

The Charlatan

February 17 2021

Code of Conduct Introduction:

This Code of Conduct outlines the Values, Ethical Principles and Expected Behaviours for all *Charlatan* employees and board members, irrespective of our employee status, level of authority or duties. Each of us is expected to apply the Code, to help others do the same, and to remember that our daily decisions and actions affect our organization and our colleagues, and can have an impact on the confidence placed in us.

Adherence to this Code is a condition of employment. Failure to comply with it, or other *Charlatan* policies, may result in disciplinary action, up to and including immediate dismissal.

This Code sets out the *Charlatan's* Values and Ethical Principles, and certain Expected Behaviours. You'll also find information on how to report a concern or a breach of the Code, as well as who to contact for assistance or information. It also provides tools to help us navigate certain ethical situations.

Core Values and Ethical Principles

Our Values are at the core of how we work. They serve as the cornerstone for organizational policies and programs, they underpin the behaviours and culture needed to achieve our mission, and they provide the overall context and direction to behavioural standards as outlined in this Code. As a pillar of our Carleton community, we are guided and inspired by our corporate Values and the following Ethical Principles that govern our everyday activities.

Integrity. Inclusivity. Accountability. Creativity.

These four Core Values and Ethical Principles encourage all of us to stand up for what's right, remind us that we are stronger together, guide us in corrections when we have wronged, and inspire us to lift each other up.

We have crafted, upon these Core Values, an in-depth anti-discrimination and anti-harrassment policy that binds all *Charlatan* in house volunteers such as assistants and volunteer copy editors (not applicable to volunteer writers), editors, staff, managers, and board members.

Expected Behaviors

While we trust each other to do what's right, it is nonetheless important to establish a common understanding of certain fundamental Expected Behaviours. This section of the Code of Conduct sets out the *Charlatan's* standards for certain types of situations, with which we must all comply.

We respect human dignity and recognize the intrinsic worth of every person. Respect in the workplace allows us to establish and maintain an environment where we can thrive. It is not solely built on policy; it needs to be considered and nurtured every day. We are all responsible for contributing to a workplace and relationships where mutual respect, civility and cooperation are the norm. The *Charlatan* recognizes that discrimination and harassment takes many forms. Those subject to the code must acknowledge that these Expected Behaviors apply to both in-person and online communications. Equally, the *Charlatan* acknowledges that all code violations that occur either over a Zoom meeting, email or direct social media message, will be dealt with the same severity and concern as an in-person violation.

When interpersonal conflicts and disagreements occur, we seek to resolve them in a productive and collaborative manner. Moreover, we do not tolerate, ignore or condone comments, conduct, actions, gestures or microaggressions that would be reasonably considered to create an intimidating, humiliating, hostile or offensive work environment.

Discrimination, harassment (including sexual harassment), bullying and violence in the workplace are not tolerated at the *Charlatan*. Workplace violence refers to any action, conduct, threat or gesture of a person towards an employee that can reasonably be expected to cause harm, injury or illness to that employee. Examples of prohibited conduct include, physical intimidation, physical attacks or assault, bullying, harmful teasing, or aggressive behavior contributing to workplace violence or discriminatory culture.

Prior to taking formal steps to report a breach of the code as detailed later in this policy, all staff are encouraged to resolve conflicts internally, where possible and appropriate. Some strategies for resolving conflict without the interference of management include:

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Separate the person from the problem: Remain focused on the issue at hand, avoiding personal emotions during this discussion. Talk through the problem professionally without diminishing the other person's self-worth.

Meet on neutral grounds: Clarifying a problem or discussing a resolution should be carried out in a safe, neutral environment to facilitate a positive outcome. If possible, have an objective party act as a mediator to maintain professionalism.

Brainstorm to create a list of possible solutions: Collectively explore all possible ideas for a mutually favorable outcome. All parties should be given ample opportunity to share their thoughts.

Agree on a solution: After visiting each possible option, determine which one will be the most favorable to everyone involved. Each party should provide an acknowledgment that the proposed solution is the best one possible.

gestures matter, all those subjected to the code are encouraged to:
listen to and respect each other's points of view,
recognize and value everyone's contributions and backgrounds,
understand how tone and non-verbal communication have a negative impact on others, be respectful of shared spaces.

