

**HUMAN RIGHTS POLICY**

<b>SOP No:</b> HR-038-20	<b>Department:</b> Human Resources
<b>Issue Date:</b> May 12, 2020	<b>Supersedes:</b> October 1, 2019
<b>Owner:</b> HR Generalist	<b>Approved by:</b> HR Director

**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 each provincial Human Rights Act and Code applicable to Skyline, 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 equitable treatment without discrimination with respect to employment, services, goods, facilities, and accommodation extends to all employees, including full-time, part-time, temporary, probationary, casual and contract staff, as well as tenants, contractors, vendors and investors in accordance with the provisions of each application provincial Human Rights Act and Code.

**4.0 DEFINITIONS:**

The following behaviour is prohibited by this Policy:

- 4.1 **Discrimination:** an action or a decision that treats a person or a group unequally or unfairly based on a Code/Act ground. 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.
- 4.2 **Harassment:** a course of vexatious 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, but are not limited to:
    - Epithets, remarks, jokes or innuendos related to an individual’s race, sex, disability, sexual orientation, creed, age, or any other ground made in-person or digitally transmitted;

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- Display or circulation of offensive pictures, graffiti or materials, whether in print form or digitally transmitted;
- 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;
- Gender-related comments about an individual’s physical characteristics or mannerisms;
- Personal/psychological harassment in the form of repeated and hostile conduct, verbal comments, actions or gestures that affects a person’s dignity that result in a hostile work environment.

4.3 **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)
  - Ancestry, Colour, Race
  - Citizenship
  - Ethnic origin
  - Place of origin
  - Creed (religion)
  - Disability (including mental, physical, addictions, developmental or learning disabilities)
  - 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)

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- Gender Identity, Gender Expression
  - Sex (including orientation, pregnancy, pay equity and breastfeeding)
  - 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, source of income
  - Irrational fear of contracting an illness or disease
  - Association or relationship with a person identified by one of the above grounds
  - Perception that one of the above grounds applies.
- 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 All Skyline community members have the right to express legitimate concerns about human rights violations that they are experiencing in their work, or residence without fear of reprisal. 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*
- 7.2 *British Columbia Human Rights Code*
- 7.3 *Alberta Human Rights Act*
- 7.4 *Manitoba Human Rights Code*
- 7.5 *New Brunswick Human Rights Act*
- 7.6 *Quebec Charter of Rights and Freedoms*
- 7.7 *Saskatchewan Human Rights Code*
- 7.8 *Nova Scotia Human Rights Commission*
- 7.9 *Residential Tenancies Act, S.O. 2006, c.17 (the “R.T.A.”)*
- 7.10 *Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11 (the “AODA”) and Ontario Regulation 429/07 (the “Customer Service Standard”).*
- 7.11 *Skyline Complaint Investigation Procedure, HR-032-XX*
- 7.12 *Skyline Complaint Procedure, HR-039-XX*
- 7.13 *Skyline Workplace Violence and Harassment Prevention Policy, HR-008-XX*

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**8.0 HISTORICAL CHANGES:**

<b>Date</b>	<b>Section</b>	<b>Changes made</b>	<b>Author of Change</b>
April 18, 2009	All	New Policy	S. Barber-McMillan
November 4, 2011	All	Update to include AODA	D. Kiar
April 19, 2012	All	Updated to new SOP format	D. Kiar
Jan 30, 2013	Header	Changed approver and owner	D. Kiar
Oct 1, 2019	4.0	Expand definitions	S. Yusyp
	6.0	Include Gender Expression & Addiction	
	7.0	Include each provincial legislation	
May 12, 2020	All	Review	C. Herchenratter
	6.1	Inclusion of Nova Scotia legislation	