

# POLICIES & PROCEDURES MANUAL

2009

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*PASAN recognizes that our employees are the heart of our organization. We also recognize that explicit and fair human resources policies are the key to providing effective and efficient programs and services to our clients. Our aim is to provide a clear and consistent framework for the management of PASAN that honours the GIPA principles while complying with applicable employment legislation. The purpose of this Organizational Policies and Procedures Manual is to ensure that the respective rights and responsibilities of the Employer and Employees are clearly defined.*

# PASAN

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## **Introduction**

All employees of PASAN will be provided with the Organization's Policies and Procedures Manual upon commencement of employment. All employees will be provided with the opportunity to discuss this manual to obtain any necessary clarification.

Each employee of PASAN will be required to sign a statement indicating that he/she has received, read and understood the Policies and Procedures Manual of and agrees to abide by them during the term of their employment.

By accepting employment (or a volunteer/Board position) with PASAN it is understood that adherence to these policies and procedures is a condition of employment (and to participate in a voluntary role) and that failure to comply may result in disciplinary action up to and including termination or removal from duties.

Each person is expected to:

- a) Support the mission and philosophy of PASAN outlined in the Basis of Unity.
- b) Comply with applicable laws, regulations and organization policies and procedures.
- c) Provide high quality service in response to client needs.
- d) Carry out work duties and conduct work relationships with integrity, honesty and fairness.
- e) Foster a work environment based on trust and respect for all members of PASAN community.
- f) Foster a work environment which encourages open communication.
- g) Help to maintain a secure and safe workplace.
- h) Sustain a culture in which ethical conduct is recognized, valued and exemplified by all employees.

The views expressed herein are solely those of PASAN and do not necessarily represent the official policy of Health Canada, the AIDS Bureau or any of its funders, donors, clients, employees or volunteers.

## HUMAN RESOURCES

### HR – 1001 Recruitment & Selection

Last Amended: April 2009

**Policy:** PASAN is committed to providing recruitment, selection, and hiring processes that are fair and consistent. The process is designed to identify the requirements of each vacant position and to ensure that the selection process is valid, reliable and equitable. Some positions may be designated for people living with HIV/AIDS as decided on a case-by-case basis by the ED.

**RESPONSIBILITIES:** The Board of Directors is responsible for hiring the ED and for establishing a process to do so, that may include appropriate consultation with employees & volunteers, and shall be guided by the general principles of this policy/procedure.

The ED is responsible for hiring all other employees. It is the role of the ED to oversee the hiring process to ensure that PASAN's recruitment policy and procedures are followed and abide by the Ontario Human Rights Code.

**EMPLOYMENT ELIGIBILITY:** To be eligible for employment at PASAN applicants must:

- 1) Be able to demonstrate that they possess the requirements for the position being sought;
- 2) Be willing and able to work in accordance with the agency's mission, values, policies and procedures and the Basis of Unity.
- 3) Be legally entitled to work in Canada (i.e., Canadian citizen, landed immigrant, or hold a valid work permit).
- 4) Not be an active member of the Board. If a Board member wishes to apply for a position they will be required to resign from the Board prior to the application being submitted.

**RECRUITING:** Approval of the ED is required before recruiting for any position. Job postings/advertisements will include the following line: Youth, People of Colour, First Nations People, People living with HIV/HCV, ex-prisoners, and Lesbian, Gay, TS and TG People are strongly encouraged to apply

**SELECTING/HIRING:** The ED may choose to convene a hiring panel (if appropriate) for the position, to participate in the hiring process for permanent employees and make a recommendation. Only the ED is authorized to make a final selection decision and extend offers of employment.

The ED will determine the appropriate specific process to be followed in hiring contract/temporary employees. Temporary employees may be hired for vacancies which will not or are not expected to exceed twelve (12) months and vacancies caused by absence due to illness, accident or leaves of absence.

**CONFIDENTIALITY:** All information submitted by applicants regarding their application is confidential. Anyone with access to this information must respect this right.

**The procedure for hiring permanent employees is, as follows:**

1. Depending on the position, the ED may establish a hiring panel.
2. The job description is created or updated. From that, a job posting is developed outlining job responsibilities, qualifications, salary range (as appropriate), benefits and start date. When hiring externally, in addition to posting at PASAN offices, advertising may occur, in one or more community newspapers, faxed to AIDS Service Organizations, via the Internet (Charity Village web-site) and in other vehicles appropriate to the position.
3. Screening standards and interview procedures are established.
4. The qualifications of applications are reviewed against position criteria and those who successfully meet the requirements may be invited for an interview (phone or in person). Not all applicants will be granted interviews.
5. Prior to making an offer of employment to a candidate, references will be verified and must be acceptable to PASAN. References may include educational and other relevant background checks as required.
6. Once an offer of employment has been extended verbally, it will be confirmed in writing. The employment contract includes details about job objectives, compensation and benefits, conditions of probation and term of employment, where applicable.
7. The ED is responsible for the final hiring decision. Concerns, questions or complaints about the hiring process should be directed to the ED.

**HR – 1002 Workfare**

Last Amended: April 2008

**Policy:** PASAN does not accept direct Workfare placements from volunteers or clients.

**Procedures:**

- a) PASAN will not accept any request for placements from Workfare itself.
- b) PASAN will accept an individual who is on Workfare on the same terms and conditions as any other volunteer, but will make it clear that PASAN will not be reporting to Workfare.
- c) PASAN will not report any missed hours or duties to Workfare.

## **HR – 1003 Orientation**

Last Amended: April 2009

**Description:** This policy outlines how PASAN will introduce new employees to the organization.

**Policy:** All new permanent employees will receive a general orientation to PASAN's organizational structure, work environment, policies, procedures and benefits.

**Procedures:** The ED (or delegate) will ensure that the new employee receives the following:

- a) Copy of their job description
- b) PASAN's policy and procedure manual
- c) The collective agreement (where applicable)
- d) Organization chart and other relevant documents

The ED will also:

- a) Explain job content, duties, performance requirements and standards
- b) Provide an orientation to PASAN's policy and procedure manual
- c) Provide an orientation to PASAN's Collective Agreement if a member of the bargaining unit
- d) Ensure that the new employee signs a confidentiality agreement, a conflict of interest declaration form and the Basis of Unity.
- e) Tour the office with the new employee, reviewing all health & safety procedures
- f) Introduce the employee to co-workers and volunteers

## **HR – 1004 Supervision**

Last Amended: April 2008

**Description:** This policy outlines PASAN's commitment to supervisory support for its employees.

**Policy:** PASAN employees are to receive regular supervision. Frequency of supervision is to be no less than once per month but may be more frequent.

**Procedure:** The supervisor will schedule regular monthly supervision (frequency may vary) with each employee. Supervision includes:

- a) Review of work plan activities, objectives and current performance
- b) Review of strengths and ongoing professional needs
- c) Provision of education, training, support and constructive feedback on performance
- d) Review of accumulated overtime and vacation time
- e) Provision of direction related to job responsibilities as required
- f) A record of the supervision meeting with decisions and actions will be kept by the supervisor.

## **HR – 1005 Probation**

Last Amended: April 2008

**Description:** This policy list outlines sections of the Collective Agreement, either adopted or adapted, as policy for non-union employees.

### **Policy:**

1. All employees, with the exception of the ED, shall be on probation for a period of ninety (90) working days.
2. The ED shall be on probation for a period of one hundred and eighty (180) working days.
3. The ED may choose to extend the probationary period of any employee for up to three (3) continuous calendar months of active employment for reasons related to poor performance which may include poor attitude/behaviour or inability to perform the job duties.
4. Written notice shall be provided to the employee no later than two (2) weeks preceding the expiry of the first period of probation.

## **HR – 1006 Vacation & Sick Days (Non-Union)**

**Policy:** All non-union employees will accrue vacation and sick days at the same rate as unionized employees, pro-rated to amount of hours worked.

## **HR – 1007 Staff Meetings**

Last Amended: April 2008

**Policy:** Attendance at staff meetings is mandatory for all employees. Only paid employees of PASAN are permitted to attend at staff meetings; others can be invited for specific purposes with the prior approval of the ED.

Regular Staff meetings are held in order to:

1. Inform employees of important developments in Management/Board policy, or direction.
2. Facilitate awareness and sharing of communication amongst employees with respect to the developments in work areas and programs.
3. Participate in joint problem-solving of organizational work issues and/or agency tasks.

## **HR – 1008 Performance Evaluation**

Last Amended: April 2008

**Policy:** All employees of PASAN will receive performance evaluations. The performance evaluation process does not replace ongoing supervision, communication, or feedback on job performance. The purpose of the performance evaluation is:

1. To provide feedback to employees with respect to their performance and ability to meet specific goals and objectives.
2. To formally document the performance evaluation discussion.
3. To provide an opportunity for communication between the employee and the supervisor.
4. To provide a formal opportunity for the employee and the supervisor to assess whether the employee has satisfied the requirements of the position and any previously established goals/objectives.
5. To provide an opportunity for the employee and the supervisor to set new goals and performance standards for the coming year.
6. To provide an opportunity for the supervisor to present the agency's current objectives and priorities ensuring the employee is able to relate these expectations to the job.
7. To identify training and development needs and discuss how the employee will develop professionally.

Employees are to have a formal performance evaluation conducted by their supervisor prior to the three month point in the probationary period, annually, and whenever the ED determines one is necessary. All performance evaluations are to be in writing and signed by the ED, the supervisor (if different person) and the employee.

## **HR – 1009 Attendance**

Last Amended: April 2009

### **Description:**

This policy outlines that PASAN employees are expected to fulfill the conditions of their employment contract by working the agreed upon hours/days each week.

**Policy:** Regular and active attendance is an ongoing condition of employment. PASAN has specific policies and procedures for absences in situations such as overtime, bereavement, paid holidays, sick leave, and unpaid leaves of absence.

Unauthorized and unexplained absence from scheduled work may be considered job abandonment and could result in discipline up to and including termination.

## **HR – 1010 Personnel Files**

Last Amended: April 2008

**Policy:** PASAN will ensure personnel records are kept in order to meet legal requirements, maintain relevant information, and document hiring processes and employee performance and work history at PASAN.

1. Personnel files are to be kept in a secure location and held in strict confidence. Documents from personnel files may not be removed from the premises.
2. Employees may request access to their personnel file and the ED will schedule a time to review the file with the employee.
3. Personnel files are retained for ten years following an employee's termination of employment at PASAN.

**Procedures:** Contents of an active personnel file may include, but are not limited to:

- a) Job description
- b) Application and resume
- c) Letter of offer/acceptance including signed confidentiality statement
- d) Conflict of interest declaration form
- e) Emergency contacts
- f) Doctor's certificates where requested by PASAN
- g) Signed documents confirming; Basis of Unity, adherence to policies, etc.
- h) Performance evaluations
- i) Change of status/address/job transfers
- j) Letters of commendation/reprimand/complaint
- k) Records of disciplinary action

## **HR – 1011 Drugs & Alcohol Use in the Workplace**

Last Amended: April 2008

**Description:** This policy guides PASAN employees in behaviour related to drug and alcohol consumption in the course of employment.

**Policy:** The consumption of alcohol while on the job, whether on PASAN premises or in any situation where PASAN services are being conducted/provided or, in any situation where the employee is representing PASAN, is strictly prohibited.

No employee may show up for work while under the influence of alcohol, illegal drugs or other controlled substances. Non-adherence to this policy may result in discipline up to and including termination.

## **HR – 1012 Conflict of Interest**

Last Amended: April 2008

**Description:** This policy defines conflict of interest and guides PASAN employees, Board members and volunteers to avoid a conflict of interest.

**Policy:** It is considered a conflict of interest for employees, Board members and volunteers to engage in an activity that conflicts with the mission and values or goals of PASAN. All conflict of interest situations (or potential for conflict of interest) must be declared immediately.

**Procedures:** Employees/Board members/Volunteers are NOT to:

- a) Use their association with PASAN for personal or financial gain from other sources (excluding the use of professional references from PASAN);
- b) Involve PASAN in business with organizations in which the individual, or a relative of the individual has a substantial interest;
- c) Benefit personally from work with clients, caregivers, donors or funders;
- d) Act on behalf of their clients as an executor of a will, or as an attorney under a Continuing Power of Attorney for Property, or as a Power of Attorney for Personal Care;
- e) Receive any property under their client's will, or as the beneficiary of their client's non-probate assets (including insurance proceeds, death benefits, and pay-on-death or joint bank accounts) except where a previous relationship existed;
- f) Receive financial or material gain from or on behalf of a client;
- g) Accept substantial gifts or entertainment from clients, funders or any other person doing business with PASAN;
- h) Borrow money from employees, clients, volunteers, or any other persons doing business with PASAN.

### **PROFESSIONAL ACTIVITIES**

Employees/Board members/Volunteers who are involved in professional activities which are outside their responsibilities at PASAN:

- a) Are expected to notify their employer/supervisor of their other activities.
- b) must not use PASAN premises, equipment or materials;
- c) must not promote their own business interest to PASAN clients;
- d) must not solicit PASAN clients for their own business, private practice or personal benefit;
- e) must not put PASAN clients in a conflict of interest situation; or
- f) Must not allow their outside activities to detract from PASAN job responsibilities.

