



## Harassment, Abuse, and Violence Policy

### Philosophy

Camp Oconto is committed to providing a work environment in which all individuals (staff and campers) are treated with respect and dignity and have the opportunity to grow as leaders and individuals in a healthy and safe environment.

### Goal

The Camp Oconto Harassment, Abuse, and Violence Policy is intended to strengthen protections for employees from workplace violence and workplace harassment, to ensure all employees understand the meaning of workplace violence and harassment, and provide a means to get assistance, make complaints if harassment and/or violence is encountered in the workplace.

### Definitions

#### Workplace means:

The workplace at Camp Oconto is any property such as the camp grounds, office, or parking lot of camp that is owned by camp. However, this also includes off-site locations where Camp Oconto employees may perform camp business such as airport pick-ups/drop-offs, camping sites, or out on the lake.

#### Workplace Violence means:

- The exercise of physical force by a person against an employee or volunteer, in a workplace, that could cause physical injury to the employee or volunteer;
- An attempt to exercise physical force against an employee or volunteer, in a workplace, that could cause physical injury to the employee or volunteer; or
- A statement or behaviour that it is reasonable for an employee or volunteer to interpret as a threat to exercise physical force against the employee or volunteer, in a workplace, that could cause physical injury to the employee or volunteer.

#### Workplace Harassment means:

Engaging in a course of upsetting or derogatory comment or conduct against an employee or volunteer in a workplace that is known or ought reasonably to be known to be unwelcome. Workplace harassment may include bullying, intimidating, embarrassing, insulting, demeaning or otherwise offensive behaviour, including offensive jokes or innuendos, displaying or circulating offensive pictures or materials, or offensive or intimidating phone calls or other inappropriate conduct that is known or ought reasonably to be known to be unwelcome. Workplace harassment includes, but is not limited to, harassment because of race, ancestry, place of origin, colour, ethnic origin, sex, citizenship, creed, age, record of offences, marital status, family status or disability. Workplace harassment does not include the exercise of reasonable performance management or progressive discipline. This Policy does not limit or constrain the reasonable exercise of management functions in the workplace such as progressive discipline.

#### **Sexual Harassment is a form of Workplace Harassment, and includes, but is not limited to the following:**

Sexual advances; requests for sexual favours or offers for actual or promised job benefits; implied or expressed threats or reprisal in the form of either actual reprisal or denial of opportunity to comply with a sexually-oriented request; use of sexual language; inappropriate references to male or female anatomy; written or verbal references to sexual conduct; repeated unwelcome requests for dates; unwanted or inappropriate touching, lewd gestures, inappropriate staring, leering, or whistling; inquiries or comments about another's sex life; assault or coerced sexual activity; displaying offensive or sexually aggressive objects, pictures (for example,

pinups), cartoons; telling sexual jokes; or gender-related comments about an individual's physical characteristics or mannerisms. Sexual harassment also includes jokes, offensive, posters, cartoons, drawings, email messages, graffiti, clothing and any other visual materials, derogatory comments or other activities based on sexual characteristics that intrude upon a person's dignity or that create an intimidating, hostile or offensive atmosphere.

A person can be guilty of a crime even if their actions took place outside of the context which gives one of them power over the other. For example, staff member does not stop being in a position of authority camper simply because it is not the camp season. Similarly, a teacher does not stop being a teacher in the summertime.

## **Guidelines for Staff Members**

### **Awareness and Responsibilities**

- Camp staff need to be aware of the camper's health, hygiene, physical safety and emotional well-being.
- Camp staff must not put themselves in situations where their actions can be misinterpreted. When campers are changing, either leave the cabin or zebo or make sure there is another QC, Semi, or staff member, with you. If you are concerned about anything underneath "where a bathing suit goes", take the camper to the Health Centre – do not examine her yourself. The nurses or doctor will examine.

### **Sex Education**

- Sexually explicit conversations must be avoided. Though groups of children and youth often engage in these types of exchanges, it is not the staff's role to contribute to these conversations or add to the campers' repertoire of stories or obscene jokes or share sexually explicit written or pictorial materials. Do not join in these conversations. Do not allow them to continue while you are present.
- Do not discuss anything with a camper that is sexual in nature. If you are asked questions that you feel need to be answered about relationships or sex, be very careful that you do not discuss your own relationships, do not promote sexual activity. You have been hired as a camp counsellor, **not** a sex education teacher.
- It is important to try to understand why a camper might ask a question that is sexual in nature. Do not pass judgement. Instead, you could ask the camper why they want to know and then tell them you will get back to them (after discussing with your Section Head or the Camp Director).

