

## Governance Policies and Procedures

<b>Policy Name: Code of Conduct Policy and Procedures</b>	
<b>Policy Number: G 2.2</b>	<b>Policy Type: Board Policy</b>
<b>Approval Date: November 2022</b>	<b>Date for Review: 2024; Every 3 Years</b>
<b>Revised: May 9, 2023</b>	

## **OLA CODE OF CONDUCT POLICY AND PROCEDURES**

### **INTRODUCTION:**

The Ontario Library Association is proud of the volunteerism and professional development presented each year during the OLA Super Conference, at other OLA events, and in Divisional and Board meetings. The foundation of our association is volunteerism, and our strength in providing professional development is due to the dedicated members of our association who continue to share their knowledge and expertise with the whole library community.

As an association, OLA is strongly committed to diversity, equity, inclusion, and the free expression of ideas. The Association is also dedicated to ensuring positive experiences for all participants, and expects attendees, speakers, exhibitors, volunteers, and staff to show respect and courtesy toward one another at all conferences, events, meetings, and forums.

### **SCOPE:**

This code of conduct applies to all interactions with OLA meetings, correspondence, events, conferences, and forums. This includes attendees, speakers, exhibitors, volunteers, and staff – virtual or in-person.

### **COMMITMENT TO RESPECTIVE DISCOURSE**

- Respect the dignity and human rights of others. Foster respect by contributing to a positive environment in which each individual is valued and heard and by treating others as they wish to be treated.
- Follow instructions of the event leader or moderator of the meeting, conference, forum, or event.
- Be accountable. Take accountability by being responsible for your actions.

- Promote a safe and healthy environment that is free from discrimination, harassment, or violence. OLA encourages bystanders to intervene when they witness code violations, when they feel safe to do so. OLA will annually provide bystander training and orientation to support this initiative.
- Appreciate the diversity of ideas, thoughts, and expression, and be open to new pedagogy when delivering or attending workshops and sessions.

## **NO TOLERANCE FOR DISCRIMINATION OR HARASSMENT**

OLA is committed to promoting a safe and healthy environment that supports personal security and is free from discrimination and harassment intentional or unintentional.

Discriminatory and harassing behaviour includes, but is not limited to, verbal comments or non-verbal expressions about or to Indigenous people, Black people, Brown people, racialized people, 2SLGBTQAI+ people, women, people with disabilities, among others, and related to gender, gender identity, gender expression, sexual orientation, disability, neurodiversity, physical appearance, body size, race, cultural identity, age, creed, religious beliefs, sexual or discriminatory images in public spaces (including online). It also includes deliberate intimidation, stalking, following, harassing photography or recording, sustained disruption of talks or other events, inappropriate physical contact, and unwelcome sexual attention.

OLA encourages bystanders to intervene when they witness code violations, when they feel safe to do so. Anyone who experiences or witnesses harassment, or any incidents of unacceptable behaviour, should inform either a member of the Code of Conduct Committee or OLA Executive Director as soon as possible.

## **APPENDIX A: SUMMARY OF PROCEDURE**

### **Code of Conduct Committee for Events:**

Each OLA event will have a designated Code of Conduct Committee consisting of no less than two OLA member volunteers involved in the event and an OLA staff person. The members of this Committee will be noted in the communications for each event. The committee members will be identified in advance and at the event should a delegate need to contact them.

### **If you have a code of conduct concern:**

If at any time, a presenter, guest, delegate, or visitor feels that they have been harassed and/or discriminated against or that this code of conduct has been breached, it is important that this person report it as soon as possible either to a member of the Code of Conduct Committee or by email to the OLA Executive Director.

### **Code of Conduct for Board or Divisional Council Meetings:**

At each OLA meeting, be it a Board meeting, Executive Meeting, Divisional Council Meeting, or any Committee Meetings, a code of conduct matter may arise. When possible, OLA encourages bystanders to intervene when they witness code violations, when they feel safe to do so. Anyone who experiences or witnesses harassment, or any incidents of unacceptable behaviour in a meeting, should inform either the President or Chair responsible for business (i.e., Board President, Divisional President, Committee Chair), a member of the Code of Conduct Committee, or the Executive Director immediately.

### **Resolving the Matter:**

#### **Immediate resolution:**

The situation may be diffused and resolved during the event or meeting due to

- an acknowledged misunderstanding of this situation,
- an immediate rectification of the comments, presentation, or actions,
- an authentic intent to not repeat the matter, and
- a sense of safety and inclusion being restored for the participants.

