



Effective Date: November 22, 2023\*  
Review Date: November 22, 2024

## Respect & Safety in the Workplace Policy

### PURPOSE

The OMA is committed to providing a civil working environment in which all individuals feel safe and are treated with respect, fairness, and dignity.

Under the Ontario *Human Rights Code* and the *Occupational Health and Safety Act (OHSA)*, every person has the right to be free from harassment, violence, and discrimination. The OMA has a corresponding obligation to ensure that the work environment is safe, secure, and respectful.

The OMA will not tolerate, condone, or ignore any form of inappropriate behaviour or act of violence, harassment, or discrimination, including bullying, and will take all reasonable and practical measures to prevent and protect against violence in the workplace.

This Respect & Safety in the Workplace Policy (“Policy”) provides a conflict resolution and complaint process and includes the options and processes for addressing, investigating and resolving concerns and complaints relating to incivility, violence, harassment, and/or discrimination.

This Policy, the OMA staff’s Code of Conduct, and the OMA Member’s Code of Conduct & Civility are intended to work together as a system that sets out the OMA’s expectations for and commitment to a healthy, respectful, and safe working environment and describes how concerns about and actual or suspected violations of this Policy, the staff Code of Conduct, or the Member’s Code of Conduct & Civility can be raised.

### SCOPE

This Policy applies to all “OMA Participants”, which is defined to include all employees, members, affiliates, visitors, students/interns, volunteers, and contractors, as well as any directors and officers of the corporation and/or its subsidiaries who are engaged in OMA work or working in the OMA Workplace. Affiliates refers specifically to appointed and elected physician members of the OMA who hold positions on committees, panels, and any other entities under the OMA Governance structure.

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\* Note that the *OMA Respect in the Workplace* and *Workplace Violence & Harassment* policies have been combined into a single policy.

This Policy applies to all work carried out in the “OMA Workplace”, which is defined to include all work in person or virtually carried out in the context of the OMA and at events/activities hosted by the OMA, and to all communications relating to the work of the OMA. Communications may be in person, electronic, by phone, or other telecommunication, as well as by social media. While the OMA will not actively monitor external social media, if an OMA Participant identifies themselves as affiliated with the OMA on a social media platform and carries out communication in violation of this Policy, the OMA may choose at its discretion to engage this Policy.

## **PRINCIPLES**

### **1. Fairness**

The OMA recognizes its obligation to ensure that this Policy and any procedures are fair and applied consistently. Complainants should feel empowered to bring their complaints forward and those against whom allegations are made should have a full and fair opportunity to respond to those allegations.

### **2. Non-Interference**

Nothing in the Policy is intended to prevent a complainant from using an alternative procedure such as the *Ontario Human Rights Code*, OHSA, other policies or legal action. In the event that litigation or a comparable process is engaged, any complaint under this Policy shall be paused pending the outcome of that process. While any alternative finding, remedy or consequence will be considered as part of any internal process, it does not preclude or determine the outcome under this Policy. Complainants are encouraged to utilize the processes outlined within this Policy before commencing legal or such similar action.

### **3. Confidentiality**

The OMA understands that being a party to a process under this Policy can be stressful and upsetting, and we take seriously the obligation under section 32.0.7 of the OHSA to ensure an appropriate investigation, which requires maintaining confidentiality and the privacy of those involved to the greatest extent possible. To protect the interests of the individuals involved in conflicts and to improve chances of a successful outcome, confidentiality will be maintained throughout the complaint, response, investigation, and resolution process. Reports of incidents and complaints of incivility, harassment, or discrimination must be dealt with in a confidential manner with the exception of disclosing information for the purpose of investigating an incident or complaint, or for taking corrective action, or as required by law.

Any breach of confidentiality may be considered a breach of this Policy and subject to discipline. Information that must be shared will be disclosed on a ‘need to know’ basis only.

### **4. Retaliation/Reprisal and Vexatious and/or Frivolous Complaints**

Retaliation/reprisal against an OMA Participant for filing a complaint, participating in any procedure, or being associated with a person who filed a complaint under this Policy shall be treated as harassment and will not be tolerated. Any reprisal against an OMA Participant making

a complaint in good faith is prohibited and unlawful. If a complaint is made in good faith and without malice, regardless of the outcome of the investigation, the complainant will not be subject to any form of discipline.

