

4.2 The top up payment will consist of the following:

- a) Income continuation of 95% of the employees' weekly salary, if they are subject to the qualifying period of one week before receiving government insurance plan benefits;
- b) A payment of 40% of their weekly salary for a period of 9 weeks (10 weeks if no qualifying period is required) from the commencement of the parental leave.

5.0 Partner's Leave

5.1 Five days of special leave at full salary and benefits will be granted to the partner of a person on pregnancy/parental leave for needs directly related to the adoption of a child. This leave is normally taken within the first week of a child's placement in the home. This provision does not apply to the context of a blended family, where one partner is bringing an already born/adopted child(ren) into the relationship.

6.0 Government Insurance Plans

6.1 Information on the government insurance plans can be found on the Service Canada website and the Quebec Parental Insurance Plan (QPIP) website.

Other Leave

1.0 Purpose

- 1.1 The purpose of this policy is to establish a clear and equitable framework for managing various types of employee leave and ensuring consistency, fairness and compliance with all applicable legislated requirements.

2.0 Policy

- 2.1 The United Church of Canada is committed to supporting its employees by providing a comprehensive leave package. Leave options meet or exceed legislated requirements and are in keeping with the Church's philosophy of providing a fulfilling, and mutually rewarding working experience for all employees. Depending on the type of leave, time will be paid or unpaid.

3.0 Process

- 3.1 Employees who wish to access leave as outlined in this policy are responsible to forward their request to their manager, in writing, with as much notice as possible. The notice should include the start and projected end date of the leave. The manager will acknowledge receipt of the request and depending on the type of leave, notify the employee if the leave is approved.

The manager will inform Human Resources/Payroll of the leave, in writing, as soon as the information is received. Payroll will update the employee payroll information accordingly.

4.0 Compassionate Leave

- 4.1 Under this policy employees may request reasonable time away with full pay for exceptional situations not covered under other leave policies. This is not an entitlement and is granted only on an "as needed" basis for unusual, unexpected circumstances.
- 4.2 Compassionate leave with pay may be provided to an employee experiencing a personal emergency, at the discretion of the employing unit/Regional Council, in consultation with Human Resources. Factors for determining whether the situation qualifies as an emergency include:
- 4.2.1 an identified need for the employee to respond
 - 4.2.2 a situation over which the employee has no control
 - 4.2.3 a reflection of appropriate compassion as called for by the theology and traditions of The United Church of Canada.

Where one or more of these circumstances apply, and the situation requires urgent and immediate attention that can only be provided by the employee, paid compassionate leave may be approved.

- 4.3 Compassionate leave may be accessed for up to five (5) days per year and is not cumulative. Compassionate leave of up to five (5) days may be approved by the immediate supervisor. For very exceptional circumstances, compassionate leave may be granted for up to 10 days. Human Resources must be consulted for any leave granted over five (5) days.

4.4 Employees facing situations that go beyond these short-term needs should refer to the following section of this policy or consult with Human Resources for more information.

5.0 Legislated Leave Options

5.1 Employees are entitled to access different types of unpaid, job-protected leave, as set out in federal, provincial or territorial legislation. Examples of this type of leave include, but may not be limited to:

- 5.1.1 Family Medical Leave
- 5.1.2 Critical Illness Leave
- 5.1.3 Family Responsibility Leave
- 5.1.4 Child Death Leave

Depending on the leave, an employee may be entitled to apply for EI benefits during the leave period. For more information about types of unpaid, job protected leave that may be available and how to qualify, employees may visit [EI Caregiving Benefits on the Government of Canada website](#) for more information.

For provincial or territorial leave options, please follow this link for further information [visit the Provinces and Territories page on the ADP website](#)..

5.2 An employee returning from an approved leave will be reinstated to their former position or be provided with comparable alternative work.

5.3 Upon returning to work, an employee will be paid for the one-week employment insurance waiting time at their regular salary, where applicable, upon submission of employment insurance payment notifications to the Human Resources Department.

5.4 Vacation will continue to accrue during the period of protected leave if the employee returns to work after the leave. If the employee does not return to work, vacation will not accrue. Vacation accrued during the period of leave can be added on to the end of the leave if approved in advance.

6.0 Domestic and Sexual Violence Leave

6.1 In response to various legislation, including the Employment Standards Act, 2000, and its provision for families experiencing domestic and sexual violence, The United Church of Canada is committed to ensuring that employees can take time off from work to deal with the repercussions of violence.

6.2 Subject to the presentation of reasonable evidence of the necessity of the leave, an employee, except where that employee is accused of an infraction related to this act or if the circumstances allow one to believe that it is probable that they committed the act, is eligible to take Domestic and Sexual Violence Leave for up to 10 paid days per calendar year and up to 15 weeks of a job protected unpaid leave. The leave can be taken in one or more periods, as necessary.

- 6.3 If an employee is a victim of domestic or sexual violence or is the parent of a child (aged 18 or under) who is a victim, they have the right to access leave to allow them to do the following, in relation to the violence:
- 6.3.1 Seek medical care for themselves or the child with regard to an injury, physical disability, damages or a psychological disability
 - 6.3.2 Obtain the services of an organization that provides services to victims of family violence
 - 6.3.3 Obtain psychological services or advisory services of another nature
 - 6.3.4 Move temporarily or permanently
 - 6.3.5 Obtain legal services or the support of organizations tasked with applying legislation, prepare for civil or criminal hearings or participate in such hearings
 - 6.3.6 Take any measure prescribed by regulation.
- 6.4 The first 10 days of the leave in each calendar year shall be with pay in accordance with the criteria set out above.
- 6.5 Managers and Human Resources personnel are responsible for maintaining the confidentiality of the employee and ensuring the written records regarding any such leave are securely stored in accordance with [Privacy and Personal Information Policy 1.11](#).
- 6.6 “Child” under the provision of this policy means, child, step-child or child under legal guardianship of the employee who is under eighteen (18) years of age.
- 6.7 Employees must have at least thirteen (13) weeks of employment to qualify for the leave.
- 6.8 The employee must give written notice to their manager or Human Resources that they will be taking the leave as soon as practical in the circumstance, together with reasonable verification of the necessity of the leave and the total leave period expected to be taken. If the employee must begin the leave before advising their manager, the employee will advise them as soon as possible after beginning the leave.
- 6.9 Upon receipt of the notice the employee will be granted the leave and will be paid at their regular rate of pay for the 10 days of leave.
- 6.10 Leave granted under this policy is counted as “service” for purposes of salary and benefit calculations. Pension contributions and group insurance plans will continue during the leave provided the employee contributes or make suitable arrangements regarding payment of the employee’s portion of premiums.
- 6.11 On expiry of a leave under this policy, an employee who returns to work shall be re-instated in the same position or in a comparable position if the position is not available.
- No later than 15 days after returning from work, the employee will provide supporting evidence “reasonable in the circumstances”, where possible, concerning the reasons for the leave to Human Resources.

7.0 Bereavement Leave

- 7.1 The United Church of Canada is committed to supporting its employees during times of loss and provides bereavement leave to those who need to access this support.
- 7.2 Up to five days of bereavement leave with pay is provided to an employee upon the death of a partner or spouse, child, stepchild, birth or adoptive parent, sibling or step-sibling or step-parent.
- 7.3 Up to two days of bereavement leave with pay is provided to an employee upon the death of a mother-in-law, father-in-law, sister-in-law, brother-in-law, grandparent, son-in-law, daughter-in-law or grandchild. This benefit is also available upon the death of a significant person, usually a relative not included in the above, or a close friend.
- 7.4 All leaves granted will be reported by the employing unit/Regional Council to Human Resources and payroll.
- 7.5 Depending on the circumstances, this policy may be combined with other leave policies if the employing unit/Regional Council and Human Resources consider it appropriate.
- 7.6 Allowances may be made by the manager for travel, in consultation with Human Resources, in extenuating circumstances.

8.0 Unpaid Personal Leave

- 8.1 An employee may be granted a leave of absence without pay with the approval of the corresponding Executive Officer/Minister or Regional Council Executive Minister, with advice and consultation from Human Resources.
- 8.2 The criteria used to determine whether an unpaid leave can be granted, includes:
 - 8.2.1 The employee must not have had an unpaid personal leave of absence approved within the past year
 - 8.2.2 The leave is for no longer than 30 days, except in exceptional circumstances
- 8.3 Vacation and sick leave credits do not accrue during a leave of absence without pay.
- 8.4 The policy regarding benefit and pension coverage during a leave of absence is as follows:
 - 8.4.1 A leave of absence of less than 30 calendar days does not impact benefit entitlement. The employee will keep benefits and service earned up to that date. If an unpaid leave extends beyond 30 days, that will be considered a break in continuous services for the purposes of benefits.
 - 8.4.2 In the event the leave extends beyond 30 days, in order to maintain provincial health care coverage, the employee will pay the full premium (employee and employer portions) directly to the payroll office. This applies only in provinces where health care premiums are paid by individuals.

- 8.4.3 In order to maintain benefit coverage and membership in the pension plan for a leave greater than 30 days, the employee will pay the full premium(s) (employee and employer portions) directly to The United Church of Canada's Pension and Benefits Centre, our third-party pension and benefits administrator.
- 8.5 If an economic adjustment is due during the leave of absence, it will take effect on the date the employee returns to work.
- 8.6 Any anniversary review and salary range increase due during the leave period will be postponed until after the employee returns to work. If the leave of absence is more than 30 days, the anniversary date is moved forward by the length of the leave, after which time the increase becomes effective. Subsequent anniversary dates will occur every 12 months (providing employment is continuous) from the new anniversary date.
- 8.7 All benefits will be reinstated and the usual payroll deductions made upon the employee's return to work.
- 9.0 Court Duty**
- 9.1 The United Church of Canada is committed to supporting the civic responsibilities of its employees and provides leave for jury and witness duty to those who are called to serve. Employees who miss work for court duty will receive full salary and benefits as usual. Absence for subpoenaed witness duty is treated the same as jury duty. Employees are expected to return to work as soon as court duty has been completed.
- 9.2 Any fees an employee may receive for being on court duty may be retained by the employee.
- 9.3 Court duty summons must be submitted and reported to Human Resources.

Professional and Vocational Development

Purpose

The United Church of Canada is committed to supporting the ongoing professional and vocational development of its employees. This policy outlines guidelines and requirements for professional and vocational development opportunities and leaves for permanent employees in the General Council Office and Regional Councils

Policy

All employees are expected to engage in continuous skill development and subject matter learning as part of their regular work responsibilities. This includes keeping current on subject matter relevant to their responsibilities and technical training offered in house. Plans for, and accommodation of, this continuous development will be identified, and subsequently accounted for in the employee's annual performance and development review with their manager.

Paid leave for professional development opportunities such as training, skills development, or education, or programmes required to maintain professional accreditation may be requested by all permanent employees. Such requests must be directly related to an employee's current work, known future work, or anticipated areas of expansion at the United Church.

Scope

Short-term professional Development Leave: All permanent employees who have completed one year of service may request Professional Development Leave for up to 15 days per year. Professional Development Leave must be completed within a twelve-month period and may not be accrued.

Extended Professional/Vocational Development Leave: All permanent program and management staff in categories 8 and above who have completed five years of service, in the same role may request Professional/Vocational Development Leave for up to 12 weeks and again at successive five-year intervals. The extended leave must be completed within a twelve-month of start period. Eligibility for consideration of subsequent leave will not begin until five years after the completion of the last leave.

Permanent staff in category 7 who were employed prior to December 2008 will continue to be eligible to apply for this benefit.

Professional Development Assistance: All permanent employees who have completed one-year of service may request financial assistance towards the costs associated with their professional/vocational development program. These amounts will be subject to yearly budgetary considerations.

Guidelines

Professional/vocational development leave requires the employee to engage in an intensive and disciplined program of study, assessment, or vocational development directly related to an employee's current work, known future work, or anticipated areas of expansion at the United Church. Such leaves will provide the employee with an opportunity to step away from the regular duties and routines of their position and focus on a specific aspect or aspects of their

responsibilities or to assess the work that they do in the larger context of the mission and ministry of The United Church of Canada.

It is expected that such leaves will normally result in a new program or resource, documented revisions to or evaluation of an existing program, resource, or commitment of the United Church, or the development of a professional skill or capacity related to the employee's responsibilities.

The content and the length of the leave are subject to the approval of the immediate supervisor and the Executive Officer/Minister or Regional Council Executive Minister of the employing unit/Regional Council, in consultation with the Executive Officer, Ministry and Employment Unit. Approval of a leave, and its timing, is contingent upon whether the absence can be accommodated in the unit or regional council's schedule and funding.

While time away from the regular routines and demands of one's position will provide an opportunity for personal and spiritual reflection, the extended professional/vocational development leave in the General Council and Regional Council office system first and foremost focused on clearly defined professional substantive outcome rather than as in the pastoral relations sabbatical provision in the United Church which is more focused on significant spiritual renewal, the latter recognizing the full-time pastoral and spiritual care demands upon ministers in pastoral ministry. Where positions in the General or regional councils have such a component or involves substantive and sustained spiritual demand, the staff approving a leave proposal may take this into consideration, in consultation with the Executive Officer/Minister of the Ministry and Employment Unit at least six months prior to the leave.

The program of research, study or assessment undertaken must be clearly job related, either to one's current position, or to a known change in position in The United Church of Canada. It may also be related to an area of expansion in the church, which includes training to enable growth into other areas or helping to equip staff for transformational change. The intent is to enable staff to grow professionally and to assist the church in fulfilling its mission and ministry.

Request for a leave is subject to the approval of the immediate supervisor, who will determine whether the opportunity will facilitate the work of the church and will be of mutual advantage to the employee and the employing unit/regional council. It is also subject to whether the proposed timing of the absence can be accommodated in the unit or regional council's schedule.

Final approval of the leave rests with the Executive Officer/Minister or Regional Council Executive Minister or the General Secretary, in consultation with the Ministry and Employment Unit. Approval of the leave is subject to the requirements (skill level, time, service needs etc.) of the workplace, as well as budgetary considerations.

Travel costs associated with the leave may be expensed to the employee's or unit's travel budget upon approval by the executive minister/officer of the unit only if travel to a partner or resource is necessary to accomplish the objectives of the leave.

Employees have access to financial assistance to offset the cost of any programs/training or resources related to the leave. These amounts will be subject to yearly budgetary considerations. This information is available through the Ministry and Employment Unit.

Procedures

1. The accessibility needs of employees with disabilities, as well as individual accommodation plans, shall be taken into account to support Professional Development, when requested.
2. Employees requesting short-term or extended leave are required to complete the Professional Development Leave Request Form, seek approval from their manager, Executive Officer/Minister or Regional Council Executive Minister or the General Secretary and Ministry and Employment Unit well in advance prior to the leave.
3. Employees seeking financial assistance are required to complete the Professional Development Assistance Request Form, seek approval from their manager, Executive Officer/Minister or Regional Council Executive Minister or the General Secretary and Ministry and Employment Unit prior to registering for training.
4. The Ministry and Employment Unit must be consulted prior to any leave approval to ensure consistency with the policy and to confirm eligibility for a leave.
5. Requests for time off during normal working hours to participate in professional development opportunities that are not directly related to the employee's responsibilities may be approved by the immediate manager, in consultation with the Executive Officer, Ministry and Employment Unit, as flex work time or as unpaid leaves of absence.
6. Extended professional and vocational development leave proposal will be discussed in the early stages of development with the applicant and the manager in the employing unit/regional council, with the Executive Officer/Minister or Regional Council Executive Minister of the employing unit/Regional Council, and with the Executive Officer, Ministry and Employment Unit.
7. The timing of the extended leave, as well as the general area of focus, will be approved by the manager. The employee may then start to make plans regarding the leave's activities, before the final proposal has been formally approved.
8. The approval process for extended leave is meant to be consultative in nature in order to provide a comprehensive analysis of the leave being proposed. Once consensus has been achieved, the Executive Officer, Ministry and Employment Unit, will confirm compliance with policy. The manager will then formally approve the leave.
9. The employing unit/regional council and the Executive Officer/Minister or Regional Council Executive Minister are responsible for determining the number of leaves that may be taken within that unit or council per year, taking into consideration budgetary limitations, service needs, and work requirements. Because of this, it may not be possible for a unit to grant a leave, or at the time requested.

10. Consultation and review of the leave proposal must be done at least six months before the proposed start date. Specific details are to be provided in writing no later than two months before the start of the leave.
11. Upon completion of the leave, the employee will provide written and/or oral reports to the Unit as determined when the leave was approved. All completed courses/training/certificates/ programs will form part of the employees' file.
12. For programs that are graded courses, half the amount will be paid upon registration, and the second half upon successful completion of the course and presentation of the grade obtained.
13. There is no provision for carrying over unused professional development funds from year to year. There is also no provision for carrying forward leave from year to year.
14. Extended professional/vocational development leave shall not normally be taken in conjunction with other leaves i.e., vacation unless the manager is satisfied that the additional continuous absence does not compromise the work associated with the role or incur additional expenses to provide coverage for the work.

Gifts to Staff

Purpose

The United Church of Canada supports providing appropriate gifts to staff for special work-related or other occasions.

Guidelines

At the discretion of the employing unit/Regional Council:

- 0-4 years of continuous service: \$25-50
- 5-9 years of continuous service: \$75
- 10-15 years of continuous service: \$100
- 15-19 years of continuous service: \$150
- 20-25 years of continuous service: \$200
- Over 25 years of continuous service: \$250

Options of gift baskets or gift certificates.

Policy

1. Gifts may be presented to staff for work-related or special occasions in the form of gift certificates or purchased gifts. To ensure equity and transparency, the Ministry and Employment Unit will provide guidelines when determining the value of the gift. These gifts are paid for by the employing unit/Regional Council.
2. Each employing unit/Regional Council may, with the consent of the employee, choose to have a social gathering for an employee who has resigned or retired. Employing units/Regional Councils may, at their own discretion, expand farewell gatherings to include staff from other employing units/Regional Councils. Expenses for these gatherings will be borne by the employing unit/Regional Council.
3. On behalf of the General Council Office and Regional Councils, the Ministry and Employment Unit will send flowers, or donations in lieu of, to hospitalized employees and baby baskets to new parents. Flowers, or a donation in lieu of, will be sent in the event of an employee's death or a death in an employee's immediate family.

Membership in Professional Organizations

Purpose

The United Church of Canada recognizes that certain positions require membership in a professional body or association, or that membership in a professional body or association may be beneficial to the work of the church.

Policy

1. The United Church of Canada will pay membership in professional organizations when it is determined that such membership is a requirement for the position. The senior staff person of the unit, in consultation with the Ministry and Employment Unit, will determine whether or not such membership is a requirement.
2. Opportunities may also arise where employees may wish to join a professional body or association that directly impacts their work. The senior staff person of the employing unit/Regional Council, will determine whether the affiliation in a professional organization will facilitate the work of the church and will be of mutual advantage to the employee and the employing unit/Regional Council.
3. Funding for all approved professional membership fees will come from the employing unit/Regional Council.

Election to Public Office Leave

Purpose

The United Church of Canada is committed to supporting employees who campaign for and/or are elected to public office.

Policy

The United Church of Canada requires that employees who are seeking election to either the Parliament of Canada or to a provincial legislature take an unpaid leave of absence. Provisions may also be made for employees who are subsequently elected to any public office; this may include either an extended unpaid leave of absence, or a change in employment status to permanent part-time.

Procedures

1. An employee seeking election to either the Parliament of Canada or to a provincial legislature must take an unpaid leave of absence or vacation for the duration of the campaign.
2. If elected to a full-time position in a provincial or federal election, the employee must resign their position in the United Church.
3. An employee elected as mayor, where such position is a part-time position, may remain on staff with an appropriate reduction in pay in proportion to the amount of time that must be devoted to the mayoralty duties involved. The percentage of the reduction will be decided by the employing unit/Regional Council in consultation with the Ministry and Employment Unit.
4. An employee who is elected as councillor or school trustee may be granted unpaid time off to attend council or board meetings.
5. Any periods of leave of absence without pay to attend to the duties of elected office will not be used when determining length of service.
6. The service before and after such leaves of absence will be deemed to be continuous for all purposes.

SECTION 3: EMPLOYEE RELATIONS

The United Church of Canada Multi-Year Accessibility Plan

Accessibility in Ministry

What We Believe

The United Church of Canada is committed to being an open, accessible, and barrier free environment, where there is full participation of everyone including people with disabilities. We strive to meet the needs of our employees, volunteers and all those who may interact with our organization including those who may have disabilities, both visible and invisible.

Unlocking Barriers

- People with disabilities who are **The United Church of Canada customers/clients** receive goods and services in a timely manner.
- People with disabilities who are **The United Church of Canada employees or volunteers** participate fully and meaningfully in service, mission, and employment
- **Information and communication** is available in accessible formats to The United Church of Canada staff, customers/clients, and volunteers.
- The United Church of Canada staff are able to **identify barriers to accessibility** and actively seek solutions to prevent, remove or reduce them on a continual basis throughout the organization.
- The United Church of Canada will provide **ongoing training** as it relates to people with disabilities through resources, orientation, and any other formats as needed.

Policy Statement on Accessibility

The United Church of Canada is committed to treating all people in a way that allows them to maintain their dignity and independence. We believe in integration and equal opportunity. We are committed to meeting the needs of people in a timely manner, and will do so by becoming an open, accessible, and barrier-free environment where there is full participation of persons with disabilities in the church's ministry and mission.

Communication, Feedback, and Customer Service

The United Church of Canada is committed to providing excellent customer service to all persons, including people with disabilities. The United Church of Canada employees will communicate with people with disabilities in ways that take into account their disability. The United Church of Canada also provides an accessible customer service feedback process.

Feedback regarding the way The United Church of Canada provides programs, goods and services to persons with disabilities can be made by sending an email to:

unitedchurchaccessibility@united-church.ca.

- All feedback will be directed to the Ministry and Employment Unit.
- Participants can expect to hear back within ten business days
- Confidentiality will be respected.

Use of Service Animals, Assistive Devices and Support Persons

The United Church of Canada welcomes people with disabilities who are accompanied by a service animal, support person or require an assistive device. Employees will be trained on how to interact with these individuals in a manner that is respectful and ensures their safety as well as the safety of the service animal and support person accompanying them.

Organizational Commitment: Information and Communication Coordination

The United Church of Canada is committed to meeting the communication needs of people with disabilities. We will consult with people with disabilities to determine their information and communication needs. The United Church of Canada will take necessary steps to make all websites and content conform with WCAG 2.0, Level AA.

Organizational Commitment: Emergency Information and Service Disruptions

The United Church of Canada is committed to providing the customers with information about service disruptions. We will also provide staff with disabilities with individualized response information as requested.

Organizational Commitment: Human Resources – Employment

The United Church of Canada is committed to fair and accessible employment practices. We take steps to notify the public and staff that, when requested, The United Church of Canada can accommodate people with disabilities during the recruitment process.

The United Church of Canada will formalize the process for developing individual accommodation plans and return to work policies for employees that have been absent including measures to address concerns related to a disability.

The United Church of Canada will develop a mechanism that take into account an employee's disabilities when using performance management and career development processes.

The United Church of Canada will take steps to prevent and remove ongoing accessibility barriers identified following an Accessibility Audit.

Organizational Commitment: Human Resources –Training

The United Church of Canada will provide training to staff and volunteers as it relates to people with disabilities. Training and resources will be developed in various formats.

Training will include the following:

- The purpose of the Accessibility Policy
- How to interact and communicate with people with various types of disabilities
- How to interact with people with disabilities who use an assistive device or require the assistance of a service animal or support person
- How to learn about the use of various assistive devices
- What to do if a person with a disability is having difficulty in accessing The United Church of Canada's services.
- The United Church of Canada policies, practices and procedures relating to the accessibility standards.

