

SUNSET VILLA ASSOCIATION CODE OF CONDUCT

Effective Date: April 3, 2019. Version 1.0

Policy Statement:

Thank you for being part of our community. Sunset Villa Association (**SVA**) is committed to ethical governance and providing an environment that is safe and respectful. **Participants** (members, volunteers, guests, vendors) who fail to abide by these policies may be subject to disciplinary action. Questions about these policies can be directed to:

secretary.sunsetvilla@outlook.com.

1.0 Expenditures

All participants shall abide by SVA's expense and fee payment/fundraising policies as provided by the Treasurer and shall only incur expenses as authorized by the Board of Directors.

2.0 Personal gains

Participants must not use their status as member or volunteer to obtain a personal gain; ie: gifts, payments, services, fees, valuable privileges, accommodations or loans from any person/business that is seeking to do business with SVA.

3.0 Conflict of interest

Participants must avoid all situations in which their personal interests conflict or might conflict with duties to SVA, and shall, at the first opportunity, disclose any conflict of interest. The nature of this reported conflict must be noted in appropriate official records of SVA, such as Board meeting minutes.

4.0 Confidentiality

At all times, the privacy of all Participants must be respected. Participants may have access to information and documents relating to other Participants. Reasonable care and caution must be exercised to protect and maintain total confidentiality. Participants will not read or discuss such information unless there is a legitimate purpose to do so. All records regarding Participants are the property of SVA and are kept in a secure location at SVA.

5.0 Privileged information

Participants must not use for their own purposes, including financial gain, or disclose for the use of others, information obtained as a result of their role with SVA (for example, lists of sponsors, suppliers or members). This applies both during and after the period in which the individual is a Participant.

6.0 Intellectual and physical property

Any intellectual property developed by a Participant in the course of his or her role with SVA (for example, guidebooks, training resources, promotional materials, social media accounts) and physical property (minutes, keys, tools, files, correspondence, event supplies, donations) is and shall remain the property of SVA.

7.0 Respectful conduct

Participants must interact with one another and the public in a courteous, civil, respectful, fair and equitable manner. SVA expects all Participants to abide by the Ontario Human Rights Code. These are minimum standards and by no means cover every contingency. However, any material failure to comply with these standards will be sufficient grounds for disciplinary action.

DISCIPLINARY POLICY STATEMENT

Sunset Villa Association (SVA) has implemented policies designed to show our commitment to ethical governance and providing an environment that is safe and respectful. These are minimum standards and by no means cover every contingency. Participants (members, volunteers, guests, vendors) who fail to abide by SVA's policies may be subject to disciplinary action. Questions about the policies can be directed to: secretary.sunsetvilla@outlook.com.

INFRACTIONS

Examples of Minor Infractions; generally defined as single incidents of:

- An offensive comment or behaviour towards others because of race, ancestry, age, marital status, same-sex partnership status, family status or disability.
- Anger, aggression or hostility directed at others
- An unsolicited sexually oriented comment, anecdote or gesture that is offensive and unwelcome.
- Comments, pranks, jokes or behaviour that demean, ridicule, or embarrass
- Online posting of inappropriate or offensive comments about SVA, participants, individuals, or organizations associated with SVA.
- Behaviour or actions that prevent the right to quiet enjoyment on the property, including the apartments, campground, restaurant or while attending SVA events
- Disrespecting the right to privacy of an individual where the individual has a right to expect privacy.
- Disrespecting the Chair, Board members and the right to order and peaceful assembly at meetings including but not limited to Membership, Campers and Board meetings.
- Failure to follow SVA's bylaws, rules, policies or procedures
- Failure to respect the authority of the Board's decisions
- Prolonged delays in the deliverance of reasonably requested information, documents or material things.

Examples of Major Infractions; A single serious incident or repeated occurrences of minor infractions;

- Actions in violation of policies defined in 1.0 to 7.0
- A single physically abusive incident.
- Actual or threatened violence toward any individual or group
- Pranks jokes or other activities that endanger the safety of others.
- Deliberate disregard for the rules and regulations of SVA
- Deliberate or repeated unsolicited sexually oriented comments, anecdotes, gestures or touching that are offensive and unwelcome.
- Abusive use of drugs or alcohol or other means of impairment where abuse means a level of consumption which impairs the individual's ability to speak, walk or safely drive, causes the individual to behave in a disruptive manner in public on the property; or interferes with the individual's ability to perform volunteer work effectively and safely.
- Failing to return physical or intellectual property that belongs to SVA
- Bullying/Harassment: escalating messages, behaviours or actions that are repetitive, deliberate, condescending, patronizing, threatening or disrespectful, unwanted and are intended to harm, harass or undermine self-esteem, diminish performance, embarrass, socially exclude, damage reputations or friendships or creates a hostile or intimidating environment.