### **PUBLIC EXPRESSION OF VIEWS**

Individuals associated with PASAN who wish to express personal views or opinions shall make it clear that their views are personal and are not the views of PASAN. The onus to ensure this clarity is higher the more prominent the person is in PASAN and the more the topic at hand relates to PASAN's mission.

Before expressing their views publicly or to the media on behalf of PASAN or as a PASAN representative, employees will consult with the ED, or his or her designate or employee responsible for Communications.

## **HR – 1013 Professional Conduct/Relationship Boundaries**

Last Amended: April 2009

**Description:** This policy outlines important boundaries to observe in the relationships that may develop while working as an employee or volunteer/Board member with PASAN.

**Policy:** PASAN encourages friendly relations between employees/volunteers and with those they serve. However, it is important to remain aware of appropriate boundaries. PASAN prohibits romantic and/or sexual relationships between supervisors and those they supervise or employees/volunteers/Board members and those they serve. The following are expectations of professional conduct. Failure to adhere to these expectations may result in disciplinary action up to and including termination:

1. Employees/volunteers are not to take advantage of clients to perform personal services
2. Employees/volunteers are not to put clients in a conflict of interest situation
3. Employees/volunteers are not to provide clients with employee/volunteer phone numbers and home addresses; and
4. Employees/volunteers are not to be excessive in doing favours for their clients
5. Volunteers are not to provide overnight accommodation for clients.
6. If any relationship develops that makes it difficult for an employee/volunteer to remain objective and fulfill obligations as a service provider, they will discuss the matter with their supervisor. This may include a relationship of a romantic or sexual nature that develops between the employee/volunteer and someone they serve in their capacity as an employee/ volunteer.
7. If such a relationship develops between an employee and their supervisor, the ED will be notified; if between an employee and the ED, the Chair of the Board will be notified.
8. All facts regarding such circumstances will be kept confidential.

## **HR – 1014 Progressive Discipline**

Last Amended: April 2009

**Description:** This policy outlines how PASAN uses progressive discipline to correct unacceptable/poor performance (includes poor attitude, poor behaviour).

**Policy:** The aim of progressive discipline is to constructively bring about a favourable change in behaviour where such is necessary and possible. Disciplinary action is taken only after the incident has been investigated and the employee/volunteer concerned has been heard.

**DISMISSAL FOR CAUSE:** Serious incidents may result in a more severe disciplinary action for the initial occurrence up to and including termination. Misconduct that may lead to disciplinary action up to and including dismissal for cause includes among other things (not limited to the following):

1. Falsifying employment information
2. Unapproved or unexplained absences

3. Misuse of approved leaves of absence
4. Excessive, frequent or unauthorized absences
5. Wilful misconduct, disobedience or insubordination
6. Gross neglect of duties
7. Violation of PASAN policies and procedures
8. Abuse/harassment of clients, employees, volunteers or members of the public
9. Evidence of alcohol or drug induced impairment on the job
10. Falsification and/or unauthorized disclosure of PASAN records
11. Unauthorized use, removal or destruction of PASAN property
12. Unethical behaviour
13. Criminal actions (including theft and assault)

For volunteers and Board members, discharge may occur if the volunteer does not adhere to PASAN policies, procedures, or the Volunteer Code of Conduct.

#### **GUIDELINES FOR PROGRESSIVE DISCIPLINE:**

1. Under normal circumstances, where policies, procedures, or professional practices are ignored or contravened, progressive discipline of employees is implemented in four stages: verbal warning, first written warning, second written warning and dismissal. Discipline of volunteers may also be implemented in these stages.
2. Generally, the initial occurrence of a minor incident warrants only a verbal warning. Continuation of further minor incidents (or failure to meet performance expectations, insubordination etc.) may result in progressive disciplinary action up to and including discharge.
3. For employees, termination may also apply where reasonable efforts to correct the behaviour/performance have occurred and the employee continues to demonstrate unsuitability for the position.

#### ***STEPS: Progressive discipline may take one or several of the following forms.***

**Step 1 - VERBAL WARNING:** The ED/Supervisor/Volunteer Coordinator will investigate the incident/situation. Discuss the incident in private with the employee/volunteer. Clearly state what behaviour is expected, how performance must change and the timeline for the change. Document the nature and date of incident, and details and date of discussion as well as follow-up to ensure that the change occurred. File notation in supervision file.

**Step 2 - WRITTEN WARNING:** The supervisor/Volunteer Coordinator may then proceed to written warnings if the performance/behaviour has not changed or, if there is a serious violation of another policy (i.e. harassment, bullying confidentiality, conduct)

1. Investigate the incident/situation.
2. Prepare a letter which:
  - a) Sets out the facts of the incident, (e.g., date, time, what happened);
  - b) Describes consequences of the employee's/volunteer's action;
  - c) Refers to previous disciplinary action;
  - d) Sets the standards of performance and provides a time frame for improvement; and
  - e) Includes a warning that further disciplinary action may be required, up to and including

- f) Termination for further non-compliance.
3. Meet with the employee/volunteer. Discuss the incident in private and give the employee/volunteer a copy of the letter. Determine the date for follow-up.
4. File letter in employee's/volunteer's personnel file.

**Step 3 - TERMINATION:** If verbal and written warnings have not resulted in the required change (performance or behaviour) and, the individual has been provided with the appropriate support/training/notice then, termination may be considered. This should be considered only after it has been shown that the employee is clearly unable/unwilling to perform their job duties as required (this may also include breach of policies). If the employee's supervisor is not the ED, the supervisor will discuss all proposed written warnings before proceeding to take action and make recommendations for suspensions/ terminations to the ED. The ED is to inform the Executive Committee of the recommended suspensions and/or termination.

## **HR – 1015 Prevention of Harassment and Discrimination**

Last Amended: April 2009

**Description:** The purpose of this policy is to provide and maintain a cooperative and professional work environment where all PASAN employees, students, volunteers and Board members have the opportunity to contribute to their maximum potential. PASAN believes that the diversity of the communities we serve is a source of social, cultural and economic enrichment and strength and wishes to provide a climate of understanding and mutual respect for the dignity and worth of each individual. As an equity seeking organization, PASAN seeks to provide for equal rights and opportunities without discrimination.

**Policy:** Workplace harassment, expressions of hate and other discriminatory behaviour are contrary to the achievement of this goal and are strictly prohibited. This policy is one step toward ensuring that our workplace is harmonious, safe and productive. ***This policy applies to all PASAN Board members, employees, students, and volunteers with respect to any complaint of discrimination and harassment in the workplace, including contacts with Board Members.*** This policy includes work-related activities or work related events that occur outside of normal business hours or off business premises.

1. PASAN will not practice any form of discrimination or harassment, and will protect the right of all persons to be free of hate activity, by or within the organization, based on race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, disability or perceived disability, sex [including pregnancy], sexual orientation, same-sex partnership status, gender identity, age, marital status, family status, receipt of public assistance, and record of offences. Individuals also have the right to be free from personal harassment in the workplace.
2. PASAN will also not discriminate against or harass anyone because of his or her relationship, association or dealings with a person or persons identified in any of the above prohibited grounds.

3. It is everyone's responsibility to raise concerns about and resolve all possible discrimination and harassment. It is everyone's responsibility to not ignore or condone potential discrimination or harassment.
4. As the employer, it is the responsibility of PASAN to ensure that PASAN is a workplace free of discrimination, harassment, or hate activity. Employees found to be in contravention of this policy may be subject to disciplinary action up to and including termination of employment. Parallel appropriate steps may be taken with respect to students, volunteers and Board members who contravene this policy.
5. Nothing in this policy detracts from the ED's authority to otherwise manage the workplace, including appropriate disciplinary action.

## DEFINITIONS

**Harassment** is a course of vexatious comment or conduct that is known, or ought reasonably to be known to be unwelcome. Despite the foregoing, there may be circumstances where a single incident is serious enough to amount to harassment.

**Harassment** based on any of the protected grounds sometimes appears as a **poisoned work environment** which is usually defined as comments or conduct that tend to demean a group covered by a protected ground, even if not directed at a specific individual. It describes a situation where offensive behaviour poisons the workplace.

A **poisonous work environment** may arise where there are instances of harassment by anonymous employees; or where no single perpetrator carried out a course of harassing conduct; or, where a member of the protected group against which the harassment is directed is not personally harassed.

**Discrimination** includes the act of making a distinction against a person based on the group, class or category, to which that person belongs, rather than on individual merit. For the purposes of this policy, discrimination exists where distinctions are drawn on the protected grounds set out herein. Discrimination can happen even where the person did not intend it. **Discrimination** means a distinction, whether intentional or not, but based on a protected ground, which has the effect of imposing burdens, obligations, or disadvantages on such individual or groups not imposed upon others, or which withholds or limits access to opportunities, benefits, and advantages available to other members of society. In order to have discriminatory behaviour, the effect has to be a burden, obligation or disadvantage.

**Constructive discrimination** occurs where a requirement, qualification or factor exists that, on its face, appears neutral, but in practice serves to exclude or restrict to a person or a group of persons identified by a prohibited ground of discrimination.

**Adverse effect discrimination** means that an employer, for genuine business reasons adopts a rule or standard which is on its face neutral, and which will apply equally to all employees, but which has a discriminatory effect upon a prohibited ground on one employee or group of employees in that it imposes, because of some special characteristic of the employee or group, obligations, penalties or restrictive conditions not imposed on other members of the work force.

**Systemic discrimination** means practices or attitudes that have, whether by design or impact, the effect of limiting an individual's or a group's right to the opportunities generally available because of attributed rather than actual characteristics.

**Personal harassment and bullying** includes: offensive comments or actions, which demeans an individual, cause personal humiliation and/or threaten the economic livelihood of the individual. Personal harassment does not have to be related to the grounds prescribed under the Ontario Human Rights Code.

## **HR-1016 Harassment & Discrimination Complaint Process**

There are various steps to attempt to resolve complaints under this policy:

### **Step 1 – Informal Resolution**

Wherever possible, individuals experiencing discrimination and/or harassment are to take the following actions:

- a) Inform the person (in writing, by e-mail, telephone, fax or in person) who is harassing or discriminating against them, that his/her behaviour and/or action is unwelcome and should stop. Often this will resolve the situation.
- b) Keep a record of the incident, including the time, location, people present, etc. At this stage, there is not technically a complaint so that there is not a formal record of the informal attempt at resolution.

### **Step 2 – Formal Resolution**

Individuals should consult with an internal advisor, if necessary, for assistance in resolving issues of harassment and discrimination of any employee or member of PASAN. This may include speaking to another employee or member of PASAN on behalf of a complainant or respondent, facilitating a solution, between two or more affected parties or assisting a complainant or a respondent through an investigation. Advisors can assist all employees by outlining options for remedy, helping employees and members of PASAN with the implementation of a remedy and helping employees or members of PASAN document a complaint for investigation.

Where attempts to achieve an informal resolution of the problem are unsuccessful or where the individual feels unable to bring the matter directly to the attention of the alleged respondent, a formal complaint may be filed.

- a) If the complainant is concerned about the conduct of an employee, a Board Member, a student or a volunteer, he or she shall promptly make an oral or written complaint to the ED. A written statement of complaint must follow an oral complaint. If the complainant is the ED, then he or she shall promptly make a written complaint to the Board of Directors.
- b) If the complaint is against the ED, section 5 applies.
- c) If the complaint is against a Board member, section 6 applies.

- d) The ED shall promptly interview the complainant to document the details of the complaint, what remedy the complainant is seeking and what process under this policy the complainant wishes to pursue. The ED shall then interview the respondent to document his or her perspective of the events and ascertain what process under this policy he or she wishes to pursue. The respondent shall be provided with a copy of the policy, the complaint and be given an opportunity to respond in writing.

### **Step 3 - Formal Resolution through Mediation**

- a) If the ED and the parties consider that mediation is appropriate, the ED, or designate, shall ascertain whether the parties prefer an internal or an external mediation process. Mediation can be arranged prior to, or during an investigation.
- b) A neutral, trained mediator selected by the ED shall conduct an external mediation process on behalf of PASAN. This mediator may volunteer his or her services or be paid by PASAN to conduct the mediation.
- c) External mediation may also be utilized if the matter was not resolved at the internal mediation and the internal mediator, as well as the parties, believes that an external mediation has a strong likelihood of success.
- d) The outcome of the mediation shall be reported to the ED.
- e) Where an agreement is reached through the mediation process a written statement shall be prepared. This statement shall contain details of the complaint, the response of the respondent, the agreed upon outcome and a mechanism to ensure appropriate implementation of the outcome. It must be signed by the complainant, the respondent, the mediator and the ED. A copy of the statement of resolution shall be placed on the respondent's personnel file.
- f) If a satisfactory resolution cannot be reached, an investigation will be conducted.