The United Church of Canada Multi-Year Accessibility Plan
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Organizational Commitment: Other

The United Church of Canada works extensively with volunteers, elected members and others who contribute significantly to directing the activities of the church. Such work requires the gathering of these members for meetings, in person and electronically. We strive to select venues which are accessible.

Multi-Year Accessibility Plan - Unlocking Barriers

Unlocking Barriers	AODA Standards/Regulations	Activities	Compliance Deadline
People with disabilities who are The United Church of Canada customers and clients , received goods and services in a timely manner.	Customer Service S. 3(1, 3), S.4 (1a,1b,1c) Procuring or acquiring services or facilities S 6(2) Self-Service Kiosks	<ul style="list-style-type: none"> · Review and Revise Accessibility Policy · Post Accessibility Multi-Year plan to website · Establish criteria for evaluating venues for meetings. · Point of sale device will allow persons with disability to access products. 	June 30 th 2020 June 30 th 2020 June 30 th 2020 N/A
People with disabilities who are The United Church of Canada employees or volunteers participate fully and meaningfully in service, mission, and employment.	Employment S. 22, 23(1-2), 24, 25(1-3), 26(1-2), 27(1-4), 28(1-3), 29(1-2), 30(1) - 32(1)	Review and update HR Policies for the following: <ul style="list-style-type: none"> · Recruitment and Selection of Staff · Accommodation based on Disability · Return to work Program · Performance Management · Professional & Sabbatical Development 	June 30 th 2020
Information and communication is available in accessible formats to The United Church of Canada employees, customers, and volunteers.	Information and Communication	<ul style="list-style-type: none"> · Meet WCAG 2.0 Level AA Web Content Accessibility Guidelines · Website · Intranet Website · Web Content · Guideline for creation of resources/materials 	January 1 2021
The United Church of Canada will provide ongoing training as it relates to people with disabilities through resources, orientation, and any other formats as needed.	Training Training - S. 7(1,2,3,4,5)	Develop program to ensure continual/ongoing training for current staff Develop program to ensure training for new staff	June 30 2020 Ongoing

Accessibility and Customer Service - Policy 3.1 (Approved February 2020)

Accessibility and Customer Service

Purpose

In fulfilling our mission, The United Church of Canada strives at all times to provide its goods and services in a way that respects the dignity and independence of people with disabilities. The United Church of Canada is also committed to giving people with disabilities the same opportunity to access employment, goods and services and allowing them to benefit from the same services, in the same place and in a similar way as other participants. This policy outlines how the General Council Office and regional council offices will work together to provide accessibility to ministry personnel, employees, volunteers and clients with disabilities.

Policy

The United Church of Canada is committed to treating all people in a way that allows them to maintain their dignity and independence. We believe in integration and equal opportunity. We are committed to meeting the needs of people in a timely manner, and will do so by becoming an open, accessible, and barrier-free environment where there is full participation of persons with disabilities in the church's ministry and mission.

In accordance with applicable legislation and regulations the policy on Accessibility and Customer Service will be reviewed annually, revised appropriately and posted at all General Council and regional council workplaces.

Each regional council will develop, implement, and post a specific Accessibility Customer Service Policy Program at their location, which meets applicable legislative requirements, as well as the requirements of this policy.

The program will be based on the elements outlined in this policy.

Accessible Customer Service Policy Program

Employment

We notify employees, job applicants and the public that accommodation can be provided during recruitment and hiring. We notify job applicants when they are individually selected to participate in an assessment or selection process that accommodation is available upon request.

We will consult with employees when arranging the provision of suitable accommodation in a manner that is taken into account the accessibility needs due to disability. We will consult with the person making the request in determine the suitability of an accessible format or communication supports specifically for:

- a) Information that is needed in order to perform the employee's job; and
- b) Information that is generally available to employees in the workplace

Where needed, we will also provide customized emergency information to help an employee with a disability during an emergency. With the employee's consent, we will provide workplace emergency information to a designated person who is providing assistance to that employee during an emergency.

We will provide the information as soon as practicable after we become aware of the need for accommodation due to the employee's disability.

We will review the individualized workplace emergency response information when the:

- a) Employee moves to a different location in the organization;
- b) Employee's overall accommodation needs or plans are reviewed; and
- c) Employer reviews its general emergency response policies.

We have a written process to develop individual accommodation plans for employees.

We have a written process for employees who have been absent from work due to a disability and require disability-related accommodation in order to return to work.

Our performance management, career development and redeployment processes take into account the accessibility needs of all employees.

Communication

We will communicate with persons with disabilities in ways that take into account their disability.

We will train staff on how to interact and communicate with persons with various types of disabilities.

Our Information Technology websites will meet the requirements of WCAG 2.0 Level AA.

Telephone Services

We are committed to providing accessible telephone services to our participants.

Alternative means of communication, such as email, fax, etc., will be offered to facilitate the process for the caller.

When communicating over the telephone, staff will speak clearly at a speed that meets the needs of the caller.

Assistive Devices

We will ensure that our staff is trained and familiar with various assistive devices that may be used by people with disabilities while accessing our goods, services or opportunities.

We are committed to serving persons who require assistive devices to participate in and benefit from our programs, goods and services.

We will ensure that people are permitted to use their own personal assistive devices to access programs, goods and services or to participate fully in events, meetings or as a member of committees and task groups.

Upon a participant's request, every effort will be made to provide the requested assistive device and/or service.

Staff will be provided with guidelines on how to interact with individuals who use assistive devices.

Billing

We are committed to providing accessible invoices to all of our customers/clients. Invoices will be provided in alternative format upon request. We will answer any questions customers/clients may have about the content of the invoice in person, by telephone or email.

Use of Service Animals and Support Persons

We are committed to welcoming people who are accompanied by a support person or service animal. Service animals will have access to all parts of our premises that are open to the public and other third parties with the exception of areas of where food is prepared.

Staff will be provided guidelines on how to interact with people who are accompanied by a support person or a service animal.

Fees will not be charged for support persons accompanying a volunteer committee/task group member.

Notice of Temporary Disruption

Every effort will be made to provide staff/volunteers/participants with advance notice in the event of a planned disruption in the facilities or services usually used by persons with disabilities. This notice will include information about the reason for the disruption, the anticipated duration, and a description of alternative facilities or services, if available.

When service disruption is unexpected, information will be posted as soon as it is available.

Training for Staff and Volunteers

The United Church of Canada's Ministry and Employment Unit will be responsible for coordinating training for all employees and others who deal with the public or volunteer members. Training will be developed and delivered in various formats. We train every person as soon as practicable after being hired and provide training in respect of any changes to the policies

Training includes the following:

- The purpose of the Accessibility Policy
- How to interact and communicate with people with various types of disabilities
- How to interact with people with disabilities who use an assistive device or require the assistance of a service animal or support person
- How to learn about the use of various assistive devices
- What to do if a person with a disability is having difficulty in accessing The United Church of Canada's goods and services
- The United Church policies, practices and procedures relating to the accessibility standards

Feedback Process

The ultimate goal of the General Council and regional council offices of The United Church of Canada is to meet and surpass expectations while serving persons with disabilities.

Comments on our programs, goods and services regarding how well those expectations are being met are welcome and appreciated.

Feedback regarding the way The United Church of Canada provides programs, goods and services to persons with disabilities can be made by sending an email to:

unitedchurchaccessibility@united-church.ca.

- All feedback will be directed to the Ministry and Employment Unit.
- Participants can expect to hear back within ten business days
- Confidentiality will be respected.

Modifications to This or Other Policies

We are committed to developing accessibility policies that respect and promote the dignity and independence of persons with disabilities.

No changes, therefore, will be made to this policy before considering the impact on persons with disabilities or their families.

Any policy that does not respect and promote the dignity and independence of persons with disabilities will be modified or removed.

This policy seeks to achieve service excellence to persons with disabilities. If anyone requires further information regarding this policy, please contact Ministry and Employment Unit.

Occupational Health and Safety

Purpose

The United Church of Canada is committed to providing a safe and healthy workplace for all employees.

Policy

All employees of the United Church will be provided with an appropriate space in which to work and proper equipment and tools to do the job.

It is the intention of the United Church to provide a safe workplace, safe equipment, proper materials, and to establish and insist on safe methods and practices at all times.

It is a basic duty of all those carrying executive responsibility to make the safety of employees a part of their daily concern. This responsibility must also be accepted by every individual who conducts the affairs of the organization, in whatever capacity they function.

The key to success lies in the willingness of all employees to recognize their responsibility and actively support accident and injury prevention activity.

Procedures

1. All levels of management will actively support the safety program and ensure that employees are aware of all safety protocols. They will also respond to employee concerns such as environmental, ergonomic, and/or health issues arising from the workplace setting, potential workplace hazards, etc.
2. Safe work practice training will begin when an employee is hired and will be a continuing process throughout employment.
3. All supervisors are responsible for ensuring adherence to health and safety procedures.
4. Personal protective equipment will be used in accordance with safety procedures as directed by the supervisor or other authorized people.
5. Inspections of all General Council Office and Regional Councils' facilities, **as may be required by provincial legislation**, will be made on a routine basis and an annual Occupational Health and Safety audit will be conducted by the Occupational Health and Safety Committee.
6. The correction of hazards will be given priority.
7. Supervisors will immediately investigate every accident within their area and submit a detailed, written report to their immediate supervisor to be given to the Occupational Health and Safety Committee in accordance with incident reporting procedures (see #10 below).
8. Health and safety education and training will be undertaken by the organization.
9. Employees are required to observe safety regulations, report unsafe conditions, and wear appropriate safety equipment.
10. Incident reports are available from the Occupational Health and Safety Committee. Once completed, they will be forwarded to the committee for appropriate action.

Workplace Discrimination, Harassment, and Violence Prevention and Response

If you experience or witness violence, call 9-1-1. Once everyone is safe and medical care is provided or sent for, your supervisor or equivalent should be notified of the incident.

I. Theological Statement

- [1] The United Church of Canada (“the Church”) believes that all people are created in God’s image and all people deserve the same human rights and freedoms.
- [2] The United Church of Canada is committed to providing safe environments for work, worship, and study that are free from discrimination, harassment, and violence.

II. Two Criteria Must Be Met for This Policy to Apply

- [3] First, the Policy applies to any person in the Church who has either allegedly demonstrated or experienced behaviour that constitutes discrimination, harassment, and/or violence. Any person in the Church includes:
- members, adherents, lay people, ministry personnel, staff, or volunteers in pastoral charges; communities of faith; regional councils; General Council Office; and institutions, agencies, organizations, or bodies that operate under the name and/or control of the Church.
- [4] Second, the alleged behaviour must have occurred in the performance of one’s work, duty, and/or obligation for the Church:
- through virtual communities, platforms, and networks (e.g., Teams, Zoom), electronic means (e.g., telephone, fax), and other modes of communication, including social media platforms; and/or
 - in a physical environment of work, worship, and/or study.

Note: These environments may include bodies that have an affiliation with the Church and have adopted the Policy, including incorporated bodies, KAIROS, and The United Church of Canada Foundation. In the event of a complaint involving workplace harassment, discrimination, and/or violence, these bodies may use the Church’s Policy or their own internal policy provided that it is consistent with provincial or territorial legislation.

III. Those Who Can Lodge a Complaint

- [5] There are two categories of Complainants:
- **First category:** A person who has allegedly experienced workplace discrimination, harassment, and/or violence in the workplace.
 - **Second category:** A person who has seen, heard, and/or has evidence about a person being an alleged victim of workplace discrimination, harassment, and/or violence by a person to whom this Policy applies.

This person may include an employer, a minister, or someone the alleged victim has confided in. The alleged victim of the complaint will be offered the opportunity to participate in the investigation and become the Complainant at any time.

Note: The Church, as an employer, has a positive obligation to maintain a safe and healthy workplace.

Anonymous Complaints

[6] The Church is required to conduct a fair investigation. A fair investigation requires, among other things, that the Respondent in a complaint has a right to know the case before them, which includes notice of the allegations and who is making them. Therefore, as a general rule anonymous complaints will not be pursued. However, the Church may enquire whether the alleged victim(s) will become Complainants. In the absence of a Complainant or Complainants, the Church is not able to proceed with a formal investigation of the complaint.

IV. This Policy Is Required by Law

[7] Discrimination, harassment, and violence in the workplace are not allowed by the church and by provincial, territorial, and federal law.

[8] By law, the Church is required to have a policy that addresses harassment, discrimination, and violence in the workplace. Communities of faith may use this Policy or develop their own customized policy. If a community of faith chooses to develop its own policy, the procedure for complaints must be the same as this Policy to ensure consistency in the complaints process in the Church. In addition, any customized policy must comply with provincial or territorial legislation related to discrimination, harassment, and violence.

V. Options for Making a Complaint Outside This Policy

[9] Complainants may decide not to make a complaint under this policy. They can choose to make a complaint under provincial and territorial human rights legislation¹ or occupational health and safety legislation.

[10] However, Complainants must choose their forum to make a complaint. They cannot make a complaint at the same time under this policy and other relevant legislation.

¹ Applicable legislation includes the British Columbia *Human Rights Code*, the Alberta *Human Rights Act*, the Saskatchewan *Human Rights Code*, the Manitoba *Human Rights Code*, the Ontario *Human Rights Code*, the New Brunswick *Human Rights Act*, the Prince Edward Island *Human Rights Act*, the Newfoundland *Human Rights Act*, the Nova Scotia *Human Rights Act*, the Yukon *Human Rights Act*, the Northwest Territories *Human Rights Act*, and the Nunavut *Human Rights Act*.

[11] Every province and territory may have one or more pieces of legislation that deal with inappropriate behaviour in the workplace. These laws apply to the Church in its respective provincial and territorial jurisdiction. Accordingly, the Church encourages anyone accessing this policy to review and familiarize themselves with the applicable legislation in their respective jurisdiction. In an effort to facilitate this, the Church has attached [Appendix A: Select Applicable Legislation](#). This is not a complete list.

VI. Individuals Shall not Fear Retaliation from the Church

[12] Individuals who share concerns about discrimination, harassment or violence in the workplace will not fear any form of retaliation from the Church. Retaliation includes firing, suspending, intimidating, imposing a penalty, and denying a right or benefit.

[13] There will not be any retaliation for individuals who:

- report an incident, make a complaint, or might make a complaint under this policy;
- are named in a complaint or might be named in a complaint;
- participate or cooperate in an investigation related to this policy; and
- are associated with a person who has made a complaint under this policy and/or any other process or procedure.

VII. Definitions

[14] The definitions below are for reference only and may vary across applicable jurisdictions.² Individuals are encouraged to review the applicable legislation in their respective jurisdiction, as well as the definitions in the attached appendices.

[15] In the event that any of the definitions outlined below conflict or are inconsistent with applicable legislation, the applicable legislative definition will be used.

Discrimination

[16] Discrimination includes any distinction, exclusion, or preference based on protected grounds set out in human rights legislation that nullifies or impairs equality for opportunities in employment or equality in the terms and conditions of employment. Discrimination includes unwelcome comments or actions that relate to a person's personal characteristics—for example, race, gender, sexual orientation, and age.

[17] It is the impact of the behaviour, not the intention behind it, that determines whether the concerning behaviour is discriminatory. Discrimination is prohibited and is a violation of human rights legislation in each applicable jurisdiction and within the Church.

There are two forms of discrimination: direct and systemic.

² Applicable jurisdiction(s) refers to the Church's operations in all provinces and territories in Canada.

Direct Discrimination

[18] Direct discrimination is an action, a behaviour, or a practice of treating a person unequally on the basis of any of the prohibited grounds. It may be overt and admitted or covert and denied. Examples of direct discrimination include making jokes or comments about a person's disability; imitating a person's accent, speech, or mannerisms; making persistent or inappropriate comments related to pregnancy or childbirth; or making inappropriate comments related to age or sexual orientation.

Systemic Discrimination

[19] Systemic discrimination refers to policies or practices that appear to be neutral on their surface but that may have discriminatory effects on individuals based on one or more Human Rights Code grounds.

[20] The prohibited grounds may vary across applicable jurisdictions and may be subject to legislative change. Individuals are encouraged to review the applicable legislation in their respective jurisdiction. The applicable definition and prohibited grounds in applicable jurisdictions as of November 30, 2021, are set out in [Appendix B: Definition and Prohibited Grounds of Discrimination in Employment](#).

Harassment

[21] Harassment includes improper and unwanted comment or conduct when such conduct might reasonably be expected to cause insecurity, discomfort, offence, or humiliation to another person. Harassment is a form of discrimination. Harassment usually results from a series of incidents, but one incident could form the basis of a harassment complaint.

[22] Harassment may be written, verbal, electronic, physical, a gesture or display, or any combination of these. A complaint of harassment can be made based on inappropriate interaction between co-workers; between managers and employees; or between employees and members, adherents, or volunteers in a community of faith. (This is not meant to be a complete list.)

[23] Harassment can include jokes or innuendo, verbal abuse, pranks, hazing, inappropriate online conduct, unwelcome invitations, comments about appearance or clothing, setting impossible expectations, constant negativity, and/or undermining behavior.

[24] Harassment does not include constructive criticism, evaluating or monitoring performance or setting performance standards, corrective or disciplinary action, or organizational change for business reasons.

[25] The definition of harassment may vary across applicable jurisdictions, may be subject to legislative change, and can include workplace bullying. Where workplace bullying is included in the definition of harassment, it will be treated as harassment for the purposes of this Policy and will not be tolerated. Individuals are encouraged to review the applicable legislation in their respective jurisdiction. The applicable definition in applicable jurisdictions as of November 30, 2021, is set out in [Appendix C: Definitions of Harassment](#).

Racial Harassment

- [26] Racial harassment is unwelcome, unfair, or unsafe behaviour related to race based on prohibited grounds. Racial harassment includes behaviour related to a person's race, colour, ancestry, where a person was born, ethnic background, place of origin, or creed.
- [27] Racial harassment can include name calling, racial slurs, racist jokes, ridicule, insults, or different treatment because of racial identity; degrading a person of a particular group; or negative comments made because of a person's race, colour, citizenship, place of origin, ancestry, ethnic background, or creed.
- [28] Individual racism can range from targeted racial harassment and overt discrimination to microaggressions, which can include subtle events that occur on a regular basis, such as constant slights, putdowns, or invalidation directed at a marginalized group.
- [29] Systemic or institutional racism consists of patterns of behaviour, policies, and practices that are part of the social or administrative structures of an organization and that create or perpetuate a position of relative disadvantage for racialized people. These behaviours, policies, and practices often seem neutral but effectively exclude racialized individuals.

Microaggressions

- [30] Microaggressions are putdowns and slights marginalized groups face every day from other people who sometimes do not know they are being offensive or patronizing.
- [31] Microaggressions can be overt or subtle, and include discriminatory comments disguised as compliments.

Sexual Harassment

- [32] Sexual harassment means engaging in a course of improper or unwelcome comments or conduct because of sex, sexual orientation, gender identity, or gender expression, where the course of comment or conduct is known or should reasonably be known to be unwelcome. Sexual harassment can also be a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant, or deny a benefit or advancement to the recipient, and the person knows or should know that the solicitation or advance is unwelcome.
- [33] As previously referenced, all complaints that are sexual in nature will be dealt with under the [Sexual Misconduct Response Policy and Procedures](#).
- [34] Sexual harassment can include unwelcome remarks, jokes, innuendo, propositions or taunting, persistent unwanted attention, physical contact of a sexual nature, or sexual assault.

- [35] The definition of sexual harassment may vary across applicable jurisdictions and may be subject to legislative change. Individuals are encouraged to review the applicable legislation in their respective jurisdiction. The applicable definition in applicable jurisdiction as of November 30, 2021, is set out in Appendix D: Definitions of Sexual Harassment.

Violence

- [36] Violence is the use of physical force against a person that causes or could cause physical injury. It also includes attempting to use physical force or making a statement or exhibiting behaviour that could reasonably be interpreted as a threat to use physical force.
- [37] Domestic violence is violence between two people who currently have, or have had in the past, a personal intimate relationship, such as spouses, partners, or people in a relationship.
- [38] The organization will take all reasonable precautions to protect a person if a domestic violence situation is likely to expose someone to physical injury in the workplace or threaten their safety and the safety of others, and if the organization is aware or should reasonably be aware of the situation. Reasonable precautions will be determined on a case-by-case basis and may include developing an individual safety plan for the affected person.
- [39] The organization will reassess risks of violence as often as necessary and will implement measures to address identified risks. Measures may include security protocols, implementing additional policies and procedures, and providing training on how to respond to a violent or potentially violent situation.
- [40] The definition of workplace violence may vary across applicable jurisdictions and may be subject to legislative change. Individuals are encouraged to review their applicable legislation, in their respective jurisdiction. The applicable definition in each applicable jurisdiction as of November 30, 2021 is set out in [Appendix E: Definitions of Workplace Violence](#).
- [41] Workplace includes any location, permanent or temporary, where an employee performs any work-related duty.

VIII. Procedures to Respond to Complaints

Definitions

The following definitions apply to the procedures outlined in this policy:

- [42] **Applicable ministry:** This refers to communities of faith, regional councils, National Indigenous Organization, and other ministries in which ministry personnel are employed.

- [43] **Bad faith, trivial, or vexatious complaints:** These types of complaints may themselves be a violation of this Policy. A bad faith complaint is one that the Complainant knows is false or is made for a purpose other than gaining a satisfactory remedy. The decision can be made to refuse to deal with such matters at any stage of the complaint or investigation process. Anyone who is found to have made such a complaint may subject themselves to a range of penalties.
- [44] **Business days:** For this Policy, business days refers to Monday to Friday.
- [45] **Complainant:** A person who has made a complaint about being a victim of harassment, discrimination, or violence.
- [46] **Complaint:** A complaint is one or more accusations of sexual misconduct made by the person who allegedly experienced the misconduct. An admission of misconduct is also treated as a complaint. Complaints cannot be anonymous.
- [47] **Confidentiality:** Refers to a party providing information to another party with the expectation that it will not be shared with anyone else except as required by law.
- The Church may need to share confidential and/or personal information in the course of an investigation.
 - For example, information obtained about an incident or complaint, including identifying information about any individuals involved, will not be disclosed unless the disclosure is necessary for the purpose of investigating or taking corrective action on the incident or complaint, or is otherwise required by law.
- [48] **Conflict Resolution Facilitator:** An individual retained by the Church to assist in mediating disputes. The Office of Vocation maintains a list of trained Conflict Resolution Facilitators, which you can access by contacting complaintresponse@united-church.ca.
- [49] **Consultant:** Consultants are neutral and independent trained individuals. Both the Complainant and the Respondent are each assigned their respective Consultant to help them understand the Policy and may assist them in drafting and/or responding to complaints. A list of Consultants can be found on the [Safe Spaces for Worship and Work](#) page of the Church's website.
- [50] **Investigation plan:** A document that sets out the issues, the parties, and potential witnesses to interview. It may also set out what challenges may arise and the strategies to deal with them. It will detail what resources are required to complete investigations within a reasonable time.
- [51] **Investigator:** An individual retained by the Church to conduct the formal investigative process associated with submitted complaints. The Policy Writer and HR Specialist at the General Council Office can assist in retaining Investigators.
- [52] **Legal representative:** The parties have a right to retain, at their own cost, a paralegal, lawyer or other paid or unpaid advocate.

