



# Policy: Workplace Harassment

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## Policy Statement

The Superior North Catholic District School Board (the “Board”) is committed to providing a safe, supportive and professional equitable and inclusive work environment in which all individuals are treated with respect and dignity.

- Workplace harassment will not be tolerated from any person in the workplace, and any worker in violation of this policy may be subject to disciplinary action, up to and including the termination of their employment for just cause.
- Everyone in the workplace must be dedicated to preventing workplace harassment.
- Managers, supervisors and workers are expected to comply with this policy and will be held accountable under this policy by the Board.

## Terms and Definitions

**Workplace Harassment means:** Engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome or workplace sexual harassment. Harassment may, dependent on the circumstances, consist of a single action or a series of incidents.

Reasonable action taken by the Board or any supervisory or managerial personnel relating to the management and direction of Board employees or the workplace is not workplace harassment.

**Workplace means:** any place where workers perform work or work-related duties or functions. Schools and school-related activities, such as extra-curricular activities and excursions, comprise the workplace, as do Board offices and facilities. Conferences and training sessions fall within the scope of this Policy. Off-duty conduct may fall within the scope of this policy, to the extent that it has an impact on the workplace.

**Discrimination means:** unfair or adverse treatment because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability.

**Workplace Sexual Harassment means:** (a) engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or (b) making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

**Reprisal:** means any act of retaliation, either direct or indirect, relating to an individual's complaint or reporting of workplace harassment, or participation in any workplace harassment investigation.

**Supervisory and Managerial Personnel:** includes principals, vice-principals, managers, supervisors, Superintendents of Education, and the Director of Education.

## Guidelines

The Board will comply with the responsibilities placed upon employers by the Human Rights Code and the Occupational Health and Safety Act.

This policy is intended to provide greater awareness of the value of establishing and maintaining respectful working and learning environments and of responsiveness to the damaging effects of harassment in the workplace.

The Board will ensure that allegations of workplace harassment are dealt with promptly. Alleged incidents of harassment will be investigated in a fair, consistent, thorough, and confidential manner, pursuant to the Board's Workplace Harassment Administrative Regulation.

This policy is not intended to limit or constrain the reasonable exercise of supervisory functions in the workplace. Managing and/or coaching that includes counselling, performance appraisal, work assignment and the implementation of respectful disciplinary actions, is not a form of harassment and the policy does not restrict a manager's/ supervisor's responsibilities in these areas.

It is the policy of the Board that workplace harassment, as a serious infringement of the rights of employees, is prohibited. This Workplace Harassment Policy shall apply to all Board workers and other users, including, but not limited to, trustees, parents, managers, supervisors, employees, volunteers, contractors and others who are invited to Board premises or facilities.

All workers and Supervisory and Managerial Personnel are encouraged to report any incidents of workplace harassment to either their supervisor, the Superintendent of Education, HR Consultant, or to the Human Resources Department ("Human Resources"). If the Superintendent of Education or someone in Human Resources is the alleged harasser, complaints and reports of workplace harassment should be submitted to the Director of Education.

The Board will investigate and deal with all complaints or incidents of workplace harassment in a fair, respectful and timely manner, by following the procedures and timelines described in the Workplace Harassment Administrative Regulation. Information provided about an incident or about a complaint, including the identifying information of any individuals involved, will not be disclosed except as necessary to protect workers, to investigate the complaint or incident, to take corrective action, or as otherwise required by law.

This Policy prohibits reprisal against individuals, acting in good faith, who report incidents of workplace harassment or act as witnesses. No one should be penalized for reporting an incident or for participating in an investigation involving workplace harassment.

This Policy will be reviewed as often as necessary, and at least annually. Workers will be provided with appropriate instruction on this Policy and the Workplace Harassment Administrative Regulation.

The rights and responsibilities of trustees in regards to a respectful working environment free from harassment shall be addressed under the Code of Ethics for Catholic School Trustees and the Education Act.

## References

Canadian Charter of Rights and Freedoms

Ontario Human Rights Code

Ontario Occupational Health and Safety Act

Municipal Freedom of Information and Protection of Privacy Act

Ontario College of Teachers Act, 1996

Education Act

Early Childhood Educators Act, 2007

Code of Ethics for Catholic School Trustees

## Approval and Review Dates

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