### **Step 4 – Formal Resolution through Investigation**

- a) If the ED decides that mediation is not appropriate, or, if mediation did not result in a satisfactory resolution, then an investigation of the complaint may be conducted. The investigation may be conducted by the ED or by an external investigator.
- b) If the ED conducts the investigation, he or she shall do so promptly and decide whether or not the complaint is upheld or dismissed and shall implement what remedy or discipline he or she considers appropriate in the circumstances. If the ED considers termination appropriate, he or she shall make that recommendation to the Board.
- c) The ED may decide to recommend to the Board that an external investigation is warranted based on his or her own assessment of the situation or in response to a request by the complainant that the investigation be conducted by an external investigator. In making this recommendation, the ED shall not identify the parties to the Board but will outline the nature of the complaint and the steps taken so far. The Board shall make its decision as promptly as possible, but in any event, no later than three weeks after the request is made by the complainant.

- a) Whether conducted by the ED or an external investigator, the investigation will be conducted in confidence.
- b) The investigator shall deliver a full investigation report and an executive summary of it directly to the ED within 60 calendar days. The full report will document the investigation, identify the witnesses and set out the reasons why the investigator has concluded whether the policy was or was not contravened. The investigator will not recommend specific remedies or penalties. The ED shall ensure that the full report is kept in the strictest confidence, unless required by law. The executive summary will contain the conclusions of the investigation but not the details of the evidence or the reasons nor will it identify witness names.
- c) Depending on the circumstances, the ED may decide that it is necessary to separate the employee and the respondent physically and/or operationally until the investigation is completed. In making this determination every effort will be made to avoid a negative impact on the complainant.
- d) A complaint made in bad faith is one that has absolutely no basis and is deliberately and maliciously filed. In the rare event that the mechanisms in this policy are abused, discipline may be imposed.

#### **5. COMPLAINTS AGAINST THE ED**

- a) Where the complaint involves the conduct of the ED, the concerned individual shall immediately report the incident to the Board.
- b) The Board of Directors shall assume the responsibilities of the ED under this policy and have carriage of the complaint process. The procedures and timelines apply to complaints against the ED and the processes to be followed shall be the same as when the ED has carriage of the complaint, with necessary changes.

#### **6. COMPLAINTS AGAINST A BOARD MEMBER**

- a) Where the complaint involves the conduct of a Board member, the complainant shall immediately report the incident to the ED. The Board member shall not participate in discussions relating to the complaint, except as a respondent under this policy.
- b) The Board of Directors (or the Executive Committee) shall assume the responsibilities of the ED under this policy. The procedures and timelines apply to complaints against a member of the Board and the processes to be followed shall be the same as when the ED has carriage of the complaint, with necessary changes.

**HR – 1017 Harassment & Discrimination Agreement Form**

**COMMITMENT TO THE PREVENTION OF HARASSMENT AND DISCRIMINATION**

I, (print full name) \_\_\_\_\_, acknowledge receipt of a copy of PASAN's "Prevention of Harassment and Discrimination in the Workplace Policy". I have read the policy and have received orientation under this policy. Having read the policy, I am familiar with the internal complaint resolution process established by PASAN and indicate my understanding of it.

As a \_\_\_\_\_ (i.e. employee, volunteer, students, Board Member) of PASAN, I also agree with the intent to provide a work environment that is free from harassment and discrimination, and which provides for a cooperative, respectful, safe and professional work environment for all PASAN employees volunteers, students and Board Members.

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Orientation provided by (name): \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **HR – 1018 Layoff of Non-Union Employees**

Last Amended: April 2009

**Description:** This policy outlines the process for any necessary lay-off at PASAN involving non-union employees. Layoff is separation from PASAN as an employee when a position is eliminated because of program reorganization or retrenchment due to lack of funds or decreased need for services.

**Policy:** If layoff of non-union employee becomes necessary the ED will take into account the length of service of the employee(s), the employee's skills and the organization's needs. The ED is responsible to institute a layoff, which must be presented in writing to the employee. The amount of notice or pay in lieu of notice, as approved by the ED, must conform at a minimum to the Employment Standards Act.

## **HR – 1019 Gender Identity & Expression**

Last Amended: May 2009

**Description:** PASAN recognizes the fundamental human right to express one's gender identity. People have an internal sense of gender which may or may not conform to their physical sex and they also have a sense of how they wish to express it. This policy honours the choices of individuals in both these areas. Some examples with which people describe their gender identity and / or gender expression include: transsexual, transgender, trans man, trans woman, trans fag, tranny fag, trans dyke, tranny dyke, MTF, FTM, genderqueer, pre-op, post-op, non-op, gender-neutral, two spirit, genderfucker, poly-gendered, boi, tranny boi, trans partner, man, woman, gender variant, gender non-conformist, transsexual man, transsexual woman, drag king, drag queen, etc. For ease of use, this document will use the term "trans" throughout.

**Policy:** PASAN will promote a climate that affirms, nurtures and includes trans people in all aspects of the organization. PASAN is committed to creating a social and physical environment that is welcoming, comfortable, affirming and safe for trans people by increasing the range of social and physical resources available for trans and non-trans service users, employees and volunteers. PASAN will ensure that all employees, volunteer, and client orientations will include content regarding trans people.

**Definitions:** Definitions and identities used here are evolving and describe evolving concepts. People scribed by these terms may or may not accept them

- a) **Gender identity:** Gender identity is the self-defined sense of oneself as woman or man, feminine or masculine, both or neither.
- b) **Gender expression:** Gender expression is the way one expresses one's self-defined gender identity
- c) **Two spirit:** Prior to colonization, various First Nations communities viewed gender as a continuum between masculine and feminine. This continuum is reflected in the person's intellectual, emotional, physical and spiritual self place within themselves and their

community. Today some aboriginal people identify with Two Spirit as meaning gay, lesbian, bi, trans, intersex, seeking and questioning individuals. Overall, this term brings together people who walk with a balance of male and female energy and honour the gift that that brings.

### **1. Eligibility for services and participation in the organization**

Being trans is not in any way related to an individual's eligibility for services, volunteering, or employment. PASAN will provide trans service users with the same access to services as all other service users in accordance with their gender identity / expression. Candidates for volunteer and employment positions will not be discriminated against on the basis of their gender identity / expression, and will be given the same consideration as all other candidates. Refusal to work with a service user, volunteer or co-worker on the basis of their gender identity / expression will not be tolerated.

### **2. Social Environment**

PASAN expects its service users, volunteers and employees to refer to trans people by the gender pronoun they identify with. When a person has not self-identified and the personal preference is not obvious, then gender pronouns should be avoided. If none of the commonly used pronouns are applicable this should be equally respected. PASAN encourages employees, volunteers and clients/service users to increase their knowledge and understanding of trans issues.

### **3. Education, Outreach & Support Services**

PASAN is committed to a trans inclusive/trans positive approach in all its public education and outreach programs in addition to linking with partners and advocating for community-wide education on trans issues through its current and future association with all organizations appropriate to our mandate. PASAN will initiate and maintain a trans inclusive and trans positive approach in all its support services programming.

## **HR – 1020 Health & Safety**

Last Amended: April 2009

**Description:** This policy and its procedures outlines how PASAN will strive for physical safety and health related to the workplace. This policy includes the following:

1. Incident Reporting
2. Workplace Violence (includes bullying)
3. Employee/Volunteer Safety
4. Break-ins
5. Obtaining Police Assistance
6. Urgent Situations
7. Personal Property - Security
8. Response to an Emergency
9. Fire Plan
10. Threatening/Obscene Phone Calls

**Policy:** PASAN is committed to ensuring that all necessary precautions will be taken to maintain a healthy and safe work environment, avoid injury to people and damage or loss of equipment, or other assets. It also requires measures to be in place that will limit the loss or damage where safety precautions have not sufficed to prevent an accident. Incidents and accidents include: threatening behaviour; acts of violence or potential violence; bullying, harassment or any unwanted behaviour; real or perceived unsafe work situations; and any injury requiring First Aid or other medical attention. In addition:

1. PASAN is committed to ensuring that employees/volunteers receive support and assistance when faced with potential health and safety risks or disruptive situations. PASAN will support the decision to contact the police when their assistance is reasonably believed to be required.
2. The ED is responsible for ensuring up to date procedures related to health and safety, and to respond on a timely basis to concerns about health and safety hazards brought forward by employees, volunteers, clients and others.
3. The ED is responsible for ensuring that the employee completes all appropriate documentation required by policy and the Workplace Safety & Insurance Board (WSIB) regulations as they currently exist.
4. All employees/volunteers will inform their supervisor/ED of all incidents and accidents that they witnessed or occurred while they were on duty.
5. PASAN will post a copy of this policy on a bulletin board along with: the names of employees who are holders of a valid first aid/CPR certificate; the names of employees who are safety/fire marshals; a copy of the Occupational Health & Act. In addition, PASAN will stock and maintain a first aid kit that is visible and accessible.

**Procedures:**

- a) ED/Employees will assess situations and determine the most appropriate response. In all situations where the cause of the incident or accident remains present, the employee/supervisor should remove all employees from that work area.
- b) Appropriate responses may include, but are not limited to, escorting the person involved to receive medical treatment, sending the person involved home without penalty, shutting down the service area for the remainder of the day, or calling the police and/or ambulance to attend.
- c) Employees and volunteers can raise concerns and make reports to a supervisor and/or union steward as appropriate without fear of reprisal.
- d) Cancellation of Services - If there is a situation that is hazardous to employees, service users or volunteers, the ED/designate may decide to cancel services of PASAN.

**Incident Reporting:**

- a) Each individual (employees and volunteers) involved in or witnessing an incident or accident must complete an incident/accident report form within 24 hours of the incident or accident, except in such cases where the individual is unfit to do so (i.e. under sedation, or emotionally distressed).
- b) If several employees/volunteers are involved in or witness the incident, each should file a report. If an incident occurs the person(s) involved in or witnessing the incident will:
  - I. Report the situation to the appropriate employee person/supervisor/ED.
  - II. Complete an incident report and provide it to the ED within 24 hours of the incident.

An incident report should be completed and forwarded to the ED when there is a situation that presents a threat of or actual danger to employees, volunteers, clients or visitors; and/or when there is:

- a) Accident/Medical Emergency
- b) Violence - any physical act of violence or threatening gesture of violence
- c) Verbal Abuse - includes but is not limited to threats, profanity or harassment
- d) Threatening/Obscene Phone Calls - including bomb threats.
- e) Intoxication - use of alcohol, illicit drugs, and prescription medications to the point of physical and mental changes that result in inappropriate or disruptive behaviour.
- f) Vandalism - anyone caught in the act of destroying or defacing PASAN property or the property of PASAN employees, volunteers, clients or visitors.
- g) Theft - anyone caught in the act of stealing property from PASAN premises or PASAN employees, clients, volunteers or visitors.
- h) Disaster - such as a fire on the premises.

### **Workplace Violence**

Workplace violence (includes bullying) is any act in which a person is abused, threatened, intimidated or assaulted in his or her employment (Canadian Centre for Occupational Health and Safety). **Violent behaviour includes:**

- a) Actual or implied threat of harm to an individual or group of individuals;
- b) Having a weapon on one's person unless done so out of a recognized religious obligation or legally allowed to do so;
- c) Brandishing any object that could reasonably be construed as a weapon while on PASAN premises or common areas;
- d) Loud, angry or disruptive behaviour that clearly is not part of the typical work environment;
- e) Callous or intentional disregard for the physical safety or well-being of others;
- f) Wilful destruction of property;
- g) commission of a violent felony or misdemeanour on PASAN property; and
- h) Any other conduct that a reasonable person would perceive as constituting a threat of violence.

### **Procedure:**

- a) If an employee/volunteer has a perception of pending violence or feels unsafe, the employee/volunteer may discontinue interaction at any time.
- b) Any person involved in a disruptive situation that they do not feel they will be able to successfully diffuse should disengage from discussion and inform the disruptive person that their behaviour is unacceptable. If the employee/volunteer feels unsafe, s/he should call other employees/volunteers to the area immediately and inform the person that if s/he does not leave, the police will be called.
- c) If a violent situation occurs:
  - I. Employ de-escalation strategies if appropriate, e.g., reason with person, request person to cease violent behaviour.
  - II. Remove self and others from potentially harmful situation.
  - III. Seek additional support, e.g., employee, volunteer
  - IV. Call 911 and request assistance
  - V. Report situation to supervisor.
  - VI. Complete incident report.

### **Employee/Volunteer Safety**

Employees/volunteers who feel at risk or have safety concerns should discuss the situation with their supervisor at the earliest opportunity. Furthermore, employees/volunteers should practise the following preventive measures: When meeting with clients at PASAN, if you are concerned about a new/potentially violent client:

- a) Do not have client follow you to the office. Instead, walk together or have client lead.
- b) Notify other employees/volunteers of problems or potential problems.
- c) Keep potential weapons off desk and out of sight, e.g., scissors, letter openers,
- d) Sit closest to the door. If there is any indication that the client has a weapon (e.g., knife, gun) immediately stop session.
- e) Keep door open.
- f) If there are any sounds of anger or violence, investigate immediately so client and employees/volunteers know help is readily available.

### **Break-Ins**

If there has been a break-in or signs of:

- a) Check what damage has been done and check to see if anything has been stolen.
- b) Notify the ED or designate immediately.
- c) All break-ins and attempted break-ins must be reported to the police.
- d) Record information: list of articles stolen or broken, means of entry, etc. in an Incident report.