- [53] **Ministry personnel:** A general term that refers to members of the Order of Ministry, designated lay ministers, candidates serving under appointment, admission ministers serving under appointment, diaconal supply, and ordained supply.
- [54] **Pastoral care:** Comfort and support provided to a Complainant or Respondent by a ministry personnel, Indigenous Elder, or Traditional Knowledge Keeper.
- [55] **Policy Writer and Human Resources Specialist:** This position supports the Responsible Body to administer this Policy and assists with retaining Consultants, Investigators, and Conflict Resolution Facilitators.
- [56] **Reasonable Accommodation:** The organization will accommodate the accessibility needs of everyone involved in the process within the Church to ensure full access and participation. Accommodation includes providing documents in alternative formats, off-site and after-hours meetings, interpretation, and translation.
- [57] **Records:** All materials related to the complaint, including the investigation and outcome, are retained in confidence according to the Church's retention policies.
- [58] **Respondent:** The person alleged to have discriminated against, harassed, or committed an act of violence toward another person.
- [59] **Responsible Body:** The individual or group of individuals that deals with the complaint. The Responsible Body changes according to the position of the Respondent in the he Church ([Appendix G: Responsible Bodies](#)).
- [60] **Social media:** The online means of interactions among people in which they can create, share, or participate in virtual communities, applications, and networks, including Facebook, Instagram, SnapChat, Whatsapp, and Texts.
- [61] **Support person:** A Complainant or Respondent can bring a person of their choice (friend, family, or colleague) with them to support them during the investigation process.

The Responsible Body Receives the Complaint and May Delegate Its Authority

- [62] The Responsible Body is the individual or group of individuals that the Respondent reports to. In other words, the Responsible Body is the Respondent's employer.
- [63] In the event the Responsible Body is not able to act for any reason, they must establish to whom to delegate this responsibility. The following are some situations where the Responsible Body may decide to delegate its authority to receive and handle complaints:
- If an individual in the Responsible Body is a Complainant, if there is no bias and/or apprehension bias, the complaint may be received by another individual in the Responsible Body.

- Alternatively, the Responsible Body may decide to delegate their responsibility to the individual or body that it is accountable to. For example, if the Responsible Body is the Ministry and Personnel Committee, the complaint will be received by the governing body because the Ministry and Personnel Committee is accountable to them.
- If a Responsible Body does not have the expertise and/or resources to handle a complaint, they are encouraged to delegate their responsibility to an appropriate body. For example, a community of faith may want to collaborate with or even delegate their responsibility to receive and handle a complaint to the Executive Minister of the regional council, who may be in a better position to handle the complaint.

A. Procedures to Respond to Complaints: Lay People

[64] This procedure is to be used where the Respondent (or Respondents) is an employee, a member, an adherent, a congregational designated minister, a licensed lay worship leader, or a volunteer of an applicable ministry.

[65] Where urgent intervention is required, the Responsible Body will alert the appropriate people in the applicable ministry to take steps to ensure the Complainant is safe and not subjected to further harassment, discrimination, and/or violence. If there is a concern for the safety of the alleged victim and/or the community as a whole, the Respondent, if an employee, should be placed on paid administrative leave.

[66] If the Respondent is a volunteer or attends the applicable ministry as a member or adherent and the Complainant attends the same applicable ministry in person, they should be asked to not physically attend the applicable ministry and may be subject to further restrictions deemed appropriate for that situation.

Informal Resolution Process ([Appendix H: Informal Resolution Process](#))

The process is identified by the letter L, which stands for layperson, followed by the number in the process (for example, L1, L2, and so on).

Consultant is assigned

L1. When a Complainant presents their complaint to the Responsible Body, that body ensures that a Consultant is assigned to the Complainant to help them understand the process, including the option to approach the Respondent without a written complaint (but only if it safe and practical to do so), and to assist in writing their complaint, if required. If the Complainant is unable or unwilling to write a complaint, the notes made by the Consultant of the conversation with the Complainant will serve as the written record of the complaint.

Complaint is sent to the Respondent

L2. Once there is a written complaint with sufficient details, another Consultant will be assigned to the Respondent and will forward the complaint to the Respondent, usually either in person or by e-mail. The Consultant discusses pastoral care for the Respondent and family and reviews the Policy with the Respondent. The Respondent should respond to the allegations, including possible resolutions, within 10 business

days of receiving the complaint. If the Respondent is unable or unwilling to write a response to the complaint, the notes made by the Consultant of the conversation with the Respondent may serve as a response to the complaint with the permission of the Respondent.

Pastoral care is made available to both parties

L3. If a party or parties are working with a Consultant, the Consultant will discuss how they can access pastoral care. In other cases, the Regional Council Executive Minister or designate will make the offer of pastoral care. Employees of the Church have access to counselling and support through the Employee and Family Assistance Program (EFAP) with TELUS Health.

Informal resolution is encouraged if appropriate

L4. Before any options of informal resolution are implemented, both parties must agree to them. The Complainant is encouraged to speak directly with the Respondent, but only if it is safe and practical to do so. The Complainant should tell the Respondent that their behaviour or comment is unacceptable, unwelcome, and being experienced as discrimination, harassment, and/or violence and ask the Respondent to stop.

L5. This approach may be most effective in situations where the Complainant believes the Respondent is unaware of the impact of their actions and/or conduct.

Support person

L6. The Complainant and Respondent can be accompanied by a support person at any meeting in the process.

Other informal options before making a formal complaint

L7. These options include:

- a facilitated conversation with the assistance of an agreed-upon third party or a Conflict Resolution Facilitator;
- mediation; and/or
- conflict coaching through the Employee and Family Assistance Program (EFAP) through TELUS Health.

Formal Complaint Process ([Appendix I: Formal Resolution Process](#))

Complainant writes detailed complaint

L8. If a matter remains unresolved for any reason, or if it is determined that informal efforts are not appropriate given the circumstances, the Complainant is encouraged to set out a detailed written complaint using the Workplace Discrimination, Harassment, and Violence Policy and Procedures Complaint Form ([Appendix F: Complaint Form](#)). A Consultant can assist with this process. If the complaint is not sufficiently detailed, further details will be requested.

Complaint is sent to the Responsible Body

L9. The Complainant sends the complaint to the Responsible Body ([Appendix G: Responsible Bodies](#)). Alternatively, a complaint can be submitted to the confidential complaints email address (ComplaintResponse@united-church.ca). The position that the Respondent holds in the community of faith or other applicable ministry determines the Responsible Body to which the complaint is submitted.

The regional council and/or the Policy Writer and HR Specialist will act as a resource to applicable ministries in dealing with complaints.

Note: If the complaint concerns the Regional Council Executive Minister or any employee, volunteer, or person who is accountable to a regional council or General Council Office, please see the procedures in the next section under [C. Procedures to Respond to Complaints: Regional and General Council Offices](#).

Complaint is forwarded to the Respondent

L10. Once a complaint is received, it is forwarded to the Respondent within 10 business days by a Consultant who is assigned to that individual. The Consultant usually delivers the complaint by e-mail or in person. The Respondent should submit a written response to the complaint within 10 business days of receiving it. If needed, the Respondent can request more time to respond. It is at the discretion of the Responsible Body to disclose all, part, or a summary of this written response to the Complainant. The Respondent is informed that their written response may be provided in part or in a summary for clarity and to ensure that language in the response will not further revictimize the Complainant.

Pastoral care is made available to both parties

L11. If a party or parties are working with a Consultant, the Consultant will discuss how they can access pastoral care. In other cases, the Regional Council Executive Minister will make the offer of pastoral care. Employees of the Church have access to counselling and support through the Employee and Family Assistance Program (EFAP) with TELUS Health.

Another attempt is made at dispute resolution

L12. If practical, parties should be given another opportunity to resolve the complaint informally before a formal process begins. Options for an informal process include assigning a neutral third party, such as a Conflict Resolution Facilitator or mediator; a no-blame conciliatory meeting; a facilitated conversation; or Indigenous alternative approaches to dispute resolution.

An Investigator is assigned

L13. The Responsible Body assesses the complaint and the response. If there are discrepancies between the complaint and response and/ or any other concerns identified by the Responsible Body, an Investigator will be assigned.

L14. The Investigator will provide an investigation plan to the Responsible Body before starting the investigation to ensure that there is consensus in the direction of the investigation. As the investigation proceeds, the Investigator may need to consult the Responsible Body on possible changes to the investigation plan resulting from information learned from the investigation.

L15. The Investigator arranges to interview the parties and any witnesses. If possible, the interviews are held in person, but may be conducted over the phone or using other technology. The investigation occurs whether or not the Respondent is away from their position for any reason, including medical leave initiated by the Respondent. Even if the Respondent is on medical leave, they may still be able to participate in the investigation.

Investigator writes a report

L16. The Investigator writes a report for the Responsible Body that includes their findings of fact and, if requested, recommendations. The Responsible Body can accept all, some, or none of the recommendations of the investigator.

Responsible Body informs the parties of the outcome

L17. The report is sent to the Responsible Body. The Responsible Body will meet with the parties before making any findings. It may accept all, some or none of the findings of the investigation report. If the Responsible Body accepts findings that the Respondent engaged in misconduct, it will take appropriate corrective action. If the findings are not substantiated, the Responsible Body will likely not take any further action. The action is based on the findings of the Investigator, the nature of the complaint, and all relevant circumstances, including any previous discipline.

L18. If the Respondent is an employee, options for actions include no further action; progressive discipline, including termination; or a directed program, such as counselling.

L19. If the Respondent is a member, an adherent, or in a position of responsibility within the community of faith or other applicable ministry, options for actions include no further action, removal or suspension from the office the Respondent holds in the community of faith or other applicable ministry, and/or considering the revocation of membership(s) of the person in the community of faith and/or other applicable ministry.

L20. The Responsible Body could also decide to hold a formal hearing to deal with more complex matters. This applies where the Respondent is a congregational designated minister, an adherent, or a lay member other than a ministry personnel. In a formal hearing of a formal complaint, the Formal Hearing Committee is responsible for deciding whether the formal complaint has been proven. See section J.9.5 of [The Manual](#) for more information about formal hearings in this context.

L21. The Responsible Body will provide the Complainant and Respondent with a written letter with the findings and outcomes that the Responsible Body has accepted. For confidentiality and privacy reasons, the parties are not provided a copy of the investigation report. The Responsible Body will meet with the parties before making their findings and may also choose to follow up with an in-person meeting to discuss the outcomes with each party separately.

L22. The Responsible Body will bear the costs associated with the investigation.

Confidentiality is maintained except as required by law

L23. Confidentiality regarding the findings of an investigation is maintained, except to the extent necessary to implement or defend the corrective or disciplinary action taken, or as required by law. Where corrective or disciplinary action is taken against either the Complainant or the Respondent, the other party is advised of the general nature of the corrective action but is not provided with the particulars of that action.

Requests for reconsideration

L24. The parties of the investigation can ask that a final decision be reconsidered by the Responsible Body within 30 calendar days of the date of the decision.

L25. A request for consideration must include:

- reasons for the reconsideration;
- submissions in support of the reconsideration; and
- remedy or relief desired.

L.26 The Responsible Body will grant a request for reconsideration if it is satisfied that

- there are new facts or evidence that could not have been produced earlier that could change the outcome of the final decision;
- the decision was not in accordance with the rules of natural justice that impacted the outcome of the investigation (such as the Respondent not being aware of the allegations against them and not having an opportunity to be heard or to respond); and
- other factors exist that the Responsible Body needs to give greater weight.

L27. New evidence, such as facts that happened after the completion of the investigation, will not be considered for reconsideration.

L28. The Responsible Body has 30 calendar days to respond in writing to the reconsideration.

L29. If the Responsible Body finds that there are grounds for the reconsideration, it will take corrective action as required.

No appeal process

L30. There is no appeal process for a final decision regarding the disposition of a complaint.

Investigations are completed within three months

L31. All of the procedures should be carried out in a timely fashion—in most cases within a three-month period. Exceptions do occur, however, and in cases that require more time, the parties are informed of the delay and, if appropriate, the reasons for the delay. Except in exceptional circumstances, the Responsible Body will decide how to move forward and will communicate its decision to the parties within 30 calendar days of receiving the investigation report.

B. Procedures to Respond to Complaints: Ministry Personnel

[67] The Responsible Body that manages complaints of workplace misconduct for ministry personnel is the Office of Vocation. See [Office of Vocation: Structure and Responsibilities](#), Appendix A: Procedure to Address Concerns about Ministry Personnel, for procedures related to workplace misconduct of ministry personnel.

C. Procedures to Respond to Complaints: Regional and General Council Offices

[68] The following process applies when the Respondent(s) are employees, contract workers, or volunteers of the General Council Office, including ministry personnel. For ministry personnel, the outcome of the complaint will be shared with the Office of Vocation, which may take additional action. For staff members who belong to other professional bodies, their respective regulatory bodies may be informed of the outcome of a complaint.

[69] If the Respondent is ministry personnel working for the regional and General Council offices and the complaint against them stems from a pastoral relationship and/or interaction, B. Procedures to Respond to Complaints: Ministry Personnel applies.

[70] The Responsible Body may implement interim measures to ensure the Complainant is safe and not subjected to further misconduct. If there is a concern for the safety of the alleged victim and/or the workplace as a whole, the Respondent may be placed on paid administrative leave.

Note: The other processes in this Policy were established for communities of faith and the Office of Vocation, and in practice, these processes have not worked well for employees of the regional and General Council offices because they engage in employment relationships and not pastoral ones, which requires a different approach.

The process is identified by the letter G, which stands for regional and General Council Office, followed by the number in the process (for example, G1, G2, and so on).

Complaint submitted to employer

G1. The Complainant can informally communicate their concerns to their direct supervisor, Director of Human Resources and Payroll Manager, and/or their Responsible Body. They can communicate it informally. Once the Complainant communicates their concerns to the Responsible Body, the Complainant can submit a formal written complaint. Alternatively, complaints can be submitted to complaintresponse@united-church.ca, which is monitored by the Policy Writer and HR Specialist and forwarded to the Responsible Body to review.

Complaint Response Team

G2. The Responsible Body will form a Complaint Response Team, which may include the Respondent's and Complainant's supervisors, if applicable; Director of Human Resources and Payroll Manager; Policy Writer and HR Specialist; and General Counsel. They will review the complaint and ask the Respondent to respond within 10 business days of receiving the allegations and their expected outcomes.

Pastoral care is made available to both parties

G3. The Complaint Response Team can arrange pastoral care for the parties. Employees of the Church also have access to counselling and support through the Employee and Family Assistance Program (EFAP) with Telus Health.

Complaint Response Team develops a tailored process

G4. Whether or not the Respondent responds, the Complaint Response Team will determine the best way to address the complaint. As each complaint is unique, the Complaint Response Team will outline a specific and tailored process with timelines to address the complaint. A Consultant or designate is assigned to both the Respondent and Complainant to explain the process and assist, if requested, with writing the complaint or response to the complaint.

The Consultant may also use their written notes of their conversation with the Complainant or Respondent as the written complaint or response to the complaint provided that it is approved by the person to whom they are assigned.

The Consultant will inform them of their right to legal representation at their own expense.

G5. The Complaint Response Team determines the issues and how they will be addressed. Some issues may be resolved informally and others more formally. The Complaint Response Team may also decide to make preliminary inquiries to determine whether a formal investigation is necessary.

Investigator is retained

G6. If the Complaint Response Team retains an Investigator, the Investigator will provide an investigation plan to the Complaint Response Team before starting the investigation to ensure that there is consensus on the direction of the investigation. If there are proposed changes to the investigation plan, the Investigator informs the Complaint Response Team before proceeding further with the investigation.

G7. The Investigator arranges to interview the parties and any witnesses. If possible, the interviews are held in person, but may be conducted over the phone or using other technology. The investigation occurs whether or not the Respondent is away from their position for any reason, including medical leave initiated by the Respondent. Even though the Respondent is on medical leave, they may be able to participate in the investigation.

Investigator writes a report

G8. The Investigator writes a report that includes their findings and, if requested, recommendations. The report is provided to the Complaint Response Team, who then communicate the findings and resolution to the parties in-person and in writing. For confidentiality and privacy reasons, the parties are not provided a copy of the investigation report.

Action is taken by Complaint Response Team

G9. The Complaint Response Team can decide to take no further action; progressive discipline, including termination; or a directed program, such as counselling.

G10. The Complaint Response Team may forward the disposition and resolution of the complaint to the Respondent's applicable professional body, in which case the professional body may take further action.

Request for reconsideration

G11. The parties to the investigation can ask that a final decision be reconsidered by the Responsible Body within 30 calendar days of the date of the decision.

G12. A request for consideration must include:

- Reasons for the reconsideration;
- Submissions in support of the reconsideration; and
- Remedy or relief desired.

G13. The Responsible Body will grant a request for reconsideration if it is satisfied that

- there are new facts or evidence that could not have been produced earlier that could change the outcome of the final decision;
- the decision was not in accordance with the rules of natural justice that impacted the outcome of the investigation (such as the Respondent not being aware of the allegations against them and not having an opportunity to be heard or respond); and
- other factors exist that the Responsible Body should have given greater weight.

G14. New evidence, such as facts that happened after the completion of the investigation, will not be considered for reconsideration.

G15. The Responsible Body has 30 calendar days to respond in writing to the reconsideration.

G16. If the Responsible Body finds that there are grounds for the reconsideration, it will take corrective action as required.

No appeal process

G17. There is no appeal process for a final decision regarding the disposition of a complaint.

Ideally the investigation is completed within three months

G18. All of the procedures should be carried out in a timely fashion—in most cases within a three-month period. Exceptions do occur, however, and in cases that require more time, the parties are informed of the delay and, if appropriate, the reasons for the delay.

IX. This Policy Applies to International Complaints

[71] This policy applies to anyone or any organization, as well as other bodies that have a direct affiliation with the Church, that are carrying out a responsibility or activity on behalf of the Church in international locations.

[72] The criteria set out in [II. Two Criteria Must Be Met for This Policy to Apply](#) of this Policy apply to incidents occurring in international locations.

[73] Below is the process for complaints that occur in international locations (excluding the community of faith in Bermuda, which will follow the process outlined for all other complaints in this Policy):

Complainant or Respondent Works/Volunteers with The United Church of Canada

- (a) The Church supports global programming outside of Canada initiated by the General Council Office, congregations, and other communities of faith. In the event a complaint arises involving inappropriate behaviour in the workplace, in worship, or while studying, Church in Mission Unit, specifically the Church in Partnership and Identity and Mission clusters,³ must be notified as appropriate.
- (b) The Church in Mission Unit will direct the Complainant and Respondent to complaintresponse@united-church.ca to lodge their complaint and/or receive additional support and resources to manage the situation.

³ The Church in Mission Unit provides support and leadership to The United Church of Canada to participate in God's mission of justice, peace, and transformation in the world through its various ministries and partners in their contextual response to God's invitation and partnership. The Church in Mission Unit has three collaborative staff teams: Church in Partnership, Identity and Mission, and Executive Minister Cluster. Church in Mission Unit provides supports and leadership to The United Church of Canada in seeking to be an intercultural and anti-racist church that is welcoming, relational, adaptive, justice seeking, intentional, and mission-centred.

Complainant or Respondent Is from the Global Partner or Someone from the Community Participating in the Global Partner Project

- (c) The Human Resources person or equivalent of the Global Partner collaborates with the Church in Mission Unit on how to lodge a complaint and will provide support and resources to deal with the complaint as appropriate.

Complaint Process

- (d) Once the Church receives a complaint, it is sent to the appropriate Responsible Body. The appropriate Responsible Body will depend on the position/role of the Respondent at the Church ([Appendix G: Responsible Bodies](#)). In the case where the Respondent is not part of the Church, the Responsible Body will be the Executive Minister of the regional council the Complainant is associated with.
- (e) The Responsible Body determines under which legislation, international or provincial/territorial, applies. The Responsible Body works with the Human Resources department or equivalent of the organization where the alleged incident took place to review their workplace safety and/or Sexual Misconduct Policy and legislation to determine which legislation and Policy will take precedence. If a complaint arises in an international location that does not have legislation on workplace discrimination, harassment, and/or violence, the complaint is usually reviewed under the appropriate law of the province/territory the Respondent is from.
- (f) In all circumstances, the incident will be reviewed under the legislation and/or Policy that is more comprehensive.
- (g) The Responsible Body collaborates with the Church in Mission Unit and the Global Partner to talk about resource sharing to address the complaint.
- (h) If it is established that the jurisdiction is either provincial or territorial within Canada, the procedure set out in this Policy will be used to resolve the complaint.

X. Responding to Complaints of Systemic Discrimination

- [74] This process relates to when there is no Respondent. If there is a Respondent, then the relevant above procedures apply.
- [75] A complaint alleging that a policy or procedure is discriminatory must first be brought to the attention of the chair of the governing body of the community of faith or the Regional Council Executive Minister or the General Secretary (depending on where the systemic issue is being experienced).
- [76] On receiving a complaint of systemic discrimination, reasonable efforts will be made to resolve the complaint if that is possible. Informal resolution could include amending a policy or procedure on agreement or bringing a proposal (see The Manual, section F, Initiating Action and Change).

[77] If the matter cannot be resolved by these methods, a formal complaint may be brought forward to the regional council about a community of faith or to the General Council Executive if the complaint relates to denominational structures or policies alleged to be discriminatory.

[78] Note that the three-month time frame within which complaints against individuals are usually resolved may not apply to complaints of systemic discrimination.

XI. Procedures for Indigenous Communities

[79] This Policy may be tailored for the purposes of Indigenous communities. It is recommended that, where a Respondent is an Indigenous ministry personnel, the prescribed processes outlined under sections A, B or C, as appropriate, be followed. In terms of reconciliation processes, the Indigenous ministry personnel may be subject to both prescribed remedial processes (under the Office of Vocation's processes) and reconciliation processes in alignment with their respective Indigenous community.

[80] Where a Respondent is Indigenous non-ministry personnel, the applicable ministry may consider following a process that honours their restorative culture and practices, or consult with the respective regional council, National Indigenous Council, or the Office of Vocation for further support.

