

**Sivananda Yoga Vedanta Center (Ontario), Inc.  
Toronto, Ottawa.**

**Anti-Harassment Policy**

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**Sivananda Yoga Vedanta Center (Ontario), Inc.  
Toronto, Ottawa.**

**Anti-Harassment Policy**

Sivananda Yoga Vedanta Center (Ontario) Inc. having two centers in Ontario in Toronto and Ottawa respectively, (hereinafter referred to as SYVC Ontario) is committed to fostering a discrimination and harassment-free workplace where all individuals, employees, staff, volunteers and guests at the SYVC Ontario (hereinafter referred to as the individual(s)) are treated with respect and dignity. The purpose of this policy is to provide clear standards and expectations in order to prevent and protect all individuals from harassment and discrimination. It also aims at establishing the principles of intervention that are applied at SYVC Ontario when a harassment complaint is filed or when a harassment situation is reported to SYVC Ontario

**1. Background**

This policy is based on the fact that the **Canadian Human Rights Act** protects individuals from any discrimination based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, disability or pardoned conviction (or offence in respect of which a record suspension has been ordered).

This policy is also based on the provisions of the The OHSA (The Occupational Health and Safety Act, Ontario) workplace harassment definition as set out below:

“workplace harassment” means,

- 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, or
- b. workplace sexual harassment;

“workplace sexual harassment” means,

- 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
- 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;

Any harassment including sexual harassment (and not limited to those listed below) is strictly prohibited and will be held at zero tolerance level at the SYVC Ontario. Any individual who is found to have harassed another individual may be subject to disciplinary action which may

range from written reprimands to immediate dismissal or termination of services and/or prohibition to have any further contacts or engagements with SYVC Ontario or any of the International Sivananda Yoga Vedanta Centers and Ashrams worldwide.

## **2. Application**

This policy applies to all current or past full-time, part-time, casual, contract, permanent and temporary employees, staff, volunteers and guests at the SYVC Ontario (“Personnel”). This policy also applies to recruitment, promotions, transfers, working arrangements, compensation and benefits and termination of engagement.

This policy applies to all behaviour that is in some way connected to work, both within the SYVC Ontario premises and off-site, including in the context of travels, visits to other centers and Ashrams of the organization, conferences, seminars and other off-site events, gatherings and trainings. The policy also applies to all behaviour occurring via SYVC Ontario’s communication systems (technological or otherwise).

## **3. Definitions**

Psychological harassment is defined as “any vexatious behaviour in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures, that affects an employee’s dignity or psychological or physical integrity and that results in a harmful work environment for the employee. Psychological harassment includes such behaviour in the form of such verbal comments, actions or gestures of a sexual nature. A single serious incidence of such behaviour that has a lasting harmful effect on an employee may also constitute psychological harassment.”

However, the notion of harassment must be distinguished from other situations such as interpersonal conflict, work-related stress, difficult professional constraints or even the normal exercise of management rights (management of presence at work, organization of work, disciplinary measures, etc.).

Examples of harassment include, without limitation:

- Offending or humiliating someone physically or verbally
- Verbal violence
- Bullying, cyberbullying, isolation, or denigration
- Threatening or intimidating someone or
- Making unwelcome jokes or comments about someone’s race, national or ethnic origin, colour, religion, political convictions, language, age, sex, sexual orientation, gender identity or expression, pregnancy, civil or marital status, family status, genetic characteristics, social condition, handicap (or the use of any means to palliate a handicap), health (physical or mental) disability or pardoned conviction (or offence in respect of which a record suspension has been ordered).

Examples of sexual harassment include, without limitation:

- Offensive or humiliating behaviour that is related to a person’s sex, or sexual orientation

- Behaviour of a sexual nature that creates an intimidating, unwelcome, hostile or offensive work environment or
- Behaviour of a sexual nature that could reasonably be thought to put sexual conditions on a person's job or employment opportunities
- Unsolicited demands for sexual favours
- Unsolicited touching or looks
- Displays of degrading or pornographic material
- Remarks, insults, jokes, comments or images of a sexual nature, by any means, technological or other
- Promises of promotions or better positions based on the granting of sexual favours
- Intimidation, threats, reprisals, refusals of requests, dismissals and other types of harm inflicted for refusing sexual favours.