### **Sexual Content and Child Pornography**

- Do not share any kind of picture, image, audio clip, written material or visual material of a sexually explicit nature with campers. It is the responsibility of the staff to be the positive adult role model. It is against the law for child pornography to be: made, distributed, made available, sold, possessed or accessed, advertised, exported or imported. Note that there is not an age that is described for child pornography: a person under 18 years old in possession of sexual images of another person under 18 years old is in possession of child pornography.

### **Discipline**

- A staff member must never hit a camper. The staff member does have the responsibility to protect or remove a camper from a dangerous or explosive situation.
- Discipline using physical or emotional punishment, denial of needs (food, sleep, shelter, clothing, and technological equipment) or verbal abuse is not acceptable and is against the law.
- Staff will be dismissed for such actions at the discretion of the Camp Director. Law enforcement will be called as necessary.

### **Privacy & Dignity**

- Staff must respect a camper's desire for privacy.

## Being Alone with Campers

There are a number of situations at camp where a staff member might be alone with a child. If you must be alone with a child, make sure another staff member knows where you are going, especially if it is into a building or zebo. Do your very best to not be in a camper's cabin alone with them while they are changing. For younger campers this may be difficult as some may need help but let another staff member know that this is what you intend to do while inside the cabin. If they are older and they start to change unexpectedly, or you know that they are about to change, just simply say, "I'll just wait outside while you change" and meet them afterwards.

No staff member will engage in a physical/sexual relationship with a camper. You may become very friendly and close to a camper but you must be sure your actions are well understood by all and that everyone is comfortable with your relationship. Inappropriate involvement with campers, as deemed by the camp director or her representative, is cause for immediate dismissal and may lead to criminal charges.

**Please note that QCs are considered campers for the topics covered in this policy.**

## Personal Space

Campers and staff have the right to their personal space and should not have physical contact imposed on them. Behaviours such as stroking, touching, fondling or otherwise undue contact with inner thighs, buttocks, chest, nipples, and genitals are absolutely forbidden.

Camp tends to be a very 'hands-on' place. Campers like to hold their counsellor's hand, like to hug and be hugged, sit on someone's knee or have a back rub at bedtime. It is the same kind of attention that all other campers are entitled to/need. If a staff person is going to hug a camper, this hug should be no different than the kind of hug that every other camper could receive. In other words, do not give one camper a better, or longer, or in any way different hug from another camper. Staff should respond to hugs but not be the initiator – preferably by placing your arm around a shoulder and giving a gentle hug from the side. The child is placing a trust in the adult and this trust needs to be respected. Be sure your actions are very clear and understood. Remember to ask: "hug or high five?".

No activity should encourage sexual responses from a camper. If a camper makes inappropriate advances towards staff (e.g. touches genitals, breasts, inappropriate stroking), the staff must make it immediately clear that this behaviour is unacceptable. Do so in a sensitive manner but clearly state the reasons why the behaviour is unacceptable. If asked by campers to participate in any type of inappropriate situations or behaviour, the staff person must decline the advance and discuss the situation with the Section Head and Camp Director immediately. An Incident Report must be completed and given to the Camp Director as soon as possible.

## Sexual Assault – Staff Member to Staff Member

### Definition

Any form of sexual activity forced upon another person without that person's consent. Any form of sexual activity with a staff person under 18, even with consent, if the offender is in apposition of trust or authority. Note that the age of consent to sexual activity in Canada is 16 years. This applies to all forms of sexual activity ranging from kissing and fondling to sexual intercourse. **Please note:**

- 1. QCs are considered campers for the purposes of this policy.**
- 2. A 16 or 17-year-old cannot consent to sexual activity if their sexual partner is in a position of trust or authority.**
- 3. A person can be guilty of a crime even if their actions took place outside of the context which gives one of them power over the other. For example, a counsellor or an Activity Head or a Section Head does not stop being in a position of authority to another person at camp simply because it is not the camp season. Similarly, a teacher does not stop being a teacher in the summertime.**

### Examples

Kissing, fondling, or intercourse without permission.