XII. Notes to the Policy

- [Workplace Discrimination, Harassment, and Violence Response Policy](#)
- [The Manual](#)
- [Office of Vocation: Structures and Responsibilities](#), Appendix A: Procedure to Address Concerns about Ministry Personnel

XIII. Appendices**Appendix A: Select Applicable Legislation***

Province	Applicable Legislation
British Columbia	<i>Occupational Health and Safety Regulation, BC Reg 296/97 Workers Compensation Act Human Rights Code</i>
Alberta	<i>Occupational Health and Safety Act Occupational Health & Safety Regulation, Alta. Reg. 62/2003 Alberta Human Rights Act</i>
Saskatchewan	<i>The Saskatchewan Employment Act The Saskatchewan Human Rights Code, 2018</i>
Manitoba	<i>Workplace Safety and Health Regulation, Man Reg 217/2006 The Human Rights Code</i>
Ontario	<i>Occupational Health and Safety Act Human Rights Code</i>
New Brunswick	<i>Occupational Health and Safety Act Occupational Health and Safety Act, General Regulation, NB Reg 91-191 Human Rights Act</i>
Prince Edward Island	<i>Occupational Health and Safety Act - General Regulations, PEI Reg EC180/87 and Workplace Harassment Regulations, PEI Reg EC710/19 Human Rights Act Employment Standards Act</i>
Newfoundland	<i>Occupational Health & Safety Regulations, 2012, NLR 5/12 Human Rights Act, 2010</i>
Nova Scotia	<i>Violence in the Workplace Regulations, NS Reg. 209/2007 Human Rights Act</i>
Yukon	<i>Human Rights Act</i>
Northwest Territories	<i>Human Rights Act Occupational Health and Safety Regulations, NWT Reg 039-2015</i>
Nunavut	<i>Human Rights Act Occupational Health and Safety Regulations, Nu Reg 003-2016</i>

***Please note this list is not exhaustive and any legislation listed in Appendix A may be amended from time to time and is not intended to be legal advice. Please consult the current provincial legislation.**

Appendix B: Definition and Prohibited Grounds of Discrimination in Employment*

Province	Definition
British Columbia	<p><i>Human Rights Code</i> [RSBC 1996] Chapter 210 (Section 13)</p> <p>13(1) A person must not</p> <ul style="list-style-type: none"> (a) refuse to employ or refuse to continue to employ a person, or (b) discriminate against a person regarding employment or any term or condition of employment <p>because of the race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age of that person or because that person has been convicted of a criminal or summary conviction offence that is unrelated to the employment or to the intended employment of that person.</p>
Alberta	<p><i>Alberta Human Rights Act</i>, RSA 2000, c A 25.5</p> <p>7(1) No employer shall</p> <ul style="list-style-type: none"> (a) refuse to employ or refuse to continue to employ any person, or (b) discriminate against any person with regard to employment or any term or condition of employment, <p>because of the race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation of that person or of any other person.</p>
Saskatchewan	<p><i>The Saskatchewan Human Rights Code</i>, 2018, SS 2018, c S-24.1</p> <p>16(1) No employer shall refuse to employ or continue to employ or otherwise discriminate against a person or class of persons with respect to employment, or a term or condition of employment, on the basis of a prohibited ground</p> <p>16(2) No employee shall discriminate against another employee on the basis of prohibited ground.</p> <p>(m.01) The prohibited grounds include religion; creed; marital status; family status; sex; sexual orientation; disability; age; colour; ancestry; nationality; place of origin; race or perceived race; receipt of public assistance; and gender identity;</p>
Manitoba	<p><i>The Human Rights Code</i>, CCSM c H175</p> <p>9(1) In this Code, “discrimination” means:</p> <ul style="list-style-type: none"> (a) differential treatment of an individual on the basis of the individual's actual or presumed membership in or association with some class or group of persons, rather than on the basis of personal merit; or (b) differential treatment of an individual or group on the basis of any characteristic referred to in subsection (2); or

	<p>(c) differential treatment of an individual or group on the basis of the individual's or group's actual or presumed association with another individual or group whose identity or membership is determined by any characteristic referred to in subsection (2); or</p> <p>(d) failure to make reasonable accommodation for the special needs of any individual or group, if those special needs are based upon any characteristic referred to in subsection (2).</p> <p>9(2) The applicable characteristics for the purposes of clauses (1)(b) to (d) are ancestry, including colour and perceived race; nationality or national origin; ethnic background or origin; religion or creed, or religious belief, religious association or religious activity; age; sex, including sex-determined characteristics or circumstances, such as pregnancy, the possibility of pregnancy, or circumstances related to pregnancy; gender identity; sexual orientation; marital or family status; source of income; political belief, political association or political activity; physical or mental disability or related characteristics or circumstances, including reliance on a service animal, a wheelchair, or any other remedial appliance or device; social disadvantage.</p>
Ontario	<p><i>Human Rights Code</i>, RSO 1990, c. H.19</p> <p>5(1) Every person has a right to equal 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.</p>
New Brunswick	<p><i>Human Rights Act</i>, RSNB 2011, c 171</p> <p>2.1 For the purposes of this Act, the prohibited grounds of discrimination are race, colour, national origin, ancestry, place of origin, creed or religion, age, physical disability, mental disability, marital status, family status, sexual orientation, sex, gender identity or expression, social condition or political belief or activity</p> <p>4(1) No person shall, based on a prohibited ground of discrimination because of</p> <ul style="list-style-type: none"> (a) refuse to employ or continue to employ any person, or (b) discriminate against any person in respect of employment or any term or condition of employment. <p>4(4) No person shall express either directly or indirectly a limitation, specification or preference, or require an applicant to furnish any information as to a prohibited ground of discrimination, in respect of</p> <ul style="list-style-type: none"> (a) the use or circulation of a form of application for employment, (b) the publication of an advertisement in connection with employment or causing its publication, or (c) an oral or written inquiry in connection with employment.
Prince Edward Island	<p><i>Human Rights Act</i>, RSPEI 1988, c H-12</p> <p>6(1) No person shall refuse to employ or to continue to employ any individual</p>

	<p>(a) on a discriminatory basis, including discrimination in any term or condition of employment; or</p> <p>(b) because the individual has been convicted of a criminal or summary conviction offence that is unrelated to the employment or intended employment of the individual.</p> <p>6(3) No person shall use or circulate any form of application for employment or publish any advertisement in connection with employment forms employment or prospective employment or make any inquiry in connection with employment that directly or indirectly expresses any limitation, specification or preference or invites information that is discriminatory.</p> <p>7(1) No employer or person acting on behalf of an employer shall discriminate between his employees by paying one employee at a rate of pay less than the rate of pay paid to another employee employed by him for substantially the same work, the performance of which requires equal education, skill, experience, effort, and responsibility and which is performed under similar working conditions.</p> <p>The prohibited grounds include age, association, colour or race, creed or religion, disability, ethnic or national origin, family status, gender expression, gender identity, marital status, political belief, sex, sexual orientation, or source of income of any individual or class of individual.</p>
Newfoundland	<p><i>Human Rights Act, 2010, SNL 2010, c H-13.1</i></p> <p>14(1) An employer, or a person acting on behalf of an employer, shall not refuse to employ or to continue to employ or otherwise discriminate against a person in regard to employment or a term or condition of employment on the basis of a prohibited ground of discrimination, or because of the conviction for an offence that is unrelated to the employment of the person.</p> <p>9(1) For the purposes of this Act, the prohibited grounds include race, colour, nationality, ethnic origin, social origin, religious creed, religion, age, disability, disfigurement, sex, sexual orientation, gender identity, gender expression, marital status, family status, source of income and political opinion.</p>
Nova Scotia	<p><i>Human Rights Act, RSNS 1989, c 214</i></p> <p>5(1) No person shall in respect of... (d) employment... discriminate against an individual or class of individuals on account of age; race; colour; religion; creed; sex; sexual orientation; gender identity; gender expression; physical disability or mental disability; an irrational fear of contracting an illness or disease; ethnic, national or aboriginal origin; family status; marital status; source of income; political belief, affiliation or activity; that individual's association with another individual or class of individuals having characteristics referred to in 5(1)</p>
Yukon	<p><i>Human Rights Act, RSY 2002 c 116</i></p> <p>9 No person shall discriminate</p> <p>(b) in connection with any aspect of employment or application for employment</p>

	<p>7 Prohibited grounds</p> <p>It is discrimination to treat any individual or group unfavourably on any of the following grounds ancestry, including colour and race; national origin; ethnic or linguistic background or origin; religion or creed, or religious belief, religious association, or religious activity; age; sex, including pregnancy, and pregnancy related conditions; gender identity or gender expression; sexual orientation; physical or mental disability; criminal charges or criminal record; political belief, political association or political activity; marital or family status; source of income; actual or presumed association with other individuals or groups whose identity or membership is determined by any of the grounds listed in paragraphs (a) to (l).</p>
Northwest Territories	<p><i>Human Rights Act</i>, SNWT 2002, c 18</p> <p>5(1) For the purposes of this Act, the prohibited grounds of discrimination are race, colour, ancestry, nationality, ethnic origin, place of origin, creed, religion, age, disability, sex, sexual orientation, gender identity or expression, marital status, family status, family affiliation, political belief, political association, social condition and a conviction that is subject to a pardon or record suspension.</p> <p>7(1) No person shall, on the basis of a prohibited ground of discrimination,</p> <p style="padding-left: 40px;">(b) discriminate against any individual or class of individuals in regard to employment or any term or condition of employment</p>
Nunavut	<p><i>Human Rights Act</i>, SNU 2003 c 12</p> <p>7(1) For the purposes of this Act, the prohibited grounds of discrimination are race, colour, ancestry, ethnic origin, citizenship, place of origin, creed, religion, age, disability, sex, sexual orientation, gender identity, gender expression, marital status, family status, pregnancy, lawful source of income and a conviction for which a pardon has been granted.</p> <p>7(6) No person shall, on the basis of a prohibited ground of discrimination, harass any individual or class of individuals</p> <p style="padding-left: 40px;">(c) in matters related to employment;</p>

***Any legislation listed in Appendix B may be amended from time to time and is not intended to be legal advice. Please consult the current provincial legislation.**

Appendix C: Definitions of Harassment*

Province	Definition(s)
British Columbia	<p>Policy Item P2-21-2 Employer Duties – Workplace Bullying and Harassment</p> <p>“bullying and harassment”</p> <p>(a) includes any inappropriate conduct or comment by a person towards a worker that the person knew or reasonably ought to have known would cause that worker to be humiliated or intimidated, but</p> <p>(b) excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment.</p> <p>Policies for the Workers Compensation Act, P2-21-2</p>
Alberta	<p><i>Occupational Health and Safety Act, C O-22</i></p> <p>1 (n) “harassment” means any single incident or repeated incidents of objectionable or unwelcome conduct, comment, bullying or action by a person that the person knows or ought reasonably to know will or would cause offence or humiliation to a worker, or adversely affects the worker’s health and safety, and includes</p> <p>(i) conduct, comment, bullying or action because of race, religious beliefs, colour, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status, gender, gender identity, gender expression and sexual orientation, and</p> <p>(ii) a sexual solicitation or advance, but excludes any reasonable conduct of an employer or supervisor in respect of the management of workers or a work site;</p>
Saskatchewan	<p><i>The Saskatchewan Employment Act, SS 2013, c. S-15.1</i></p> <p>3-1 (1) (l) “harassment” means any inappropriate conduct, comment, display, action or gesture by a person:</p> <p>(i) that either:</p> <p>(A) is based on race, creed, religion, colour, sex, sexual orientation, marital status, family status, disability, physical size or weight, age, nationality, ancestry or place of origin; or</p> <p>(B) subject to subsections (4) and (5), adversely affects the worker’s psychological or physical well-being and that the person knows or ought reasonably to know would cause a worker to be humiliated or intimidated; and</p> <p>(ii) that constitutes a threat to the health or safety of the worker;</p> <p>(4) To constitute harassment for the purposes of paragraph (1)(l)(i)(B), either of the following must be established:</p> <p>(a) repeated conduct, comments, displays, actions or gestures;</p>

	<p>(b) a single, serious occurrence of conduct, or a single, serious comment, display, action or gesture, that has a lasting, harmful effect on the worker.</p> <p>(5) For the purposes of paragraph (1)(l)(i)(B), harassment does not include any reasonable action that is taken by an employer, or a manager or supervisor employed or engaged by an employer, relating to the management and direction of the employer's workers or the place of employment.</p>
Manitoba	<p><i>The Human Rights Code, CCSM c H175</i> 19(2) In this section, "harassment" means</p> <p>(a) a course of abusive and unwelcome conduct or comment undertaken or made on the basis of any characteristic referred to in subsection 9(2); or</p> <p>(b) a series of objectionable and unwelcome sexual solicitations or advances; or</p> <p>(c) a sexual solicitation or advance made by a person who is in a position to confer any benefit on, or deny any benefit to, the recipient of the solicitation or advance, if the person making the solicitation or advance knows or ought reasonably to know that it is unwelcome; or</p> <p>(d) a reprisal or threat of reprisal for rejecting a sexual solicitation or advance.</p> <p><i>The Workplace Safety and Health Regulation, Man. Reg. 217/2006</i> "Harassment" means</p> <p>(a) objectionable conduct that creates a risk to the health of a worker; or</p> <p>(b) severe conduct that adversely affects a worker's psychological or physical well-being.</p> <p>1.1.1(1) For the purpose of the definition "harassment" in section 1.1, conduct is</p> <p>(a) objectionable, if it is based on 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; or</p> <p>(b) severe, if it could reasonably cause a worker to be humiliated or intimidated and is repeated, or in the case of a single occurrence, has a lasting, harmful effect on a worker</p> <p>1.1.1(2) Reasonable conduct of an employer or supervisor in respect of the management and direction of workers or the workplace is not harassment</p> <p>1.1.1(3) In this section and in the definition harassment" in section 1.1, conduct includes a written or verbal comment, a physical act or gesture or a display, or any combination of them.</p>
Ontario	<p><i>Occupational Health and Safety Act, RSO 1990, c O.1</i> 1(1) "workplace harassment" means</p>

	<p>(a) 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.</p> <p>(b) workplace sexual harassment <i>Human Rights Code</i>, RSO 1990, c. H.19</p> <p>10(1) “harassment” means engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome.</p> <p>5(2) Every person who is an employee has a right to freedom from harassment in the workplace by the employer or agent of the employer or by another employee 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.</p>
New Brunswick	<p><i>Occupational Health and Safety Act</i>, General Regulation, NB Reg 91-191</p> <p>“harassment”, in a place of employment, means any objectionable or offensive behaviour that is known or ought reasonably to be known to be unwelcome, including bullying or any other conduct, comment or display made on either a one-time or repeated basis that threatens the health or safety of an employee, and includes sexual harassment, but does not include reasonable conduct of an employer in respect of the management and direction of employees at the place of employment;</p>
Prince Edward Island	<p><i>Occupational Health and Safety Act - General Regulations</i>, PEI Reg EC180/87 and <i>Workplace Harassment Regulations</i>, PEI Reg EC710/19</p> <p>1. (b) “harassment” means any inappropriate conduct, comment, display, action or gesture or any bullying that the person responsible for the conduct, comment, display, action or gesture or the bullying knows, or ought reasonably to know, could have a harmful effect on a worker's psychological or physical health or safety, and includes (i) conduct that is based on any personal characteristic such as, but not limited to, race, creed, religion, colour, sex, sexual orientation, marital status, family status, disability, physical size or weight, age, nationality, ancestry or place of origin, gender identity or pregnancy, and (ii) inappropriate sexual conduct that is known, or ought reasonably to be known, to the person responsible for the conduct to be unwelcome, including, but not limited to, sexual solicitations or advances, sexually suggestive remarks, jokes or gestures, circulating or sharing inappropriate images, or unwanted physical contact.</p>
Newfoundland	<p><i>Occupational Health and Safety Regulations</i>, 2012, NLR 5/12</p> <p>22. (2) In this section and section 24.1, “workplace harassment” means inappropriate vexatious conduct or comment by a person to a worker that the person knew or ought to have known would cause the worker to be humiliated, offended or intimidated.</p> <p>(4) A reasonable action taken by an employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.</p>

Nova Scotia	<i>Human Rights Act</i> , RSNS 1989, c 214 3(ha) “harass” means to engage in a course of vexatious conduct or comment that is known or ought reasonably to be known to be unwelcome;
Yukon	<i>Human Rights Act</i> , RSY 2002 c 116 14 (2) “harass” means to engage in a course of vexatious conduct or to make a demand or a sexual solicitation or advance that one knows or ought reasonably to know is unwelcome
Northwest Territories	<i>Human Rights Act</i> , SNWT 2002, c 18 14 (2) “harass”, in respect of an individual or class of individuals, means engage in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome by the individual or class <i>Occupational Health and Safety Regulations</i> , NWT Reg 039-2015 34 (1) In this section, “harassment” means, subject to subsections (2) and (3), a course of vexatious comment or conduct at a work site that (a) is known or ought reasonably to be known to be unwelcome; and (b) constitutes a threat at the work site to the health or safety of a worker. (2) To constitute harassment for the purposes of subsection (1), any one of the following must have occurred: (a) repeated conduct, comments, displays, actions or gestures; or (b) a single, serious occurrence of conduct, or a single, serious comment, display, action or gesture, that has a lasting, harmful effect on the worker’s health or safety
Nunavut	<i>Occupational Health and Safety Regulations</i> , Nu Reg 003-2016 34 (1) In this section, “harassment” means, subject to subsections (2) and (3), a course of vexatious comment or conduct at a work site that (a) is known or ought reasonably to be known to be unwelcome; and (b) constitutes a threat at the work site to the health or safety of a worker. (2) To constitute harassment for the purposes of subsection (1), any one of the following must have occurred: (a) repeated conduct, comments, displays, actions or gestures; or (b) a single, serious occurrence of conduct, or a single, serious comment, display, action or gesture, that has a lasting, harmful effect on the worker’s health or safety

***Any legislation listed in Appendix C may be amended from time to time and is not intended to be legal advice. Please consult the current provincial legislation.**

Appendix D: Definitions of Sexual Harassment*

Province	Definition
British Columbia	<p>Human Resources Policy 11 - Discrimination and Harassment in the Workplace</p> <p>Sexual harassment is a form of discrimination and is defined as any unwelcome comment or conduct of a sexual nature that may detrimentally affect the work environment or lead to adverse job-related consequences for the victim of the harassment.</p>
Manitoba	<p><i>Manitoba Human Rights Code</i> CCSM c H175</p> <p>19(2) In this section, "harassment" means</p> <p>(a) a course of abusive and unwelcome conduct or comment undertaken or made on the basis of any characteristic referred to in subsection 9(2); or</p> <p>(b) a series of objectionable and unwelcome sexual solicitations or advances; or</p> <p>(c) a sexual solicitation or advance made by a person who is in a position to confer any benefit on, or deny any benefit to, the recipient of the solicitation or advance, if the person making the solicitation or advance knows or ought reasonably to know that it is unwelcome; or</p> <p>(d) a reprisal or threat of reprisal for rejecting a sexual solicitation or advance.</p>
Ontario	<p><i>Human Rights Code</i>, RSO 1990, c H.19</p> <p>7(2) Every person who is an employee has a right to freedom from harassment in the workplace because of sex, sexual orientation, gender identity or gender expression by his or her employer or agent of the employer or by another employee.</p> <p>7(3) Every person has a right to be free from,</p> <p>(a) 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; or</p> <p>(b) 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.</p> <p><i>Occupational Health and Safety Act</i>, RSO 1990, c O.1</p> <p>1(1) "workplace sexual harassment" means,</p> <p>(a) engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or</p>

	(b) making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.
New Brunswick	<i>Human Rights Act</i> , RSNB 2011, c 171 “sexually harass” means engage in vexatious comment or conduct of a sexual nature that is known or ought reasonably to be known to be unwelcome.
Prince Edward Island	<i>Employment Standards Act</i> , RSPEI 1988, c E-6.2 24. “sexual harassment” means any conduct, comment, gesture or contact of a sexual nature (a) that is likely to cause offence or humiliation to any employee; or (b) that might, on reasonable grounds, be perceived by that employee as placing a condition of a sexual nature on employment or on any opportunity for training or promotion. 25. Every employee is entitled to employment free of sexual harassment. 26. Every employer shall make every reasonable effort to ensure that no employee is subjected to sexual harassment
Nova Scotia	<i>Human Rights Act</i> , RSNS 1989, c 214 3(o) “sexual harassment” means (i) vexatious sexual conduct or a course of comment that is known or ought reasonably to be known as unwelcome, (ii) a sexual solicitation or advance made to an individual by another individual where the other individual is in a position to confer a benefit on, or deny a benefit to, the individual to whom the solicitation or advance is made, where the individual who makes the solicitation or advance knows or ought reasonably to know that it is unwelcome, or (iii) a reprisal or threat of reprisal against an individual for rejecting a sexual solicitation or advance

***Any legislation listed in Appendix “D” may be amended from time to time and is not intended to be legal advice. Please consult the current provincial legislation.**

Appendix E: Definitions of Workplace Violence*

Province	Definition(s)
British Columbia	<i>Occupational Health and Safety Regulation 296/97</i> 4.27 “violence” means the attempted or actual exercise by a person, other than a worker, of any physical force so as to cause injury to a worker, and includes any threatening statement or behaviour which gives a worker reasonable cause to believe that he or she is at risk of injury.
Alberta	<i>Occupational Health and Safety Act, Chapter O-2.1</i> 1 (rr) “violence”, whether at a work site or work-related, means the threatened, attempted or actual conduct of a person that causes or is likely to cause physical or psychological injury or harm, and includes domestic or sexual violence.
Saskatchewan	<i>The Occupational Health and Safety Regulations, 1996, RRS c O-1.1</i> Reg 1 37 (1) “violence” means the attempted, threatened or actual conduct of a person that causes or is likely to cause injury, and includes any threatening statement or behaviour that gives a worker reasonable cause to believe that the worker is at risk of injury.
Manitoba	<i>The Workplace Safety and Health Regulation, MReg. 217-2006</i> 1.1 “violence” means (a) the attempted or actual exercise of physical force against a person; and (b) any threatening statement or behaviour that gives a person reasonable cause to believe that physical force will be used against the person.
Ontario	<i>Occupational Health and Safety Act, RSO 1990, c O.1</i> 1(1) “workplace violence” means, (a) the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker, (b) an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker, (c) a statement 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.”
New Brunswick	<i>Occupational Health and Safety Act, General Regulation, NB Reg 91-191</i> 2 “violence”, in a place of employment, means the attempted or actual use of physical force against an employee, or any threatening statement or behaviour that gives an employee reasonable cause to believe that physical force will be used against the employee, and

	includes sexual violence, intimate partner violence and domestic violence;
Prince Edward Island	<i>Occupational Health and Safety Act - General Regulations, EC180/87</i> 52.1 “violence” means the threatened, attempted or actual exercise of any physical force by a person other than a worker that can cause, or that causes, injury to a worker, and includes any threatening statement or behaviour that gives a worker reasonable cause to believe that he or she is at risk of injury.
Newfoundland	Occupational Health & Safety Regulations, 2012, NLR 5/12 22(1) Violence means the attempted or actual exercise by a person, other than a worker, of physical force to cause injury to a worker, and includes threatening statements or behaviour which gives a worker reason to believe that he or she is at a risk of injury.
Nova Scotia	Violence in the Workplace Regulations, NS Reg. 209/2007 2(f) “Violence” means any of the following: (i) threats including a threatening statement or threatening behaviour that gives an employee reasonable cause to believe that he or she is at risk of physical injury (ii) conduct, or attempted conduct of a person that endangers the physical health or physical safety of an employee.
Northwest Territories	Occupational Health and Safety Regulations, NWT Reg 039-2015 35 (1) In this section, “violence” means attempted, threatened or actual conduct of an individual that causes or is likely to cause injury, such as a threatening statement or behaviour that gives a worker a reasonable belief that he or she is at risk of injury
Nunavut	Occupational Health and Safety Regulations, Nu Reg 003-2016 35 (1) In this section, “violence” means attempted, threatened or actual conduct of an individual that causes or is likely to cause injury, such as a threatening statement or behaviour that gives a worker a reasonable belief that he or she is at risk of injury

***Any legislation listed in Appendix “E” may be amended from time to time and is not intended to be legal advice. Please consult the current provincial legislation.**

Appendix F: Complaint Form

Complainant Information

Name: _____ Phone Number: _____

Work Location: _____ Title: _____

Supervisor's Name (if applicable): _____

Details of Complaint

Name(s) of person(s) against whom this complaint is made:

Date(s) of incident(s): _____

If you are bringing forward a complaint of harassment, please identify the grounds alleged, if applicable. Please review the provincial definitions in Appendix C for the grounds that apply in your province.

If the harassment is not based on a protected ground, please describe.

Please describe the conduct, comments, or situation. Include the date, location, and any other relevant information. In cases of multiple incidents, please identify the time period over which these incidents occurred.

Please list any documents that may be relevant to your complaint, including documents, notes, e-mails, and/or other records.

Please describe the resolution that you are seeking.

Witness Information

List names of possible witnesses:

Name	Position	Contact Phone Number

Declaration

I confirm the statement(s) contained in this complaint are true to the best of my knowledge. I understand a copy of this complaint will be provided to the alleged harasser for the purpose of investigating this complaint.

Signature: _____ Date (dd/mm/yyyy): _____

I acknowledge that I received the complaint.