Complaints that are identified throughout the resolution process as having been made vexatiously, frivolously, or in bad faith<sup>1</sup> may be subject to disciplinary action, up to and including but not limited to termination or a ban on OMA participation. The sole fact that an investigation finds that an allegation is unsubstantiated does not constitute a bad faith complaint.

## 5. Seeking Immediate Assistance/Emergency Situations

In an emergency situation, where there is an imminent threat, OMA Participants should immediately call **911 for emergency services**, and initiate any appropriate action such as calling for staff trained in first aid/CPR. Then notify the Crisis Manager (Director, Office Services) and department management, who will initiate next steps and follow up.

All OMA Participants should familiarize themselves with the OMA Safety and Security Plan and Procedures, as found on StaffSpace or in MyAccount.

## DEFINITIONS

**Civility** involves treating others with dignity and respect and acting with regard to other's feelings. Civility means that even the most critical feedback must be delivered respectfully, courteously, and in most circumstances, privately. Legitimate comments and/or advice from managers and supervisors on work performance or the work-related behaviour of an individual or group is intended to assist employees to improve work performance or the standard of their behaviour. The OMA's expectations of civility are above the legal requirements set by the Ontario *Human Rights Code* (the "Code") and the OHSA.

**Code-Based Harassment** is defined in the *Code* as engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome based on one or more of the prohibited grounds.

**Complainant** is defined as the person or persons who initiates a Formal Complaint.

**Discrimination** is any practice or behaviour, whether intentional or not, which has a negative impact on an individual or group protected in the *Code* by excluding, denying benefits, or imposing burdens upon them. Discrimination may arise as a result of direct differential treatment, or it may result from the unequal effect of treating individuals and groups in the same way.

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<sup>1</sup> This includes complaints that are an abuse of process/made in bad faith in circumstances that include when an adequate remedy already exists or the complainant is engaging in improper action – fraud, deception, intentional misrepresentation or the complaint is filed for improper reasons or motives. These include complaints that are filed out of malice, hostility, personal animosity or vindictiveness, or to embarrass or harm the Respondent or others.

For offensive behaviour to be considered discrimination, the focus of the comment or conduct must be directed toward one (or more) of the following protected grounds under the *Code*:

- Age
- Ancestry
- Colour
- Race
- Citizenship
- Ethnic or national origin
- Place of origin
- Creed or religion,
- Disability (physical or mental)
- Family status
- Marital status (including single status)
- Gender identity
- Gender expression
- Record of offences
- Sex (including pregnancy and breastfeeding)
- Sexual orientation

**Intimate Partner Violence** deals with a situation where a person who has a personal relationship with an OMA Participant – such as a spouse or former spouse, current or former intimate partner, or a family member – may physically harm, or attempt or threaten to physically harm, that OMA Participant at work. In these situations, Intimate Partner Violence is considered workplace violence.

**Incivility** deals with a broad range of behaviours that are rude, disrespectful, inconsiderate, or insensitive. There may not be an intention of harm, but the result of such behaviour makes for an unhealthy work environment, decreased performance and commitment to the organization and workers. Examples include, but are not limited to:

- a pattern of behaviour intended to demean or diminish the other person in some way;
- deliberate exclusion of an OMA Participant from relevant work activities, events, or decision-making where the OMA Participant should or would have otherwise been included;
- intruding on personal or physical boundaries in an unwanted manner; and
- body language that conveys dismissiveness or negative judgment (e.g., eye-rolling, hand gestures, turning back, etc.).

Incivility can be subtle or overt. It may be a single event or may involve a continuing series of incidents and may involve the abuse of authority or position. Uncivil behaviour may be unintended or deliberately directed at another individual. In any case, the impact on that individual and/or the work environment is what must be addressed.

**Poisoned Work Environment** is defined as the resulting work or service environment spoiled by discrimination and/or harassment. It is not necessarily directed toward an individual, but creates

an environment that is intimidating, hostile, humiliating, or offensive and may interfere with work performance or affect the OMA's atmosphere.

**Psychological Harassment** is defined as vexatious behavior in the form of repeated conduct, verbal comments, actions, or gestures:

- that are hostile or unwanted;
- that affect an OMA Participant's dignity, psychological or physical integrity;
- that make the work environment harmful or positioned.

