

## 1 – CODE OF BEHAVIOUR

**Note: Practitioners are required to abide by the Code of Ethical Conduct (<https://physiotherapy.ca/sites/default/files/code-of-conduct-en.pdf>) which is enforced by provincial physiotherapy colleges (regulators). This Code of Behaviour applies to Stakeholders (as defined in this Code) which includes practitioners as well as Directors, staff and committee members of the CPA.**

### Definitions

1. Terms in this Code are defined as follows:

- a) **Discrimination** – Differential treatment of an individual based on one or more prohibited grounds which include race, citizenship, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, or disability
- b) **Harassment** – A course of vexatious comment or conduct against a Stakeholder or group, which is known or ought reasonably to be known to be unwelcome. Types of behaviour that constitute Harassment include, but are not limited to:
  - i. Written or verbal abuse, threats, or outbursts;
  - ii. Persistent unwelcome remarks, jokes, comments, innuendo, or taunts;
  - iii. Racial harassment, which is racial slurs, jokes, name calling, or insulting behaviour or terminology that reinforces stereotypes or discounts abilities because of racial or ethnic origin;
  - iv. Leering or other suggestive or obscene gestures;
  - v. Condescending or patronizing behaviour which is intended to undermine self-esteem, diminish performance or adversely affect working conditions;
  - vi. Practical jokes which endanger a person's safety;
  - vii. **Hazing** – which is any form of conduct which exhibits any potentially humiliating, degrading, abusive, or dangerous activity expected of a junior-ranking individual by a more senior individual, which does not contribute to either individual's positive development, but is required to be accepted as part of a group, regardless of the junior-ranking individual's willingness to participate. This includes, but is not limited to, any activity, no matter how traditional or seemingly benign, that sets apart or alienates any teammate or group member based on class, experience, or seniority;
  - viii. Unwanted physical contact including, but not limited to, touching, petting, pinching, or kissing;
  - ix. Deliberately excluding or socially isolating a person from a group;
  - x. Persistent sexual flirtations, advances, requests, or invitations;
  - xi. Physical or sexual assault;
  - xii. Contributing to a *poisoned environment*, which can include:
    - a. Locations where material that is discriminatory is displayed (e.g., sexually explicit posters and racial/racist cartoons)
    - b. Groups where harassing behaviour is part of the normal course of activities
    - c. Behaviour that causes embarrassment, awkwardness, or endangers a person's safety.
  - xiii. Behaviours such as those described above that are not directed towards a specific person or group but have the same effect of creating a negative or hostile environment; and
  - xiv. Retaliation or threats of retaliation against a person who reports harassment to the CPA
- c) **Sexual Maltreatment** - Any sexual act, whether physical or psychological in nature, that is committed, threatened, or attempted against a Stakeholder without the Stakeholder's consent. It includes any act targeting a Stakeholder's sexuality, gender identity or expression, that is committed, threatened or attempted against a Stakeholder without that Stakeholder's consent, and includes but is not limited to, the Criminal Code Offences of sexual assault, sexual exploitation, sexual interference, invitation to sexual touching, indecent exposure, voyeurism and non-consensual distribution of sexual/intimate images. Sexual Maltreatment also includes sexual harassment and stalking, cyber harassment, and cyber stalking of a sexual nature. Sexual

Maltreatment can take place through any form or means of communication (e.g., online, social media, verbal, written, visual, hazing, or through a third party.)

- d) **Stakeholders** – Refers to all categories of individual members defined in the By-laws of the CPA as well as individuals who are subject to the policies of the CPA including, but not limited to, employees, contractors, volunteers, managers, administrators, committee members, and Directors and Officers.
- e) **Workplace** – Any place where business or work-related activities are conducted. Workplaces include but are not limited to, the registered office(s), work-related social functions, work assignments outside the registered office(s), work-related travel, and work-related conferences sessions.
- f) **Workplace Harassment** – Vexatious comment or conduct against a worker in a Workplace that is known or ought reasonably to be known to be unwelcome. Workplace Harassment should not be confused with legitimate, reasonable management actions that are part of the normal work/training function, including measures to correct performance deficiencies, such as placing someone on a performance improvement plan, or imposing discipline for workplace infractions. Types of behaviour that constitute Workplace Harassment include, but are not limited to:
  - i. Bullying;
  - ii. Workplace pranks, vandalism, or hazing;
  - iii. Repeated offensive or intimidating phone calls or emails;
  - iv. Inappropriate sexual touching, advances, suggestions or requests;
  - v. Displaying or circulating offensive pictures, photographs or materials in printed or electronic form;
  - vi. Psychological abuse;
  - vii. Excluding or ignoring someone, including persistent exclusion of a person from work-related social gatherings;
  - viii. Deliberately withholding information that would enable a person to do their job, perform or train;
  - ix. Sabotaging someone else's work or performance;
  - x. Gossiping or spreading malicious rumours;
  - xi. Intimidating words or conduct (offensive jokes or innuendos); and
  - xii. Words or actions which are known, or ought reasonably to be known, as offensive, embarrassing, humiliating, or demeaning.
- g) **Workplace Violence** – The use of or threat 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 it 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. Types of behaviour that constitute Workplace Violence include, but are not limited to:
  - i. Verbal or written threats to attack;
  - ii. Sending to or leaving threatening notes or emails;
  - iii. Physically threatening behaviour such as shaking a fist at someone, finger pointing, destroying property, or throwing objects;
  - iv. Wielding a weapon in a Workplace;
  - v. Hitting, pinching or unwanted touching which is not accidental;
  - vi. Dangerous or threatening horseplay;
  - vii. Physical restraint or confinement;
  - viii. Blatant or intentional disregard for the safety or wellbeing of others;
  - ix. Blocking normal movement or physical interference, with or without the use of equipment;
  - x. Sexual assault; and
  - xi. Any attempt to engage in the type of conduct outlined above