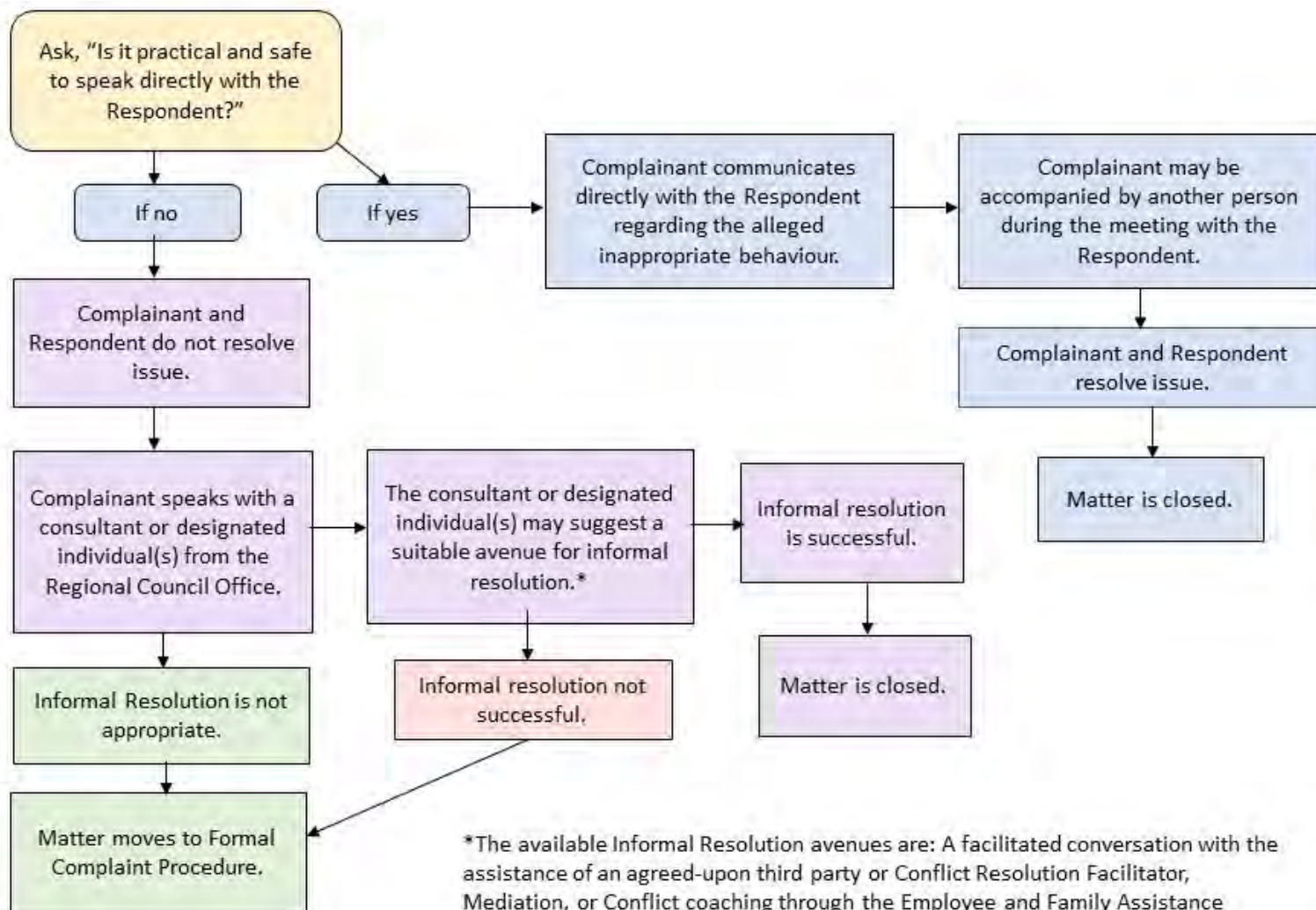
Recipient's Signature: _____ Date (dd/mm/yyyy): _____

Appendix G: Responsible Bodies*

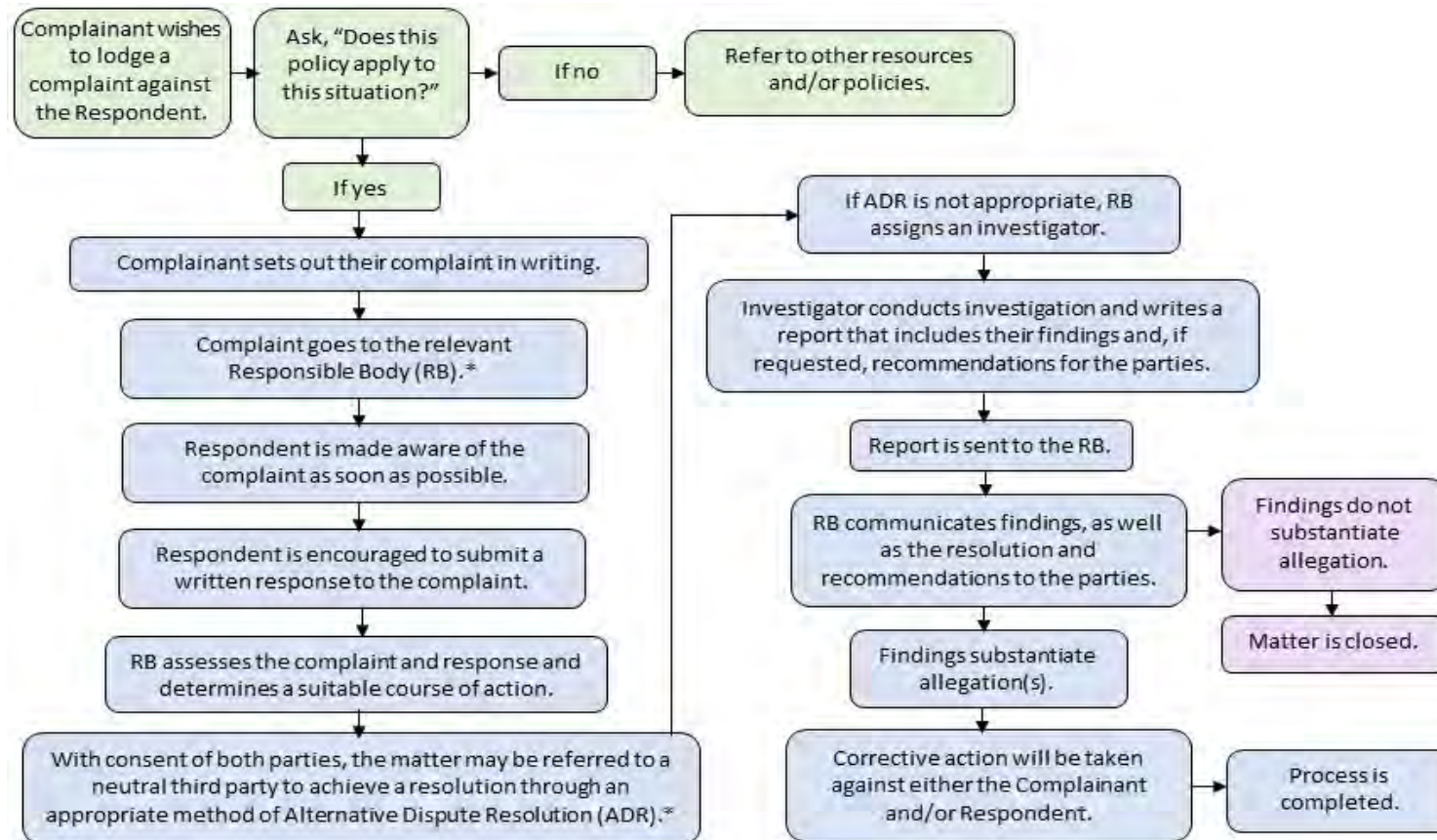
Which Responsible Body receives the complaint?	The Responsible Body is determined by the position of the Respondent in the Church
Community of Faith	Respondent is a United Church of Canada member, adherent, lay employee, congregational designated minister, licensed lay worship leader, or volunteer of a community of faith.
Office of Vocation	Respondent is a United Church minister (ordained, diaconal, and/or designated lay minister) or Candidate.
Executive Minister of the Regional Council	Respondent is the chair of the M&P Committee and/or council/board of a community of faith, a volunteer, or any person accountable to that regional council.
Director of Human Resources and Payroll	Respondent is a staff member of a regional council or the General Council Office.
Executive Officer of Shared Services	Respondent is the Director of Human Resources and Payroll Services or an Executive Minister.
General Secretary	Respondent is the Moderator.
General Secretary Supervision Committee	Respondent is the General Secretary.

***NB: A Responsible Body may delegate its authority, in the event it is unable or unwilling to act, to another appropriate Responsible Body. For example, a community of faith can delegate its responsibility to a regional council.**

Appendix H: Informal Resolution Process



Appendix I: Formal Resolution Process



*See **Responsible Bodies** (Appendix G).

*If both Complainant and Respondent are employees, counselling and support are available through Employee and Family Assistance Program (EFAP). If any party does not have access to EFAP, pastoral care is available upon request.

*Applicable ADR methods include Mediation, No Blame Conciliatory Meeting, and Facilitated Conversation.

Appendix J: Administrative Leave

The following criteria must be considered (in addition to any others that may be relevant) when making the decision on whether the Respondent to the complaint should be placed on administrative leave.

Where any one or more of the first four factors are present, it is strongly recommended that the Respondent be placed on administrative leave pending investigation.

1. Is administrative leave required in order to ensure that there is no undue contact with the Complainant, family, supporters, or advocates?
2. Is the Respondent making a request to be placed on administrative leave?
3. Is there a vulnerable sector in the relevant work community that may be at ongoing risk?
4. Do the allegations include any level of violence?
5. Is the person being investigated by the authorities?
6. Is the ministry site where the Respondent is currently carrying out their duties close to or some distance from where the Complainant is now residing and from where the complaint is alleged to have occurred?
7. Are concerns for the health and welfare of the parties or ministry site best served by placing the Respondent on administrative leave pending investigation?

Appendix K: Role of Consultants

The United Church of Canada recruits and equips a pool of individuals, of diverse background and skill sets, to serve as Consultants to the Workplace Discrimination, Harassment and Violence Prevention Policy (as well as the Sexual Misconduct Prevention and Response Policy), supported by the Office of Vocation. Their role is as follows:

Responsibilities

1. Act as a guide on the processes of the Policy for either a Complainant or Respondent.
2. Be familiar with The United Church of Canada's policies and procedures regarding discrimination, harassment and violence and to be committed to keeping up to date on related issues.
3. Conduct the work in a confidential and respectful manner, while demonstrating sensitivity and discernment.
4. Offer pastoral care, or direct to Employee and Family Assistance Program as applicable
5. Ensure that the individual to whom they are assigned receives a complete copy of the Workplace Discrimination, Harassment and Violence Policy, whether printed or electronic copy, and to review the Policy and procedures with that individual.
6. To encourage the Complainant or Respondent to have a support person present with them at all meetings.
7. To use the Complaint Form (see Appendix E) to help the Complainant to detail their complaint. Also, to inform Complainants who have observed or have first-hand knowledge of a complaint that the matter will not be pursued under this Policy if the complaint is not in writing.
8. To prepare a written account of the meeting with a Complainant, and provide a copy of the account, along with the written signed complaint and/or response, to the appropriate Responsible body.
9. The Consultant will inform the party to whom they are assigned not to have direct or indirect contact with the other party, including their family and friends
10. To advise the individual to whom they are assigned that they do not act as an advocate for them.
11. Advise the Complainant or Respondent that they can retain legal counsel (at their own cost) to assist them with the process.
12. To provide information to the Complainant or Respondent concerning the Investigator and other required information.

Appendix L: Role of Pastoral Care

Pastoral care is the extension of Christian love, help, and support by providing comfort and caring to those experiencing life transitions, illness, grief, and family or personal crisis. For the purposes of this Policy, this ministry is offered to both Complainant and Respondent within our formal resolution process. This individual is a trained and experienced United Church of Canada minister, in good standing, whose role is as follows, to:

1. Provide support and care, often through pastoral counseling;
2. Uphold the integrity of the ministry relationship in which they serve;
3. Honour the dignity, culture, and faith of all persons;
4. Respect personal boundaries such as those of space and touch;
5. Use the power and influence of their office appropriately;
6. Be sensitive to the needs and vulnerabilities of all, while clarifying and maintaining the professional nature of the relationship; and,
7. Advise the Responsible Body or Policy Writer and HR Specialist, as appropriate, should there be any breakdown in the pastoral care relationship.

Annual Performance Review

Purpose

The Annual Review and Development Plan is designed to provide the employee with feedback on past performance, encourage development, support professional growth, and plan performance objectives.

Policy

All employees will participate in an annual performance review and development plan process with their supervisor based on a common set of organizational competencies and values that all employees are expected to demonstrate in their work.

The central statement “Serving the Church, Living out God’s Good News” is the fundamental and aspirational **Vision** of The United Church of Canada. This is surrounded by five **Organizational Competency Areas**, which have been determined to be key to living out the central vision. The base reflects a common set of values that all employees are expected to demonstrate. It is important to accomplish objectives, but equally important that they are accomplished with the **Values** of The United Church of Canada; respect, integrity, passion, and diversity.



The planning and review process is a participatory discussion in which the employee and supervisor provide input and assessment of the work carried out over the past year and develop plans for the coming year. There may be roles for which input from other colleagues, units, or regional councils will be requested.

The accessibility needs of employees with disabilities as well as individual accommodation plans, leaves, and return-to-work plans shall be taken into account for the purpose of the planning and review.

Guidelines

Managers are responsible for:

- Defining and documenting Performance Standards for each role in the work unit;
- Communicating Performance Standards to each incumbent;
- Training and coaching incumbents to achieve the Performance Standards;
- Reviewing and evaluating the employee's progress toward meeting the Performance Standards through regular supervisory contact;
- Establishing a climate that encourages employees to develop their full potential within the organization;
- Taking into account the accessibility needs of employees with disabilities, as well as individual accommodation plans, leaves, and return-to-work plans in the performance review.

Procedures

1. Annual Performance Review and Development Plan forms are available from the Ministry and Employment Unit.
2. Supervisors will meet with employees to jointly complete the Annual Performance Review and Development Plan form.
3. Once completed, the employee and supervisor will both sign the Annual Performance Review and Development Plan form, acknowledging that the review has taken place.
4. The completed Annual Performance Review and Development Plan form must be forwarded to Human Resources and a copy provided to the employee.
5. The chair of the General Secretary's Supervision Committee is required to sign the final copy of the Annual Performance Review and Development Plan form for the General Secretary.
6. Progression through the salary scale will be based on a satisfactory performance review.

Problem Resolution

Purpose

The United Church of Canada is committed to ensuring that there are appropriate procedures in place related to problem resolution and formal complaints between employees in the General Council Office and Regional Councils. It is recognized that employees may become involved in circumstances where conflict will arise between/among employees in non-supervisory relationships, and where complaints will arise over the application of policies that relate to terms and conditions of employment. It is further recognized that it is in the interest of all involved to have means in place that will assist in the resolution of these conflicts and complaints.

Policy

It is The United Church of Canada's desire that employee disagreements be resolved as quickly as possible. When disagreements arise, it is understood that those involved in the dispute will attempt to resolve the situation together before others become involved. If no resolution is found, the affected parties are then expected to contact their respective supervisors, who will be given an opportunity to resolve the issue.

This policy is intended to encourage dialogue and positive confrontation of issues so that resolution can occur as quickly as possible. If there is no resolution, the Ministry and Employment Unit will be advised and other methods of problem resolution will occur.

This policy is intended to assist in the resolution of:

- conflicts between/among employees who are not in a supervisory relationship; and
- complaints over the application of policy and procedures that impact on the terms and conditions of employment of an employee(s).

It is in the best interest of everyone involved with a conflict or a complaint to have the matter resolved as quickly as possible. An employee(s) who is in a conflict situation or has a complaint is encouraged to bring the matter to the attention of the other party or parties involved so that both may make reasonable efforts to resolve the matter.

Procedures

Problem Resolution for Non-Supervisory Relationship Conflicts

1. An employee seeking to resolve a conflict with an employee with whom they are not in a supervisory relationship should first raise the matter with the individual involved and seek to resolve the conflict.
2. If the employee seeking to resolve the conflict is unable to do so, the employee should contact their supervisor to seek assistance in resolving the conflict.
3. When a conflict situation among employees who are not in a supervisory relationship is brought to the attention of a supervisor:
 - The supervisor should gather information related to the conflict situation.
 - The supervisor should bring the parties together and attempt to find a solution to the conflict.

- If one of the parties is under the supervision of another individual, the supervisor should discuss the matter with the other supervisor prior to bringing the parties together.
 - If the conflict is not resolved when the parties meet, the supervisor should discuss the matter with the Ministry and Employment Unit.
 - Upon consultation, the Ministry and Employment Unit may allocate additional internal or external resources specializing in conflict resolution to assist the parties in resolving the conflict. This may include a directive to the employee(s) affirming behavioural expectations of the employer.
 - When a supervisor becomes aware of a conflict among employees in a non-supervisory relationship who are under their supervision, the supervisor should intervene to resolve the conflict through the above procedures.
 - Employees who refuse or fail to make reasonable efforts to resolve such conflicts, or refuse or fail to follow directives of a supervisor, will be disciplined by the employer.
4. If a group of employees raises a complaint against the Executive Officer or employees of the Ministry and Employment Unit, interviews will be conducted by an independent consultant and a member of the Executive of the General Council, appointed by the General Secretary, in consultation with legal counsel. Conclusions and recommendations will be reported to the General Secretary, who may take further action.
 5. If a written complaint is made in regard to the General Secretary, the employee should raise the matter with the Executive Officer, Ministry and Employment Unit, who will ensure it is brought to the attention of the General Secretary's Supervision Committee. The Committee will make the determination regarding further action. Matters related to the performance of the General Secretary are report to the Executive of the General Council who has final authority.

Problem Resolution for "Terms and Conditions of Employment" Complaints

1. If an employee has a complaint over the application of policy and procedures that impact on the terms and conditions of employment, the employee must first raise the complaint, verbally or in writing, with their supervisor. If the "terms and conditions of employment" complaint is with respect to supervision, the employee must first raise the concern with the supervisor. If the employee feels that the complaint is still outstanding, they shall raise the complaint, verbally or in writing, with the next level of supervision.
2. If the employee is not satisfied with the response received, the employee may raise the complaint, verbally or in writing, with the Ministry and Employment Unit.
3. The Ministry and Employment Unit shall gather relevant information on the complaint and make reasonable efforts to resolve the complaint with the employee and the supervisor involved.
4. If the complaint is over an action taken by or approved by the Ministry and Employment Unit and discussion with the Executive Officer of the Ministry and Employment Unit does not resolve the issue, the employee should bring the matter to the attention of the General Secretary for consideration and decision.

5. If the employee does not consider the decision of the General Secretary to be a correct and just response to the complaint, the employee may request, in writing, to have an external investigator appointed. The external investigator will conduct an impartial investigation and provide a written report to the General Secretary. If it is concluded that a policy is unclear, it may be necessary to review the policy and make changes so that there is more clarity. For all other matters, after reviewing the external investigator's report, the decision of the General Secretary will be final.

Workplace Accommodations

1.0 Policy Statement

- 1.1 The United Church of Canada is committed to meeting its obligations under all applicable human rights and accessibility legislation with respect to providing appropriate accommodation to persons with disabilities.
- 1.2 Legislated expectations for accommodations are described in the Ontario *Human Rights Code*, *Ontarians with Disabilities Act, 2005* (“AODA”), and *Part III Employment Standards of the Integrated Accessibility Standards Regulation*, made under the AODA. In other jurisdictions, the applicable legislation will be followed (see Appendix A).
- 1.3 Accommodations will be provided in accordance with the principles of dignity, individualization, and equity. The Church will work cooperatively, and in a spirit of respect, with all partners in the accommodation process.

2.0 Purpose

- 2.1 The purpose of this policy is to ensure that members of the organization are aware of their rights and responsibilities under the applicable legislation with respect to accommodation. The policy describes the organization’s procedures for accommodation and the responsibilities of each of the parties to the accommodation process.

3.0 Scope of Policy

- 3.1 This policy sets out clear, fair, and comprehensive accommodation policies and procedures that support employees with disabilities to participate fully and equally in the workplace.
- 3.2 The accommodation policy applies to employees of The United Church of Canada with a disability who require accommodation on a temporary and/or permanent basis. The policy establishes processes and guidance to employees, managers, and any other parties involved in the workplace accommodation process.
- 3.3 In addition, the Church has policies in place to define commitments to accessibility as it relates to both current and prospective employees and the public, employment equity, the prevention of workplace discrimination, and expectations around the ethical conduct of our employees. For more information about these important topics, please see the following policies in this manual:
 - [Accessibility](#)
 - [Employment Equity](#)
 - [Workplace Discrimination, Harassment and Violence Prevention](#)
 - [Code of Ethical Conduct](#)

The policies listed above may work in association with the accommodation policy and procedures to ensure all aspects of prospective and current employee experiences are supported.

- 3.4 Requests for accommodation for non-medical needs are not processed through this policy. In these cases, the employee is directed to speak to their manager and/or Human Resources for further information.

4.0 Application of This Policy

- 4.1 Definitions that pertain to this policy include the following:

Accommodation

Any modification to the work or the workplace, including the provision of assistive devices and changes to methods of working, location of work, and/or hours of work, that enable an employee to perform the essential duties of their position.

Barrier

As defined by the *Accessibility for Ontarians with Disabilities Act*, a barrier is anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability, including a physical barrier, an architectural barrier, an information or communications barrier, an attitudinal barrier, a technological barrier, a policy, or a practice.

Disability

A disability may be defined as:

- a) a significant and persistent mobility, sensory, learning, or other physical or mental health impairment;
- b) a functional restriction or limitation that limits a person's ability to perform the full range of activities related to their work.

Undue hardship

Undue hardship is defined as a measure that puts an unnecessary or unsustainable burden on the organization to accommodate. Undue hardship is determined on a case-by-case basis. Some factors when determining the threshold of undue hardship include:

- Financial costs and access to funding
- Size of the organization, number of employees
- The health and safety risks attached to the accommodation

- 4.2 An employee requiring accommodation will work collaboratively with their manager in the accommodation process. Human Resources will be available for guidance and assistance, as required. Employees may request the participation of a support person when it would benefit the process.
- 4.3 Employees seeking accommodation are responsible for cooperating in the accommodation process by providing any relevant information and by participating in assessments that may assist in processing their request.
- 4.4 When making a request for an accommodation, the employee is not required to disclose their medical diagnosis to their employer. A written request for accommodation should be provided to their manager and describe:

- a) the general nature of their disability and sufficient information to confirm the need for an accommodation;
 - b) the limitations/restrictions caused by the disability that affect the employee's ability to perform the duties of their position;
 - c) any accommodation(s) sought and the anticipated duration that the accommodation(s) will be required.
- 4.5 Where medical information from an employee's treating medical practitioner is requested, or where an evaluation by an independent medical expert is required, the United Church's third-party medical adjudication service provider will coordinate the request and will receive the medical information. Appropriate information will be provided to Human Resources for review and consideration.
- 4.6 Individualized accommodations plans will be created for employees with disabilities, including those employees who require temporary workplace modifications following absences due to illness or injury.
- 4.7 In circumstances where the recommended accommodation plan exceeds the threshold of undue hardship, an appropriate alternate course of action may be explored with the support of the third-party adjudicator and Human Resources.

5.0 Confidentiality

- 5.1 The employee's personal medical information shall be kept confidential in accordance with [Privacy and Personal Information - Policy 1.11](#). The employee's personal health information will be used by the third-party adjudicator to assist the employee and the manager/HR in the assessment and development of the accommodation plan. The employee's medical information will not be disclosed to the Manager/HR without the employee's written consent.

6.0 Documentation

- 6.1 Once the appropriate accommodation has been determined, the details will be put in writing, with a copy given to the employee.
- 6.2 In accordance with the applicable accessibility legislation, individual accommodation plans must be documented and provided to the employee in a suitable format.

7.0 Monitoring an Accommodation Plan

- 7.1 The manager and employee will review the accommodation plan on an agreed-upon schedule, and at least once annually, to ensure it is current and effective.
- 7.2 The employee will advise their manager of any changes in their medical condition that warrant a review of their current accommodation plan.

8.0 Disputes Relating to an Accommodation Plan

- 8.1 The United Church of Canada recognizes that the accommodation process is a collaboration between the United Church and the employee. However, the primary obligation and the final decision regarding accommodation rests with the United Church.

8.2 An employee is entitled to reasonable accommodation, not perfect or preference accommodation. If the employee believes the accommodation plan is not reasonable, the employee may request that the decision be reviewed by the Director of Human Resources. The employee will receive a written response from the Director of Human Resources on whether the plan will be upheld or adjusted.