**Respondent** is defined as the person or persons against whom the Formal Complaint is made.

**Sexual Harassment** is protected by both the Ontario *Human Rights Code* and the OHSA. The respective definitions are:

#### *Ontario Human Rights Code*

Sexual harassment is a form of discrimination based on the prohibited ground of sex under the *Code*. Examples of harassment relating to sex, sexual orientation, gender expression, and/or gender identity include, but are not limited to:

- making inappropriate sexual gestures;
- use of homophobic or transphobic slurs or jokes;
- insults, comments that ridicule, humiliate, or demean people because of their sex, sexual orientation, gender identity or expression;
- staring in a sexually suggestive or offensive manner, or whistling;
- making sexual comments about appearance, clothing, or body parts;
- inappropriate touching, including pinching, patting, rubbing, or purposefully brushing up against another person; and/or
- other threats, violence, and physical assault.

#### *Occupational Health and Safety Act*

- 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, and
- 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.

Sexual harassment may occur either in the working environment or may occur elsewhere where OMA work is being carried out (e.g., social functions or during OMA related travel or events).

**Workplace Harassment** is defined in the OHSA as:

- 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; and
- workplace sexual harassment.

Workplace harassment often involves a course or pattern of behaviours. However, a single serious incident of such behaviour that has a lasting harmful effect on a worker may also constitute workplace harassment. Examples include, but are not limited to:

- angry shouting/yelling or blow-ups;
- bullying;
- intimidating behaviours such as slamming doors, throwing objects, etc.;
- impeding work performance;
- spreading gossip, and/or rumours;
- communication that is demeaning, insulting, humiliating, or mocking;
- any combination of the above that creates a negative or “toxic” work environment; and
- direct or indirect discrimination based on a prohibited ground as indicated above.

Monitoring performance at work or absenteeism, the assignment of tasks, reference checks, and the application of progressive discipline, up to and including termination, all constitute the legitimate exercise of management’s authority.

**Workplace violence** is defined as the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker; an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker; or a statement or behaviour that 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. Examples include, but are not limited to:

- physically threatening behaviour such as shaking fists, destroying property, or throwing objects;
- verbal or written threats that express an intent to inflict harm;
- physically aggressive behaviours including hitting, shoving, pushing, kicking etc.; and
- any other act that would arouse fear in a reasonable person under the circumstances.

Violence that occurs outside the normal workplace, but which has an impact on the working environment, including working relationships, may also be considered violence in the OMA Workplace.

## **ROLES AND RESPONSIBILITIES**

All OMA Participants share a significant interest, role, responsibility, and accountability for complying with this and other related policies and procedures to create and foster an environment of safety, respect, inclusion, civility, dignity, and understanding.

### **A. OMA Participant**

All OMA Participants are responsible for understanding their roles and responsibilities, such that:

- Everyone in the OMA Workplace is dedicated to preventing violence, maintaining respect, and promoting civility in the work environment and will comply with this Policy and supporting legislation.
- OMA Participants are aware of and understand that bullying, harassment, discrimination, and violence in the workplace will not be tolerated from any person in the OMA Workplace.
- Those who are subjected to or witness acts of bullying, harassment, discrimination, and/or workplace violence should feel empowered to report these acts.
- OMA Participants will participate in compliance training and applicable awareness initiatives.
- OMA Participants will cooperate with any efforts to investigate and resolve matters arising under this Policy.
- OMA Participants have the right to refuse work or to do particular work where they have reason to believe that they are in danger of being the victim of workplace violence. In such situations, the OMA Participant must contact People and Culture as soon as possible.

## **B. Supervisor**

Supervisors include managers, the CEO, the Board of Directors, and Affiliate members in leadership roles including but not limited to Committee Chairs, Section Chairs, District Chairs, and any Chairs related to the General Assembly. The OMA expects all Supervisors to provide their active support to ensuring compliance with this Policy by promoting a respectful, positive, and safe work environment and intervening to prevent or resolve any actual or potential issues. Specifically, they are responsible for:

- Taking reasonable precautions to protect the health and safety of all OMA Participants.
- Ensuring to the best of their ability that the workplace is free from violence or threat of violence, incivility, harassment, discrimination, intimidation, or other disruptive behaviour.
- Participating and promoting education and training regarding this Policy and identifying OMA Participant training needs.
- Investigating and responding to all complaints of harassment and/or discrimination.
- Conducting periodic workplace violence risk assessments to determine whether the nature of work, or the work environment places or may place OMA Participants at risk of violence; results of assessments and reassessments will be reported to the Joint Health & Safety Committee.
- Responding promptly to all reports of violence and address all incidents of workplace violence immediately.
- Ensuring any deaths or critical injuries are reported as per legislation to a Ministry of Labour (MOL) inspector, the police (as required), and the Joint Health and Safety Committee (as required).