#### **4. Organization's undertaking to anti-harassment**

##### SYVC Ontario

- Is responsible to provide all individuals a harassment-free workplace in order to protect the dignity and the psychological and physical integrity of individuals.
- Will make this policy accessible and ensure everyone understands and respects the policy, by posting it on our websites, disseminating it through our guest guidebook and the staff guidebook when they register and the staff will be trained when they arrive at the center(s) through an induction process.
- Will treat harassments with zero tolerance and will take prompt action to remove any such actions or perpetrators from the workplace immediately.

SYVC Ontario will make every reasonably practicable effort to ensure that no individual is subjected to unlawful discrimination or harassment. If SYVC Ontario becomes aware of a potential incident of discrimination or harassment, it will investigate the complaint or incident in a fair, timely and confidential manner, in accordance with its internal investigation procedures.

Staff / guests / volunteers and employees can expect:

- To be treated with respect in the workplace.
- That if faced with a situation, where they feel harassed, they can choose to be accompanied by a person of their choice to report the matter to the complaints officer.
- That reported harassment will be dealt with in a timely, confidential and effective manner.
- To have their rights to a fair process and to confidentiality respected during harassment investigation
- To be protected against retaliation for reporting harassment or cooperating with a harassment investigation.
- To approach the Canadian Human Rights Commission, the CNESST, and/or the Commission des droits de la personne et des droits de la jeunesse (within the prescribed legal deadlines to do so), if they are unhappy or not satisfied with the decision of the investigation of the Complaints Committee.

#### **5. Complaints Committee**

The Complaints Committee of the SYVC Ontario, hereinafter referred to as the Complaints Committee, can be contacted at [complaintscanadacommittee@sivananda.org](mailto:complaintscanadacommittee@sivananda.org).

The names and contact details of these members are included in Annexure 1. Every time there is a change in the membership of the complaints committee, Annexure 1 will be reworked and replaced with a new one. SYVC Ontario reserves the right to add or remove members to the Complaints Committee as and when required.

**6. Roles and Responsibilities:** The roles and responsibilities of all parties and stakeholders are detailed hereunder:

6a. The Complaints Committee is responsible for:

- Applying this policy in a timely, consistent and confidential manner.
- Preserving the dignity and privacy of the persons concerned, that is to say the person who made the complaint, the person who is the subject of it and the witnesses, as applicable;
- Ensuring that all persons concerned are treated with humanity, fairness and objectivity and that adequate support is offered to them;
- Collecting all the information of the harassment event on the complaint form, written and signed by the complainant. If the complainant is unable to write it, the complaints officer will write the complaint and keep a confidential voice recording of the complainant covering the entire narration of the event.
- Determining if the allegations of harassment are substantiated or not (collecting proofs, witnesses' names if any), through an objective investigation, without delay, or entrust responsibility for such investigation to an external party. The persons concerned will be informed of the conclusion of this process.
- Determining, in collaboration, where appropriate, with the board of directors of the SYVC Ontario, what corrective action is appropriate where a harassment complaint has been substantiated and investigated.
- Reviewing, assessing and confirming the recommendations and corrective actions to the parties.
- Informing the parties of the corrective / punitive action which can range from mediation to written reprimands or expulsion from the SYVC Ontario and all the SYVC Ontario locations. The parties will also be informed of their right to approach a government regulatory body if they are not satisfied with the decision.
- If the investigation does not establish that there was unacceptable behavior, all material evidence will be kept for three (3) years and destroyed thereafter.
- Maintaining absolute confidentiality of each complaint and its progress.
- Limiting the discussion of a harassment complaint to strictly those that need to know about it.

6b. SYVC Ontario management team (under supervision of the board of directors) is responsible for:

- The administration of this policy at the organization level.
- Reviewing this policy whenever there is a change that affects its effectiveness in preventing unlawful discrimination and, at minimum, every five (5) years.
- Making necessary adjustments and adaptations to ensure that this policy meets the needs of the organization at any point in time.

