



Northeastern Catholic District School Board

WORKPLACE HARASSMENT AND VIOLENCE PREVENTION

Policy Number: H-2

Authority: 24-116

POLICY STATEMENT

The Northeastern Catholic District School Board (NCDSB) is committed to providing safe working and learning environments, free from any type of workplace harassment and workplace violence. The NCDSB community is a place that promotes responsibility, respect, civility, and excellence in a safe and healthy environment in which all employees are treated with respect and dignity.

The NCDSB strives to foster a Christ-centered, inclusive, and positive climate and will not tolerate actions, behaviours or words that threaten positive, inclusive, and respectful working and learning environments.

REFERENCES

Education Act

Occupational Health and Safety Act

Sexual Violence and Harassment Action Plan Act, 2016

Workplace Violence in School Boards: A Guide to the Law

NCDSB Policy

H-1 Health and Safety

NCDSB Workplace Harassment Prevention Program

NCDSB Workplace Violence Prevention Program

DEFINITIONS

REPRISAL

Any act or retaliation, either direct or indirect.

SEXUAL HARASSMENT

Engaging in a course or 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.

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 reasonably ought 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. This includes but is not limited to school, the board office, work-related events and/or other locations where work-related activities take place and where employees or others covered under this policy perform work or work-related functions.

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

Examples of workplace harassment 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.

WORKPLACE VIOLENCE

As defined by the *Occupational Health and Safety Act*

- i) The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
- ii) An attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to a worker;
- iii) A statement or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against a worker, in a workplace, that could cause physical injury to a worker.

Examples of workplace violence include but are not limited to: verbally threatening to attack a worker; leaving threatening notes or sending threatening emails; throwing an object at a worker; shaking a fist in a worker's face.

POLICY REGULATIONS

1.0 GENERAL

- 1.1 The NCDSB shall comply with the responsibilities placed upon employers in accordance with the *Occupational Health and Safety Act*, the Human Rights Code, and other applicable legislation.
- 1.2 This policy applies to all board employees, volunteers, parents, contractors, permit holders, and employees of other organizations not related to the NCDSB but who nevertheless work on or are invited onto NCDSB premises.
- 1.3 The rights and responsibilities of trustees in regards to a respectful working environment free from harassment and violence shall be dealt with under the appropriate policy,

legislation, or regulations including but not limited to the *Education Act*, the Code of Ethics, and the Trustee Code of Conduct.

- 1.4 The rights of students to a respectful working and learning environment, free from harassment and violence, are dealt with under other appropriate policy, legislation or regulations, including but not limited to the *Education Act*, *Safe Schools Act*, Ontario Code of Conduct, and codes of behaviour.
- 1.5 Workplace harassment and violence may occur between employees, employees and members of the school community, and employees and strangers, while on Board premises or while engaging in any school or Board related activities including workplace social events and social media.
- 1.6 This policy prohibits reprisals against individuals, acting in good faith, who report incident of workplace harassment or violence or act as witnesses. The NCDSB shall take all reasonable and practical measures to prevent reprisals, threats of reprisal, or further acts of harassment or violence.
- 1.7 This policy is not intended to limit or constrain the reasonable exercise of management functions in the workplace. A reasonable action taken by an employer or supervisor relating to the management and direction of workers in the workplace is not workplace harassment.

2.0 WORKPLACE HARASSMENT AND WORKPLACE VIOLENCE PROGRAMS

- 2.1 The NCDSB shall, in consultation with the Joint Health and Safety Committee, develop and maintain a written program to implement this policy with respect to workplace harassment or workplace violence which will:
 - i) Include measures and procedures for employees to report incidents of harassment or threats or workplace violence.
 - ii) Set out how incidents or complaints will be investigated and addressed.
 - iii) Set out how information obtained about an incident or a complaint, including identifying information about any individuals involved, will not be disclosed unless the disclosure is necessary for the purposes of investigating or taking corrective action with respect to the incident or complaint, or is otherwise required by law.
 - iv) Set out how an employee who has allegedly experienced workplace harassment or violence will be informed of the results of the investigation and of any corrective action that has been taken or that will be taken as a result of the investigation.
- 2.2 The NCDSB shall ensure that allegations of workplace harassment or violence are dealt with promptly. Alleged incidents of harassment shall be investigated in a fair, consistent, thorough, and confidential manner.

3.0 DUTIES

- 3.1 All employees:
 - i) are encouraged to raise any concerns about workplace harassment and/or the potential for workplace violence to their supervisor.

- ii) must report any violent incidents and threats of violence.
- iii) must cooperate in investigations.

3.2 All employees must review the provisions of this policy, the Workplace Harassment Program and the Workplace Violence Program one time annually.

3.3 The NCDSB will provide all employees with information and instruction on the contents of the policy and Workplace Harassment and Workplace Violence programs.