## C. People and Culture

It is the responsibility of the People and Culture department to:

- maintain functional oversight on the Policy, implementation, and compliance (including training, monitoring, enforcing, and reporting);
- coordinate investigations and supports related to this Policy;
- provide support and guidance to persons who are part of the investigations process;
- work with OMA Participants who express risk of personal violence; and
- keep records and ensure a record keeping plan is in place.

### **COMPLAINT RESOLUTION PROCEDURE (See Illustrative Flowchart at Appendix A)**

Complaints related to incivility, violence, harassment and/or discrimination as described above, as well as alleged breaches of any principles or codes guiding interactions (e.g., staff Code of Conduct or the Member's Code of Conduct & Civility) will be dealt with under this Policy.

This Policy will utilize due process as the guiding principle for all complaints resolutions.

#### **1. Informal Resolution**

Informal resolution is encouraged and favoured whenever possible through respectful and direct communication, education, apologies, and conciliation.

Depending on the nature of the occurrence and if safe to do so, OMA Participants are encouraged to attempt to resolve any concerns by direct communication with the person(s) engaging in the unwelcome conduct. OMA Participants should feel confident and comfortable communicating that the behaviour/conduct/language etc. is unacceptable or offensive.

Where the OMA Participant is not comfortable approaching the person(s) engaging in the unwelcome conduct alone, the OMA Participant may request the assistance of an immediate Supervisor or the Human Resources Business Partner (HRBP) in speaking with the person(s) directly.

#### **2. Formal Complaint**

An OMA Participant may make a formal complaint, in writing, to the Executive Vice President, People and Culture.<sup>2</sup>

Wherever possible, the complaint should be made as soon as possible after the alleged incident(s) and certainly no later than one (1) year following the incident giving rise to the

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<sup>2</sup> To report incidents of offensive conduct where the alleged offender is the employer (CEO), OMA Participants should contact the Executive Vice President, People and Culture, or the Chair of the OMA Board of Directors.



complaint or, in the case of multiple incidents, within one (1) year of the latest occurrence, though this may be extended in extenuating circumstances.

An OMA Participant who is concerned about their safety in the workplace is strongly encouraged to bring the issue(s) forward immediately so that appropriate measures are put in place (to the extent possible) to protect the OMA Participant's safety and the well-being of all OMA Participants in the workplace.

As all OMA Participants have a responsibility in creating a respectful and safe workplace, occurrences of offensive conduct may be reported to People and Culture by another party such as a colleague, Manager or Chair.

Where possible, the following details should be included in the complaint:

- name of the Complainant;
- name of the Respondent(s);
- time, date, and location of the event(s) of incidents being complained about;
- what happened – a description of the events or situation, detailing the circumstances surrounding the incident and the impact on the Complainant;
- *Code* ground (if applicable) and/or the section of the Policy or related policy that the complaint falls under; and
- who saw it happen – the names of witnesses, if any.

Upon receipt of a formal complaint, People and Culture will do a preliminary review of the incident and decide if the complaint should proceed. If it is decided that the complaint should proceed, the Executive Vice President of People and Culture in consultation, as required with the General Counsel or their designate, may take the following action:

- Deal with the complaint swiftly by advising the appropriate Supervisor to address the issues with the Respondent(s) and monitor to ensure that the behaviour ceases.
- Suggest to the individual(s) involved that alternative resolutions including mediation, coaching or conciliation might be the best avenue to a solution and to ensure a return to a collegial and professional working relationship.
- Educate OMA Participants about appropriate behaviour while doing OMA work or participating in OMA work-related events.
- Initiate an investigation.

### **3. Investigation**

The OMA has a legal obligation to investigate incidents and complaints made that, if true, would result in Policy violations. This obligation to investigate applies even if the Complainant withdraws their complaint or no longer wishes to continue with the process.

Investigations cannot be carried out anonymously. The identity of the Complainant and the allegations contained in the complaint will be made known to the Respondent(s).