9.0 Individualized Workplace Emergency Planning

9.1 The United Church of Canada shall provide individualized workplace emergency response procedures when this is required for an employee with workplace accommodations. This information will also be provided to any person designated to assist the employee in an emergency, with their consent. The individualized workplace response information will be reviewed when:

- a) the employee moves to a new location in the workplace;
- b) the employee's overall accommodation needs are reviewed; and
- c) The United Church of Canada's general emergency response policies are updated.

10.0 Orientation and Training

10.1 New employees will be required to familiarize themselves with policies and procedures during the onboarding process, including the Workplace Accommodations policy.

10.2 All new employees will be provided with appropriate training modules on *Accessibility for Ontarians with Disabilities Act (AODA), 2005*. If other jurisdictions require training specific to their legislation, that training will be provided.

10.3 Existing employees will be provided with updates to this policy and will complete an attestation to confirm they have read and understand the content.

Return to Work

1.0 Purpose

- 1.1 The United Church of Canada is committed to the well-being of its employees and demonstrates this commitment by providing human resource systems that are supportive and inclusive. As part of this commitment, a Return to Work policy has been developed to assist employees to successfully return to work after an extended absence due to illness or injury.

2.0 Policy

- 2.1 The goal of return to work planning is the full return of the employee to regular, pre-illness or -injury duties as quickly as possible. The United Church of Canada believes that the successful recovery of employees after an illness or injury requires early intervention, open communication, and an individualized approach to developing a suitable return to work program.
- 2.2 Return to work planning will be managed by the third-party provider in collaboration with Human Resources, and the Unit Manager. The return to work plan will take into account potential accommodation needs of the returning employee by considering the following information:
- 2.2.1 the employee's ability to perform the essential duties of their pre-illness/injury position
 - 2.2.2 whether suitable alternate work is available for the employee
 - 2.2.3 if other employment is available for the employee
- 2.3 If the employee is unable to perform the essential duties of their previous role, they will be offered suitable alternate work, if it is available, at the regular wage rate associated with that position. If the employee refuses to accept the offer, the employee will be deemed to have resigned their employment with The United Church of Canada.

*This policy works in association with the [Workplace Accommodation Policy, 3.6](#), and the [Sick Leave Policy, 2.6](#).

3.0 Return to Work Planning

- 3.1 Return to work planning will involve the employee, Human Resources, the Unit Manager, and the third-party adjudicator. Information regarding a return to work start date and any temporary or permanent accommodation requirements will be provided to Human Resources by the third-party adjudicator. This information will be reviewed by Human Resources and the Unit Manager to determine if a return to work plan based on the restrictions or modifications can be accommodated.
- 3.2 Human Resources will meet with the employee to review recommended restrictions or modifications. The demands of the position, workplace impact, and ability to accommodate will be considered. Both Human Resources and the Unit Manager will work to provide a positive environment where employees on a return to work plan feel supported and valued.

- 3.3 Human Resources will conduct ongoing reviews of the plan, in collaboration with the manager and the employee. Additional reports from the third-party adjudicator may be requested during the implementation of the return to work plan to note progress and make adjustments as needed. The employee is to notify Human Resources and their adjudicator if there is any aspect of their modified plan that aggravates their condition so that corrective actions can be taken.
- 3.4 The return to work plan will be formally documented, including any restrictions or accommodations that have been put in place. The plan will be filed in the employee's personnel file.

Hybrid Working

Purpose

The intent of this policy is to outline guidelines for a hybrid workspace model while working virtually in essential, flexible, remote or deployed positions. It is a guide for both management and the employee.

Definitions

1. **Hybrid Workspace:** a model that combines in-office and virtual work to offer flexibility and support to employees while also accomplishing the roles of the positions. This model typically offers employees more autonomy and better work-life balance.
2. **Virtual Work:** individuals working from home offices using modern technology/tools.
3. **Essential Positions:** work that must be done primarily from the General Council or regional council office. These positions:
 - are deemed to be essential to the operation of the physical office;
 - support in-person services accessible to members, partners or the public; and
 - require technology, resources, or staff resources that are located on site.
4. **Flexible Positions:** work that may be done away from the office some of the time requires being onsite more than four times a year. These positions:
 - support collaborative activities with members, partners, or members of the public;
 - serve as contact points for key internal services, such as finance, information technology, communications resources, or human resources;
 - participate in collaborative teams that require or significantly benefit from routine in-person planning and other work, including planning and management of teams;
 - must be within commuting distance of the General Council or regional council office, be able to attend the office at the call of the supervisor, and to participate in events and or meetings on site;
 - home office space and furniture will not be provided though costs of consumables (paper, toner, etc.) will be reimbursed; and
 - travel cost to and from the office is the responsibility of the employee holding the position.
5. **Remote Positions:** work that does not require being on site more than four times a year. These positions:
 - no in-office requirement to conduct work;
 - carry out work that is largely independent;
 - carry out work that requires limited supervision or collaboration;
 - are not required to meet routinely with members, partners, internal clients, or other team members;
 - home office space and furniture will not be provided though costs of consumables (paper, toner, etc.) will be reimbursed; and

- travel and accommodation costs will be covered by unit travel budgets within the standard budget and policy practices for on-site meetings up to four times (4X) a year.
6. **Deployed Positions:** work that is required to be done primarily in a geographic location other than the Greater Toronto Area. These positions:
- carry out work that is primarily regionally based;
 - home office space and furniture will not be provided though costs of consumables (paper, toner, etc.) will be reimbursed;
 - rental office space may be provided on the recommendation of the supervisor when a home office is not practicable; and
 - travel and accommodation costs will be covered by unit travel budgets within the standard budget and policy practices for on-site meetings up to four times (4X) a year.

Policy

The United Church of Canada will focus on prioritizing the use of “in-office time” for collaboration and engagement as we enable the flexibility of virtual work/collaboration in a hybrid workspace. Positions will be classified as essential, flexible, remote, or deployed based on the needs of the day-to-day operations of the organization.

This policy does not alter or replace the terms of an existing employment contract. Employees must comply with all policies, guidelines and practices that would apply if the employee were working in the standard office environment.

Process

Managers in collaboration with Human Resources will determine the position classification of a new position or reclassification of existing position, where applicable. The following criteria should be assessed in determining the classification of the position:

- whether or not the responsibilities of the position can reasonably be completed while working virtually;
- whether the operational requirements and working style of the team and the unit are suitable for virtual work arrangements;
- the work schedule associated with the responsibilities of the position;
- specialized tools and resources that may be required to carry out the responsibilities of the position; and
- equipment and workspace necessary for the position to be fulfilled virtually.

In consultation with Human Resources, the supervisor reserves the right to modify an employee’s position classification at any time based on unit/Regional Council needs, operational needs, staffing requirements, or employee performance.

Guidelines

The following guidelines will apply to any employee who will be working in an essential, flexible, remote or deployed position at the General Council Office.

- **Availability:** Working hours will be consistent with the core operating hours outlined in our policy. Employees are expected to be engaged in work-related activities and responsive to requests throughout the designated working hours for their position. When circumstances preclude availability during core operational hours, the employee must consult with their supervisor and obtain approval for an alternate schedule.
- **Responsiveness:** Employees are expected to respond to requests from co-workers and supervisors within established hours arranged with the supervisor. Employees working virtually are expected to be available via email, Microsoft Teams, Zoom, or by phone, and provide timely responses to requests. Supervisors may establish minimum response times and required communication channels if the work involved requires faster response time (i.e., providing support). Employees are encouraged to be available on Microsoft Teams to respond to urgent requests during core work hours.
- **Performance:** Working away from the General Council or regional council office should not affect an employee's ability to complete day-to-day functions, including communicating with colleagues, supervising staff, providing service to clients and members, etc. Employees must stay up to date on unit and work events and be available for team, unit, and office meetings. Employees must keep supervisors informed of progress on assignments and seek out support when needed.
- **Overtime:** Employees working virtually may not work overtime hours without prior approval from their supervisor. Please refer to the Overtime/Compensating Time Policy 2.2 for further details.
- **Connectivity:** Employees working virtually must have reliable telephone service (either a private line or through the VOIP app provided by the employer) and a suitable internet connection. A suitable internet connection must provide consistent bandwidth that is adequate for videoconferencing and uploading/downloading of large documents and other resources. It is the employee's responsibility to ensure that adequate telephone and internet connectivity are available.
- **Work Environment:** Employees are responsible for providing a safe workspace and furnishings while working virtually, ensuring they have a reasonably quiet and undisturbed working environment for taking calls, joining video calls, etc. Employees are responsible for ensuring that their virtual work location is physically safe, that materials, resources and equipment provided by the United Church are secured, and that data and records of the United Church are appropriately stored and protected. It is the employee's responsibility to notify their direct supervisor immediately if the virtual workplace becomes unsafe for any reason.
- **Security:** All employees are required to maintain security and confidentiality when working virtually and refrain from engaging in inappropriate conduct that could result in legal liability for The United Church of Canada. The United Church has the right and the ability to access, monitor, and record activities on work-issued computers, Internet services, networks, and cloud-based services under its control, including files stored in private areas of its networks and online services. The United Church may also monitor any internet traffic (personal or work-related) that passes through the VPN or local network to ensure compliance with the Information Management and Technology Policy.

- **Work-Related Visitors:** Unless explicitly authorized, employees working virtually may not receive work-related visits from clients, partners, members, or others at the virtual workplace.
- **Privacy:** All employees must ensure they comply with the [Information Management and Technology Policy 1.12](#) as well as relevant [Privacy and Information Protection policies](#). Employees must take care when creating or accessing documents or data that is confidential or subject to privacy legislation. Supervisors must review any privacy concerns with remote staff and discuss with Human Resources if there are significant risks that may arise from allowing the work to be done outside of the office environment.
- **Equipment:** In compliance with the [Information Management and Technology Policy 1.12](#), employees working virtually must ensure that:
 - i. United Church-approved or -issued devices are used only for United Church work activities;
 - ii. Work documents are not saved to personal computers or personal cloud storage;
 - iii. Files and records are stored on United Church cloud services (e.g., SharePoint);
 - iv. No files or records are stored on third-party cloud services (e.g., Google, Dropbox, etc.); and
 - v. Software, especially antivirus and antimalware, are functional and updated regularly.
- **Specialized tools and equipment:** In addition to computers and telecommunication devices, specialized office equipment (printers, scanners, other equipment) may be supplied to the employee to complete their work from home. These devices remain property of the United Church and must be returned at the end of employment. Specialized equipment and furnishings provided by the United Church as part of a workplace accommodation also remain property of the United Church and must be returned at the end of employment.
- **Technical Support:** All employees using devices issued by The United Church of Canada may access technical support through the Help Desk ticketing system. For issues with hardware, the employee must make arrangements with Help Desk to have equipment evaluated, updated, serviced, or replaced as appropriate. Employees may not have devices serviced by a third party unless explicitly instructed to do so.
- **Reimbursable office expenses:** Positions deemed flexible, remote or deployed may receive reimbursement for consumable office supplies (i.e., toner, paper, postage) with prior approval of their supervisor.
- The United Church of Canada is not responsible for **costs associated with flexible or remote workplaces**, such as mortgage, rent, furniture, lighting, internet, utilities, insurance, personal cell phones, repairs, renovations, and or other modifications.

- **All policies apply:** All other policies outlined in the Human Resources Policy Manual apply to employees working virtually (i.e., Vacation, Sick Leave, Overtime, etc.). To acknowledge receipt and understanding of this policy, each employee must have it signed and returned to Human Resources.

- **On-site Access:** Access to the physical General Council or regional council office may be required for team collaboration at scheduled intervals. In these cases, the following guidelines apply:
 - i. Team Lead registers the team, detailing names of each expected team member;
 - ii. Each team member will conform to GCO Health and Safety Guidelines;
 - iii. Team Lead ensures that team members can access the office (in the case of new team members, each should have their own access card/ID);
 - iv. Team Lead and team members will ensure that they take appropriate steps to maintain sanitization standards and occupy the permitted spaces, only and
 - v. Sanitization and cleaning services will be maintained in keeping with our outlined standards and practices.

Disconnecting from Work

Purpose

Employers in Ontario are now required to follow the guidelines of Bill 27, which limit employees from working outside of their regular work hours. *Working for Workers, 2021*,¹ Bill 27, amended the *Ontario Employment Standards Act, 2000*² to include a section on disconnecting from work. This may include responding to emails or having virtual meetings outside of their prescribed work hours.

The amendments to the *Employment Standards Act* do not confer new rights regarding disconnecting from work. Employee rights under *the Employment Standards Act* to not perform work are established through other *Employment Standards Act* rules such as hours of work, eating periods, vacation with pay, and so on.

One of the objectives of this policy is to balance the work of the United Church with the right of employees to disconnect from work so that employees may “recharge” and be more effective in their work. The United Church’s work is 24/7 and 365 days a year, employing people who perform a varied scope of duties (ordained, diaconal, lay staff, and General Council Office and Regional Council staff). The first iteration of the policy will be applicable to the General Council Office (GCO) staff.

Scope

This policy applies to employees of the General Council Office and may be adapted by regional councils as well as other church organizations, who have over 25 employees.

Theological Statement

“[F]or anyone who enters God’s rest also rests from their works, just as God did from God’s work. Let us, therefore, make every effort to enter that rest,” (Heb. 4:10–11a, NIV)

The United Church of Canada believes that all people are created in God’s image and all people deserve the same human rights and freedoms.

Definition of Terms

- *Disconnecting from work* means not engaging in work-related communications, including emails, telephone calls, video calls, or the sending or reviewing of other messages outside of normal working hours, so as to be free from the performance of work.
- *Workplace* includes any location, permanent or temporary, where an employee performs any work-related duty.
- *Burn-out* is a syndrome conceptualized as resulting from chronic workplace stress that has not been successfully managed.
- *Zoom/Virtual fatigue* is tiredness, worry, or burnout associated with the overuse of virtual platforms of communication, particularly videotelephony.

United Church Commitment

- The United Church of Canada's policies, practices, and procedures embody our beliefs while creating a work environment of mutual respect, care, protection, and empowerment that enables a holistic approach to facilitate work-life balance.
- Digital tools allow employees the flexibility to work anywhere and at any time. This allows for employees to remain connected to work—which may cause burn-out and/or Zoom/virtual fatigue. To help staff achieve a healthy and sustainable work-life balance, the United Church recognizes that employees have a right to disconnect from work. Therefore, staff are under no obligation to answer phone calls, emails, or messages outside their normal working hours unless there is an emergency or agreement to do so.
- Although everyone should be mindful of the right to disconnect, it is important that we acknowledge that situations/events/emergencies can arise outside of an employee's normal working hours. These, though, should be the exception rather than the rule.

Managers' Responsibilities

- Managers must cultivate an environment, and maintain same, where their team is able to disconnect from working outside of normal working hours, without prejudice or fear of retaliation.
- Managers are responsible for implementing this policy and should contribute to effective work-life balance for employees.

Employees' Responsibilities

- Employees are obligated to maintain consistent and respectful communication with their team members and supervisor for work-life balance.
- Employees must ensure they manage their own working time while at work, and take reasonable care to protect their safety, health, and well-being.
- Employees are required to activate an automatic "Out of Office" response when on leave advising the length of leave, including contact details for team members who should be contacted during their absence.

Working Hours

- The standard working hours for full-time employees are seven hours per day, 35 hours per week. The core office hours are 9:30 a.m. to 3:00 p.m.
- The normal working hours of the General Council Office are 8:30 a.m. to 4:30 p.m., including lunch and breaks, Monday through Friday. The regional councils may have different start and end times.

Communications

- It is important that all employees' personal time is respected and everyone has the right to disconnect from work outside normal working hours. Exceptions may be accommodated for legitimate situations/events/emergencies.
- Where possible, emails, meetings, work-related communications from colleagues, etc. should be checked and or sent only during normal working hours, appreciating that the United Church operates across different time zones.
- Where an employee sends communications outside normal working hours, unless business and operations needs dictate that an immediate response is required, employees should not feel the need to respond to communications. Employees will not be penalized for refusing to respond to said communication outside of their normal working hours.

Meetings

- All employees should be mindful of the time for which virtual face-to-face meetings are scheduled, ensuring that those invited play an active role and contribute to the matters being discussed. In line with the working hours outlined above, we ask that no meetings be scheduled between 12:00 noon and 1:00 p.m. where possible.

Electronic and Phone Communications

- Some employees, depending on their role, may be provided with handheld devices, including but not limited to a mobile phone or tablet. These are provided to employees to allow flexibility in how they complete their work. This does not imply that the employees must always make themselves available for work.

Getting Support

- To allow for a continued balanced, fair, and equitable online work environment, employees are encouraged to speak with their immediate supervisor/manager if there are any concerns related to hours of work that could hinder work-life balance.
- If, after communication with the immediate supervisor/manager, the employee believes that an issue exists, the issue may be brought to the Human Resources Department to have another informal discussion.
- For cases where employees are away from work, an appropriate "out of office" notice advising the length of absence and next best contact person should be implemented for email and Teams.

Sexual Misconduct, Prevention and Response Policy and Procedures

I. Theological Statement

- [1] The United Church of Canada (the Church) believes that God intends for all life freedom from abuse and injustice; God desires for all human beings, created in God's image, mutual respect, care, protection, and empowerment.
- [2] Sexual misconduct, exploitation, and abuse are acts that violate persons and break relationships of trust and vulnerability. Sexual misconduct occurs when one uses one's power to take advantage of the vulnerability of another. These actions are contrary to God's desire for life in all its fullness for all people and will not be tolerated by the Church.
- [3] The Church is called to create safer spaces, to engage in healing, and to restore right relationships. To do so in situations of sexual misconduct, exploitation, and abuse, the Church must hold its leaders (and itself) accountable. Where there has been abuse, the Church seeks restorative justice and healing. Jesus taught God's way of mutuality and respect, calling people to create and sustain life-giving relationships based on the dignity of each person.

II. Purpose of This Policy

- [4] This Policy has procedures for individuals who have experienced betrayal of trust within the Church, in the context of activities that occur within a religious community and/or as a workplace, because of sexual misconduct, which includes sexual harassment, pastoral sexual misconduct, sexual assault, child abuse, and sexual abuse in the context of all sexual orientations.
- [5] This Policy is updated annually to implement changes from various sources, including relevant provincial and territorial legislation. This Policy is fully revised every three years.

III. Two Criteria Must Be Met for This Policy to Apply

- [6] First, this Policy applies to any person in the Church who has either allegedly demonstrated or experienced behaviour that is sexual misconduct. Any person in the Church includes:
- members, adherents, lay people, ministry personnel, staff, or volunteers in pastoral charges; communities of faith; regional councils; General Council Office; and institutions, agencies, organizations or bodies that operate under the name and/or control of the Church.
- [7] Second, the alleged sexual misconduct must have occurred in the performance of one's work, duty, and/or obligation for the Church:

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- through virtual communities, platforms, and networks (e.g., Teams, Zoom), electronic means (e.g., telephone, fax), and other modes of communication, including social media platforms; and/or
- in a physical environment of work, worship, and/or study.⁴

Note: These environments may include bodies that have a relationship with the Church and have adopted the Policy, including incorporated bodies, KAIROS, and The United Church of Canada Foundation. In the event of a complaint of sexual misconduct, these bodies may use the Church’s Policy or their own internal policy on sexual misconduct provided that it is consistent with provincial or territorial legislation.

IV. Those Who Can Lodge a Complaint

[8] There are three categories of Complainants:

- **First category:** A person who has allegedly experienced sexual misconduct by a person to whom this Policy applies.
- **Second category:** A person who has seen, heard, and/or has evidence of a person being an alleged victim of sexual misconduct by a person to whom this Policy applies. This may include an employer, minister, or someone the victim has confided in. The alleged victim of the complaint will be offered the opportunity to participate in the investigation and become the Complainant at any time.
- **Third category:** A parent or guardian of a child who has allegedly experienced sexual misconduct by a person to whom this Policy applies.

Anonymous Complaints

[9] An organization is required to conduct a fair investigation. A fair investigation requires, among other things, that the Respondent in a complaint has a right to know the case before them, which includes notice of the allegations and who is making them. Therefore, as a general rule anonymous complaints will not be pursued. However, given the history of sexual misconduct in religious institutions, the Church may enquire whether the alleged victims will become Complainants. In the absence of a Complainant or Complainants, the Church is not able to proceed with a formal investigation of the complaint.

V. This Policy Is Required by Law

[10] Sexual misconduct, including workplace sexual harassment, is prohibited by the Church and/or by provincial, territorial, and federal law. See [Appendix B: Sexual Harassment Definitions](#).

⁴ The policy applies to alleged abuse on non-church property and/or affiliated organizations provided that the alleged abuse occurred in the performance of one’s work, duty, and/or obligations for the Church—for example, a Bible study at a private home, a church activity at a park, a fundraising event at a museum, or a hospital visit to someone who is ill.

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- [11] By law, the Church is required to have a Policy that addresses workplace sexual harassment. Communities of faith may use this Policy or develop their own customized Policy. If a community of faith chooses to develop its own Policy, the procedure for complaints must be similar to this Policy to ensure consistency in the complaints process in the Church. In addition, any customized Policy must comply with provincial and/or territorial legislation related to sexual workplace harassment.

VI. Options for Making a Complaint Outside This Policy

- [12] If the complaint is regarding sexual misconduct in the workplace, complainants have an option to make a complaint under Occupational Health and Safety legislation. However, complainants must choose their forum to make a complaint. They cannot make a complaint at the same time under this Policy and other relevant legislation.
- [13] You can refer to the [Workplace Discrimination, Harassment, and Violence Response Policy](#) for a list of legislation related to sexual misconduct in the workplace.

VII. Individuals Shall Not Fear Retaliation from the Church

- [14] Individuals who share concerns about sexual misconduct shall not be subjected to any form of retaliation from the Church. Retaliation includes firing, suspending, intimidating, imposing a penalty, and denying a right or benefit.
- [15] There shall not be any retaliation for individuals who:
- report an incident, make a complaint, or might make a complaint under this Policy;
 - are named in a complaint or might be named in a complaint;
 - participate or cooperate in an investigation related to this Policy; and
 - are associated with a person who has made a complaint under this Policy and/or any other process or procedure.

VIII. Definitions Related to Sexual Misconduct

The definitions below are for reference only and may vary across applicable jurisdictions. In the event any of the definitions outlined below conflict or are inconsistent with applicable legislation, the applicable legislative definition will be used.

- [16] *Child Sexual Abuse*: Child sexual abuse includes sexual assault, sexual interference, invitation to touching, sexual exploitation, procurement, and indecent acts to a child under the age of 16. If someone is in a position of trust or authority, they are responsible for not taking advantage of anyone under the age of 18 years.
- [17] *Consent*: Consent is a voluntary agreement to engage in an activity by an individual in a position to make such a choice. No consent will be deemed to be given in the following circumstances:
- the application of force to the Complainant or another person;
 - threats or fear of the application of force;
 - the exercise of authority;
 - fraud; or

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- the Respondent being in a position of trust with the Complainant.

Consent involving children

- Under the Criminal Code of Canada, the age of consent for sexual activity is 16 years.
 - The age of consent is 18 years when the sexual activity occurs in a relationship of authority, trust, or dependency (e.g., teacher, coach).
 - There are exceptions for sexual relationships for people close in age. A person as young as 14 can legally consent to sexually activity with someone who is less than five years older than them as long as there is no relationship of trust, authority, or dependency or any other exploitation.
 - A 12- or 13-year-old can consent to sexual activity with another young person who is less than two years older and with whom there is no relationship of trust, authority, or dependency or other exploitation.
- In addition to criminal laws against sexual abuse and exploitation of children, each province and territory has its own laws to protect children against sexual abuse and other forms of exploitation. Refer to [Provincial and territorial child protection and legislation and policy - 2018](#) for more information.