Ethics Quick Test

When faced with a situation that is not covered by the Expected Behaviors section, or is not detailed in the Anti-Discrimination and Anti-Harrassment Policy below, ask yourself these questions before acting:

- Is it legal?
- Is it in line with our Values and Ethical Principles?
- Does it avoid causing harm to others?
- Would it be acceptable for everyone to act that way?
- Does the action or situation fall in-line with our principles of transparency?

If your answer is no to any of these questions, take time to consider other possible options, take these questions into account, and contact the Staff Representative or Editor-in-Chief for advice.

Anti-Discrimination and Anti-Harrassment Policy

The *Charlatan* is committed to protecting its healthy workplace by:

- providing an inclusive environment free of discrimination and harassment, including sexual harassment,
- ensuring shared work spaces are inclusive, safe and welcoming to all,
- supporting the productivity, personal goals, dignity and self respect of all its employees and potential employees, and
- promoting sensitivity to individual differences.

The *Charlatan* will make every reasonable effort to ensure that no employee is subjected to discrimination and harassment in the workplace. In particular, the *Charlatan* accepts responsibility to ensure that its policies, practices, work arrangements and facilities do not have unlawful discriminatory effects on those protected under the Canadian Human Rights Act.

Further, the *Charlatan* will not tolerate any behaviour, including from independent contractors (such as advertisers, business advisers, accountants, sources) and other

external stakeholders with whom the *Charlatan* does business, that conflicts with the spirit or intent of the Canadian Human Rights Act, or any other human rights laws that are applicable to the *Charlatan's* operations within or outside Canada. All staff are encouraged to reach out to the editor-in-chief for advice and guidance in the event of a potential code breach with an external charlatan affiliate. Under our no-tolerance policy, any violation of the code by an independent contractor will be subject to immediate contract termination. Upon termination, any remaining balances for services will be frozen, and no additional expenses shall be incurred upon the *Charlatan* for undone work due to a violation.

Staff should immediately notify the editor-in-chief if an independent contractor is suspected of violating the code, and seek guidance in remediation. The editor-in-chief is solely responsible for terminating contracts with external stakeholders, including volunteers, advertisers, and

sources. All staff should advise the editor-in-chief prior to communicating disciplinary measures with a code violator.

This policy applies to all Charlatan affiliates outlined in the Core Values and Ethical Principles.

The *Charlatan* considers all forms of discrimination and sexual harassment to be unacceptable, and will not tolerate its occurrence. Staff, Managers and Board Members are responsible for maintaining adherence to the code and policies prescribed.

As per the definitions below, discriminatory and sexual harassment are specific forms of discrimination based on ability, age, race, colour, religion, nationality or ethnicity, sex (including pregnancy and childbirth), gender, gender expression and sexual orientation that may include:

- denying an individual employment, or goods and services, based on a prohibited ground as described below; or
- differentiating adversely between individuals in the course of employment, or in the provision of goods and services, based on a prohibited ground as described below.

Discriminatory Harassment includes:

Any conduct, comment, gesture or contact based on any of the prohibited grounds, listed above:

- that is likely to cause offence or humiliation to any employee or customer, or might reasonably be perceived as placing a condition on employment, employment opportunities (e.g. training, promotion) or the provision of goods and services.
- Discriminatory harassment will have taken place if it is known or ought to have reasonably been known that the behaviour in question was unwelcome or inappropriate in the workplace.

Examples include:

- unwelcome remarks, jokes, microaggressions or taunts about an individual's racial background, colour, place of birth, citizenship or ancestry (or other prohibited ground);

- display of derogatory, racist or offensive pictures or material
- the refusal to work with an individual on the basis of his or her racial background (or other prohibited grounds).

Sexual Harassment includes:

As defined in the Canada Labour Code:

“Any conduct, comment, gesture or contact of a sexual nature that is likely to cause offence or humiliation to any employee; or that might, on reasonable grounds, be perceived by that employee as placing a condition of a sexual nature on employment or on any opportunity for training or promotion.”

Sexual harassment, which is a specific form of discriminatory harassment, is generally comprised of objectionable and offensive behaviour that may occur once or repeatedly. Sexual harassment can take many forms. The *Charlatan* recognizes that sexual harassment, both in-person and online may qualify as code breaches. In other words, if sexual harassment occurs over a Zoom meeting, email or direct social media message, the situation will be dealt with the same severity and concern as an in-person violation.