### **Obtaining Police Assistance**

- a) Inform clients of police arrival and why they are coming. Apprehending people in the premises is discouraged.
- b) Note: Employees at PASAN have an emergency code to call the police. Employees hearing those words will then call the police.
- c) Police may be called when violence or destruction of property occurs.

### **Urgent Situations**

- a) Call 911 and request police assistance. Notify the ED/designate as soon as possible.

### **Personal Property - Security**

- a) Employees and volunteers should not carry valuables or large amounts of money while at work.
- b) Employees and volunteers are responsible for their own personal property (e.g., bikes, valuables, money or handbags) while on PASAN premises. PASAN is not responsible and does not reimburse employees for theft, loss or damage to personal property.
- c) Employees and volunteers are advised to keep personal possessions in a secure place.
- d) If personal property is lost, stolen or damaged, the ED should be notified. If loss is significant, it should be reported to the police and employees/volunteers are advised to contact their own insurance company.

### **Response to Emergency**

Priorities for response in an emergency situation are:

- a) Immediate safety of people,
- b) Protection of physical property, and
- c) Assisting people involved to cope with any aftermath (e.g. referral to counselling).

### **Fire Plan**

If a fire is discovered, pull a fire alarm (if accessible). Alarm is located near the front door and at the side door. Call 911 immediately. If the fire alarm sounds:

- a) Employees/volunteers order everyone to leave by front or rear exits and assist as needed. The designated safety/fire marshals shall check every room to make sure that everyone leaves unless the fire/smoke makes this dangerous. After each room has been checked doors are to be securely closed
- b) Exit the building using either the front or rear door (which ever is safest) and meet directly across the street from the office (east side of Jarvis Street) Ensure that all clients and volunteers leave the building and that everyone reports to the fire/safety marshal to ensure that all persons are accounted for.
- c) Await the all clear before returning into the building or allowing people to enter.

### **Fire Safety**

- a) Keep exit routes and stairwells unblocked and clear.
- b) Do not store materials/equipment against doors, near fire extinguishers or fire fighting equipment.
- c) All employees and volunteers must receive fire safety training as part of their orientation. Employees must know how to keep safe and how to exit the building in case of a fire.
- d) The fire/safety marshal will conduct a monthly review of the office and report any health, safety or fire concerns to the ED and employees.

### **Threatening/Obscene Phone Calls**

Threatening or obscene calls to employees and volunteers are taken seriously. Upon receiving a threatening or obscene phone call, an employee/volunteer should:

- a) Notify the caller that you find the comments threatening or obscene.
- b) Ask the caller to refrain from this behaviour.
- c) If the person continues, warn that you will hang up and then hang up.
- d) Document the threatening/obscene call, indicate the time, date, and perpetrator.
- e) Notify the ED verbally and if necessary, notify local police for information and advice.

## **HR – 1021 Executive Director Authority/Limitations**

Last Amended: April 2008

**Description:** This policy outlines the decision-making responsibilities of PASAN's Executive Director (ED) and the agreement between the ED and the Board concerning the extent and limitations of the ED's authority.

**Policy:** As the Board's official link to the operating organization, the ED is accountable to the Board for all organizational performance and exercises all authority transmitted to the organization by the Board. The ED is answerable and accountable to the Board as a whole.

The ED:

1. Is responsible for implementing the policies and directions of the Board.
2. Manages the employees, operations, facilities and programs & services.
3. Ensures a team approach to the work that is done.
4. Is responsible for ensuring that the operational planning and finance management does not materially deviate from the Board priorities, strategic directions and approved budget.
5. Acts as a professional advisor to the Board and in this capacity recommends appropriate policies for Board consideration.
6. Is responsible for procedures.
7. Is responsible for ensuring that the Chair and the Board are accurately and fully informed regarding PASAN's programs, business and finances.

The E.D. works in partnership with the Chair and the Board to ensure that the relationship is supportive and productive. With respect to the treatment of employees and volunteers, the ED may not cause or allow conditions that are unfair, disrespectful, or unsafe. Accordingly s/he shall operate with human resource policies that clarify rules and procedures, ensure appropriate employee support such as job descriptions, supervision and performance reviews, provide for effective handling of grievances, and protect against wrongful situations such as discrimination, harassment and conflict of interest.

The ED shall provide employees with sufficient information to allow them to do their jobs satisfactorily and ensure they are acquainted with their rights under the Human Resource policies and Collective Agreement.

The Board governs through policy. Where the ED feels it is necessary to contravene a board policy, the Board must be informed and may choose to respond. Informing the Board guarantees that no violations may intentionally be withheld from the Board. Where possible, the E.D. should inform the Board prior to action. The E.D. may also feel it is necessary to respond to situations where no specific policy or public position exists.

## **HR -1022 Internet Use**

Last Amended: April 2008

**Policy:** PASAN encourages the use of the agency's Internet facilities only for work related activities. The Internet provides access to a variety of resources that can assist employees and volunteers. For example:

- a) Accessing external databases and files to obtain reference information or conduct research;
- b) Corresponding with the HIV/AIDS community or providing document delivery to that community;
- c) Transferring working documents or drafts for comment;
- d) Disseminating newsletters, news releases or other documents to large groups of people;
- e) Acquiring electronic serials, newsletters and documents for PASAN's use; and

### **CONDUCT :**

- a) PASAN employees and volunteers are expected to be responsible and informed in their use of Internet facilities. Internet use shall be for professional, job related activities and not personal use. Employees are not permitted to access personal emails or search web sites for personal use unless approved by the ED.
- b) Users should identify themselves properly (with their full name and reply e-mail address) when using an Internet service.
- c) Users must ensure their conduct reflects appropriately on the reputation of the agency, its employees and its volunteers.
- d) The ED may revoke Internet facilities at any time for unacceptable behavior.

### **Employees and volunteers are not to:**

- a) Use of the Internet facilities for accessing personal email accounts (such as hotmail, yahoo, Gmail etc.). Social utilities such as Facebook and Mypage are not be accessed during work time or with PASAN computers except for work related activities as approved by the ED.
- b) Use Internet facilities for unlawful/malicious activities, personal gain or commercial activities such as unsolicited distribution of advertising materials;
- c) Use network or system accounts of other individuals;
- d) Attempt to break into PASAN's or another agency's computer or system;
- e) Misrepresent themselves or PASAN; or
- f) Abuse the guideline allowing PASAN employees and volunteers to use PASAN Internet facilities for personal communications on personal time.

## **HR – 1023 Contact and Communications with Police**

Last amended: April 2009

**Policy:** The following policy and procedure is designed to direct employees in their interactions with Police services. These interactions could involve inquiries from police or requests for police assistance. These guidelines are based on the individual rights of clients, the agency obligation to safety and security and, our desire to cooperate with police where and when possible.

It is PASAN's obligation to ensure that the individual legal rights of PASAN clients are protected. The exception is when our ability to ensure the safety and security of the agency is compromised for other clients, volunteers, and/or employees.

PASAN is fully committed to working with and cooperating with Police Services. The only exclusions to this would be in situations whereby employee actions or disclosures would be putting PASAN itself at risk by violating any municipal, provincial or federal legislation or any internal board approved policies.

### **Procedure:**

1. When police arrive at the door employees are to inquire as to the purpose of their visit and how may we assist them. If Police Services personnel come to the agency with a completed "Law Enforcement Officer Request Form: Access to Information" (see App):
  - a. Invite them in.
  - b. Review the form to ensure that it is fully completed.
  - c. Sign the form.
  - d. Make a copy for agency records.
  - e. Confirm whether or not the person(s) they are seeking are in the agency.
  - f. If the person being sought is in the agency, bring them to the front desk to speak with the Police services staff.
  - g. Prior to a client speaking with the Police they will be asked if they would like an employee to be present. If the response is yes, the employee is to be an observer.
2. If the Police services personnel come to the agency with a warrant for the arrest of someone who they believe is currently in the agency:
  - a. Invite them in.
  - b. Review the document to ensure that it is authentic and of a legal nature.
  - c. Confirm whether or not the person(s) they are seeking are in the agency.
  - d. If that person is in the agency the Police will apprehend and take them into custody.
3. If Toronto Police services personnel come to the agency without any documentation requesting information on who may currently be in the agency, inform them that in keeping with the policies of the organization that we are unable to disclose any information in regards to who may or not be there. Employees should also inform the officers/detectives that if they wish to challenge or appeal this then they might immediately contact the ED. In order to assist the officers/detectives in this Endeavour the employee should offer to give them the contact information of the ED if she/he is not present at the time.

4. Any time there is an interaction with the Police this will be fully documented and placed in the Police log binder immediately. The name and badge number of any officer/detective involved must also be included in this report.
5. Employees are to contact the ED when:
  - a. They encounter a situation which is not covered by this policy.
  - b. Anytime they receive a request from the Police to see or to have copies of any of PASAN's document(s) i.e. client files.
  - c. They are acting within the confines of PASAN policies and procedures and they ascertain that the Police are not being receptive to their actions.
  - d. Anytime they believe that a client(s) individual rights are not being respected.

**Requests for Police Assistance:**

Employees have the authority to request assistance from the police when they identify a risk or threat to the safety and security of clients, employees or the agency. Depending upon the severity or immediacy of the situation employees can access the police by calling 911

**Clients request for Police Assistance:**

If a client wishes to contact Police for any reason we cannot deny them access. Employees will make available either the client phone or the employees phone for client use-privacy will be granted if requested.

**HR – 1024 Petty Cash Management**

**Central petty cash fund and individual employee floats:**

- a) PASAN maintains a central petty cash fund to reimburse employees, volunteers and board members for business related expenditures for \$100 or less (when available) and provide limited financial assistance to clients from its annually budget "PHA Fund."
- b) Reimbursements totaling over \$100 will be paid out in full by a PASAN cheque. A petty cash float of \$1,200 is available twice a month. Personal loans may not be made from the petty cash fund.

**Appropriate petty cash expenditures include:**

- a) All PASAN related ED approved activities
- b) Volunteer expenses (honorarium)
- c) Travel (including subway tokens and taxi fares, gas, go bus fare)
- d) Food (such as client drop-ins, volunteer lunches, dinners, meetings)
- e) Miscellaneous items purchased locally (e.g. postage stamps, office supplies, etc.)
- f) PHA Fund eligible donations to clients as set out below;
- g) Per diem under \$100, and
- h) Such other expenditures as the ED may approve from time to time

Any employee, Board member or volunteer receiving petty cash shall provide adequate documentation (i.e. Original receipts showing date of purchase) to support any claim for reimbursement. No expense claim shall be reimbursed until this documentation has been provided. (Although the ED, in their discretion, may approve a claim where it is their opinion that there is good and valid reason why such documentation is not available or accessible)

**Petty cash custodian(s) are responsible for:**

1. Creating and implementing the use of a standard form to be used as a record of any requests for cash advances from the petty cash fund which are permitted under this policy, which will require the individual receiving the cash to sign an acknowledgment of the amount received.
2. Creating and implementing the use of a standard form to be used as a record of any claim for reimbursement of eligible expenses from the petty cash fund.
3. Disapproving any expenses which, in their discretion, are not appropriate under this policy or under another decision of the ED.
4. Receiving and storing requests for cash and claims of reimbursement of eligible expenses and ensuring that any request for cash or claim for reimbursement is accompanied by adequate documentation proving the expense was incurred by the person making the claim.
5. Reconciling the petty cash when replenishing is required, when they have any concern about the possible misuse or misappropriation of funds and always at least on a monthly basis but not more than twice a month.
6. The physical protection of the petty cash in a locked receptacle with restricted access.

**HR – 1025 PHA Fund Coverage**

**Policy:** PASAN's PHA Fund may be used to cover appropriate donations to HIV-positive clients such as:

1. Release money (maximum \$50 on any given occasion and only up to 2 times per year per service user.) Individual must have completed an intake prior to release or already be registered as a service user of PASAN to be eligible.
2. All release are to be picked up by the service user post-release in person at PASAN's office with the exception of people who will not be residing in Toronto in which case funds will be sent to the institution, or to another residence deemed appropriate by the client, where they are housed just prior to release.
3. Fees to replace identification documents (maximum of 2 pieces of ID per year per service user) Each piece of ID cost not to exceed \$100 and may include all types of ID and/or immigration papers.
4. Emergency funds are available to clients only under exceptional circumstances and only with ED approval.

## **HR – 1026 Expense Limits**

1. Taxi – claimants must obtain a receipt for petty cash purposes to be used for transportation of PASAN materials or for reasons with prior approval from the ED.
2. Inter-city transportation – Air (economy class), Rail (coach class), Bus (regular fare), private car (\$0.40/km and the claim cannot exceed the cost of public transportation), Rental car (must be booked by the designated employee or the ED).
3. A per diem is available in advance for out of town PASAN related trips with program approval. This per diem applies for breakfast when the trip commences before 7 AM, and for dinner after 6 PM as well as over night trips. Meal allotments are as specified below and do not vary depending on receipt.

### Daily Meal Expenses:

Breakfast	\$10.00	Incidentals are not reimbursed
Lunch	\$15.00	Full Day \$50.00
Dinner	\$25.00	

### Accommodation:

Moderately priced hotels and motels are to be used; luxury accommodation is to be avoided if possible. Other arrangements to be made with approval of the ED.