- Providing orientation or training to every new member of the Complaints Committee, and to the team of staff / volunteers / employees on the policy and its application, to raise awareness through adequate information dissemination, among all staff / volunteers / employees and guests about the issue of discriminatory harassment.
  - As applicable, freeing up working time so that the designated members of the Complaints Committee can carry out the functions assigned to them.
  - Overseeing and monitoring the adaptability of the orientation or training for the renewed policy and its application.
  - Limiting the discussion of a harassment complaint to strictly those that need to know about it.
  - In case there is a complaint registered against any of the CC members or the CC member wishes to register a complaint, the member will immediately be removed from the CC, so that the Anti-harassment Procedures can be invoked for the purpose.
- 6c. Supervisors and team leaders are responsible for:
- Fostering a harassment-free work environment and setting an example about appropriate workplace behaviour.
  - Communicating the process for investigating and resolving harassment complaints made by the employees / staff / volunteers / guests.
  - Dealing with harassment situations immediately upon becoming aware of them, whether or not a harassment complaint has been made.
  - Taking appropriate action during a harassment investigation, including separating the parties to the harassment complaint, when appropriate and
  - Ensuring harassment situations are dealt with, in a sensitive and confidential manner.
- 6d. Individuals (Staff / guests/ volunteers and employees) are responsible for:
- Treating each other with respect at the workplace.
  - Treating guests with utmost respect and hospitality.
  - Reporting harassment promptly and accurately to the complaints officer.
  - Cooperating with a harassment investigation and respecting the confidentiality related to the investigation process.

The following procedures have been laid out for addressing a Harassment Complaint:

## **7. Filing a complaint**

Where possible, a person who believes they are experiencing psychological or sexual harassment should first inform the person concerned that their behavior is undesirable and that they must put an end to it. They should also note the date and details of the incidents and the steps they took to try to resolve the situation. If this first intervention is not possible or if the harassment continues, the individual should report the situation to the Complaints Committee so that the problematic behaviors and required actions to put an end to same be identified. A person who witnesses a harassment situation is also invited to report it to the Complaints Committee.

The individual may file a harassment complaint by contacting any one of the members of the Complaints Committee. There will be at least one member of the committee who resides at the camp for such purposes. The complaint may be verbal or in writing in the prescribed

“complaint form”. If the complaint is made verbally, the Complaints Committee member will record the details on the complaint form, and on a voice recorder, and will get the complainant to sign off the complaint form.

The complainant should be prepared to provide the details such as what happened, when did it happen, where did it happen, how many times or how often, and who else was present or can testify.

The complainant should submit any or all proof available of the incident(s) including but not limited to photographs, videos, notes, texts, letters...etc. All such proof/material will be held in highest confidentiality.

Complaints should be made as soon as possible within one year of the last incident of perceived harassment, unless there are circumstances that prevented the complainant from doing so.

The Complaints Committee member will inform the complainant in writing that the harassment complaint has been made/filed. The letter will also provide details of the allegations and a copy of the complaint form.

Every effort will be made to resolve the harassment complaints through mediation in five (5) days and from then on, within 30 days, if mediation has failed to be satisfactory to the parties. If for any reason, this timeline is not met, the Complaints Committee will inform the parties in writing the reason(s) why this is not possible.

## **8. Mediation**

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

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

The mediator will be a neutral person, agreed upon by both parties. The mediator will not be involved in investigating the complaint and will not be a member of the Complaints Committee.

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

Mediation may be done through a meeting either in person or over the phone and recording of the mediation will be done, made available to the parties, and will be maintained in the personnel file in a confidential manner.

## **9. Investigation**

If mediation is inappropriate or does not resolve the issue within five (5) days of its initiation, then a harassment investigation will be conducted promptly thereafter. All

investigation will be handled by the Complaints Committee. In some cases, the Complaints Committee may also empanel an independent third-party investigation firm, to whom serious complaints will be outsourced for investigation. Every complaint will be investigated as confidentially as possible.

The Complaints Committee (or the external investigator, as applicable) will interview the person who made the complaint, the person the complaint was made against and any and all witnesses that have been identified. The names of the parties will not be disclosed to the interviewee, except where disclosure is necessary to investigate the complaint, for a proper resolution of the matter, or is otherwise required by law. Any information disclosed in respect of an incident of harassment or discrimination must be the minimum amount necessary for the purpose of the disclosure. All people who are interviewed will have the right to review their statement, as recorded by the Complaints Committee or external investigator, as applicable, to ensure its accuracy. To ensure the integrity of each investigation, individuals who are interviewed in connection with the investigation must refrain from discussing the complaint, the identity of the persons involved, or any other facts pertaining to the complaint or investigation with anyone else, failing which they may themselves be subject to corrective measures.