#### **Process:**

Should the situation not be immediately diffused and resolved, the process as described in the procedures section will apply.

#### **Confidentiality:**

If the person raising the concern, any identified individual target, or the respondent or a witness asks an event contact for the confidentiality of their identity while the concern is

being addressed, reasonable steps will be taken to maintain it. OLA will not maintain confidentiality if – in its judgment and discretion – safety, law, an investigation, determination of a violation, or disconnecting/removing a participant from the event requires otherwise. Anyone who receives information during an investigation, however, must maintain its confidentiality; failure to do so is a serious violation of this policy, as is retaliation against any identified individual target, witness, or anyone who raises or helps resolve a conduct concern.

Note: if the activity is violent and/or of a criminal nature, OLA will contact law enforcement immediately.

## **A) RELATED POLICIES**

- Super Conference Event Policy and Procedure
- OLA Media Communications Policy
- OLA Social Media Policy

## **B) ACKNOWLEDGEMENTS**

The OLA Code of Conduct Policy and Procedures were revised May of 2023 in consultation with Evelyn Amponsah, Principal Consultant at Amponsah-Yeboah Consulting, S. S. Ahmad, Founder and CEO, Green Beacon, and representatives from the OLA Board, Indigenous Advisory Council and Cultural Diversity and Inclusion Committee.

### **Code of Conduct Adapted from:**

- *Code4Lib Creative Commons Conference Code,*
- *The Toronto City Housing Code of Conduct,*
- *Alberta Anti-Racism Council Code of Conduct, and*
- *ALA's virtual meeting code of conduct.*
- *Confidentiality section attributed to: <https://www.nasw.org/conference-and-meeting-code-conduct>*

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## **APPENDIX B: GLOSSARY OF TERMS AND ILLUSTRATIVE EXAMPLES**

This glossary is not exhaustive. Further terms and examples will be added or amended.

Harassment and Discrimination can take many forms, including but not limited to:

- **Ableism:** A belief system, analogous to racism, sexism or ageism, that sees persons with disabilities as being less worthy of respect and consideration, less able to contribute and participate, or of less inherent value than others. Ableism may be conscious or unconscious, and may be embedded in institutions, systems or the broader culture of a society. It can limit the opportunities of persons with disabilities and reduce their inclusion in the life of their communities. (OHRC, 2016)
- **Antisemitism:** Antisemitism is latent or overt hostility, or hatred directed towards, or discrimination against, individual Jewish people or the Jewish people for reasons connected to their religion, ethnicity, and their cultural, historical, intellectual, and religious heritage. (Government of Ontario, 2021).
- **Biphobia:** Negative attitudes, feelings, or irrational aversion to, fear or hatred of bisexual people and their communities, or of behaviours stereotyped as bisexual, leading to discrimination, harassment or violence against bisexual people (519, 2020).
- **Cisnormativity:** The commonplace assumption that all people are cisgender and that everyone accepts this as “the norm.” The term cisnormativity is used to describe systemic prejudice against trans people. This form of systemic prejudice may go unrecognized by the people or organizations responsible (519, 2020).
- **Homophobia:** Negative attitudes, feelings, or irrational aversion to, fear or hatred of gay, lesbian, or bisexual people and communities, or of behaviours stereotyped as “homosexual.” It is used to signify a hostile psychological state leading to discrimination, harassment or violence against gay, lesbian, or people (519, 2020).
- **Islamophobia** can be described as stereotypes, bias or acts of hostility towards individual Muslims or followers of Islam in general. In addition to individual acts of intolerance and racial profiling, Islamophobia leads to viewing Muslims as a greater security threat on an institutional, systemic and societal level (OHRC, 2005).
- **Micro-aggressions** are everyday verbal or behavioral expressions that communicate a negative slight or insult in relation to someone’s gender identity, race, sex, disability, etc. (AccessLiving.org, 2019)
- **Misogyny:** The hatred and denigration of women and characteristics deemed feminine (519, 2020).
- **Patriarchy.** A system of society or government where men predominate in roles of political leadership, moral authority, social privilege, and control of property.
- **Racism:** A belief or behaviour based on the notion that ‘race’ is the basis of human characteristics and practices, and that racial differences produce inherent superiorities or inferiorities in particular races (National Collaborating Centre for Indigenous Health, 2020). Racism exists in many forms and the following are two examples:

- **Anti-Black racism:** Prejudice, attitudes, beliefs, stereotyping and/or discrimination that is directed at people of African descent and grounded in white supremacy. Anti-Black racism dehumanizes Black people because it is rooted in their unique history and experience of enslavement and colonization (City of Toronto Confronting Anti-Black Racism Unit via City of Toronto Community Housing, 2021).
- **Anti-Indigenous racism:** Ongoing race-based discrimination, negative stereotyping, and injustice experienced by Indigenous Peoples within Canada. It includes ideas and practices that establish, maintain and perpetuate power imbalances, systemic barriers, and inequitable outcomes that stem from the legacy of colonial policies and practices in Canada (Government of Ontario, 2021).
- **Transphobia:** Negative attitudes and feelings and the aversion to, fear or hatred or intolerance of trans people and communities. Like other prejudices, it is based on stereotypes and misconceptions that are used to justify discrimination, harassment and violence toward trans people, or those perceived to be trans (519, 2020).
- **White Supremacy:** the belief, conscious or unconscious, that white people are superior and should therefore dominate all other racialized groups. It is an ideology that assumes the inherent importance of white people, realities and knowledge (Evelyn Amponsah, 2021). White supremacy pervades structural and organizational entities. The term also refers to "a political and socio-economic system where white people enjoy structural advantages and rights that other racial and ethnic groups do not. Many white people are unaware that this system exists, which is one of its successes." (Racial Equity Tools, 2021)
- **White Privilege:** The unearned entitlements and advantages enjoyed by white people in their everyday lives. "White privilege includes powerful incentives for maintaining this privilege and its consequences, and powerful negative consequences for trying to interrupt or reduce its consequences." (Racial Equity Tools, 2021)

#### Examples of anti-Black racism include:

- **Saying things like:** "All lives matter.", "We all experience racism. Why are Black people special?", "Black people don't need sunscreen.", "Black people are so good at basketball.", "There's a lot of Black people in this neighbourhood so I don't want to work there.", "Black people are always so loud", "Black people are aggressive and rude." (Evelyn Amponsah, 2021).
- **Doing things like:** Touching Black peoples' hair, mocking accents or behaviours, avoiding Black staff, creating hostile or poisoned work environments, over-scrutinizing Black staff behaviours, having different expectations for Black staff. (Evelyn Amponsah, 2021).

Learn more about Anti-Indigenous racism, Ableism, Transphobia and through the sources below:

Definitions and illustrative examples from:

- *The 519*, (2020). Glossary of Terms
- *Access Living.org*, (2019). Ableism 101
- *City of Toronto Community Housing*, (2021) Confronting Anti-Black Racism Strategy.
- *Ontario Human Rights Commission*, (2016). Policy on ableism and discrimination.
- *Ontario Human Rights Commission*, (2005). Policy and guidelines on racism and racial discrimination.
- *Government of Ontario*, (2021), Data Standards for the Identification and Monitoring of Systemic Racism Glossary.
- *National Collaborating Centre for Aboriginal Health*, (2014). Indigenous experiences with racism and its impact.
- *GLAAD* (2015) Trans microaggressions photo project #transwk
- *Resources provided by Evelyn Amponsah, Principal Consultant at Amponsah-Yeboah Consulting* (2021).

## **APPENDIX C: OLA CODE OF CONDUCT PROCEDURES**

The OLA Code of Conduct Policy and Procedures can be found at:

<https://accessola.com/policies-and-procedures/>

The OLA Code of Conduct is made available to all delegates, participants and presenters in advance of OLA events and compliance is expected.

The following procedures apply.

### **A) CODE OF CONDUCT COMMITTEE**

Each OLA event requires a Code of Conduct Committee consisting of no less than two OLA member volunteers involved in the event and an OLA staff person. The members of this Committee will be noted in the communications for each event. The Committee must be established at the commencement of the event planning process, and holds the following responsibilities:

- to review and understand the OLA Code of Conduct and procedures in advance of the event;
- to ensure that convenors and speakers at OLA events understand the code of conduct and these procedures;
- to act as designated points of contact for Code of Conduct complaints at the event;
- to act with discretion, tact, and fairness when recording and discussing reported violations, and when applying corrective actions;
- to complete the process including decisions about communications and ensuring the report is filed.

### **B) CONCERNS DURING A SESSION OR EVENT**

Presentations or similar events should not be stopped for one-time gaffes or minor problems, although staff, conference organizers or the session convenor may choose to speak to the presenter afterward or seek advice from the Code of Conduct Committee. In the event of repeated or serious violations during a session, staff, organizers or the convenor should take immediate action to politely and calmly stop the presentation or event.