## **HR – 1027 TTC Token Fund**

1. PASAN also maintains a budgeted fund for TTC tokens for use by employees, volunteers and peers for local transportation (other than to and from work) for PASAN-related business.
2. A record of tokens distributed to volunteers and peers or taken by employees shall be kept up-to-date by the employees taking tokens. Only employees may distribute tokens to volunteers.
3. Employees may take tokens for travel for PASAN related business without prior authorization, but must always record in writing in the appropriate log the date and number of tokens taken and the purpose for which they were taken.
4. Any unused tokens shall be returned as soon as possible and the date and fact of their return logged.
5. Service users may also receive TTC tokens if these are available to attend meetings at PASAN or other appointments, meetings or services. A maximum of 4 tokens per week (with no exceptions) may be distributed to any service user. Employees distributing the tokens will record the service user's name and number of tokens distributed.

## **HR – 1028 Payroll Advances and Loans**

### **1. Payroll advances:**

Only one pay advance can be requested for any pay period. Any request for a salary advance must be made by a Pay Advance Request Form and submitted to the ED.

A partial or full pay advance can be obtained anytime before the next pay period.

All pay advances are interest-free advances of up to one full cheque.

A pay advance is available to both part time and full time employees.

### **2. Interest free loans:**

For full time workers this loan may be obtained for up to one full cheque up to 2 times a year as long as no two loans run concurrent per person. Payment to be completed within 3 months, a payment plan can be determined by the employee requesting the loan using the Interest Free Loan Request Form.

In the event that an interest free loan would cause a financial hardship to the agency, the loan will not be made until such time as the financial stability of the agency resumes.

Part time employees can obtain an interest free loan two times a year as long as no two loans run concurrently. Payment to be completed within a four month period, a payment plan can be determined by employees requesting the loan using the Interest Free Loan Request Form. Part time employees can request a loan of up to two pay periods.

### **Re-Payment:**

In all cases where an employee has received a pay advance or loan, PASAN reserves the right to deduct monies owing from final pay cheques if the employment relationship is ending and full re-payment has not been received. By taking a loan or pay advance, employees agree to re-payment during employment or, in full upon the termination/ending of employment.

## **PROGRAMS**

### **Programs – 1001 Advocacy, Program, Philosophy & Process**

Last amended: April 2008

**Description:** Representatives of PASAN engage in advocacy activities to influence public policies that impact on PASAN, its clients, members or allies. Advocacy activities include endorsing other organizations' positions, developing PASAN advocacy positions, writing letters to public officials, making policy statements to the media, supporting petitions, engaging in public forums, participating in lobbying meetings, and participating in public demonstrations.

**Policy:** In keeping with PASAN's mission, PASAN engages in legitimate advocacy activities designed to influence public policy. Advocacy positions must be consistent with the policy established by PASAN Board of Directors. Employees/volunteers and members must not engage in partisan political activity while representing PASAN.

#### **Procedures:**

1. The Board of Directors should determine advocacy positions.
2. The ED should guide advocacy activities of employees and volunteers.
3. The Board Chair should guide advocacy activities of Board members.
4. In the absence of written policy, the ED may determine if an advocacy position or activity is consistent with PASANs' mission and other policies.
5. In situations where the ED has determined advocacy positions, those positions or activities must be brought to the next Board meeting.

### **Programs – 1002 Client & Service User Eligibility**

Last amended: April 2009

#### **Description:**

This policy outlines who is eligible to access the programs and services offered by PASAN.

**Policies:** Any individual living with HIV/AIDS who was previously or, is presently incarcerated will be eligible to access programs of PASAN. People accessing these programs will be referred to as 'clients'. Proof of status along with proof of incarceration (past or present) will be required to access PASAN programs. The priority for many programs is to serve those clients in greatest need; however, waiting list may occur when the number of clients is greater than the ability of employees to serve them.

**Procedures:** Each person becoming a client of PASAN will meet with a designated employee to open a file. The file will also include a signed consent form, and written verification of HIV status from the client's health care professional or other ASO employees.

## **Programs – 1003 Advocacy Position Statements**

Last amended: April 2004

**Description:** This policy outlines position statements related to advocacy that have been adopted by PASAN.

**Position Statement:** In all our efforts, PASAN affirms the basic and fundamental human rights of prisoners, ex-prisoners and people living with HIV/AIDS. We define these rights to include:

1. Every person's right to make their own informed choices and decisions about their own body.
2. Every person's right to the sexual practices of their choice with an informed and consenting partner of equal power. Rape, in or out of prison, is a violation and an assault - not a sexual act between informed, consenting equals.
3. Every person's right to protect themselves from HIV infection or other communicable diseases, and to have access to the education and materials necessary for that protection.
4. Every person's right to anonymous HIV testing without persecution or punishment.
5. Every person's right to choose to end their own life. PASAN supports the right of every person to ask someone for assistance in doing so.
6. Every person's right to reduce the negative consequences of their own drug use. This includes the right to informed choice and access to treatment options for those who wish to stop or reduce using, and the right to access information and materials to reduce the harm and the transmission of HIV and other infections for those who either cannot or do not wish to stop using.
7. Every person living with HIV/AIDS has an inalienable right to the same access and quality of health care as any other person in society.
8. Every woman's right to terminate or continue pregnancy, regardless of HIV status or prison status.

## **Programs – 1004 Client Rights**

Last amended: April 2004

**Description:** This policy outlines the rights of clients of PASAN.

**Policy:** All clients of PASAN have the right to:

1. **Confidentiality:** Clients have the right to expect that PASAN will maintain the confidentiality of all written and oral information about the services they receive. This does not apply to statistical data which funding agencies require. However, no names are attached to PASAN statistics.
2. **Considerate and Respectful Service:** Clients have the right to receive considerate, dignified, and respectful care and service from all PASAN employees and volunteers.
3. **Be Informed:** Clients have the right to information about the services PASAN provides and how to use these services.
4. **Non-Discrimination:** Clients have the right to quality services without discrimination as to race, creed, colour, place of origin, ethnic origin, ancestry, citizenship, political affiliation, religious affiliation, sex, gender, sexual orientation, age, marital status, family relationship, economic status, identity, disability or record of offences.
5. **Be Connected to Appropriate Services:** Clients have the right to be connected with the resources they need, both within PASAN and at other agencies.
6. **A Response to Complaints:** Clients have the right to expect a respectful and timely response to all complaints regarding their relationship with PASAN.
7. **Refuse or Terminate Services:** Clients have the right to refuse to participate in any of PASAN's programs, or stop taking part, without recrimination.
8. **Decline to Participate in Research:** Clients have the right to refuse to participate in any research project at PASAN, without recrimination. If a client agrees to participate in research, that client has the right to discontinue participation at any time, without recrimination.

## **Programs – 1005 Client Complaints**

Last amended: April 2009

**Description:** This policy outlines the rights of clients to complain about any aspect of the services they have received from PASAN, and the processes for responding to the complaint.

**Policy:** PASAN shall provide and make accessible a process to encourage the resolution of complaints relating to the rights of clients. No client shall be penalized for lodging a complaint.

**Procedure:**

1. Clients who wish to complain about the actions of an employee or volunteer should direct their complaint to the ED.
2. If the ED's response to the complaint is unsatisfactory, or if the complaint is about the ED, the client should then direct their complaint to the Executive of the Board of Directors.
3. Clients who wish to complain about the actions of a Board member should direct their complaint to the Executive of the Board of Directors.
4. If the complaint concerns a member of the Executive, that member shall remove themselves from the Executive discussion of the complaint.
5. The decision of the Executive of the Board of Directors shall be final.
6. Complaints should be documented and signed on the Complaint Form. PASAN representative hearing the complaint should assist the client with filling out the complaint form if necessary.
7. All information concerning a complaint is confidential. Only parties involved in resolving the complaint should have information about the complaint. Documentation will be filed in the ED's office, not in client files. (Unless the complaint is about the ED in which case the documentation will be held by the Board).
8. No client shall be penalized or have their access to services affected by accessing the complaints process.
9. Information about this policy and copies of the complaint forms should be widely accessible to all clients.

## **Programs – 1006 Communications & Media Relations**

Last amended: February 13, 2009

**Description:** This policy outlines who may speak on behalf of PASAN to the media and how they should do so.

**Policy:** The Chair of the Board of Directors and the ED are the principal spokespersons for PASAN. In situations where PASAN is requested to comment on issues or situations which are not supported by a policy or position statement, the ED may consult to determine the most appropriate action. The ED must seek final approval from the Board of Directors.

Individuals associated with PASAN who wish to express personal views or opinions shall make it clear that their views are personal and are not the views of PASAN. The onus to ensure this clarity is higher the more prominent the person is in PASAN and the more the topic at hand relates to PASAN's mission. Employees, volunteers or Board members who are unsure of their responsibilities in this regard should consult with the ED or Board chair prior to interacting with the media.

Confidentiality and the right to privacy must be maintained when dealing with the media.

### **Procedures:**

1. The ED or Chair of the Board may direct a designate to respond to media inquires in a particular area of specialization.
2. In situations where the appropriate agency spokesperson is unavailable (e.g. holiday) an attempt should be made to contact the next appropriate spokesperson.
3. Under no circumstances is the home/cell/personal telephone number of an employee, volunteer or Board member to be released to anyone without that person's expressed permission in writing.
4. In order to ensure consistency in presentation of PASAN to the media, all media contacts are to be coordinated with and through the ED. Each media contact must be reported to the ED including: name of contact, date, time and information given.
5. All media releases, communiqués, letters to the editor, columns or public service announcements (written, oral or televised) are to be issued in cooperation with the ED and with the knowledge of the ED.
6. All media requests for information in a crisis situation (e.g. suicide, health risk, embezzlement) are to be referred to the ED. The ED may in turn direct the request to the Board Chair for media response.
7. Media requests to identify a person with HIV for an interview shall be coordinated through the ED. The ED may inquire if there is an employee willing to participate in such an interview, or may advertise the opportunity to clients.

## Programs – 1007 Newsletter

Last amended: April 2004

**Description:** PASAN publishes a quarterly newsletter for distribution to employees, clients, members, volunteers, prisons, organizations and visitors. It contains news and opinion about PASAN and about issues of concern to PASAN clients and members.

**Policy:** The ED should approve all content of PASAN newsletter. Content should be consistent with PASAN policies. Articles about treatment issues should include the author, date and sources along with the following disclaimer:

*PASAN recommends that no treatment decision be based exclusively on the information appearing in this publication. PASAN assumes no responsibility for outcomes which may be construed to be the result of decisions about treatment based on information contained in PASAN publication.”*

## Programs – 1008 Website

Last amended: April 2008

**Policies:** PASAN maintains a website for viewing by employees, clients, members, volunteers, allied organizations and other members of the public. It contains news and opinion about PASAN and about issues of concern to PASAN clients and members. The ED, under guidance from the employees, should determine the content of PASAN website. Content should be consistent with PASAN policies and guidance from the web site manager.

### Website Disclaimer:

PASAN recommends that no treatment decision be based exclusively on the information appearing in this website. PASAN assumes no responsibility for outcomes which may be construed to be the result of decisions about treatment based on information contained in PASAN website.

### Website Confidentiality Policy:

PASAN respects the confidentiality concerns of our website visitors. It is the policy of PASAN that no personal information such as full names, addresses or telephone numbers shall be collected automatically from visitors to this site. Such information is known only to PASAN when it is voluntarily submitted or posted to us. Information that is voluntarily provided may be forwarded to the appropriate employee of PASAN for the purpose of a response or client service. This information is not saved or disclosed outside PASAN. Certain non-personal information about our visitors is collected by the standard operation of PASAN's Internet servers, such as Internet browser types being used, operating systems, and the domain names of Internet providers. Uses of this information include internal review of the aggregate number of visits to our site, but only in a non-personally-identifiable form. We may also use this information to make our site better and more responsive to the needs of our visitors. We do not disclose this information outside PASAN. PASAN may modify, alter or otherwise update this policy at any time, so visitors are encouraged to review it from time to time.

## **Programs – 1009 Speakers Bureau**

Last amended: April 2009

**Description:** PASAN recruits, trains and supports people living with HIV/ex-prisoners who can address various audiences about their experiences and the lessons they have learned. PASAN also coordinates their speaking engagements with appropriate agencies and institutions.

**Policy:** PASAN recruits, trains and provides speaking opportunities to people living with HIV/ex-prisoners who can address various audiences about their experiences and the lessons they have learned. Speakers must be assessed to be: trained, responsible, informed, non-judgemental, clear communicators, and compliant with the speakers' code of conduct policy. Accredited speakers are paid honoraria for their services, as well as child care reimbursement. There is no charge to organizations in Ontario for accessing the speakers' bureau. Organizations outside Ontario may be charged a fee (should they be able to afford it.)

## **Programs – 1010 Catchment Area**

Last amended: April 2004

**Description:** This policy defines the service boundaries for PASAN.

**Policy:** PASAN primary catchment or service area is the province of Ontario. The majority of PASAN's services will be provided to people living with HIV/AIDS residing in Ontario.