The Complaints Committee or external investigator, as applicable, will prepare a report that will include:

- A description of the allegations
- The response of the person the complaint was made against.
- The summary of information from proofs and witnesses, and a decision about whether, on a balance of probabilities, harassment did occur.

This report and decision will be submitted to the SYVC Ontario board of directors. Both parties to the complaint will be given a copy, which may however contain redacted sections to protect the confidentiality of the process, as determined appropriate by the Complaints Committee.

## **10. Remedies and Actions**

For every substantiated complaint, the Complaints Committee will decide the appropriate action, in collaboration, where appropriate, with the board of directors of the SYVC Ontario.

Remedies may include, without limitation:

- For minor offences, the punitive action will be written reprimands and/or transfer of location to one of our other Ashrams or centers. The written reprimands will also be included in their personnel files for records and perusal.
- Corrective action / training for the person that has committed minor offences.
- Expulsion from SYVC Ontario and all SYVC locations for repeat offenders and serious offenders.

The choice of the applicable measure(s) will take into account the gravity and consequences of the gesture(s) as well as the previous record of the person who made them.

Both parties will be advised, in writing of the decision. As part of the treatment and resolution of a situation relating to harassment, no one shall suffer prejudice or be subject to reprisals by the SYVC Ontario. However, if a complaint is found fraudulent, the complainant will be treated

as having committed a serious offence and will also be subject to appropriate discipline and/or corrective measures.

### **11. Other redressal**

A complainant who is not satisfied with the outcome of the harassment complaint process may file a discrimination complaint with the relevant governmental regulatory bodies within the applicable time limitation requirements.

### **12. Privacy and Confidentiality**

All parties to a harassment complaint are expected to respect the privacy and confidentiality of all other parties involved and to limit the discussion of a harassment complaint to strictly those that need to know.

SYVC Ontario and all individuals involved in the harassment complaint process, will comply with all requirements of this policy and protect personal information.

### **13. Review and awareness**

SYVC Ontario will review the policy and procedures whenever there is a change that affects its effectiveness in preventing unlawful discrimination and, at minimum, every five (5) years.

SYVC Ontario will conduct orientation and training on this policy and its application, at least twice annually.

### **14. Enquiries**

Enquiries about this policy and related procedures can be made to the Director, Toronto SYVC Ontario at [toronto@sivananda.org](mailto:toronto@sivananda.org) .

Date : [June 1, 2020] 2020

**Sivananda Yoga Vedanta Center (Ontario) Inc.,  
Toronto and Ottawa**

**Anti-Harassment Policy**

The members of the Complaints Committee are formed on 15 April, 2020, and comprises of 3 members.

**Undertaking of Complaints Committee Members**

I hereby declare and confirm that I have read, understand and will comply with this Anti-Harassment Policy, and I assure that my intervention will be impartial, respectful and confidential.

\_\_\_\_\_  
*Signature of Member 1*

\_\_\_\_\_  
Date

\_\_\_\_\_  
*Signature of Member 2*

\_\_\_\_\_  
Date

\_\_\_\_\_  
*Signature of Member 3*

\_\_\_\_\_  
Date

## COMPLAINT FORM

Please print the following information:

Name:

Address:

Phone No.:

Email:

What is the basis of your claim of discrimination/harassment? (Check all that apply)

Age

Colour

Race

Sex

Sexual Orientation

Gender Identity or Expression

Pregnancy

Sexual harassment

Retaliation for filing / assisting in investigation of a complaint

Gender

Civil or Marital Status

Family Status

Religion

Political Convictions

Language

National or Ethnic Origin

Genetic Characteristics

Social Condition

Handicap or the Use of a Means to Palliate a Handicap

Disability

Pardoned Conviction (or Offence in Respect of Which a Record Suspension Has Been Ordered)

Any other (explain)

Please give the name of the person(s) you believe discriminated against you.

When did the alleged discrimination occur? (Dates and time)

Where did it happen?

Were there witnesses to the alleged discrimination?

Do you have any documents/pictures/texts/etc. to submit as proof? Please enclose.

Did you report this incident to anyone? If so, please state the name and address of the person to whom you reported it.

Describe what happened to you, which you believe is unlawful discrimination/harassment.

I certify that I have read the above, and that it is true to the best of my knowledge.

\_\_\_\_\_ Signature

\_\_\_\_\_ Date