[18] *Pastoral Sexual Misconduct*: Pastoral sexual misconduct is a sexual action, including sexual harassment, sexual abuse, or other sexual activity or conduct, by a person designated as ministry personnel where the person takes advantage of the vulnerability of a person under their pastoral care. It includes consensual actions initiated by an individual who is under the pastoral care of the minister. However, if a minister experiences sexual misconduct by a person under their pastoral care, this is not pastoral sexual misconduct. This would be sexual misconduct and can be dealt with under this Policy. For pastoral sexual misconduct to occur, the ministry personnel is the perpetrator of the sexual misconduct.

[19] Assault, [including sexual assault], is defined in section 265.(1) and (2) of the *Criminal Code of Canada*, which reads as follows:

- (1) A person commits an assault when
 - (a) without the consent of another person, he [sic] applies force intentionally to that other person, directly or indirectly;
 - (b) he attempts or threatens, by an act or a gesture, to apply force to another person, if he has, or causes that other person to believe on reasonable grounds that he has, present ability to effect his purpose; or
 - (c) while openly wearing or carrying a weapon or imitation thereof, he accosts or impedes another person or begs.
- (2) This section applies to all forms of assault, including sexual assault, sexual assault with a weapon, threats to a third party or causing bodily harm and aggravated sexual assault.

Sexual assault also includes intercourse with children under the age of 16, incest, bestiality, and gross indecency.

Sexual Harassment

- [20] Sexual harassment means engaging in a course of improper or unwelcome comments or conduct because of sex, sexual orientation, gender identity, or gender expression, where the course of comment or conduct is known or should reasonably be known to be unwelcome. Sexual harassment can also be a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant, or deny a benefit or advancement to the recipient, and the person knows or should know that the solicitation or advance is unwelcome.
- [21] Sexual harassment can include unwelcome remarks, jokes, innuendo, propositions or taunting, persistent unwanted attention, physical contact of a sexual nature, or sexual assault.
- [22] Sexual harassment in the workplace can occur in any location, permanent, temporary or virtual, where an employee, a contractor, or a volunteer performs any duty, task, or obligation for the Church.
- [23] The definition of sexual harassment may vary across applicable jurisdictions and may be subject to legislative change. Individuals are encouraged to review their applicable legislation, in their respective jurisdiction (See [Appendix B: Sexual Harassment Definitions](#)).

Sexual Misconduct

- [24] Sexual misconduct within this Policy includes (workplace) sexual harassment, pastoral sexual misconduct, sexual assault, and child sexual abuse.
- [25] Sexual misconduct is demeaning, exploitive behaviour of a sexual nature ranging from jokes, to unwanted touching, to forced sexual activities and/or threats of such behaviour in person, by text, e-mail, and through social media sites and other digital/Web platforms. Sexual assault, sexual harassment, pastoral sexual misconduct, and child sexual abuse are forms of sexual misconduct that are often primarily acts of power by one individual over another.

IX. Definitions for Procedures to Respond to Complaints

The following definitions apply to the procedures outlined in this Policy:

- [26] **Applicable ministry:** This refers to communities of faith, regional councils, National Indigenous Organization, and other ministries in which ministry personnel are employed.
- [27] **Authority:** Law enforcement agency of a country, province, territory, or other self-governing structure that has the responsibility for preventing, detecting, investigating, combatting, and/or punishing criminal offences.

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- [28] **Bad faith, trivial, or vexatious complaints:** These types of complaints may themselves be a violation of this Policy. A bad faith complaint is one that the Complainant knows is false or is made for a purpose other than gaining a satisfactory remedy. The decision can be made to refuse to deal with such matters at any stage of the complaint or investigation process. Anyone who is found to have made such a complaint may subject themselves to a range of penalties.
- [29] **Business days:** For this Policy, business days refers to Monday to Friday.
- [30] **Child:** For the purpose of this Policy, a child is someone who is 16 years and younger. The definition of child increases to 18 years old and younger when the alleged sexual misconduct occurs with someone in a position of trust, authority, and/or dependency.
- [31] **Complainant:** The Complainant is usually someone who is a victim of sexual misconduct by someone to whom this Policy applies. See [IV. Those Who Can Lodge a Complaint](#) for categories of Complainants.
- [32] **Complaint:** A complaint is one or more accusations of sexual misconduct made by the person who allegedly experienced the misconduct. An admission of misconduct is also treated as a complaint. Complaints cannot be anonymous.
- [33] **Confidentiality:** Refers to a party providing information to another party with the expectation that it will not be shared with anyone else except as required by law.
- The Church may need to share confidential and/or personal information in the course of an investigation.
 - For example, information obtained about an incident or complaint, including identifying information about any individuals involved, will not be disclosed unless the disclosure is necessary for the purpose of investigating or taking corrective action on the incident or complaint, or is otherwise required by law.
- [34] **Conflict Resolution Facilitator:** An individual retained by the Church to assist in mediating disputes. The Office of Vocation maintains a list of trained Conflict Resolution Facilitators, which you can access by contacting complaintresponse@united-church.ca.
- [35] **Consultant:** Consultants are neutral and independent trained individuals. Both the Complainant and the Respondent are each assigned their respective Consultant to help them understand the Policy and may assist them in drafting and/or responding to complaints. A list of Consultants can be found on the [Safe Spaces for Worship and Work](#) page of the Church's website.
- [36] **Investigation plan:** A document that sets out the issues, the parties, and potential witnesses to interview. It may also set out what challenges may arise and the strategies to deal with them. It will detail what resources are required to complete investigations within a reasonable time.

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- [37] **Investigator:** An individual retained by the Church to conduct the formal investigative process associated with submitted complaints. The Policy Writer and Human Resources Specialist at the General Council Office can assist in retaining Investigators.
- [38] **Legal representative:** The parties have a right to retain, at their own cost, a paralegal, lawyer or other paid or unpaid advocate.
- [39] **Ministry personnel:** A general term that refers to members of the Order of Ministry, designated lay ministers, candidates serving under appointment, admission ministers serving under appointment, diaconal supply, and ordained supply.
- [40] **Pastoral care:** Comfort and support provided to a Complainant or Respondent by a ministry personnel, Indigenous Elder, or Traditional Knowledge Keeper.
- [41] **Policy Writer and Human Resources Specialist:** This position supports the Responsible Body to administer this Policy and assists with retaining Consultants, Investigators, and Conflict Resolution Facilitators.
- [42] **Reasonable Accommodation:** The organization will accommodate the accessibility needs of everyone involved in the process within the Church to ensure full access and participation. Accommodation includes providing documents in alternative formats, off-site and after-hours meetings, interpretation, and translation.
- [43] **Records:** All materials related to the complaint, including the investigation and outcome, are retained in confidence according to the Church's retention policies.
- [44] **Respondent:** The person alleged to have been the perpetrator of sexual misconduct against someone to whom this Policy applies.
- [45] **Responsible Body:** The Responsible Body is the individual or group of individuals that deals with the complaint. The Responsible Body changes according to the position of the Respondent in the Church ([Appendix A: Responsible Bodies](#)). In the event the Responsible Body is not able to act for any reason, they must establish to whom to delegate this responsibility. The following are some situations where the Responsible Body may decide to delegate its authority to receive and handle complaints:
- If an individual in the Responsible Body is a Complainant, if there is no bias and/or apprehension bias, the complaint may be received by another individual in the Responsible Body.
 - Alternatively, the Responsible Body may decide to delegate their responsibility to the individual or body that it is accountable to. For example, if the Responsible Body is the Ministry and Personnel Committee, the complaint will be received by the governing body because the Ministry and Personnel Committee is accountable to them.

- If a Responsible Body does not have the expertise and/or resources to handle a complaint, they are encouraged to delegate their responsibility to an appropriate body. For example, a community of faith may want to collaborate with or even delegate their responsibility to receive and handle a complaint to the Executive Minister of the regional council, who may be in a better position to handle the complaint.

- [46] **Social media:** The online means of interactions among people in which they can create, share, or participate in virtual communities, applications, and networks, including Facebook, Instagram, SnapChat, Whatsapp, and Texts.
- [47] **Support person:** A Complainant or Respondent can bring a person of their choice (friend, family, or colleague) with them to support them during the investigation process.

X. Cases Involving Children

Reporting Requirements for Children regarding Sexual Misconduct

- [48] When a complaint of sexual or physical misconduct toward a child designated by provincial or territorial law as a minor is disclosed, or where there are reasonable grounds to suspect misconduct, the person to whom the disclosure is made or who suspects such misconduct shall immediately report the suspicion and the information on which it is based to the authority or agency as defined in provincial or territorial laws in the jurisdiction in which the misconduct is alleged to have occurred.
- [49] These procedures also apply in cases where time has elapsed and the individual who is the subject of the misconduct has reached the age of an adult. The person reporting is encouraged to record the details of the disclosure or the reasonable grounds of suspicion and relevant dates and times.
- [50] The person reporting is to keep the information confidential, except as required by law. The authority or agency to which suspected sexual or physical misconduct toward a minor is reported has the responsibility of investigating the suspected misconduct. In order that such investigation is not hindered, no representative of The United Church of Canada will question the alleged victim, the alleged perpetrator, or any potential witness concerning the investigation while the investigation by the provincial or territorial agency, authority, and/or police is being undertaken or until such time as those authorities indicate such questioning may proceed.
- [51] When the alleged perpetrator is in an accountable relationship with The United Church of Canada, and the matter has not been reported appropriately to the United Church by the legal authorities, the matter should also be reported, as soon as it is permitted by provincial/territorial legislation, to the United Church by the person who has taken the allegations to the authorities.

A. *Procedures to Respond to Complaints: Lay People*

- [52] This procedure is to be used where the Respondent (or Respondents) is an employee, a member, an adherent, a congregational designated minister, a licensed lay worship leader, or a volunteer of an applicable ministry.

- [53] Where urgent intervention is required, the Responsible Body will alert the appropriate people in the applicable ministry to take steps to ensure the Complainant is safe and not subjected to further sexual misconduct. If there is a concern for the safety of the alleged victim and/or the community as a whole, the Respondent, if an employee, should be placed on paid administrative leave.
- [54] If the Respondent is a volunteer or attends the applicable ministry as a member or adherent and the Complainant attends the same applicable ministry in person, they should be asked to not physically attend the applicable ministry and may be subject to further restrictions deemed appropriate for that situation.

Informal Resolution Process ([Appendix C: Informal Resolution Process](#))

The process is identified by the letter L, which stands for layperson, followed by the number in the process (for example, L1, L2, and so on).

Consultant is assigned

L1. When a Complainant presents their complaint to the Responsible Body, that body ensures that a Consultant is assigned to the Complainant to help them understand the process, including the option to approach the Respondent without a written complaint (but only if it safe and practical to do so) and to assist in writing their complaint, if required. If the Complainant is unable or unwilling to write a complaint, the notes made by the Consultant of the conversation with the Complainant will serve as the written record of the complaint with the permission of the complainant

Complaint is sent to the Respondent

L2. Once there is a written complaint with sufficient details, another Consultant will be assigned to the Respondent and will forward the complaint to the Respondent, usually either in person or by e-mail. The Consultant discusses pastoral care for the Respondent and family and reviews the Policy with the Respondent. The Respondent should respond to the allegations, including possible resolutions, within 10 business days of receiving the complaint. If the Respondent is unable or unwilling to write a response to the complaint, the notes made by the Consultant of the conversation with the Respondent may serve as a response to the complaint with the permission of the Respondent.

Pastoral care is made available to both parties

L3. If a party or parties are working with a Consultant, the Consultant will discuss how they can access pastoral care. In other cases, the Regional Council Executive Minister or designate will make the offer of pastoral care. Employees of the Church have access to counselling and support through the Employee and Family Assistance Program (EFAP) with TELUS Health.

Informal resolution is encouraged if appropriate

L4. Before any options of informal resolution are implemented, both parties must agree to it. The Complainant is encouraged to speak directly with the Respondent, but only if it is safe and practical to do so. The Complainant should tell the Respondent that their behaviour or comment is unacceptable, unwelcome, and being experienced as (workplace) sexual harassment and ask the Respondent to stop.

L5. This approach may be most effective in situations where the Complainant believes the Respondent is unaware of the impact of their actions and/or conduct. Otherwise, cases of sexual misconduct should follow a formal resolution process. Depending on the severity of the allegations of sexual misconduct (for example, cases involving rape and/or sexual exploitation), the matter may need to first be reported to the authorities before a formal resolution process may begin.

Support person

L6. The Complainant and Respondent can be accompanied by a support person at any meeting in the process.

Other informal options before making a formal complaint

L7. These options include:

- a facilitated conversation with the assistance of an agreed-upon third party or a Conflict Resolution Facilitator;
- mediation; and/or
- conflict coaching through the Employee and Family Assistance Program (EFAP) through TELUS Health.

Formal Complaint Process ([Appendix D: Formal Resolution Process](#))

Complainant writes detailed complaint

L8. If a matter remains unresolved for any reason, or if it is determined that informal efforts are not appropriate given the circumstances, the Complainant is encouraged to set out a detailed written complaint using the Sexual Misconduct Response Policy and Procedures Complaint Form ([Appendix E: Complaint Form](#)). A Consultant can assist with this process. If the complaint is not sufficiently detailed, further details will be requested.

Complaint is sent to the Responsible Body

L9. The Complainant sends the complaint to the Responsible Body ([Appendix A: Responsible Bodies](#)). Alternatively, a complaint can be submitted to the confidential complaints e-mail address (ComplaintResponse@united-church.ca). The position that the Respondent holds in the applicable ministry determines the Responsible Body to which the complaint is submitted.

The regional council and/or the Policy Writer and Human Resources Specialist will act as a resource to the applicable ministries in dealing with complaints.

Note: If the complaint concerns the Regional Council Executive Minister or any employee, volunteer, or person who is accountable to a regional council or General Council Office, please see the procedures in the next section under [C. Procedures to Respond to Complaints: Regional and General Council Offices](#).

Complaint is forwarded to the Respondent

L10. Once a complaint is received, it is forwarded to the Respondent within 10 business days by a Consultant who is assigned to that individual. The Consultant usually delivers the complaints by e-mail or in person. The Respondent should submit a written response to the complaint within 10 business days of receiving the complaint. If needed, the Respondent can request more time to respond. It is at the discretion of the Responsible Body to disclose all, part, or a summary of this written response to the Complainant. The Respondent is informed that their written response may be provided in part or in a summary for clarity and to ensure that language in the response will not further revictimize the Complainant.

Pastoral care is made available to both parties

L11. If a party or parties are working with a Consultant, the Consultant will discuss how they can access pastoral care. In other cases, the Regional Council Executive Minister will make the offer of pastoral care. Employees of the Church have access to counselling and support through the Employee and Family Assistance Program (EFAP) with TELUS Health.

Another attempt is made at dispute resolution

L12. If practical, parties should be given another opportunity to resolve the complaint informally before a formal process begins. Options for an informal process include assigning a neutral third party, such as a Conflict Resolution Facilitator or mediator; a no-blame conciliatory meeting; a facilitated conversation; or Indigenous alternative approaches to dispute resolution.

Investigator is assigned

L13. The Responsible Body assesses the complaint and the response. If there are discrepancies between the complaint and response and/or any other concerns are identified by the Responsible Body, an Investigator will be assigned.

L14. The Investigator will provide an investigation plan to the Responsible Body before it starts the investigation to ensure that there is consensus in the direction of the investigation. As the investigation proceeds, the Investigator will consult the Responsible Body regarding possible changes to the investigation plan resulting from information learned from the investigation.

L15. The Investigator arranges to interview the parties and any witnesses. If possible, the interviews are held in person, but may be conducted over the phone or using other technology. The investigation occurs whether or not the Respondent is away from their position for any reason, including medical leave initiated by the Respondent. Even if the Respondent is on medical leave, they may still be able to participate in the investigation.

Investigator writes a report

L16. The Investigator writes a report for the Responsible Body that includes their findings of fact and, if requested, recommendations. The Responsible Body can accept all, some, or none of the recommendations of the investigator.

Responsible Body informs the parties of the outcome

L17. The report is sent to the Responsible Body. The Responsible Body will meet with the parties before making any findings. It may accept all, some, or none of the findings of the investigation report. If the Responsible Body accepts findings that the Respondent engaged in sexual misconduct, it will take appropriate corrective action. If the findings are not substantiated, the Responsible Body will likely not take any further action. The action is based on the findings of the Investigator, the nature of the complaint, and all relevant circumstances, including any previous discipline.

L18. If the Respondent is an employee, options for actions include no further action; progressive discipline, including termination; or a directed program, such as counselling.

L19. If the Respondent is a member, an adherent, or in a position of responsibility within the community of faith or other applicable ministry, options for actions include no further action, removal or suspension from the office the Respondent holds in the applicable ministry and/or considering the revocation of membership(s) of the person in the applicable ministry.

L20. The Responsible Body could also decide to hold a formal hearing to deal with more complex matters. This applies where the Respondent is a congregational designated minister, an adherent, or a lay member other than a ministry personnel. In a formal hearing of a formal complaint, the Formal Hearing Committee is responsible for deciding whether the formal complaint has been proven. See section J.9.5 of [The Manual](#) for more information on formal hearings in this context.

L21. The Responsible Body will provide the Complainant and Respondent with a written letter with the findings and outcomes that the Responsible Body has accepted. For confidentiality and privacy reasons, the parties are not provided a copy of the investigation report. The Responsible Body will meet with the parties before making their findings and may also choose to follow up with an in-person meeting to discuss the outcomes with each party separately.

L22. The Responsible Body will bear the costs associated with the investigation.

Confidentiality is maintained except as required by law

L23. Confidentiality regarding the findings of an investigation is maintained, except to the extent necessary to implement or defend the corrective or disciplinary action taken, or as required by law. Where corrective or disciplinary action is taken against either the Complainant or the Respondent, the other party is advised of the general nature of the action, but is not provided with the particulars of that action.

Request for reconsideration

L24. The parties of the investigation can ask that a final decision be reconsidered by the Responsible Body within 30 calendar days from the date of the decision.

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L25. A request for reconsideration must include:

- reasons for the reconsideration;
- submissions in support of the reconsideration; and
- remedy or relief desired.

L26. The Responsible Body will grant a request for reconsideration if it is satisfied that

- there are new facts or evidence that could not have been produced earlier that could change the outcome of the final decision;
- the decision was not in accordance with the rules of natural justice that impacted the outcome of the investigation (such as the Respondent not being aware of the allegations against them and not having an opportunity to be heard or to respond); and
- other factors exist that the Responsible Body needs to give greater weight.

L27. New evidence, such as facts that happened after the completion of the investigation, will not be considered for reconsideration.

L28. The Responsible Body has 30 calendar days to respond in writing to the reconsideration.

L29. If the Responsible Body finds that there are grounds for the reconsideration, it will take corrective action as required.

No appeal process

L30. There is no appeal process for a final decision regarding the disposition of a complaint.

Investigations are completed within three months

L31. All of the procedures should be carried out in a timely fashion—in most cases within a three-month period. Exceptions do occur, however, and in cases that require more time the parties are informed of the delay and, if appropriate, the reasons for the delay. Except in exceptional circumstances, the Responsible Body will decide how to move forward and will communicate its decision to the parties within 30 calendar days of receiving the investigation report.

B. Procedures to Respond to Complaints: Ministry Personnel

[55] The Responsible Body that manages complaints of sexual misconduct for ministry personnel is the Office of Vocation. See [Office of Vocation: Structure and Responsibilities](#), Appendix A: Procedure to Address Concerns about Ministry Personnel, for procedures related to sexual misconduct of ministry personnel.

C. Procedures to Respond to Complaints: Regional and General Council Offices

- [56] The following process applies when Respondent (s) are employees, contract workers, or volunteers of the General Council Office, including ministry personnel. For ministry personnel, the outcome of the complaint will be shared with the Office of Vocation, which may take additional actions. For staff members who belong to other professional bodies, their respective regulatory bodies may be informed of the outcome of a complaint.
- [57] If the Respondent is ministry personnel working for the regional and General Council offices and the complaint against them stems from a pastoral relationship, [B. Procedures to Respond to Complaints: Ministry Personnel](#), above, applies.
- [58] The Responsible Body may implement interim measures to ensure the Complainant is safe and not subjected to further sexual misconduct. If there is a concern for the safety of the alleged victim and/or the workplace as a whole, the Respondent may be placed on paid administrative leave.

Note: The other processes in this Policy were established for communities of faith and the Office of Vocation, and in practice, these processes have not worked well for employees of the regional and General Council offices because the relationship between employees is usually not pastoral, and therefore requires a different approach.

The process is identified by the letter G, which stands for regional and General Council Office, followed by the number in the process (for example, G1, G2, and so on).

Complaint submitted to employer

G1. The Complainant can communicate their concerns to their direct supervisor, Director of Human Resources and Payroll Manager, and/or their Responsible Body. They can communicate it informally. Once the Complainant communicates their concerns to the Responsible Body, the Complainant can submit a formal written complaint. Alternatively, complaints can be submitted to complaintresponse@united-church.ca, which is monitored by the Policy Writer and Human Resources Specialist and forwarded to the Responsible Body to review.

Complaint Response Team

G2. The Responsible Body will form a Complaint Response Team, which may include the Respondent's and Complainant's supervisors, if applicable; Director of Human Resources and Payroll Manager; Policy Writer and Human Resources Specialist; and General Counsel. They will review the complaint and ask the Respondent to respond within 10 business days of receiving the allegations and their expected outcomes.

Pastoral care is made available to both parties

G3. The Complaint Response Team can arrange pastoral care for the parties. Employees of the Church also have access to counselling and support through the Employee and Family Assistance Program (EFAP) with TELUS Health.

Complaint Response Team develops a tailored process

G4. Whether or not the Respondent responds, the Complaint Response Team will determine the best way to address the complaint. As each complaint is unique, the

Complaint Response Team will outline a specific and tailored process with timelines to address the complaint. A Consultant or designate is assigned to both the Respondent and Complainant to explain the process and assist, if requested, with writing the complaint or response to the complaint. The Consultant may also use their written notes of their conversation with the Complainant or Respondent as the written complaint or response to the complaint provided that it is approved by the person to whom they are assigned. The Consultant will inform them of their right to legal representation, but it will be at their own expense.

G5. The Complaint Response Team determines the issues and how they will be addressed. Some issues may be resolved informally and others more formally. The Complaint Response Team may also decide to make preliminary inquiries to determine whether a formal investigation is necessary.

Investigator is retained

G6. If the Complaint Response Team retains an Investigator, the Investigator will provide an investigation plan to the Complaint Response Team before starting the investigation to ensure that there is consensus on the direction of the investigation. If there are proposed changes to the investigation plan, the Investigator informs the Complaint Response Team before proceeding further with the investigation.

G7. The Investigator arranges to interview the parties and any witnesses. If possible, the interviews are held in person, but may be conducted over the phone or using other technology. The investigation occurs whether or not the Respondent is away from their position for any reason, including medical leave initiated by the Respondent. Even though the Respondent is on medical leave, they may be able to participate in the investigation.

Investigator writes a report

G8. The Investigator writes a report that includes their findings and, if requested, recommendations. The report is provided to the Complaints Response Team who then communicates the findings and resolution to the parties.

Action is taken by Complaint Response Team

G9. The Complaint Response Team can decide to take no further action; progressive discipline, including termination; or a directed program, such as counselling.

G10 The Complaints Response Team will forward the disposition and resolution of the complaint to the Office of Vocation for ministry personnel. If the Respondent belongs to a professional body, other than the Office of Vocation, the Complaints Response Team will decide whether it will forward the complaint to the applicable professional body.

Request for reconsideration

G11. The parties to the investigation can ask that a final decision be reconsidered by the Responsible Body within 30 calendar days of the date of the decision.

G12. A request for reconsideration must include:

- reasons for the reconsideration;
- submissions in support of the reconsideration; and
- remedy or relief desired.