Exceptions:

1. Referral services and treatment consultation may be provided to people with HIV/AIDS beyond Ontario as much as human resources allow.
2. The Speaker's Bureau may accept a request for a presentation outside of Ontario when an honorarium is included to offset program costs.
3. Attendance is open at forums and at programs provided in partnership with other agencies, but promoted primarily to people living with HIV/AIDS in Ontario.

**Procedures:**

- a) Judgment should be exercised for any provision of services outside of Ontario within the boundaries of this policy. The ED will provide advice/approval as required.
- b) When clarification or support is needed to make a decision, employees should seek the advice/direction of the ED.
- c) When programs are full, priority is given to people with HIV/AIDS residing in Ontario.

## Programs – 1011 Privacy of Personal Information

Last amended: December 2008

**Description:** This policy, combined with related policies and procedures, ensures as much as possible, that personal and private information is kept private.

**Definition:**

Confidentiality is regarded as a trust as well as a legal obligation in the health and social service professions. Individuals have the right to protection of personal disclosures made within the professional or service relationship. PASAN respects the right of privacy and honours the confidentiality of current, former and prospective: service users, volunteers, Board members, members, donors, sponsors, employees, partner agencies and other associates. Confidential information includes information directly gained from clients as well as information from other sources and from personal observations.

**Policy:** PASAN recognizes the need to ensure that all information received from clients in the course of the provision of services is private and confidential. It also recognizes that credible service is based on trust, respect, sensitivity, and a high code of ethical practice.

People accessing services of PASAN or contacting PASAN have the right to full confidentiality. They have the right to obtain information without disclosing any identifying information, and they have the right to direct the use of any identifying information they do provide. They have the right to be confident that information they provide to PASAN employees/volunteers about their health status will not be shared without their permission, unless legally obliged to do so.

PASAN will ensure that confidential information that is given for a specific purpose is protected from other use. (For example, client information is not used to solicit donations). All employees, volunteers, students, board members and other individuals with access to confidential and privileged information are required to sign a confidentiality statement before commencing duties at PASAN. This agreement indicates that they have read, understand and agree to adhere to these policies and procedures. It is important to understand that this agreement is not limited by employment or an affiliated relationship with PASAN, but continues indefinitely, even when the relationship with PASAN has ceased.

All current and previous employees, volunteers and Board members carry their responsibility for confidentiality to non-work settings. They will give the same degree of confidentiality to information gathered in a non-work setting and will not reveal confidential information obtained at PASAN to a non-work setting, including to family, friends and significant others.

### **DISCLOSURE OF INFORMATION**

In accordance with legal obligations regarding service user consent and taking into consideration the best interests of the service user, information may be shared internally with PASAN employees. **The obligation to maintain confidentiality applies to the duration of the contact with PASAN and continues indefinitely after the relationship with PASAN has ceased.**

Service user information may not be disclosed to a partner, family member or friend without the express permission of the service user. If requesting information about a person known to PASAN, these individuals are to be directed back to the person about whom they were inquiring.

**Procedures:**

- a) PASAN employees/volunteers/board members will respect the right of people not to offer identifying information should they choose not to. Inquiries about identifying information will not be made unless required to deliver services (See client eligibility).
- b) Each client, upon application to PASAN for services will sign a consent form permitting PASAN to obtain such information as is necessary to the provision of services to the client.
- c) Employees will not discuss or acknowledge knowing a particular client without the consent of the client.
- d) Employees/volunteers will ensure that confidential information is protected from unauthorized use or disclosure (such as keeping information from view of others).
- e) There may be occasions where information is acquired about an individual from their family members, friends, and/or significant others. Such information will be treated as confidential and will not be disclosed without the express consent of the subject of the information (or the authorized substitute), or as required by law.
- f) Similarly, confidential information received from a client will not be disclosed to their family, friends, or significant others without express consent or as required by law. Where a member of a family, or relationship, consents to have confidential information disclosed, PASAN will only release information that pertains to the consenting person.
- g) The privileged communication regarding all other members of the family/relationship must continue to be confidential.
- h) Volunteers should take questions about the policy/procedures to their supervisor; employees to the ED.

1. Accountability for Personal Information

- a) PASAN is responsible for personal information under its control and has designated an individual, the Privacy Representative, who is accountable for PASAN's compliance with the Privacy Legislation of Canada.
- b) The name of the Privacy Representative designated by PASAN to oversee its compliance with these principles is a matter of public record.
- c) PASAN is responsible for personal information in its possession or custody, including information that has been transferred to a third party for processing. PASAN will use contractual or other means to provide a comparable level of protection while the information is being processed by a third party.
- d) PASAN's policies and procedures cover: protection of personal information; procedures to receive and respond to complaints and inquiries; training of employees and communicating to employees information about PASAN's policies and practices, and development of materials to explain PASAN's policies and procedures.

## 2. Identifying Purposes for the Collection of Personal Information

- a) At or before the time personal information is collected, PASAN will identify the purposes for which personal information is collected. The primary purposes are the delivery of client services, statistics, fundraising and meeting legal and regulatory requirements.
- b) Identifying the purposes for which personal information is collected at or before the time of collection allows PASAN to determine the information it needs to collect to fulfill these purposes.
- c) The identified purposes are conveyed at or before the time of collection to the individual from whom the personal information is collected. Depending upon the way in which the information is collected, this can be done orally or in writing.
- d) When personal information that has been collected is to be used for a purpose not previously identified, the new purpose will be identified prior to use. Unless law requires the new purpose, the consent of the individual is required before information can be used for that new purpose.
- e) Persons collecting personal information will be able to explain to individuals the purposes for which the information is being collected.

## 3. Consent for the Collection, Use, and Disclosure of Personal Information

- a) The knowledge and consent of the individual are required for the collection, use, or disclosure of personal information, except where inappropriate.
- b) Consent is required for the collection of personal information and the subsequent use or disclosure of this information. Typically, PASAN will seek consent for the use or disclosure of the information at the time of collection. In certain circumstances, consent with respect to use or disclosure may be sought after the information has been collected but before use (for example, when PASAN wants to use information for a purpose not previously identified).
- c) The principle requires “knowledge and consent”. PASAN will make a reasonable effort to ensure that the individual is advised of the purposes for which the information will be used. To make the consent meaningful, the purposes must be stated in such a manner that the individual can reasonably understand how the information will be used or disclosed.
- d) Clients or service users will not be asked to provide personal information unless that information is relevant to the program or service being offered by PASAN.
- e) The form of the consent sought by PASAN may vary, depending upon the circumstances and the type of information. In determining the form of consent to use, PASAN will take into account the sensitivity of information.
- f) The way in which PASAN seeks consent may vary, depending on the circumstances and the type of information collected. PASAN will generally seek express consent when the information is likely to be considered sensitive. Implied consent would generally be appropriate when the information is less sensitive. An authorized representative (such as a legal guardian or a person having power of attorney) can also give consent.

- g) Individuals can give consent in many ways. For example:
- ✓ A check-off box (to opt-out) may be used to allow individuals to request that their names and addresses not be added to our mailing list (which includes event notification and invitation, direct mail solicitation, newsletters, and annual report). Individuals who do not check the box are assumed to consent (implied consent) to receive these mailings.
  - ✓ Consent may be given orally when information is collected over the telephone (express consent).
  - ✓ Consent may be given at the time that individuals use a program or service (express consent).

An individual may withdraw consent at any time, subject to reasonable notice. PASAN will inform the individual the implications of such withdrawal.

#### **4. Limiting Collection of Personal Information**

- a) The collection of personal information will be limited to that which is necessary for the purposes identified by PASAN. Information will be collected by fair and lawful means.
- b) PASAN will not collect personal information indiscriminately. Both the amount and the type of information collected will be limited to that which is necessary to fulfill the purposes identified.

#### **5. Limiting Use, Disclosure, and Retention of Personal Information**

- a) Personal information will not be used or disclosed for purposes other than those for which it was collected, except with the consent of the individual or as required by law. For example, PASAN cannot use an event attendee's personal information to solicit them for Direct Mail if PASAN does not have implied or express consent (i.e. they opted out by checking off the box on the event ticket form).
- b) If using personal information for a new purpose, PASAN will document this purpose, and must again ask consent from the individual for the new purpose.
- c) Personal information that is no longer required to fulfill the identified purposes will be destroyed, erased, or made anonymous.

#### **6. Ensuring Accuracy of Personal Information**

- a) Personal information will be as accurate, complete, and up-to-date as is necessary for the purposes for which it is to be used.
- b) The extent to which personal information will be accurate, complete, and up to date will depend upon the use of the information, taking into account the interests of the individual.
- c) PASAN will not routinely update personal information, unless such a process is necessary to fulfill the purposes for which the information was collected.

## Programs – 1012 Confidentiality & Disclosure of Information

Last amended: April 2009

**Description:** This policy outlines the situations where confidential information may be disclosed with the client's permission and the situations where disclosure may be necessary even when permission has not been given.

**Policy:** Whenever possible, PASAN must inform clients about possible disclosure of confidential information, and ensure client control over the information. Only required/specific client information may be disclosed or released to other parties under one or more of the following conditions:

1. Personal information may be disclosed with the informed and written consent of the client. This consent should indicate what information is to be released, to whom and for what purpose and kept in the client's record.
2. Before personal/confidential information is shared with personnel of another agency the client must give written consent.
3. When a client would benefit from the services of another agency and a referral is made, PASAN may, with the client's verbal consent, follow-up with that agency to find out the outcome of the referral.
4. The client's file will remain within PASAN, and is only to be shared with Employees or the ED as necessary.
5. The ED may access client personal information as may be required to ensure effective supervision of employees or volunteers.
6. Claims or actions against PASAN.
7. Where a claim or action is brought against PASAN, its officers, employees or volunteers by a client, or on behalf of a client, the Board, through the ED, may disclose the contents of the client's record to PASAN's liability insurer and solicitor to enable them to ascertain the circumstances giving rise to the claim or action and, where appropriate, to defend PASAN.

### Legal Requirements:

- a. PASAN may disclose client personal information where required by law to do so. Only required information is to be released. In all such circumstances, the ED will seek legal advice and consult the Chair of the Board before complying with such demands. Whenever possible, the client will be notified.
- b. Upon presentation of a subpoena, required confidential information is provided by the ED/designate to the court. Prior to attending with the required documents, the documents are to be copied and copies retained at PASAN. The ED will maintain a record of all warrants and subpoenas executed against PASAN.
- c. Information will not be released to the police, without a search warrant or the written consent of the client or authorized designate. The ED should be immediately contacted.
- d. Witness in Proceedings: Upon receipt of a subpoena or any other process requiring an individual engaged in the affairs of PASAN to attend to give evidence, he or she shall not disclose client information, without the authorization of the client, in advance of or in preparation for attendance as a witness in the proceeding.

- e. In matters of third party liability, PASAN will refuse to release information to private investigators. PASAN will deal only with licensed insurance adjusters, insurance companies or solicitors. Such information will be released only with the prior written consent of the client.
- f. Release of Unlinked information: Statistical information or data may be disclosed provided no identifying information is also supplied, for example, for funders, research purposes, to educate others about the work of PASAN.

### **Programs – 1013 Client Records**

Last amended: December 2008

**Description:** This policy outlines a consistent and as-little-as-needed approach to client record keeping.

**Policy:** Only as much information, in a personally identifiable form, as is necessary to provide quality services and accountability shall be collected and maintained. Information collected and kept that is necessary for accountability requirements (board and annual reports, reports to funders) is provided only without information that could be used to identify an individual.

#### **Procedures:**

- a) Each client file will contain an “intake sheet” containing the following information related to client eligibility: name, address, date of birth, physician, lawyer contact, incarceration status, and date of HIV diagnosis. It will also include employees information on services provided, such as financial assistance, housing referrals, actions taken to deliver services, and referrals to other agencies. Each client file will include a signed consent form and written verification of HIV status from the client’s health care professional, ASO or other community based organization. Case notes, photocopies of relevant correspondence, government forms, may also be maintained in the file as needed.
- b) Case notes should be as brief as possible with supporting facts as needed.
- c) Each entry is to be dated.
- d) Client files will remain in the client filing cabinet on PASAN premises.
- e) Access to client files is restricted to employees and reception volunteers.
- f) Rough notes and sheets which do not form part of the client record should be destroyed as soon as they are no longer useful.
- g) Personally identifiable information shall be destroyed as soon as it is no longer useful.
- h) Each instance of release of information, whether by mandatory disclosure or with the written consent of the client will be recorded.

## **Programs – 1014 Client Access to Their File**

Last amended: November 2008

**Description:** This policy affirms the right of individuals to have access to personal information recorded about them.

**Policy:** Clients have the right to know what personal information PASAN has received, collected, and maintained about them and to have access to such information except in the case of a client under the age of 12 who is unable to understand the information in the file and who may suffer significant harm if access were granted. Except for these restrictions,

PASAN makes every effort to provide full disclosure of all relevant information to clients. In the case of a child client as described above, the parent or legal custodian of the child may have access to the child's file.

## **Programs – 1015 Partnership Programs**

Last amended: April 2008

**Description:** This policy outlines PASAN's commitment to working in partnership with other groups as appropriate.

**Policy:** PASAN works with other agencies to further its Mission and to help strengthen the larger network of programs and services for prisoners with HIV/AIDS. PASAN recognizes that it can increase its impact through collective action. PASAN will work in partnership to enhance services, to provide new programs and to be cost effective. All requests or opportunities for partnership programs, network participation and other forms of agency to agency work must further the Mission of PASAN and must be considered in terms of PASAN's ability to provide the necessary resources.