Where an investigation is warranted, the OMA will ensure an unbiased, impartial fact-finding review is conducted and that all incidents and complaints are addressed in a manner that is fair, neutral, and timely. This may be done internally or by an appointed external investigator.

At the discretion of the Executive Vice President of People and Culture and/or General Counsel or their designate, an external third-party investigator (“Investigator”) may be retained. Investigators will be retained from reputable third-party firms that have specialized training in investigations. The Investigator will at all times remain neutral and preserve confidentiality.

The investigation may consist of the following:

- Review of notes prepared by People and Culture, including the complaint and response, if any.
- Follow-up with the Complainant to clarify details, identify witnesses, and understand the scope of the complaint.
- Notifying the Respondent in writing of the investigation (unless this would be prejudicial to the investigation). The Respondent will also be cautioned about interfering in the investigation. At the appropriate time, the Respondent will be provided sufficient particulars of the allegations and given an opportunity to respond.
- Interviews of all relevant individuals, including the Complainant, Respondent(s), witnesses suggested by the parties or other witnesses who may provide useful information. Witness statements and any other key evidence will be properly documented to ensure procedural fairness for all parties involved.
- Gathering of any other evidence as appropriate.

The Investigator will consider the matter and evaluate according to the following criteria:

- Did the behaviour occur in the OMA Workplace or at any location or any event/meeting/activity hosted by the OMA?
- Did the Respondent engage in uncivil, improper and/or offensive conduct, such as objectionable acts, comments or displays, or acts of intimidation or threats, or acts, comments or displays in relation to a prohibited ground of discrimination under the *Code*?
- Was the behaviour directed at the Complainant?
- Was the Complainant offended or harmed<sup>3</sup> by the Respondent?

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<sup>3</sup> “Harmed” in this context may include feelings of being demeaned, belittled, personally humiliated or embarrassed, intimidated or threatened.

- Did the Respondent know or reasonably ought to have known that such behaviour would cause offence or harm?
- Was there a series of incidents or one serious incident<sup>4</sup> that had a lasting impact on the Complainant?

The Investigator shall submit a written report of their findings to the Executive Vice President of People and Culture with conclusions supported by the evidence. The conclusions may advise of any recommended penalty, discipline, sanction, or censure to be imposed as outlined below (“Complaint Resolution”). All investigation notes and findings will be maintained in a confidential file in People and Culture.

The Complainant and Respondent(s) will be provided with appropriate communication in writing, within 10 days of the investigation report being finalized, of the results of the investigation and any penalty, discipline, sanction, or censure being recommended. Unless exceptional overriding circumstances have been identified by the Executive Vice President of People and Culture, or, in the case of an investigation involving physician members or affiliates, in consultation with the OMA Chair of the Board of Directors, recommendations of the Investigator will be adopted and implemented.

The Complainant and Respondent(s) are expected to maintain confidentiality throughout the process. Potential confidentiality breaches will be investigated and if confirmed, may lead to disciplinary action.

The OMA will seek legal counsel and/or summon immediate emergency assistance, if necessary.

### **Complaint Resolution**

If an investigation substantiates the complaint, appropriate remedial or disciplinary action will be taken by the OMA as recommended. This may consist of requiring the Respondent(s) to:

- offer a formal apology to the Complainant(s);
- attend counselling or training (e.g., sensitivity training, anger management training, etc.);
- be disciplined with a verbal/written warning, suspension without pay, or termination, with or without cause;
- be disciplined with a temporary or permanent ban on holding an elected role within the OMA governance structure, or a temporary or permanent ban from participating in one or more committees, or a temporary or permanent ban from attending and/or

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<sup>4</sup> In the case of sexual harassment specifically, a single incident may be viewed to be more significant in circumstances when the relationship is one where the Respondent has influence or power over the Complainant with regard to career advancement, performance review, absenteeism, day-to-day management of activities, work assignments and the carrying out of progressive disciplinary measures.

participating in OMA events or activities;

- be disciplined with a ban on the right to be present at OMA offices or virtual meetings.

The OMA considers every incident serious, but not every incident will warrant remedial or disciplinary action. When determining the Complaint Resolution, the following factors will be considered:

- the severity of the behaviour or conduct;
- the frequency/history of the behaviour or conduct;
- the intent;
- the impact on the person affected;
- the presence or absence of remorse;
- the chances of rehabilitation; and
- previous disciplinary record of the Respondent(s).