#### **Immediate Resolution**

When a conduct concern under this policy is raised to the Code of Conduct Committee representatives, they will determine whether the situation can (and



should) be defused by communicating privately and separately with the individuals most directly involved and, possibly, particular witness(es) (“simple resolution”).

### **Simple Resolution**

A simple resolution is appropriate when an OLA Code of Conduct Committee representative provides a warning and clear conduct instructions to a person accused of a violation of this policy, the accused participant complies, and it is apparent that: misunderstandings occurred and are corrected or lessons have been learned by those in need of learning; there is an authentic commitment to avoid a repetition of the cause of the conduct concern (and no reason to think a repetition is likely); and (considering all of this and the nature of the conduct concern and harm) a sense of safety and inclusion has been restored without the need for further action, and any identified individual target and accused participant agree to the simple resolution without coercion.

## **C) CONCERNS RAISED AFTER AN EVENT**

If an attendee has a concern after the event that has not been resolved on site, they should report it as soon as possible and within a week of the incident. The following process applies:

## **D) PROCESS**

### **1. Reporting the Incident**

- Any attendee (*hereafter referred to as the complainant*) may report the incident by contacting a member of the Code of Conduct Committee, by emailing the Executive Director or by contacting any event representative (event committee member, event convenor, or onsite OLA staff person etc.). If they are not the designated Code of Conduct representative for the event, the event representative will locate the Code of Conduct Committee representative to take an account of the incident.
- The Code of Conduct representative will record the complainant's account of the incident using a code of conduct report template as a guideline.
- OLA will make every effort to address complaints promptly and to reduce the burden on the complainant as much as possible in finding a resolution. The complainant will not be asked to resolve the incident with the person who was alleged to have violated the code of conduct (*hereafter referred to as the respondent*) or to communicate with them in any way.
- The Code of Conduct Committee will take into consideration any guidance the complainant may choose to offer on how they prefer the situation be resolved.

## **2. Contacting the Respondent**

- Up to two Code of Conduct Committee members will contact the respondent as soon as possible.
- Once the respondent has been contacted, the Code of Conduct Committee member(s) will:
  - i) Relay the details of the complaint and the behaviour that prompted the complaint, without identifying the complainant.
  - ii) Provide or link to a copy of the Code of Conduct and Procedure and indicate that the process may result in corrective actions by the respondent.
  - iii) Record the respondent's response to the complaint. Note any acknowledgement of the violation and record their recommendation on how the situation may be resolved.
  - iv) A report will then be prepared for the Code of Conduct Committee and should include a summary of the incident, any further documentation (for example a recording of the session if available), a summary of the response from the respondent, and their relationship and history with OLA. This may include any previous complaints and/or involvement with OLA.

## **3. Meeting of the Code of Conduct Committee**

The Code of Conduct Committee will review the report as soon as possible (ideally within 24 hours of correspondence to the respondent). The Committee will refer to the 'Checklist for Confirmation of Breach of Code of Conduct' as a guide. If the Committee agrees that the behaviour constituted a violation of the Code of Conduct, they will also decide upon the corrective action to apply, based on the severity of the incident.

## **4. Determining Corrective Actions**

The following are considerations for the Code of Conduct Committee in determining corrective action. Do the corrective actions being considered:

- Provide time to rebuild trust?
- Prevent the respondent from breaching the Code of Conduct again?
- Ensure that the respondent does not have a platform to cause further harm?
- Take into account any preferred resolution of the complainant?
- Take into account any remorse, commitment, understanding, or acknowledgement from the respondent?

Corrective Actions may include:

- Warning with notice of further corrective actions if the behaviour continues.
- Requirement that the respondent engage in training or further education as a condition of future involvement with OLA.
- Advice to respondent for no further contact with the person who has lodged the complaint.
- If the person is a volunteer or speaker, a reduction of their role in the event to an attendee.
- Removal from the event.
- In the case of recorded presentations and/or written communications that have caused the Code of Conduct incident, removal of the content during the review process and, pending the decision of the Code of Conduct Committee, revisions or permanent removal of the content.
- Banning from future OLA events/involvement for a prescribed period of time.
- Recommendation to the OLA Board of Directors of removal as an OLA member.