## Procedures

1. When staff to staff sexual assault is suspected or has occurred, it is reported to the Camp Director or designate immediately.
2. The Camp Director should clarify the report with the person who reported it. Gather the facts – time of incident, place, individuals, and witnesses.
3. The Camp Director will not discuss the details of the allegation with either the victim or the alleged offender.
4. The Camp Director will confirm that the victim has not been physically injured.
5. If the victim is under 18 years of age, the Camp Director will consult with Children's Aid Societies (CAS) and discuss the incident without disclosing the names of those involved.
6. If it is agreed that this is a reportable incident, the Camp Director will contact and report to the CAS.
7. The Camp Director will inform the parents of the victim about the incident (with permission) if the victim is under the age of 18. OR the victim will be encouraged to inform her parents (in consultation with the Camp Director and CAS).
8. The CAS will be asked to discuss the situation with the parents of the victim involved in a timely manner prior to the victim being involved in an investigation. The parents are welcome to come to the camp.
9. The CAS should continue to be in contact with the parents. The camp should not be the contact agent.
10. The Camp Director will cooperate fully with the CAS, will do nothing to prejudice their investigation and will provide all appropriate information.
11. The Camp Director will make a final decision about a disciplinary plan.
12. The Camp Director may dismiss the alleged offender **or give a temporary leave-of- absence with pay from the job and from the site until the completion of the investigation and/or resolution of the matter.**
13. The camp lawyer and insurance agent will be given a summary of the incident.
14. Law enforcement may be called. The alleged offender may face criminal charges.

## Sexual Assault – Staff Member to Camper

### Definition

Any form of sexual activity involving campers with or without consent.

**Please note that QCs are considered campers for the purposes of this policy.**

### Examples

Kissing, fondling, other sexual activity, or intercourse.

### Procedure

1. When child sexual abuse is observed or suspected, it is reported to the Camp Director or designate immediately. A child may report sexual abuse on her/his own.
2. The Camp Director should clarify the report with the person who reported it. Gather the facts – time of the incident, place, individuals involved, and witnesses.
3. The Camp Director will not discuss the details of the allegations with the victim or the alleged offender.
4. The Camp Director will confirm that the victim has not been physically injured.
5. The Camp Director will consult with the CAS worker and discuss the incident without disclosing the names of those involved.
6. If it is agreed that this is a reportable incident, the Camp Director will report it to CAS.
7. CAS will be asked to inform the parents of the victim and the offender, (with permission, if the alleged offender is over age 18), about the incident. CAS will be asked to discuss the situation with the parents of the campers involved in a timely manner prior to the child being involved in an investigation. The parents are welcome to come to the camp. CAS should continue to be in contact with the parents. The camp should not be the contact agent.

8. The Camp Director will cooperate fully with CAS, will do nothing to prejudice their investigation and will provide all appropriate information.
9. The Camp Director will dismiss the alleged offender or give a temporary leave-of-absence with pay from the job and from the site until the completion of the investigation and/or resolution of the matter.
10. Out of concern for and in the best interests of the staff person who is alleged to have committed abuse, he/she will be given adequate support (e.g. emotional support). The camp will contact the parents if the offender is under 18 (if the offender is over 18, the camp will contact the parents with permission from the alleged offender) and the camp will provide assistance with travel plans etc.
11. The camp lawyer and insurance agent will be given a summary of the incident.
12. Law enforcement may be called. The alleged offender may face criminal charges.

## Sexual Assault – Camper to Camper

### Definition

Sexual activity involving anyone under the age of 12, with or without consent. For children 12 and 13 years old, even with consent, if one camper is two or more years older than the other. For children over 14 years old and under 18 years old, even with consent, if the offender is in a position of trust or authority. A 14 or 15 year-old can consent to sexual activity as long as the partner is less than five years older AND there is no relationship of trust, authority, or dependency or any other exploitation of the young person. This means that if the partner is five years or older than the 14 or 15-year-old, any sexual activity is a criminal offence. **Please note that QCs are considered campers for the purposes of this policy. However QCs are in a position of authority over campers of any age (therefore any sexual relationship between a QC and a camper is considered sexual assault).**

### Procedure

1. When child sexual abuse is observed or suspected it must be reported to the Camp Director or designate immediately. A child may report sexual abuse on her/his own.
2. The Camp Director should clarify the report with the person who reported it. Gather the facts – time of incident, place, individuals involved, and witnesses.
3. The Camp Director will not discuss the details of the allegation with the victim or the alleged offender.
4. The Camp Director will confirm that the victim has not been physically injured.
5. The Camp Director will consult with the CAS worker and discuss the incident without disclosing the names of those involved.
6. If it is agreed that this is a reportable incident, the Camp Director will report the incident to CAS with the campers' names.
7. CAS will be asked to inform the parents of the victim and the offender about the incident. CAS will be asked to discuss the situation with the parents of the campers involved in a timely manner prior to the children being involved in an investigation. The parents are welcome to come to the camp. CAS should continue to be in contact with the parents. The camp should not be the contact agent.
8. The Camp Director will cooperate fully with CAS, will do nothing to prejudice their investigation and will provide all appropriate information.
9. If the individuals remain at camp and with parental permission, counselling should be arranged locally. If the individuals return home, counselling should be suggested and the names of agencies which provide such counselling.
10. The camp lawyer and insurance agent will be given a summary of the incident.
11. Law enforcement may be called. The alleged offender may face criminal charges.