In all instances, those found to be in repeated breach of this Policy or related policies may be subject to an expedited process whereby they are subject to progressive disciplinary action.

If the complaint is between or amongst physician members or affiliates, the Investigator's Report and any recommendations will go to the OMA Chair of the Board of Directors for implementation, follow-up, and support. At their discretion and in accordance with OMA By-laws, the Chair may consult with the broader Board of Directors. Penalties and any appeals will be addressed in accordance with the OMA By-laws and any related policy(ies).

In all other cases, the recommendations, implementation, follow-up, and support will be dealt with and actioned by People and Culture.

Where there has been a finding that an act of harassment and/or discrimination did occur, a staff Complainant may, if they wish, be relocated within the OMA in a manner that does not affect their compensation or their responsibilities relevant to their position.

## **LEAVES OF ABSENCE**

It is recognized that, in some cases, incidents and/or allegations may result in a staff Complainant requesting a leave of absence. Such requests shall align with relevant OMA processes and policies related to Leaves of Absence.

## **POLICY REVIEW AND TRAINING**

As per the OHSA and associated regulations, the OMA will consult with the Joint Health and Safety Committee (or a JHSC Representative) to review this Policy annually, to develop and maintain the program and procedures to implement this Policy, and to ensure appropriate preventive measures are in place to effectively manage and avoid the risk of harassment, discrimination, incivility and violence in the OMA Workplace.

All OMA staff will be trained on an ongoing basis and/or when any changes are made to the policy, programs and procedures relating to respect and safety in the OMA Workplace. All OMA Participants will be provided with copies of this Policy upon accepting a role with the OMA and will agree to abide by it as a condition of holding a role with the OMA. All physician members or affiliates attending or participating in any OMA event, meeting, or other OMA-related activity will be required to abide by this Policy, which will be posted online in an accessible location and linked to membership renewal documents and emails annually.

## SUPPORTING/REFERENCED DOCUMENTS

Use Type	Document Title
Mandatory/Optional	OMA Code of Conduct OMA Members' Code of Conduct/Civility OMA Safety and Security Plan and Procedures
Legislation	<a href="#">Occupational Health and Safety Act</a> <a href="#">Ontario Human Rights Code</a>

## RESPONSIBILITIES

Position	Actions
CEO (or designate)	Approve operating policies and/or procedures.
People & Culture	Communicate and provide guidance on this Policy to all OMA Participants. Coordinate and provide essential training. Respond to questions about this Policy. Review the Policy with appropriate parties on an annual basis, which may include the Joint Health and Safety Committee (or a JHSC Representative).  Executive Vice President, People and Culture, will investigate the validity of any complaints, determine a course of action to resolve the issue and escalate the allegation, if necessary.
Knowledge & Records	Review and provide additional metadata as required. Notify Authoring Department when Policy reaches its review date. Maintain original documentation and versions for archiving.
Department Directors	Monitor compliance with this Policy by OMA Participants. Obtain training for OMA Participants, if required.
OMA Participants	Acknowledge as required and comply with the Policy.

Author: Human Resources  
Policy Owner: People and Culture

Approved by: Chief Executive Officer  
(Title of Approver)