### **5. Communicating with the Respondent**

After the Committee has come to an agreement, up to two representatives will be tasked with communicating directly with the respondent to inform them of the Committee's decision and any associated corrective actions. This will include a written report including a summary of the incident, their response, the description of the decision and corrective actions, and a process checklist confirming that the process, as described in policy, has been followed.

The respondent will have an opportunity to respond in writing or in a meeting with no less than 2 representatives from the Code of Conduct Committee to discuss the corrective actions and to relay any further mitigating information.

Based on this further correspondence, the report may be updated with any further information or modification to the corrective action.

### **6. Communicating with the Complainant**

After the corrective action has been relayed to the respondent, two members of the Code of Conduct Committee will contact the complainant to relay the corrective action. The complainant may have the opportunity to meet with these representatives if desired. As a final step, they will be provided with a concluding and confidential report

that includes a summary of the incident, the applied corrective action, and a process checklist confirming that the process, as described in policy, has been followed.

The Code of Conduct representatives will not facilitate or relay any apologies or messages from the respondent or attempt to mediate a difference of opinion.

## **7. Appeals**

### **Process for Appealing:**

The OLA Code of Conduct Committee will make every reasonable effort to execute the OLA Code of Conduct process fairly and with consideration to all parties. The appeal process is not intended to be used for a disagreement with the consequences imposed.

An appeal is available only due to newly surfaced, consequential facts that were not previously available when the decision was made; consequences grossly disproportionate (in leniency or stringency) to the violation found, considering how similar situations were handled, if any, under current OLA policies (i.e., not under prior policies); lack of facts to support the decision; a conflict of interest by a decision-maker; or a failure to fulfill process requirements with consequential effects on the appealing person's ability to address important considerations.

Should either or both of the persons who has violated the OLA Code of Conduct, or the complainant object to the process, the appeal may be referred to a Code of Conduct Appeals Committee which is a separate sub-committee appointed by the OLA Board. This sub-committee will be struck in the instance of an appeal and will not include members of the Code of Conduct Committee but may request up to two members of the original Code of Conduct Committee to respond to any questions about the process.

The Code of Conduct Appeals Committee will determine if the corrective actions are to be upheld, or if the process was flawed, and corrective actions have to be reviewed. Should the process followed be flawed to the point of undue unfairness, a new Code of Conduct Committee will be struck to follow the process. Should the process have been materially followed, the Appeals Committee will render their decision to the appellant and the matter will be considered closed.

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## **SCHEDULE 1: TEMPLATE AND CHECKLIST FOR CONFIRMATION OF BREACH OF OLA CODE OF CONDUCT**

Template:

- Name, date and time of event/incident
- Code of Conduct Committee Members
- Name(s) and contact details of Complainant
- Name and contact details of Respondent
- Name and contact details of witnesses (if applicable and available)
- Description of incident (ensure this is specific, i.e., this person stated...., the slide deck contained this phrase...., etc.)

Checklist:

- Confirm that the incident as reported, has occurred.
- Confirm that the incident is a breach of the Code of Conduct Policy:
  - Was the comment discriminatory, offensive, hurtful, etc. as described in the policy?
  - Was it made in reference to a member/group who belongs to one of the communities identified in the policy?
  - Did it cause harm?

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## **SCHEDULE 2: OLA CODE OF CONDUCT PROCESS SUMMARY**

1. Complaint has been made and recorded.
2. Determine if the situation can be immediately resolved, or if an investigation is warranted. If warranted:
3. Identify if any parties have a conflict of interest, and if so, replace the member (including the E.D.).
4. Code of Conduct representatives meet with the complainant and record the complaint.
5. Code of Conduct Committee representatives meet with respondent, review process and record the respondent's response.
6. Code of Conduct Committee meet to review the matter, determine if a violation has occurred, and prepares a report with corrective actions if applicable.
7. Code of Conduct Committee representatives meet with respondent to convey corrective actions (if any).
8. Code of Conduct Committee representatives meet with the complainant(s) to relay the corrective action (if any).

9. The matter is concluded and the report and documentation are filed confidentially with the Executive Director.

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## **SCHEDULE 3: OLA CODE OF CONDUCT APPEAL PROCESS CHECKLIST**

1. Complainant or respondent disagrees with the decision of violation and corrective action.
2. An Appeals Committee is struck.
3. The complaint about the process is recorded.
4. Process checklist is reviewed.
5. Determination is made regarding the validity of the process.
6. If process has been followed, the matter will be considered closed and the parties are informed.
7. If the process has not been materially followed, a new Code of Conduct Committee is struck and the process is applied.