G13. The Responsible Body will grant a request for reconsideration if it is satisfied that

- there are new facts or evidence that could not have been produced earlier that could change the outcome of the final decision;
- the decision was not in accordance with the rules of natural justice that impacted the outcome of the investigation (such as the Respondent not being aware of the allegations against them and not having an opportunity to be heard or to respond); and
- other factors exist that the Responsible Body needs to give greater weight.

G14. New evidence, such as facts that happened after the completion of the investigation, will not be considered for reconsideration.

G15. The Responsible Body has 30 calendar days to respond in writing to the reconsideration.

G16. If the Responsible Body finds that there are grounds for the reconsideration, it will take corrective action as required.

No appeal process

G17. There is no appeal process for a final decision regarding the disposition of a complaint.

Ideally the investigation is completed within three months

G18. All of the procedures should be carried out in a timely fashion—in most cases within a three-month period. Exceptions do occur, however, and in cases that require more time, the parties are informed of the delay and, if appropriate, the reasons for the delay.

XI. This Policy Applies to International Complaints

[59] This Policy applies to anyone or any organization, as well as other bodies that have a direct affiliation with the Church, that is carrying out a responsibility or activity on behalf of the Church in international locations.

[60] The criteria set out in [III. Two Criteria Must Be Met for This Policy to Apply](#) apply to incidents occurring in international locations.

[61] Below is the process for complaints that occur in international locations (excluding the community of faith in Bermuda, which will follow the process outlined for all other complaints in this Policy):

Complainant or Respondent Works/Volunteers with The United Church of Canada

- (a) The Church supports global programming outside of Canada initiated by the General Council Office, congregations, and other communities of faith. In the event a complaint arises involving inappropriate behaviour in the workplace, in worship, or while studying, Church in Mission Unit, specifically the Church in Partnership and Identity and Mission clusters,⁵ must be notified as appropriate.
- (b) The Church in Mission Unit will direct the Complainant and Respondent to complaintresponse@united-church.ca to lodge their complaint and/or receive additional support and resources to manage the situation.

Complainant or Respondent Is from the Global Partner or Someone from the Community Participating in the Global Partner Project

- (c) The Human Resources person or equivalent of the Global Partner collaborates with the Church in Mission Unit on how to lodge a complaint and will provide support and resources to deal with the complaint as appropriate.

Complaint Process

- (d) Once the Church receives a complaint, it is sent to the appropriate Responsible Body. The appropriate Responsible Body will depend on the position/role of the Respondent at the Church ([Appendix A: Responsible Bodies](#)). In the case where the Respondent is not part of the Church, the Responsible Body will be the Executive Minister of the regional council the Complainant is associated with.
- (e) The Responsible Body determines which legislation, international or provincial/territorial, applies. The Responsible Body works with the Human Resources department or equivalent of the organization where the alleged incident took place to review their Workplace Safety and/or Sexual Misconduct Policy and legislation to determine which legislation and Policy will take precedence. If a complaint arises in an international location that does not have legislation on sexual misconduct, the complaint is usually reviewed under the appropriate law of the province/territory the Respondent is from.
- (f) In all circumstances, the incident will be reviewed under the legislation and/or Policy that is more comprehensive.
- (g) The Responsible Body collaborates with the Church in Mission Unit and the Global Partner to talk about resource sharing to address the complaint.
- (h) If it is established that the jurisdiction is either provincial/territorial within Canada, the procedure set out in this Policy will be used to resolve the complaint.

⁵ The Church in Mission Unit provides support and leadership to The United Church of Canada to participate in God's mission of justice, peace, and transformation in the world through its various ministries and partners in their contextual response to God's invitation and partnership. The Church in Mission has three collaborative staff teams: Church in Partnership, Identity and Mission, and Executive Minister Cluster. Church in Mission provides supports and leadership to The United Church of Canada in seeking to be an intercultural and anti-racist church that is welcoming, relational, adaptive, justice seeking, intentional, and mission-centred.

XII. Procedures for Indigenous Communities

- [62] This Policy may be tailored for the purposes of Indigenous communities. It is recommended that, where a Respondent is an Indigenous ministry personnel, the prescribed processes outlined under sections A, B or C, as appropriate, be followed. In terms of reconciliation processes, the Indigenous ministry personnel may be subject to both prescribed remedial processes (under the Office of Vocation's processes) and reconciliation processes in alignment with their respective Indigenous communities.
- [63] Where a Respondent is Indigenous non-ministry personnel, the applicable ministry may consider following a process that honours their restorative culture and practices, or consult with the respective regional council, National Indigenous Council, or the Office of Vocation for further support.

XIII. Restoration of Relationship: Communities of Faith

- [64] Restoration of relationship, where possible, may be explored to examine whether parties to a complaint can resume participating in the life and ministry of the Church after a complaint is concluded. This consideration is weighed based on the circumstances of each complaint.
- [65] The suggestions that follow offer different ways to restore relationships for the Complainant and Respondent in their communities of faith.

Communication

- Clear and transparent information should be provided to the Church community, as much as possible, throughout the process and when the process has concluded. It is expected that information shared will be held in confidence by all who are part of the process. If all interested parties (Complainant, Respondent, and pastoral charge or ministry site) have the same information, it will be easier once the formal complaint procedures are concluded to resume a relationship that may have been interrupted by administrative leave or time away from work for directed programming ordered by the Church.
 - The Responsible Body will meet with the Complainant after the process is concluded. Reflect with them on their experience of the process. Ask:
 - Did they feel heard throughout the process?
 - Were they supported throughout the process?
 - How can they be further supported as they continue to participate in the life of the Church?
 - Meet with the Respondent after the process is concluded: Reflect with them on their experience of the process. If they are returning to the position they held when the complaint was brought, can they identify any place where assistance can be provided for their return to the position?
- Counselling for the Respondent may be ordered as part of a directed program or the decision of a formal hearing panel (formal hearings may occur if the Respondent is ministry personnel, a congregational designated minister, an adherent, or a lay member). Counselling may also be recommended for the Complainant. Please talk to

the Policy Writer and Human Resources Specialist or the regional council Executive Minister for details about what is available through the Church.

- For a Respondent returning to a community of faith or other applicable ministry, a meeting with a representative of the Ministry and Personnel Committee and then the Committee as a whole may be helpful to facilitate their return to work. Again, the goal is to ensure that the Committee has all the information it needs to work with the Respondent for the return to the pastoral charge to go as smoothly as it can.
- For a Respondent who is not returning to the position they previously held, it is important for the Office of Vocation or regional council Executive Minister to ensure that clear information is provided and received from the ministry personnel so that their status within the Church is understood by all parties.
- A service of worship may be held with church leaders where the focus could be on beginning the process of healing over the loss of a minister, leader, staff, or member.

Debrief

- Contact the parties following the conclusion of the formal process (this could be done by their pastoral care provider or their Consultant) to find out if they would like to be part of a debriefing conversation.

Trauma Team

Your Office of Vocation or regional council ministers can provide information about a trauma team that may be available to come in and work with you and the affected group.

XIV. Notes to the Policy

This Policy should be read along with the following resources:

- [Workplace Discrimination, Harassment, and Violence Response Policy](#)
- [The Manual](#)
- [Office of Vocation: Structures and Responsibilities](#), Appendix A: Procedure to Address Concerns about Ministry Personnel

XV. Appendices

Appendix A: Responsible Bodies

Which Responsible Body receives the complaint?	The Responsible Body is determined by the position of the Respondent in the Church
Community of Faith	Respondent is a United Church of Canada member, adherent, lay employee, congregational designated minister, licensed lay worship leader, or volunteer of a community of faith.
Office of Vocation	Respondent is a United Church minister (ordained, diaconal, and/or designated lay minister) or Candidate.
Executive Minister of the Regional Council	Respondent is the chair of the M&P Committee and/or council/board of a community of faith, a volunteer, or any person accountable to that regional council.
Director of Human Resources and Payroll	Respondent is a staff member of a regional council or the General Council Office.
Executive Officer of Shared Services	Respondent is the Director of Human Resources and Payroll Services, or an Executive Minister.
General Secretary	Respondent is the Moderator
General Secretary Supervision Committee	Respondent is the General Secretary

NB: A Responsible Body may delegate its authority in the event it is unable or unwilling to act, to another appropriate Responsible Body. For example, a community of faith can delegate its responsibility to a regional council.

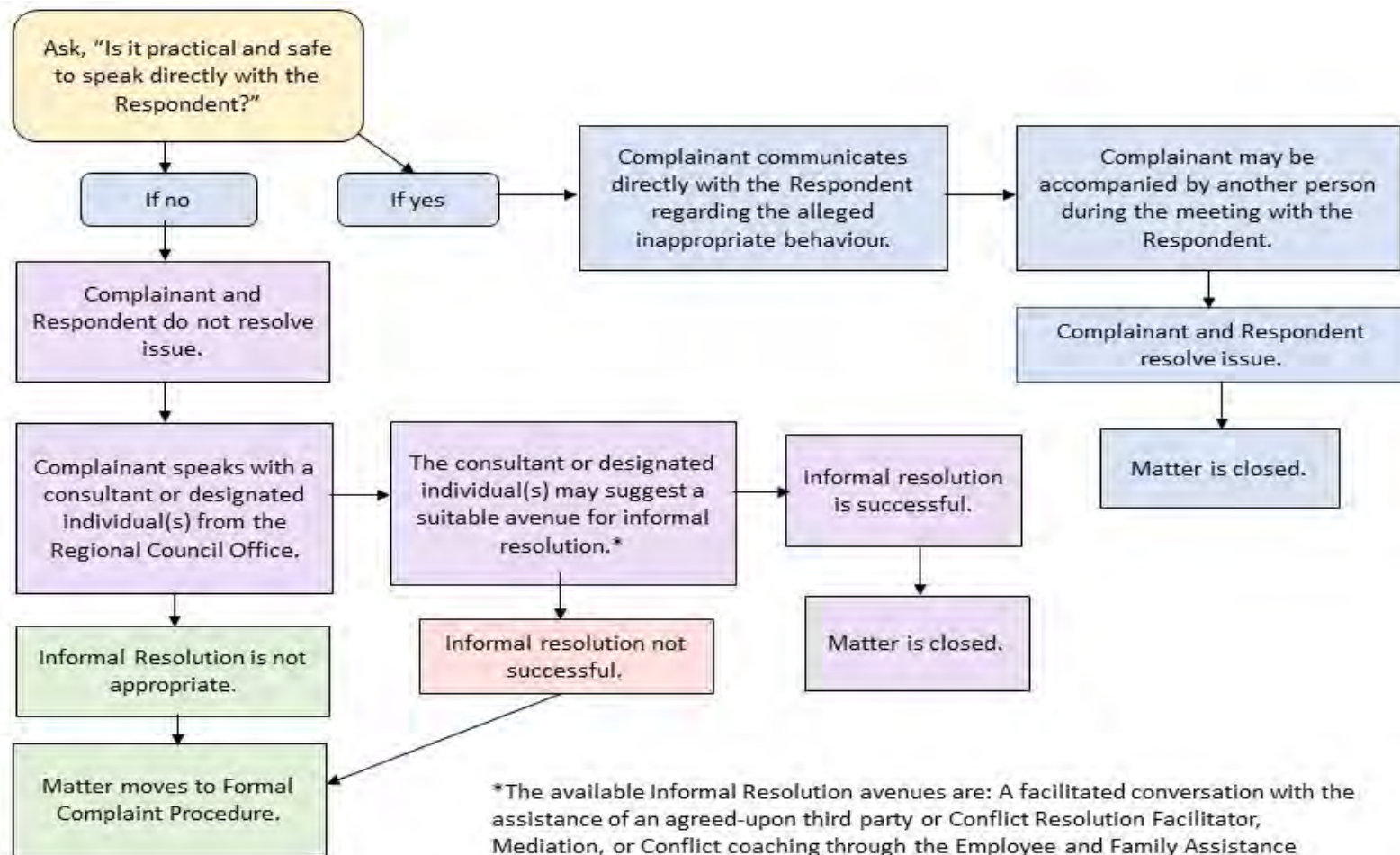
Appendix B: Sexual Harassment Definitions

Province	Definition
British Columbia	<p>Human Resources Policy 11 - Discrimination and Harassment in the Workplace</p> <p>Sexual harassment is a form of discrimination and is defined as any unwelcome comment or conduct of a sexual nature that may detrimentally affect the work environment or lead to adverse job-related consequences for the victim of the harassment.</p>
Manitoba	<p>Manitoba Human Rights Code CCSM c H175</p> <p>19(2) In this section, "harassment" means</p> <ul style="list-style-type: none"> (a) a course of abusive and unwelcome conduct or comment undertaken or made on the basis of any characteristic referred to in subsection 9(2); or (b) a series of objectionable and unwelcome sexual solicitations or advances; or (c) a sexual solicitation or advance made by a person who is in a position to confer any benefit on, or deny any benefit to, the recipient of the solicitation or advance, if the person making the solicitation or advance knows or ought reasonably to know that it is unwelcome; or (d) a reprisal or threat of reprisal for rejecting a sexual solicitation or advance.
Ontario	<p>Human Rights Code, RSO 1990, c H.19</p> <p>7(2) Every person who is an employee has a right to freedom from harassment in the workplace because of sex, sexual orientation, gender identity or gender expression by his or her employer or agent of the employer or by another employee.</p> <p>7(3) Every person has a right to be free from,</p> <ul style="list-style-type: none"> (a) 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; or (b) 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. <p>Occupational Health and Safety Act, RSO 1990, c O.1</p> <p>1(1) "workplace sexual harassment" means,</p> <ul style="list-style-type: none"> (a) engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of

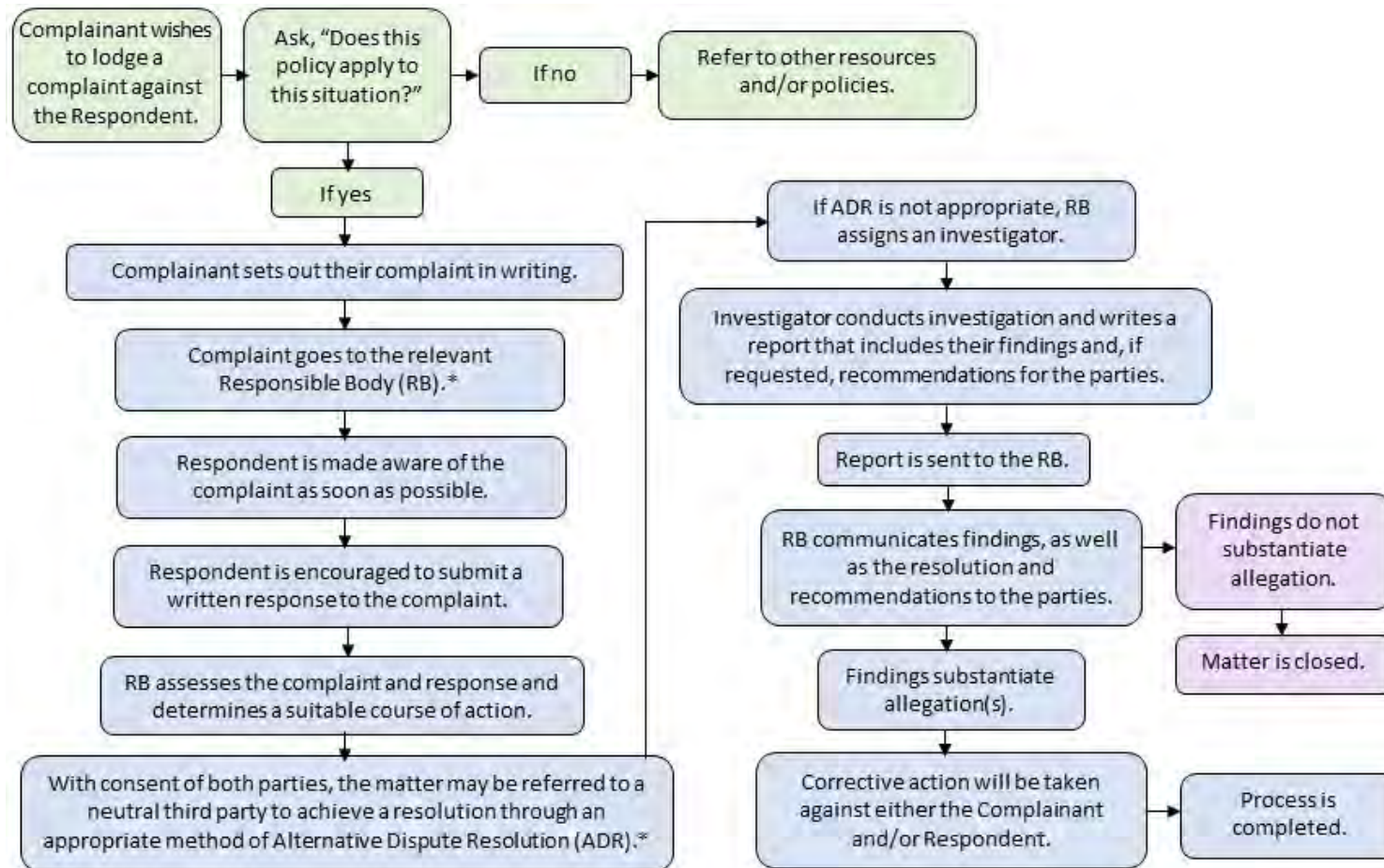
	<p>comment or conduct is known or ought reasonably to be known to be unwelcome, or</p> <p>(b) engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or</p> <p>(c) making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.</p>
New Brunswick	<p><i>Human Rights Act, RSNB 2011, c 171</i></p> <p>“sexually harass” means engage in vexatious comment or conduct of a sexual nature that is known or ought reasonably to be known to be unwelcome.</p>
Prince Edward Island	<p><i>Employment Standards Act, RSPEI 1988, c E-6.2</i></p> <p>24. “sexual harassment” means any conduct, comment, gesture or contact of a sexual nature</p> <p>(a) that is likely to cause offence or humiliation to any employee; or</p> <p>(b) that might, on reasonable grounds, be perceived by that employee as placing a condition of a sexual nature on employment or on any opportunity for training or promotion.</p> <p>25. Every employee is entitled to employment free of sexual harassment.</p> <p>26. Every employer shall make every reasonable effort to ensure that no employee is subjected to sexual harassment</p>
Nova Scotia	<p>Human Rights Act, RSNS 1989, c 214 3(o) “sexual harassment” means</p> <p>(i) vexatious sexual conduct or a course of comment that is known or ought reasonably to be known as unwelcome,</p> <p>(ii) a sexual solicitation or advance made to an individual by another individual where the other individual is in a position to confer a benefit on, or deny a benefit to, the individual to whom the solicitation or advance is made, where the individual who makes the solicitation or advance knows or ought reasonably to know that it is unwelcome, or</p> <p>(iii) a reprisal or threat of reprisal against an individual for rejecting a sexual solicitation or advance</p>

***Any legislation listed in Appendix B may be amended from time to time and is not intended to be legal advice. Please consult the current provincial legislation.**

Appendix C: Informal Resolution Process



Appendix D: Formal Resolution Process



*See **Responsible Bodies** (Appendix A).

*If both Complainant and Respondent are employees, counselling and support are available through Employee and Family Assistance Program (EFAP). If any party does not have access to EFAP, pastoral care is available upon request.

*Applicable ADR methods include Mediation, No Blame Conciliatory Meeting, and Facilitated Conversation.

Appendix E: Complaint Form

Complainant Information

Name: _____ Phone Number: _____

Location of incident: _____ Email: _____

Supervisor's Name (if applicable): _____

Details of Complaint

Name(s) of person(s) against whom this complaint is made:

Date(s) of incident(s): _____

Please describe the conduct, comments, or situations. Include the date, location, and any other relevant information. In cases of multiple incidents, please identify the time period over which these incidents occurred.

Please list any documents that may be relevant to your complaint, including documents, notes, e-mails and/or other records.

Please describe the conduct, comments, or situation. Include the date, location, and any other relevant information. In cases of multiple incidents, please identify the time period over which these incidents occurred.

Please list any documents that may be relevant to your complaint, including documents, notes, e-mails, and/or other records.

Please describe the resolution that you are seeking.

Witness Information

List names of possible witnesses:

Name	Position	Contact Phone Number

Declaration

I confirm the statement(s) contained in this complaint are true to the best of my knowledge. I understand a copy of this complaint will be provided to the Respondent for the purpose of investigating this complaint.

Signature: _____ Date (dd/mm/yyyy): _____

Appendix F: Administrative Leave

The following criteria must be considered (in addition to any others that may be relevant) when making the decision on whether the Respondent to the complaint should be placed on administrative leave, as provided for in the Sexual Misconduct Response Policy.

Where any one or more of the first four factors are present, it is strongly recommended that the Respondent be placed on administrative leave pending investigation.

1. Is administrative leave required in order to ensure that there is no undue contact with the Complainant, family, supporters, or advocates?
2. Is the Respondent making a request to be placed on administrative leave?
3. Is there a vulnerable sector in the relevant work community that may be at ongoing risk?
4. Do the allegations include any level of violence?
5. Is the person being investigated by the authorities?
6. Is the ministry site where the Respondent is currently carrying out their duties close to or some distance from where the Complainant is now residing and from where the complaint is alleged to have occurred?
7. Are concerns for the health and welfare of the parties or ministry site best served by placing the Respondent on administrative leave pending investigation?

Appendix G: Role of Consultants

The United Church of Canada recruits and equips a pool of individuals, of diverse background and skill sets, to serve as Consultants to the Sexual Misconduct Prevention and Response Policy (as well as the Workplace Discrimination, Harassment, and Violence Prevention Policy), supported by the Office of Vocation. Their role is as follows:

Responsibilities

1. Act as a guide on the processes of the Policy for either a Complainant or a Respondent.
2. Be familiar with The United Church of Canada's policies and procedures on sexual misconduct, be familiar with issues involved in all forms of sexual misconduct, and be committed to keeping up to date on related issues.
3. Conduct the work in a confidential and respectful manner, while demonstrating sensitivity and discernment.
4. Offer pastoral care, or direct to Employee and Family Assistance Program as applicable.
5. Ensure that the individual to whom they are assigned receives a complete copy of the Sexual Misconduct Prevention and Response Policy, whether printed or electronic copy, and review the Policy and procedures with that individual.
6. Encourage the Complainant or Respondent to have a support person present with them at all meetings.
7. Use the Complaint Form (see [Appendix E](#)) to help the Complainant detail their complaint. Also, inform Complainants who have observed or have first-hand knowledge of a complaint that the matter will not be pursued under this Policy if the complaint is not in writing.
8. Prepare a written account of the meeting with a Complainant, and provide a copy of the account, along with the written signed complaint and/or response, to the appropriate Responsible Body.
9. Inform the party to whom they are assigned not to have direct or indirect contact with the other party, including their family and friends.
10. Advise the individual to whom they are assigned that they do not act as an advocate for them.
11. Advise the Complainant or Respondent that they can retain legal counsel (at their own cost) to assist them with the process.
12. Provide information to the Complainant or Respondent concerning the Investigator and other required information.

Appendix H: Role of Pastoral Care

Pastoral care is the extension of Christian love, help, and support by providing comfort and caring to those experiencing life transitions, illness, grief, and family or personal crisis. For the purposes of this Policy, this ministry is offered to both Complainant and Respondent within our formal resolution process. The individual who provides the pastoral care is a trained and experienced United Church of Canada minister, in good standing, whose role is to:

1. Provide support and care, often through pastoral counseling.
2. Uphold the integrity of the ministry relationship in which they serve.
3. Honour the dignity, culture, and faith of all persons.
4. Respect personal boundaries, such as those of space and touch.
5. Use the power and influence of their office appropriately.
6. Be sensitive to the needs and vulnerabilities of all, while clarifying and maintaining the professional nature of the relationship.
7. Advise the Responsible Body or Policy Writer and HR Specialist, as appropriate, should there be any breakdown in the pastoral care relationship.