Examples include:

- unwelcome advances, flirtations, jokes or propositions of a sexual nature;
- unwanted requests for sexual favours by a person in a position to confer, grant or deny a benefit or advancement;
- sexually degrading words, images or other material;
- unprofessional or explicit communication that is sexual in nature;
- conduct of a sexual nature, including leering, pinching, touching and patting.

Mechanisms for Redress

Where remedial action is recommended, it will be implemented as soon as reasonably possible after the conclusion of a thorough internal investigation, highlighted further below. Depending on the circumstances, there may also be longer-term initiatives, such as the development and implementation of organization-wide education and training activities.

The Canadian Human Rights Act also gives an employee the right to legal redress. A complaint for any form of discriminatory practice, including harassment, may be made before the Canadian Human Rights Commission.

Disciplinary Action

Any employee whose actions are found to be in breach of this policy will be subject to a full range of disciplinary action, which may include:

- education and training for the various parties involved, adjustments to the work environment, various forms of apology, undertakings, warnings, suspensions, permanent job transfers (not applicable to editorial staff) of either party or, when the circumstances warrant it, immediate termination.

If an employee raises a concern relating to discrimination, including harassment, in good faith, they will not be subject to retaliation nor reprisals for bringing forward his or her concern. Therefore, any person who threatens or takes actions against an employee for invoking this policy and/or for participating in the related investigation process is strictly prohibited and will be disciplined up to and including termination.

Confidentiality

All concerns relating to discrimination, including discriminatory and sexual harassment, will be dealt with confidentially as reasonably possible.

An employee's identity, or the circumstances regarding any concern or complaint, will not be disclosed unless disclosure is necessary for the purposes of conducting an investigation or for taking disciplinary action.

Reporting inappropriate behavior or breach of the code

It is important to speak up if you observe or experience inappropriate behaviour. You are strongly encouraged to immediately notify the Editor-in-Chief of any possible breach of this Code. The Editor-in-Chief is responsible for then immediately notifying the Staff Representative to determine a solution. Respecting the underlined code of confidentiality, all formal complaints will be reported to the Board of Directors.

If the breach involves the Editor-in-Chief, or if you are uncomfortable raising the issues with them, you can instead notify the Staff Representative or the Chair of the Board directly. If you are in a position of influence or authority, you must take action when you suspect or are informed of a potential breach of the Code. You must also take the necessary measures to ensure there are no negative consequences against employees who have raised such concerns in good faith. Members of the public who have reason to believe that a *Charlatan* employee has not acted in accordance with this Code can bring the matter to the Chair of the Board of Directors.

All contact information for each of those roles responsible for disciplinary action and maintaining the code shall be updated each academic year, so that all those subject to the code are able to report wrongdoing promptly and appropriately. This information shall be presented to all staff before their employment start-date, and all staff should be immediately notified if and when any changes are made to these roles. The contact information for these individuals should also be posted in a public, private area where all staff and board members are able to access them.

Chain of Communication for Addressing Concerns or Complaints

Employees can address concerns or complaints relating to discrimination based on a prohibited ground, including harassment, by using the following chain of communication:

1. If it is appropriate, the employee should tell the person who is acting in a discriminatory/harassing manner that it is offensive and request that they immediately stop. In some cases, this informal discussion may resolve the problem.
2. If this is inappropriate or if the informal discussion is not resolved, then the employee should advise their immediate supervisor, the Editor-in-Chief.
3. If advising the immediate supervisor is difficult, inappropriate or otherwise unsuccessful, then the employee should contact his or her Staff Representative directly.
4. The employee will then be asked to prepare a written complaint, outlining the nature of the allegations and any important details or facts (including the name(s) of the alleged harasser(s), witnesses, dates and location of the incidents) that may assist the subsequent investigation.
5. Upon receipt of this written complaint, the Staff Representative will immediately acknowledge its receipt to the employee and will meet with the employee as soon as reasonably possible to discuss the mechanisms for redress.
6. The Staff Representative will exercise its discretion as to whether an internal investigation is warranted and to determine its scope. Where appropriate, the Staff Representative may conduct an investigation into workplace safety even if the employee refuses to submit a written complaint.
7. If the Staff Representative decides disciplinary action is warranted, and thereby an internal investigation is required, they must immediately notify the Chair of the Board of Directors, and the Editor-in-Chief.
8. In the case of an internal investigation, an emergency Board of Directors committee should be assembled, including the Staff Representative, the Chair of the Board, and the Editor-in-Chief, if appropriate, to determine a resolution plan and disciplinary action. The resulting disciplinary action and resolution plan should be communicated to the Board of Directors at the soonest Board Meeting, albeit, without compromising the code of confidentiality. All details of the investigation should remain private between the members of the internal investigation committee.
9. In the situation where a conflict prevents the applicant from appropriately addressing their issue with the Editor-in-Chief or Staff Representative, an employee may address the Chair of the Board of the directors, or another member of the board for advice and confidence.