## **Purpose**

- 2. The purpose of this Code is to ensure a safe and positive environment within the programs, activities, and events of the CPA by making Stakeholders aware that there is an expectation, at all times, of appropriate behaviour consistent with the applicable organization's core values and policies. The CPA supports equal

opportunity, prohibits discriminatory practices, and is committed to providing an environment in which all individuals are treated with respect and fairness.

### **Application of this Code**

3. This Code applies to any Stakeholder's conduct during the business, activities, and events of the CPA.
4. This Code also applies to Stakeholders' conduct outside of the business, activities, and events of the CPA when such conduct adversely affects the organization's relationships or is detrimental to the image and reputation of the CPA. Such applicability will be determined by the CPA, as applicable, at its sole discretion.
5. Any Stakeholder who violates this Code may be subject to sanctions pursuant to the *Discipline and Complaints Policy*.

### **Responsibilities**

6. Stakeholders have a responsibility to:
  - a) Refrain from any behaviour that constitutes Discrimination, Harassment, Sexual Maltreatment, Workplace Harassment, or Workplace Violence
  - b) Maintain and enhance the dignity and self-esteem of other Stakeholders by:
    - i. Treating each other with the highest standards of fairness, honesty, respect and integrity; and
    - ii. Acting, when appropriate, to correct or prevent practices that are unjustly discriminatory.
  - c) Refrain from the use of power or authority in an attempt to coerce another person to engage in inappropriate activities
  - d) Not consume cannabis in the Workplace or in any situation associated with the events of the CPA (subject to any requirements for accommodation) and take reasonable steps to manage the responsible consumption of alcohol in adult-oriented social situations
  - e) When driving a vehicle:
    - i. Have a valid driver's license;
    - ii. Not be under the influence of alcohol or illegal drugs or substances;
    - iii. Have valid car insurance; and
    - iv. Not hold a mobile device.
  - f) Respect the property of others and not wilfully cause damage
  - g) Comply, at all times, with the bylaws, policies, procedures, and rules and regulations of the CPA, as applicable and as adopted and amended from time to time
  - h) Report any ongoing criminal investigation, conviction, or existing bail conditions involving a Stakeholder to the CPA, including, but not limited to, those for violence, child pornography, or possession, use, or sale of any illegal or prohibited substance or method

### **Directors, Committee Members, and Staff**

7. In addition to section 6 (above), Directors, Committee Members, and staff of the CPA will have additional responsibilities to:
  - a) Function primarily as a Director or Committee Member or staff member of the CPA (as applicable) and not as a member of any other organization or constituency
  - b) Ensure their loyalty prioritizes the interests of the CPA
  - c) Ensure that financial affairs are conducted in a responsible and transparent manner with due regard for all fiduciary responsibilities
  - d) Conduct themselves openly, professionally, lawfully and in good faith
  - e) Be independent and impartial and not be influenced by self-interest, outside pressure, expectation of reward, or fear of criticism
  - f) Behave with decorum appropriate to both circumstance and position
  - g) Exercise the degree of care, diligence, and skill required in the performance of their duties pursuant to applicable laws
  - h) Maintain confidentiality of private organizational information
  - i) Respect the decisions of the majority and resign if unable to do so
  - j) Commit the time to attend meetings and be diligent in preparation for, and participation in, discussions at such meetings

k) Have a thorough knowledge and understanding of all governance documents

<b>Date Approved:</b> February 26, 2022	<b>Approved By:</b> Board of Directors
<b>Date(s) Revised:</b> N/A	<b>Dept. Responsible:</b> Governance