PASAN contributes its expertise and resources to an effective response to HIV/AIDS by:

1. Participation in relevant networks
2. Co-operatively working with other agencies, both AIDS and non-AIDS agencies.
3. Working in partnership with other agencies on specific programs.

### **Procedures:**

- a) All internal and external requests for partnership programs are forwarded to the ED for consideration.
- b) Partnership programs require an exchange of an agreement letter between PASAN's ED and the ED (or position with authority to make agreements) of the other agency.
- c) All requests for participation in Networks are to be taken to the ED for a decision.

## **Programs – 1016 Public Access & Conduct**

Last amended: April 2008

**Description:** This policy outlines expectations for behaviour from anyone on PASAN premises or at PASAN community events.

**Policy:** PASAN is committed to providing information and services to visitors in a welcoming, comfortable and safe environment.

1. The ED will post rules of Conduct in the Drop-In room. People coming into PASAN are expected to follow the Conduct Rules. The rules of conduct shall be communicated to the Board of Directors as they are amended from time to time.
2. Any visitor who is disruptive and/or, it is reasonably believed that s/he has broken one or more of the rules of Conduct, may be asked to leave. Whenever possible, the person will first be given a warning. Any person, having been asked by an employee to leave the premises, shall leave immediately. When a person has been asked by an employee to leave, but does not do so, the employee will call other employees into the area and repeat the request. If the person still does not leave, the most senior employee (or designate) will contact the police (under the Trespass to Property Act) should no other option be possible.
3. Breaking the Conduct rules will result in the person being asked to leave. It could also result in the person being banned from PASAN premises for a specified time or an indefinite time (until they are able to meet with a PASAN employee to discuss their behaviour and show that they are taking responsibility for their actions).
4. Anyone who believes that the rules have been unfairly applied, or who objects to the rules themselves, has the right to complain under the Complaints policy.
5. Conduct Rules are posted in the Drop-In and will be given to every new client to assure clients that PASAN is serious about their safety and comfort.

**Conduct Rules:** Visitors to PASAN will help maintain a safe, welcoming environment for themselves and others. The following rules apply:

1. Confidentiality: Confidentiality of personal information shared must be maintained. Anything you see, hear or do at PASAN must stay here.
2. Alcohol and illicit drugs: No alcohol or illicit drugs are to be served, or consumed, on the premises.
3. Intoxication resulting in obnoxious, threatening or any type of unwanted behaviour is unacceptable.
4. Smoking is not permitted at any time.

5. Loans. Please, do not ask volunteers or other members, or clients for a loan or donation (except in the context of a specific fund-raising drive).
6. Illegal Activities. No illegal activities will be tolerated on the premises.
7. No physical or verbal violence, discrimination, harassment or bullying including threatening gestures and actions, stalking and sexual harassment including unwanted touching, kissing, hugging, cruising. This also includes abusive language and behaviours that are sexist, racist, homophobic, AIDS-phobic, offensive to a person's religion and/or threatening, including hurtful remarks of any kind, or excessive profanity directed towards anyone.
8. No weapons on the premises. (The term weapon can be defined as any object that can be used to cause harm or injury to the body.)
9. No trying to sell goods (e.g. drugs or alcohol).
10. Foul Language: Please be considerate of other people using PASAN and restrict the use of foul language.
11. Property: The equipment and property within PASAN and the space it shares are for the mutual benefit of the employees, volunteers and clients. All property and equipment must be treated with care, and remain on the premises at all times.
12. Storage: PASAN cannot store any personal possessions or property.
13. Lost, stolen or damaged goods: PASAN assumes no responsibility for any lost, stolen or damaged goods. Please take care of your own belongings.

Breaking these Conduct rules may be grounds for any, or all, of the following:

1. A verbal warning.
2. A written warning.
3. Request to leave
4. Calling the police.
5. Suspension of services

## **Programs – 1017 Refusing Access, Severe Breach of Conduct**

Last amended: April 2009

**Description:** This policy outlines when and how someone may be asked to leave the premises for serious misconduct.

**Policy:** PASAN recognizes that there are instances when a person's conduct is so disruptive that it becomes harmful or too risky to others to permit that person on the premises.

1. **A request to leave will be used only for a severe breach.** The breach must significantly disrupt the work of PASAN and its safe and welcoming environment. A request to leave may have a specified time period depending upon the type and severity of the breach of conduct. The individual will need to meet with employee before returning in order to outline how things will be different and how they will take responsibility for their actions.
2. **Urgent / Dangerous Situations:**  
The following are circumstances that warrant an immediate indefinite ban, and the calling of police:
  - a. The person commits or attempts to commit an assault,
  - b. The person threatens the use of or actually uses a weapon in the building,
  - c. The person threatens violence.The request to leave shall be reviewed by the ED at the conclusion of the incident and any consequences stemming from that act.
3. **Non-urgent/ dangerous situations**  
The following are circumstances where employees will use discretion when asking someone to leave or, calling the police. Only A) B) or C) will be grounds for calling the police and in all cases discretion will be followed.
  - a. Theft
  - b. Intentional Property Damage
  - c. Disruptive behaviour
  - d. Harassment of service users, volunteers or employees
  - e. Solicitation or Procurement (Attempting to sell or purchase sex)
  - f. Use of drugs or alcohol

### **Incident Procedure:**

- a) An incident report will be filled in as soon as the employee is finished dealing with the incident and handed to the ED or designate.
- b) The ED or designate will immediately inform his/her counterpart at any other social service organizations in the building (i.e. Any other agency that PASAN shares space with).
- c) Before recommending that a person leave or before calling the police (in the case of theft, or property damage only), the person will be given the opportunity to make amends (i.e. fix or replace damaged or stolen property, apologize for inappropriate behaviour).

- d) In the case of theft or property damage, if the person does not make amends within a reasonable period of time, the ED may call the police.
- e) In the case of disruptive behaviour, harassment, solicitation, procurement or use of drugs or alcohol on premises, if the person does not make amends or the behaviour is repeated or ongoing; the employee may recommend to the ED that a request to leave be placed upon someone. This should include the suggested time period and the reasons for the recommendation, including any recommendations by volunteer(s).
- f) The ED will review related incident report(s) and any other pertinent sources of information including an attempt to discuss the possibility of a request to leave with the person, if this is practical.
- g) The ED will approve, vary or reject the recommendation and will hand a written notice when possible.
- h) A brief summary of the incident and its resolution will be logged on the service user's or volunteer's case file, for tracking purposes.
- i) The Agency will make every attempt to provide service to the person off site, where employees or volunteers feel safe doing so, and where the loss of service would result in financial hardship or serious consequences to the person's health (i.e. financial assistance program, treatment resources, benefits and assistance)
- j) The incident notice will contain:

The offense(s) committed, contact persons for follow - ups, and any additional instructions.

How to access services during the request to leave (such as by phone if this is practical).

How to appeal using the Complaints policy. An appeal should include one of the following:

- you didn't violate any of PASAN's rules or engage in any excluded behaviour, or
- You violated a rule, or engaged in an excluded behaviour, but not the one(s) for which you were banned; rather, you violated a less serious rule or engaged in a less serious behaviour, the length of ban for which is shorter than that for which you were banned.

## Programs – 1018 Public Access, Reception

Last amended: December 2008

**Description:** Reception provides information and refers to the appropriate PASAN employee/volunteer, over the telephone and in person, through trained volunteers during regular hours of operation at PASAN.

**Policy:** As first point of contact with PASAN, Reception provides a comfortable, respectful, and welcoming introduction to PASAN. Reception waiting area is for people seeking information and waiting for appointments. Volunteers are trained and supported in this key role for PASAN. Reception is kept informed of all emergency and safety policies and procedures.

### **Procedures:**

- a) Reception is open during the regular open hours of PASAN.
- b) Reception volunteers can exercise flexibility when people without appointments remain in the reception area but should call upon employees for advice and assistance over a prolonged period of time or in the case of disruptive behaviour.
- c) Employees will alert Reception of their in or out status .
- d) Employees will provide their weekly schedules to Reception.

## Programs - 1019 Crisis Response & Intervention

Last amended: December 2008

**Policy:** PASAN is committed to maintaining a safe environment for all employees, students, clients, volunteers and agency visitors. In the delivery of health and community services, crisis situations will occur periodically. Crisis situations must be responded to in a manner which minimizes disruption to the delivery of ongoing programs and services and ensures responses are quick, effective and consistent across the organization. It is imperative that crises are contained with clear, directed leadership which ensures the needs of the individuals are balanced within the context of the broader needs of the organization, including employees, students, clients and volunteers. Crisis responses must comply with PASAN's policy of respect.

For the purpose of this policy, crisis situations are incidents which include but are not limited to:

- a. violent behaviour
- b. disruptive behaviour
- c. discriminatory behaviour
- d. harassing behaviour
- e. abusive behaviour

### Application

The procedures outlined below are to be taken by employees of PASAN in the event of a crisis situation on the premises at PASAN. Students and volunteers are not expected to take a lead role in responding to crisis situations.

Crisis Response Procedures:

- a) Ideally, the first person on the scene will take the lead. Should this not be possible, the first person on the scene will ask another employee to take the lead. The lead person takes responsibility for assessing the situation, and directing bystanders and employee who come on the scene. The lead person may direct another employee to take a secondary leadership role with respect to bystanders or other employee coming onto the scene. All new employees on the scene are expected to take direction from the lead employee. PASAN's code word in case of emergency is FIRE. Please ensure this code word is only used in cases of emergency.
- b) New employees on the scene must communicate with the lead employee before intervening. For instance, find out what has already been done, before talking with the client. If the first person at the scene is behind the desk, consider relieving them, so they can continue to work with the crisis, as they have likely witnessed the situation develop. The lead employee may choose to have a new employee take over their role, but it is imperative that role changes are communicated. Don't assume anything. A person in crisis can be left alone for a moment so that workers can communicate what the next best steps are.
- c) It is the responsibility of the lead employee to assess if we need a doctor or an ambulance. If they are not sure how to make this assessment, they are expected to seek help from other employees. For example, the lead may ask a volunteer behind the desk, or another employee to get someone who is more experienced in these issues (e.g. ED).
- d) Police will be called in all cases where anyone is being threatened with physical violence or is physically being harmed. Whenever possible, the lead employee will make the decision to call the police. However, there may be situations where the lead is unable to do so. If any person is being physically attacked it is imperative that the next employee on the scene direct someone to call the police immediately.
- e) On occasion, when employees are dealing with a person who is refusing to leave, it can be helpful to inform the person that if they choose not to leave the police will be called. In situations where the person is not putting anyone or themselves at risk, but refusing to leave, an employee may inform the client that they police will be called (as incentive to have the client leave on their own free will). In such situations, the lead employee may direct the person behind the front desk, to call the police, if the situation continues.
- f) If you come upon a crisis situation, identify who is leading the crisis intervention. Discretely assess if your support is needed. Inquire if you can be of assistance. Are there already enough employees involved? If the crisis is in the reception area, is there someone behind the front desk? Are there a number of spectators that could be moved along or supported? If you think it might be helpful for you to be standing by in case you are needed, check your mail box or do something in the area that will allow you to be available immediately, but will not draw attention to the crisis. If you are not needed, get out of the way, but stay alert in case you are needed. This will ensure we do not create an audience, which can make it more difficult to manage any crisis.
- g) All people working in the agency should be made aware of the exits, locations and where they lead to. All employees will ensure that clients, volunteers and agency visitors are aware of the exits in case of an emergency.

- h) Volunteers and students who are working in the vicinity of the crisis will offer behind the scene administrative or reception support, such as remaining behind the Reception desk in case the police or ambulance needs to be called, while workers intervene in the crisis. They are not expected to intervene directly in crisis situations. However, they are expected to maintain their regular designated role whenever possible.
- i) Following an incident, all agency visitors and clients will be asked to leave; so that the door can be locked and immediate de-briefing can occur. The ED should be notified as soon as possible about the incident if she was not present.
- j) After a crisis incident has occurred, the lead employee is responsible for ensuring that an incident report is filed according to the Incident Report Procedure.

### **Programs – 1020 Suicidal Clients**

Last amended: December 2008

**Policy:** Employees and volunteers of PASAN may, in the normal course of their employment, be exposed to discussions of suicide. Employees/volunteers should assume talk of suicide is serious, support the individual and attempt to connect them with expert help.

#### **Procedures:**

1. A person who states that he/she is thinking about suicide, either by phone or in person, is to be given immediate support and referred to a local hospital, local distress centre or the Gerstein Centre in Toronto or, other local crisis supports in the province.
2. Anyone who approaches a PASAN employee/volunteer off-site should be referred to the Distress Centre or the Gerstein Centre which have the ability to respond on a 24 hour basis, or to another distress centre.
3. If, in the opinion of another employee, the person presents as a high risk for suicide, the person should be referred to a psychiatrist (the person's own or Mount Sinai Hospital -Clinic for HIV-Related Concerns), the person's family doctor, or to the nearest emergency room that has a psychiatry department (Clarke Institute, Toronto Hospital, Toronto East General) for immediate help or other local help outside of the Toronto area.
4. If on the phone, warn the caller that if they provide identifying information, an emergency service would be alerted. If the caller does provide identifying information (or is already known) and threatens imminent grave danger to him/herself, or another, and refuses to be referred to a crisis line/service, the employee will have a co-worker call 911. Only the minimal amount of confidential information necessary to prevent harm will be disclosed. If available, the ED should be consulted prior to notification.
5. All interactions with suicidal service users are to be documented and reported immediately to the ED.