Preliminary procedure for addressing code violations

Informal Stage

1. If the employee's conduct does not meet the requirements of the job, an informal discussion should be held between that individual and their direct supervisor (either the Editor-in-Chief for editorial staff, or the Chair for the Advertising Manager, and members of the board). At the employee's request and/or where applicable, the Staff Representative may be invited to attend.
2. The discussion should ensure that the employee is fully aware of the level of conduct that is expected, that the current level of conduct is unacceptable and that there are no impediments to achieving the expected level of conduct.

3. The supervisor defines the period of time within which the conduct is expected to improve. Supervisors must ensure that expectations are clearly communicated to the employee and regular follow-up occurs.

Formal Stage

If no improvement is shown during a specified period, formal processes are undertaken.

The investigation

An investigation should occur before proceeding with formal disciplinary action. An employee may wish to be accompanied by the Staff Representative when speaking to any member of the internal investigation committee about matters pertaining to the investigation.

Documentation

The Staff Representative must document all relevant facts in a clearly outlined Harrassment or Discrimination report.

Implementation of Discipline

The Editor-in-Chief, in consultation with the Chair of the Board and Staff Representative, will determine whether or not immediate action must be taken, i.e. supervision or removal from assignment. All disciplinary decision-making should be agreed upon unanimously by the internal investigation committee.

Formal Discussion

1. The Editor-in-Chief must hold a formal discussion with the employee and, if required the Staff Representative. The Chair of the Board is encouraged to attend.
2. The Editor-in-Chief should discuss with the employee: the unsatisfactory work record, expectations, and the schedule for improvement. A detailed letter should be sent to the employee confirming the discussion. Regular feedback should be given to the employee and if the schedule for improvement is met, an acknowledging letter should be issued.

After Formal Discussion

If the schedule for improvement has not been met, the Editor-in-Chief will consult with the Chair of the Board and the Staff Representative within the internal investigation committee. Together they will determine if a second formal meeting will occur, or if the employee will be disciplined.

Disciplinary Report

The Editor-in-Chief and Staff Representative must complete a disciplinary report for disciplinary action in excess of a verbal reprimand.

Communicating the Disciplinary Decision

The Editor-in-Chief should deliver the written decision to the employee and, where possible, speak to them privately, allowing for the Staff Representative to accompany the employee, if required. Otherwise, the written decision should be delivered to the employee's home, ensuring that a delivery receipt is obtained.

Dismissal and return of Charlatan property

1. The employee should be asked to immediately return all *Charlatan* property at hand, then the Editor-in-Chief and the Staff Representative should escort the employee from the premises. It is also the responsibility of the supervisor to ensure that access to the *Charlatan* electronic mail, or any other communication or information systems is immediately discontinued and that the appropriate departments are notified.
2. Only the internal investigation committee has the power to dismiss an employee, and the requisite line of authority must review each recommendation.
3. Decisions of dismissal must be unanimously decided upon within the internal investigation committee.

Conclusion

We value the relationships we have with our colleagues, our work and our workplace. The purpose of this Code is to help each of us do our best, be proud of what we do and how we do it, and uphold the trust of the Carleton community. We are, each and every one of us, responsible for living up to this Code of Conduct, and ensuring that everyday we make this the very best place to work.

References

CBC/Radio Canada Code of Conduct Canadian Human Rights Act Canada Labour Code Guidelines to Investigation

Contact Information

Editor-in-Chief, Olivia Joerges

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Chair of the Board, Lauren Hicks

Staff Representative, Tim Austen

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APPENDIX

[The Charlatan's Ethics Guidelines](#)