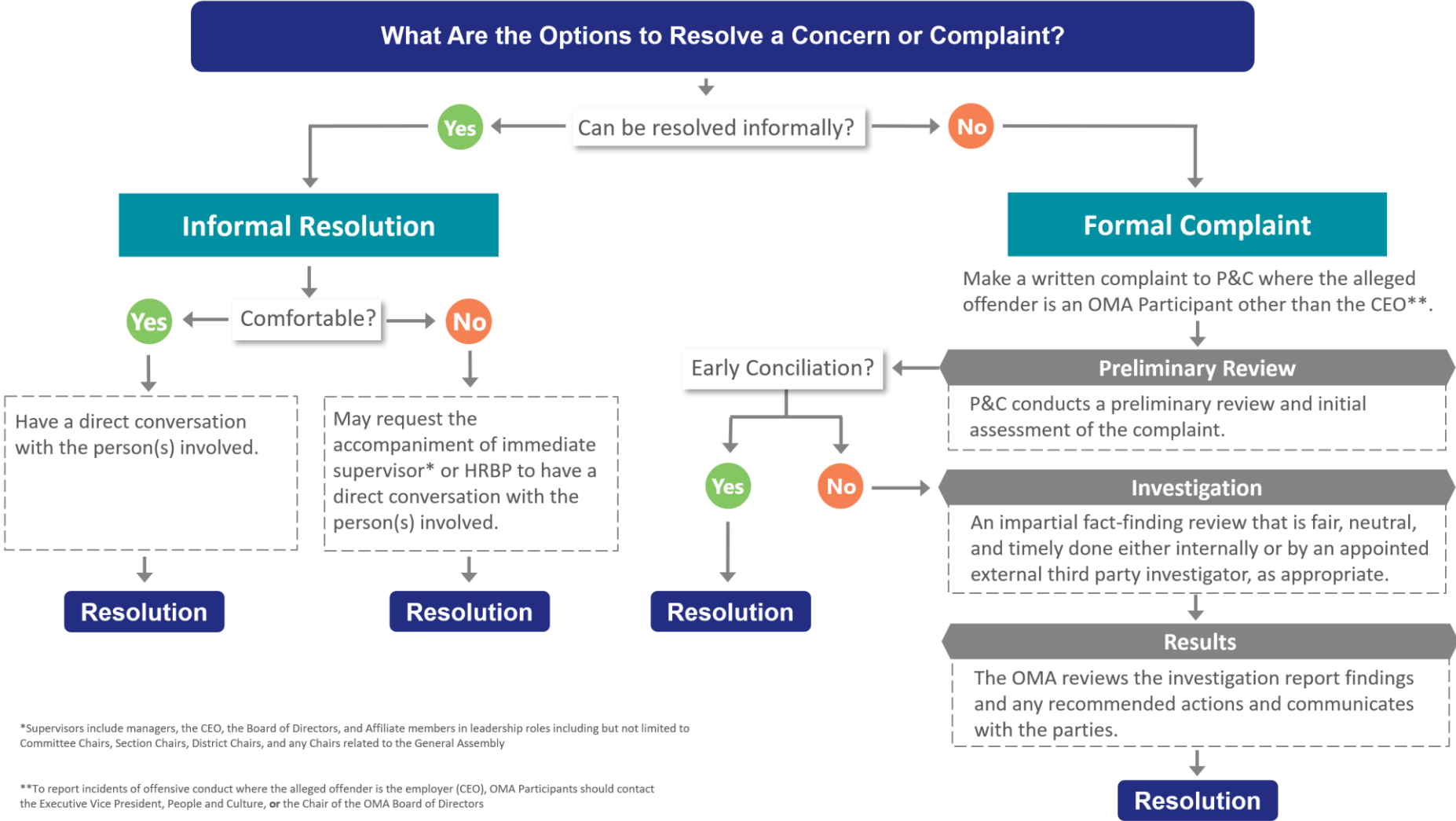


Signature

November 22, 2023

Date

**APPENDIX A:  
COMPLAINT RESOLUTION FLOWCHART**



\*Supervisors include managers, the CEO, the Board of Directors, and Affiliate members in leadership roles including but not limited to Committee Chairs, Section Chairs, District Chairs, and any Chairs related to the General Assembly

\*\*To report incidents of offensive conduct where the alleged offender is the employer (CEO), OMA Participants should contact the Executive Vice President, People and Culture, or the Chair of the OMA Board of Directors

## APPENDIX B: CONSIDERATIONS

To help frame the situation the following questions should be considered by any potential Complainant:

### The Following Questions Should Be Considered By Any Potential Complainant:

Was the behavior improper?

Did the incident occur within the scope of the Policy or related policy?

Was this the first incident or is it a series of incidents?

Would a reasonable person well informed of all the circumstances and finding themselves in the same situation as yours view the conduct as unwelcome or offensive? The behaviour in question is not only assessed by the impact or effect on yourself, but it is also assessed against a reasonably objective standard.

Did the behavior exceed the reasonable and usual limits of interaction in the workplace?

Would a reasonable person be offended or harmed by this conduct?

Are there other factors contributing to the situation that could be impacting my reaction to this event (level of stress, workload, professional constraints, etc.)?

Is the incident related to my performance?

Have I spoken to the individual and tried to clarify the situation?

Have I considered resolving the situation through informal means of conflict resolution, such as a facilitated discussion, coaching or mediation?

Have I spoken with my Supervisor or HR (or, in the case of members, a Physician Leader such as a Chair) for advice and assistance?