## **Programs – 1021 Child Abuse**

Last amended: December 2008

**Description:** This policy outlines the policy and procedures to be followed to ensure that PASAN complies with the law regarding child abuse.

**Policy:** Employees, volunteers and members of the Board must immediately report any information or suspicion of child abuse to the ED and to a children's aid society. PASAN supports and complies with the reporting duties set out in Section 72 of the Child and Family Services Act. The duty to report prevails over any other legislation and over PASAN confidentiality policies. If any person has reasonable grounds to suspect that a child under the age of 16 has suffered, is suffering or may suffer abuse by the parent or person in charge of the child, or has been abandoned by the parent or orphaned (without adequate provision being made for the child), the person must immediately and directly report the suspicion or information to PASAN ED and to a children's aid society. A record of the report shall be kept by PASAN. Abuse is defined in the Child and Family Services Act. The current definition is set out in the following procedures.

### **Procedures:**

- 1) If an employee/volunteer suspects or observes past or impending abuse of a child, the employee/volunteer will:
  - a) Assess immediate/imminent risk; provide safety if able.
  - b) Immediately report suspicion or observation to the ED.
  - c) Document the suspicion.
  - d) In consultation with the ED decide whether the suspicion, knowledge, or observation needs to be reported to an appropriate agency.
- 2) Furthermore, when the situation involves a child:
  - a) If there is uncertainty around reporting, phone and consult with intake of the appropriate Children's Aid Society.
  - b) When appropriate discuss with client and encourage active involvement in the reporting contact with the Children's Aid Society.
  - c) Report suspicions and supporting information to the appropriate Children's Aid Society.
  - d) Document contact with the Children's Aid Society including:
    - date,
    - name of person contacted,
    - information shared, and
    - action taken.

## VOLUNTEERS

### Volunteers – 1001 Rights and Responsibilities

Last Amended: April 2008

**Description:** This group of policies recognizes the importance of volunteers (and Board members as volunteers) and outlines the conduct expected from a volunteer of PASAN. For the purpose of this policy, volunteer also includes Board member.

**Policy:** Volunteers are a valuable and essential resource to PASAN, its clients, employees and members. PASAN is committed to involving volunteers in direction setting, decision-making and service delivery. Volunteers have the right to be treated with respect, to receive effective and ongoing supervision, and the right to ongoing support and recognition for their contribution to PASAN. Volunteers have the right and responsibility to use the process outlined in the Complaints policy. Volunteers are expected to actively perform their duties to the best of their abilities, be accountable to the agency and the people we serve, and to remain faithful to the mission, philosophy, policies and procedures of the agency. Volunteers also agree to follow and sign the Volunteer Code of Conduct. The Code of Conduct includes agreement to the following policies and procedures:

**Confidentiality:**

Volunteers will adhere strictly to the agency policy and not disclose any personal information about clients, employees, volunteers or others learned in the course of their involvement with the PASAN. No such information will be disclosed to any person without the express written permission of the individual involved and the authorization of the ED to release the information.

**Non-Discrimination/Equity:**

Volunteers will neither practice nor tolerate discrimination or harassment against any employee, volunteer or service-user on the basis of race, creed, colour, place of origin, ethnic origin, ancestry, citizenship, political or religious affiliation, sex, gender, sexual orientation, age, family relationship, marital status, HIV status, economic status, sexual identity, record of offences or disability.

**Conflict of Interest:**

Volunteers will abide by the Conflict of Interest Policy and agree to declare, in writing, any potential conflict of interest with the Volunteer Coordinator or ED.

**Alcohol/Drug Use:**

Being under the influence of alcohol or recreational drugs may interfere with an individual's ability to volunteer at PASAN. Volunteers therefore agree not to be under the influence of alcohol/drugs while performing their PASAN duties.

**Dependability:**

Volunteers must understand that their services as a volunteer are integral to the operations of PASAN. Volunteers agree to be on time for all commitments that they make to PASAN.

**Non-Compliance:**

Volunteers will agree that failure to adhere to any and all parts of the Code of Conduct may result in suspension of their volunteer duties with PASAN.

**Procedures:**

- a) Volunteers will sign the Basis of Unity agreeing to abide by the above policies and procedures.
- b) Volunteers will sign the Code of Conduct form agreeing to PASAN's Policy on Confidentiality Procedure.
- c) If a volunteer is taking any medications/drugs (prescribed or otherwise) that may have an impact on their ability to volunteer they will discuss the matter with their immediate supervisor.
- d) Should a volunteer have any difficulties in keeping their commitment, they will notify their supervisor as soon as reasonably possible.

**Volunteers – 1002 Screening and Selection**

Last Amended: November 2008

**Description:** This policy outlines the process for becoming a volunteer with PASAN.

**Policy:** The process of screening and selection of volunteers allows both PASAN and the potential volunteer to ensure a good match between:

1. what the potential volunteer desires in a volunteer opportunity, and
2. what work PASAN has to offer the volunteer.
3. The screening and selection process is also necessary to ensure the volunteer is:
4. able to support PASAN's mission
5. able to support how the work is done such as non-judgmental service delivery, client focused and harm reduction, and
6. Lesbian/gay/transgender affirmative and sex positive.

Potential volunteers are asked to come in for and fill out an application. Applicants are interviewed with an emphasis on matching: applicant skills, abilities and areas of interest with current needs of PASAN. Individuals will be asked to complete an interview, submit names of 3 references, provide basic personal information, and be evaluated and screened according to responsibility.

- a) The Volunteer Coordinator interviews interested individuals to determine:
- b) What is motivating the individual to become a volunteer at PASAN?
- c) What challenges/opportunities is the individual expecting?
- d) What level of commitment can the individual make?
- e) What skills does the individual have?
- f) How available is the individual?
- g) Does the individual's skills/availability match PASAN's needs?
- h) How suitable is the individual to work at PASAN? Values, attitudes?

The applicant is asked to provide 3 professional references who must have known the applicant for at least 6 months and must not be their spouse/partner or immediate relative. If there are no vacancies in the area of interest then a letter is sent out indicating that the application will be kept on file for 6 months.

## **Volunteers – 1003 Accountability/Supervision for Volunteers**

Last Amended: April 2004

**Description:** This policy outlines the commitment of PASAN to ensure support to its volunteers through supervision and thereby ensure quality programming.

**Policy:** PASAN provides ongoing support to all volunteers. Volunteers can expect employees to provide them with appropriate support in their duties as volunteers and, in addition, volunteers can expect personal support from employees that is reasonable in the context of their volunteer roles.

Employees are expected to provide volunteers with supervision and volunteers are expected to be active participants in the process. This includes being receptive to feedback and guidance relative to their job performance. The supervision process is to be acceptable, reasonable, regular, ongoing, visible and related to the volunteer's assigned program.

The purpose of supervision is to:

1. Ensure two way accountability for the performance of assigned responsibilities
2. Ensure quality service delivery
3. Maintain communication
4. Obtain volunteer input into program/event development and
5. Provide opportunities to discuss ongoing work and other options for volunteering in the program.

## **Volunteers – 1004 Employee Transition to Volunteer**

Last Amended: April 2009

**Policy:** If an employee resigns or is terminated from PASAN, he or she may become a volunteer after a waiting period of 6 months upon approval on a case-by-case basis by the ED.

If an employee resigns or is terminated from PASAN he/she will not run for election or be appointed to the Board of Directors until after a waiting period of 24 months.

### **Procedures:**

- a) An employee who has resigned and wishes to become a volunteer, may do so after a 6 month waiting period by contacting the ED who will assess the suitability and appropriateness of a volunteer placement. The ED may waive the 6-month waiting period, either shortening it, or eliminating it, on a case-by-case basis.
- b) If an employee has been terminated, he or she may only become a volunteer upon the approval of the ED, who will make such decisions on a case-by-case basis.

## FUND DEVELOPMENT

### Fund Development – 1001 Acceptance of Funds

Last Amended: April 2008

**Description:** This policy outlines which funds PASAN will accept.

**Policy:** Donations, PASAN grants, sponsorships, and joint corporate marketing initiatives which are consistent with PASAN's annual fundraising plan are gratefully received from any source that supports and respects PASAN's mission and values. PASAN does not condone, through acceptance of a specific public or private sector gift, the product, service or philosophy of the donor. The only exception to this is that PASAN does not accept donations, grants, sponsorships or joint marketing initiatives from any government level of Corrections. Each donation, sponsorship, and joint corporate marketing initiative is to be evaluated on the following criteria:

- a) Does it support PASAN's mission?
- b) Does it provide an asset (financial, human resources, or public image) to PASAN?
- c) Does it compromise or restrict PASAN's ability and right to express PASAN's informed opinion on matters relating to PASAN work?
- d) Does acceptance of this gift unduly restrict PASAN's capacity to solicit or accept other funds?
- e) Is this gift appropriate to PASAN's philosophy?
- f) Is this gift appropriate to PASAN's strategic plan and workplans?

**Procedures:**

- a) If the ED determines that acceptance of a specific donation, sponsorship or joint corporate marketing initiative is within the intent of this policy, then Fundraising Department are empowered to negotiate on behalf of PASAN.
- b) If broader consultation is deemed necessary by Fundraising Department, then authority to make that decision is passed to the ED.
- c) If the ED determines that acceptance of a specific donation, sponsorship or joint corporate marketing initiative is within the intent of this policy, then the Fundraising Department is empowered to negotiate on behalf of PASAN.
- d) If broader consultation is deemed necessary by the ED, then authority to make that decision is to be passed to the Board Development Committee.
- e) If broader consultation is deemed necessary by the Board/Development Committee, then authority to make that decision will be passed to the Board.
- f) The Board has ultimate authority to negotiate on behalf of PASAN.

## **Fund Development – 1002 Designated (Restricted) Donations**

Last Amended: April 2004

**Description:** This policy outlines how and when PASAN will accept donations with restrictions on their use.

**Policy:** PASAN accepts designated donations for purposes consistent with the mission, values and strategic plan of PASAN. PASAN may designate certain fundraising incomes for specific PASAN programs, and advertise that designation.

All designated donations are to be used for the purposes for which they are given. All designations of \$100 or more are to be approved by the ED. Where a proposed designated donation is not consistent with PASAN's mission, values, and strategic plan, the ED is to:

- a) Discuss the intended use of the proposed gift with the donor.
- b) Make appropriate options available to the donor.
- c) If agreement cannot be reached with the donor on reassignment of the proposed gift, refuse a designated gift.

## **Fund Development – 1003 Third Party Events**

Last Amended: April 2004

**Description:** This policy describes when and how PASAN will agree to have a third party host a fundraising event.

**Policy:** All persons representing third party events must sign a Letter of Agreement with PASAN. A revenue and expense budget must be approved by PASAN prior to any letter of agreement being signed.

In order to use PASAN name or logo in any promotional material for an event or project, persons representing third party events must secure permission from the ED. PASAN reserves the right to deny use of its name or logo.

Net revenues from the event, and financial reports on revenues and expenses, must be submitted to PASAN no more than 60 days after the end of the event.

## **Fund Development – 1004 Tax Receipts**

Last Amended: April 2004

**Description:** This policy outlines how PASAN will issue receipts for income tax purposes.

**Policy:**

- a) All donations may be receipted only in accordance with Revenue Canada guidelines.
- b) Tax receipts may be issued where donations are voluntary and where the donor receives no benefits in return for the donation. An exception is in the case of membership fees for which the member receives only the right to vote and receive public documents on PASAN activities.
- c) Tax receipts are not issued for the donation of goods or services where these donated goods or services are the company's primary stock in trade unless there is a cheque exchange.
- d) Tax receipts are not issued for donations of services unless a cheque exchange is agreed to in advance by the ED.
- e) Tax receipts are not issued for contributions directed to other agencies which do not have a charitable status, unless PASAN is given full financial control over the expenditure of the contribution.
- f) Final interpretation of Revenue Canada guidelines for charitable tax receipt rests with PASAN's auditor.
- g) PASAN issues a receipt upon notification and receipt of appropriate documentation from the Finance Department.

**POLICY & PROCEDURE AGREEMENT**

I, (print name) \_\_\_\_\_, as an (circle one) employee, volunteer or Board member of PASAN, have received a copy of the current PASAN Policies and Procedures, fully understand and agree to abide by these policies and procedures as a condition of my ongoing employment (or volunteer role) with PASAN.

I understand that I am responsible and accountable for abiding by these policies and procedures as part of my employment contract (or volunteer agreement) and that failure to do so may result in disciplinary action up to and including the termination of my employment contract (or removal from my volunteer role).

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Executive Director (Witness)

\_\_\_\_\_  
Date