



Northeastern Catholic District School Board

WORKPLACE HARASSMENT PREVENTION

Policy Number: H-2

**Authority: 01-341/10-132/14-153/17-35
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POLICY STATEMENT

The Northeastern Catholic District School Board (NCDSB) is a community that fosters a Christ-centered positive school climate, free from discriminatory or harassing behaviour. The educational community is a place that promotes responsibility, respect, civility, and academic excellence in a safe learning and teaching environment in which all persons are treated with respect and dignity, free from sexual, racial, ethno cultural, or other harassment, related to any grounds identified within the Human Rights Code.

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. As such, workplace harassment, or threats of harassment, will not be tolerated. The Board believes that the eradication of harassment in the school/workplace is the joint responsibility of the employer and the employee. Therefore, any employee who becomes aware of a harassment situation has a responsibility to draw appropriate attention to it.

REFERENCES

Occupational Health and Safety Act
Sexual Violence and Harassment Action Plan Act, 2016

DEFINITIONS

WORKPLACE HARASSMENT

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. The normal proper exercise of supervisory responsibilities, including training, evaluation, counselling, and discipline when warranted, does not constitute workplace harassment.

Examples include but are not limited to: Making remarks, jokes or innuendos that demean, ridicule, intimidate or offend; bullying; displaying or circulating offensive pictures or materials in print or electronic form; inappropriate sexual touching, advances, suggestions or requests.

SEXUAL HARASSMENT

Engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identify or gender expression, where the course of comment or

conduct is known or ought reasonably to be known to be unwelcome. Or 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.

SEXUAL VIOLENCE

Any sexual act or act targeting a person's sexuality, gender identity or gender expression, whether the act is physical or psychological in nature, that is committed, threatened or attempted against a person without the person's consent. This includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism, and sexual exploitation.

WORKPLACE

Any place where employees 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 parameters of this policy.

REPRISAL

Any act of retaliation, either direct or indirect.

POLICY REGULATIONS

1.0 GUIDELINES

- 1.1 The Board shall comply with the responsibilities placed upon employers by the Human Rights Code and the *Occupational Health and Safety Act*.
- 1.2 All reasonable practical steps shall be taken to avoid, reduce, or control, any foreseeable risks to the health and safety of persons who may be affected by Board activities.
- 1.3 The Board shall ensure that allegations of workplace harassment are dealt with promptly. Alleged incidents of harassment shall be investigated in a fair, consistent, thorough, and confidential manner.
- 1.4 At any stage an employee has a right to file a complaint:
 - i) through the Human Rights Code;
 - ii) through their affiliated unions or federations or collective agreements;
 - iii) through the Board Harassment procedures which follow;
 - iv) through the Police or other authority;
 - v) or to drop the matter.
- 1.5 The Workplace Harassment Prevention Policy shall apply to all Board employees, and other users, such as but not limited to members of consultative committees, clients of the Board, parents, volunteers, permit holders, contractors, and employees of other organizations not related to the Board but who nevertheless work on or are invited onto Board premises. This Policy covers harassment by such persons which is proven to have repercussions that adversely affect the Board's learning and working environment.

- 1.6 The rights of students to a respectful working and learning environment, free from harassment, shall be dealt with under other appropriate policy, legislation, or regulations including, but not limited to, the *Education Act*, the *Safe Schools Act*, Ontario Schools Code of Conduct, and codes of behaviour. This Policy applies, however, in appropriate circumstances where workplace harassment may arise because of student behaviours.
- 1.7 The rights and responsibilities of trustees in regards to a respectful working environment free from harassment shall be dealt with under the appropriate policy, legislation, or regulations including but not limited to the *Code of Ethics for Catholic School Trustees* and the *Education Act*.
- 1.8 All those covered by the Workplace Harassment Policy shall have a right to report objectionable behaviour and are entitled to access the complaint resolution processes. Every attempt shall be made to resolve matters through an informal resolution.
- 1.9 This Policy prohibits reprisals against individuals, acting in good faith, who report incidents of workplace harassment or act as witnesses. The Board shall take all reasonable and practical measures to prevent reprisals, threats of reprisal, or further harassment.
- 1.10 The Board shall provide an employee with information and instruction that is appropriate for the employee on the contents of the Policy and program with respect to workplace harassment and any other prescribed information.
- 1.11 The Board shall develop and maintain a Workplace Harassment Prevention Program to implement the Policy with respect to workplace harassment in accordance with the requirements of the *Occupational Health and Safety Act*.
- 1.12 The Board shall strive to maintain an environment respectful of human rights and free of objectionable behaviour for all persons served by it. It must be ever vigilant of anything that might interfere with this duty. The Board expects that all persons in its learning/working environment shall:
- i) be aware of and sensitive to issues of harassment;
 - ii) support individuals who are or have been targets of harassment;
 - iii) prevent harassment through training;
 - iv) take all allegations of harassment seriously and respond promptly;
 - v) provide positive role models; and
 - vi) not demonstrate, allow or condone behaviour contrary to the Policy, including reprisal.