## Violence Risk Assessment

Camp Oconto will assess the risks of workplace violence that may arise from the nature of the workplace, the type of work or the conditions of work. Camp Oconto will engage in re-assessments as often as are necessary.

## Work Refusal

Employees have the right to refuse work if they believe it is unsafe or that workplace violence is likely to endanger himself or herself. An employee engaging in a work refusal is required to promptly report the circumstances of the refusal to his or her Supervisor or Camp Director or Health and Safety Representative (Wally Wistead is Camp Oconto's Health and Safety Representative). The employee is required to remain at work in a safe location while an investigation is undertaken and remain available for the purposes of the investigation. If the employee or volunteer is not satisfied with the result of the investigation, he/she can bring the matter forward to the Ministry of Labour in accordance with the requirements under the Occupational Health and Safety Act, as amended from time to time.

## Roles and Responsibilities

It is the responsibility of every **employee** to:

- Observe and adhere to this policy by treating all co-workers, supervisors and managers with dignity and respect, free from harassment or violence;
- In the case of an imminent threat of physical harm to themselves or any person from workplace violence, immediately move to a safe location and contact the police;
- File a report with their immediate Supervisor or Camp Director as soon as possible if he/she is subjected to or witnesses harassment or violence in the workplace; and
- Fully cooperate in any investigation of complaints or incidents of workplace violence or harassment, or any alleged breaches of this policy.

**Supervisors** have the same responsibilities as employees, and are also expected to:

- Communicate and review this Policy with the staff and volunteers they supervise or manage;
- Ensure that employees and volunteers are trained on this policy;
- Deal with all concerns, complaints, or incidents of workplace violence or harassment in a timely and fair manner while respecting employees' privacy;
- Post this Policy in a conspicuous place in the workplace; and
- Take a report of workplace violence or harassment seriously; and take immediate action and/or investigation.

## Complaints Procedure

Employees are encouraged to report any incidents of workplace violence or harassment. Employees should contact police in emergency situations, if threats or actual violence occurs at the workplace. In cases of non-emergencies, or once the emergency is under control:

- Employees are expected and encouraged to report situations of workplace violence and harassment in a timely manner whether they have been subjected to such behaviour or whether they observe or know of a fellow employee or group of employees who have engaged in or been subjected to workplace violence or harassment;
- Where appropriate, employees or volunteers who feel they have been subjected to harassment are encouraged to make their objections known to the offender, as this may stop the offending behaviour. If the employee feels it is not appropriate to raise the problem with the offender or if the offensive conduct continues, the employee should report the conduct either to a Supervisor or the Camp Director; and
- Camp Oconto will take all complaints of workplace violence or harassment seriously, and will investigate and deal with complaints in a fair and thorough manner;
- Confidentiality will be maintained to the extent possible given the need to conduct a fair and thorough investigation and the obligation to disclose information as may be required by law;
- All employees must cooperate fully in any investigation conducted on behalf of Camp Oconto.

## **No Reprisal**

Workplace violence and harassment are serious matters. This policy prohibits reprisals against employees who have provided information to Camp Oconto in good faith regarding a complaint or incident of workplace violence or harassment. Employees or volunteers who engage in reprisals or threats of reprisals will be considered in violation of this policy.

A Reprisal includes the following:

- An act of retaliation or negative consequence that occurs because a person has complained of or provided information about a possible incident of workplace violence or harassment in good faith;
- Intentionally pressuring a person to ignore or not report a possible incident of workplace violence or harassment; and/or
- Intentionally pressuring a person to misrepresent the truth or provide less than full cooperation with an investigation of a complaint or possible incident of workplace violence or harassment.

An employee who makes a false complaint or provides false information in the course of an investigation will be in violation of this policy.

## **Enforcement**

Violence and harassment in the workplace is disruptive, hurtful and can create a hostile or dangerous work environment. Everyone in the workplace must be dedicated to preventing workplace violence and harassment. The Camp Oconto Directors, supervisors, and employees are expected to uphold this policy, and will be held accountable. Where Camp Oconto concludes that a violation of this Policy has occurred, Camp Oconto may, where it deems appropriate, take any, some, or all of the following actions:

- Remove the perpetrator from the workplace, through the use of security or the police if necessary;
- Report the conduct of the perpetrator to the police;
- Where the perpetrator is not a Camp Oconto employee or volunteer, report the conduct to the perpetrator's employer or elsewhere as appropriate; and
- Take any other action appropriate in the circumstances.