COMPLAINT PROCESS

Any person who believes that he/she has been treated contrary to this Code of Conduct may:

- Approach the person directly, if it is safe to do so, identify the concern and request his/her behaviour to stop
- Submit a formal complaint. The document should include details of the alleged behaviour including dates, times, places, names of individuals involved and name any witnesses. Submit to secretary.sunsetvilla@outlook.com

Upon receipt of a complaint, the Board shall determine, no later than the next Board meeting, whether the incident is a minor infraction to be handled by the Board, or if a hearing is required to address the incident as a major infraction.

The Association will not be obligated to deal with complaints if:

1. It could be more appropriately dealt with under another policy, rule, regulation, law or other governing body (ie: the Police)
2. The complaint is frivolous, vexatious, retaliatory, or has no merit
3. There is insufficient information to enable a conclusive decision
4. The complaint occurred prior to Apr 1, 2019.

HANDLING of MINOR INFRACTIONS

If the complaint is minor, the Board will investigate the matter. The alleged offender will receive a copy of the complaint (with names redacted) and may be required to provide written answers to questions and/or a statement in response. Meetings with both parties may be required. At any time, but no later than two Board meetings after receiving the complaint, the Board can conclude whether the complaint has merit and impose disciplinary actions if appropriate.

HEARINGS of MAJOR INFRACTIONS

Within 7 days of determining the incident is a Major Infraction, the Board shall forward the matter to the Disciplinary Panel for a hearing.

The Board shall appoint three individuals to serve as a Disciplinary Panel. None of the Panel members can be involved in the incident or have a bias towards any parties, either through friendship or history of past conflicts. When possible, volunteers with experience in Human Resources or Managing people in the workplace should be selected for this position.

The Disciplinary Panel shall hold the hearing as soon as possible, and no later than 30 days from receiving the matter. The Disciplinary panel shall govern the hearing as it sees fit, provided that:

- The alleged offender shall be given 10 days written notice (by courier or fax) of the day, time and place of the hearing.
- The Panel may decide to conduct the hearing in person, by telephone or video conference.
- The alleged offender shall receive a copy of the incident report (with names redacted)
- Members of the Panel shall select from among themselves a Chairperson. A quorum shall be all 3 Panel members. Decisions shall be by majority vote; the Chair person carries a vote.
- The alleged offender will be given the opportunity to provide a written response, and shall have the right to verbally present evidence and explain their involvement in the incident and may be accompanied by a representative.
- The hearing shall be held in private.
- The Panel may request that witnesses to the incident be present or submit written evidence.

- The Panel shall render its decision to the Board, with written reasons, within 10 days of the Hearing.

Unless the Disciplinary Panel decides otherwise, any disciplinary sanctions applied shall take effect immediately. Failure to comply with a sanction as determined by the Disciplinary Panel shall result in automatic suspension of membership.

SANCTIONS

Disciplinary sanctions will consider these factors:

- The nature and severity of the incident
- Whether it was an isolated incident or part of an ongoing pattern.
- The nature of the relationship between the complainant and the offender.
- Whether the offender has been involved in any previous incidents (after April 3, 2019)
- Whether the offender admitted responsibility and expressed remorse and/or a willingness to change.
- Whether the offender retaliated against the complainant.

Sanctions will be applied using the process of progressive discipline. For example, the first minor infraction may result in a warning letter; but three warning letters within a two year period may lead to suspension. The severity of the incident will determine what the first disciplinary step will be.

Notwithstanding the procedures set out in this policy, any participant who is convicted of a criminal offense involving an incident at SVA shall face automatic suspension from membership and participation for the length of the criminal sentence imposed by the Court.

Possible Sanctions for Minor Infractions

Can be applied, singly or in combination:

- verbal reprimand
- written reprimand to be placed on file for 2 years
- verbal apology
- hand-delivered written apology
- a "do not contact" directive

Possible Sanctions for Major Infractions

Can be applied singly or in combination:

- written reprimand to be placed on file for 7 years
- hand-delivered written apology
- a 'do not contact' directive
- suspension from meetings, events, or areas of the property
- suspension from Board duties
- suspension of membership for a period of time
- a fine or levy
- termination of membership
- other sanctions as may be considered appropriate for the offence

Appeals Process

Any appeal of decisions shall be considered by SVA's Arbitration Committee as per Bylaw 9.01.11

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