

HUMAN RIGHTS POLICY

SOP No: HR-038-03	Department: Human Resources
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Owner: Senior HR Generalist	Approved by: M. Castellan

1.0 POLICY:

- 1.1 Skyline and its group of companies (collectively “Skyline”) are committed to maintaining a living and working environment which actively promotes and supports human rights. All members of the Skyline community (employees, tenants, contractors, vendors and investors) deserve to be treated fairly and equitably, be able to contribute fully, and have access to equal opportunities. Under the *Ontario Human Rights Code*, every person has the right to freedom from harassment and discrimination.
- 1.2 Harassment and discrimination will not be tolerated, condoned, or ignored at Skyline. If a claim of harassment or discrimination is proven, disciplinary measures will be applied, up to and including termination of employment or tenancy from Skyline.

2.0 PURPOSE

- 2.1 The objective of this policy is to ensure that employees, tenants, contractors, investors and other associates of Skyline are aware that harassment and discrimination are unacceptable practices and are incompatible with the standards of this organization, as well as being a violation of the law.
- 2.2 Additionally, this policy sets out the types of behaviour that may be considered offensive and that are prohibited by Skyline.

3.0 SCOPE:

- 3.1 The right to freedom from discrimination and harassment extends to all employees, including full-time, part-time, temporary, probationary, casual and contract staff, as well as tenants, contractors, vendors and investors.
- 3.2 This Policy applies at every level of the organization and to every aspect of the workplace environment and employment relationship, including recruitment, selection, promotion, transfers, training, salaries, benefits and termination. It also covers rates of pay, overtime, hours of work, holidays, shift work, discipline and performance evaluations.
- 3.3 This Policy also applies to events that occur outside of the physical workplace such as during business trips, or company parties.

4.0 DEFINITIONS:

The following behaviour is prohibited by this Policy:

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

HUMAN RIGHTS POLICY

SOP No: HR-038-03

Department: Human Resources

- 4.2 **Harassment:** means a course of comments or actions that are known, or ought reasonably to be known, to be unwelcome. It can involve words or actions that are known or should be known to be offensive, embarrassing, humiliating, demeaning, or unwelcome, based on a ground of discrimination identified by this Policy. Harassment can occur on any of the grounds of discrimination.
- 4.2.1.1 Examples of harassment include:
- Epithets, remarks, jokes or innuendos related to an individual's race, sex, disability, sexual orientation, creed, age, or any other ground;
 - Display or circulation of offensive pictures, graffiti or materials, whether in print form or via e-mail or other electronic means;
 - Singling out an individual for humiliating or demeaning "teasing" or jokes because they are a member of a protected group;
 - Comments ridiculing an individual because of characteristics, dress etc. that are related to a ground of discrimination.
- 4.3 **Sexual Harassment:** sexual harassment is a form of harassment that can include:
- gender-related comments about an individual's physical characteristics or mannerisms;
 - paternalism based on gender which a person feels undermines his or her self-respect or position of responsibility;
 - unwelcome physical contact;
 - suggestive or offensive remarks or innuendoes about members of a specific gender;
 - propositions of physical intimacy;
 - gender-related verbal abuse, threats or taunting;
 - leering or inappropriate staring;
 - bragging about sexual prowess or questions or discussions about sexual activities;
 - offensive jokes or comments of a sexual nature about an employee or client;
 - rough and vulgar humour or language related to gender;
 - display of sexually offensive pictures, graffiti or other materials, including through electronic means;
 - demands for dates or sexual favours.
- 4.4 **Sexual Solicitation:** this Policy prohibits sexual solicitations or advances by any person who is in a position to grant or deny a benefit to the recipient of the solicitation or advance. This includes managers and supervisors, as well as co-workers or Resident Managers over tenants where one person is in a position to grant or deny a benefit to the other. Reprisals for rejecting such advances or solicitations are also prohibited.

HUMAN RIGHTS POLICY

SOP No: HR-038-03

Department: Human Resources

4.5 **Poisoned environment:** a poisoned environment is created by comments or conduct (including comments or conduct that are condoned or allowed to continue when brought to the attention of management) that create a discriminatory work or living environment. The comments or conduct need not be directed at a specific individual, and may be from any individual, regardless of position or status. A single comment or action, if sufficiently serious, may create a poisoned environment.

5.0 RESPONSIBILITIES:

5.1 All persons present in Skyline are expected to uphold and abide by this Policy, by refraining from any form of harassment or discrimination, and by cooperating fully in any investigation of a harassment or discrimination complaint.

5.2 Managers and supervisors have the additional responsibility to act immediately on observations or allegations of harassment or discrimination. Managers and supervisors are responsible for creating and maintaining a harassment and discrimination-free organization, and should address potential problems before they become serious.

5.3 The ultimate responsibility for a healthy and inclusive housing or work environment rests with Skyline.

6.0 PROCEDURE:

6.1 This Policy prohibits discrimination or harassment on the basis of the following grounds, and any combination of these grounds:

- Age (including 16- or 17-year-olds who are independent of their parents)
- Creed (religion)
- Sex (including pregnancy and breastfeeding)
- Gender Identity
- Family status (such as being in a parent-child relationship)
- Marital status (including the status of being married, single, widowed, divorced, separated, or living in a conjugal relationship outside of marriage, whether in a same sex or opposite sex relationship)
- Disability (including mental, physical, developmental or learning disabilities)
- Race
- Ancestry
- Place of origin
- Ethnic origin
- Citizenship
- Colour
- Record of offences (criminal conviction for a provincial offence, or for an offence for which a pardon has been received) – in employment
- Economic status (receipt of public assistance, like welfare or employment insurance) – in housing
- Association or relationship with a person identified by one of the above grounds
- Perception that one of the above grounds applies.

HUMAN RIGHTS POLICY

SOP No: HR-038-03

Department: Human Resources

- 6.2 The fact that a person does not explicitly object to harassing behaviour, or appears to be going along with it does not mean that the behaviour is not harassing, and does not mean that it has been assented to.
- 6.3 Retaliation or reprisals are prohibited against any employee, tenant or other member of the Skyline community who has complained under this policy or has provided information regarding a complaint. Any retaliation or reprisals are subject to immediate corrective action, up to and including termination of employment or tenancy. Alleged retaliation or reprisals are subject to the same complaint procedures and penalties as complaints of discrimination and harassment.

7.0 REFERENCES & RELATED DOCUMENTS:

- 7.1 *Ontario Human Rights Code*, R.S.O. 1990, c. H.19 (the “Code”)
- 7.2 *Residential Tenancies Act*, S.O. 2006, c.17 (the “R.T.A.”)
- 7.3 *Accessibility for Ontarians with Disabilities Act*, 2005, S.O. 2005, c. 11 (the “AODA”) and Ontario Regulation 429/07 (the “Customer Service Standard”).
- 7.4 *Skyline Complaint Investigation Procedure*, HR-032-XX
- 7.5 *Skyline Complaint Procedure*, HR-039-XX