

TITLE: RESPECTFUL WORKPLACE (HARASSMENT PREVENTION)

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1.0 OBJECTIVE

To provide a workplace in which all workers are treated with respect and dignity by others with whom they interact in the workplace, and thereby work in an environment that is free of workplace harassment, bullying and disrespectful behaviour.

2.0 DEFINITIONS

In this policy,

2.1 **Board** means the Board of Trustees.

2.2 **Bullying** means aggressive and typically repeated behaviour by an individual where the behaviour is intended to cause harm, fear or distress to another individual, including physical, psychological, social harm, harm to the individual's reputation or harm to the individual's property, or to creating a negative environment for another individual. This behaviour occurs in a context where there is a real or perceived power imbalance between the bully and the victimized individual based on factors such as size, strength, age, intelligence, peer group power, economic, social or employment status, religion, ethnic origin, sexual orientation, family circumstances, gender, gender identity, gender expression, race, disability or special needs. Bullying behaviour includes the use of any physical, verbal, electronic, written or other means.

2.3 **Cyber-bullying** means Bullying specifically by electronic means and may include, but is not limited to, sending or posting harmful or malicious messages or images through email, instant messages, cell phones, websites, and other technology.

2.4 **Disrespectful behaviour** means behaviour that is or ought reasonably to be known to be disrespectful and/or unwelcome to an individual, or group, which diminishes the dignity of any person(s).

2.5 **District** means to the Ottawa-Carleton District School Board.

2.6 **Worker** means any of the following,

a) A person who performs work or supplies services for monetary compensation;

- b) A secondary school student who performs work or supplies services for no monetary compensation under a work experience program authorized by the school board that operates the school in which the student is enrolled;
 - c) A person who performs work or supplies services for no monetary compensation under a program approved by a college of applied arts and technology, university or other post-secondary institution;
 - d) A person who receives training from the OCDSB, but who, under the Employment Standards Act, 2000, is not a worker for the purposes of that Act because the conditions set out in subsection 1 (2) of that Act have been met; and
 - e) Such other persons as may be prescribed who perform work or supply services to the OCDSB for no monetary compensation.
- 2.7 Poisoned work environment means a work environment or atmosphere where disrespectful behaviour from a series of events or a single serious remark or action has an adverse impact on an individual or a group, that may include psychological or physiological harm, feelings of intimidation, impaired job performance, reduced job satisfaction, increased absenteeism and/or turnover.
- 2.8 Respectful behaviour means behaviour that supports and creates a positive workplace.
- 2.9 Workplace means the site where the individuals are customarily employed, and includes all other places which result from employment responsibilities or employment relationships, including OCDSB or committee meetings, locations at work-related social functions, work assignments outside the site, field trips, work-related conferences or training sessions, and work-related travel.
- 2.10 **Workplace harassment** means
- a) 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
 - b) workplace sexual harassment or workplace racial or ethnocultural harassment.
- 2.11 **Workplace racial or ethnocultural harassment** means engaging in a course of vexatious comment or conduct against a worker in a workplace because of the worker's ancestry, place of origin, ethnic or national origin, citizenship, religion or any expression thereof (e.g. attire), where the course of comment or conduct is known or ought reasonably to be known to be unwelcome.
- 2.12 **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.

3.0 POLICY

Policy Statement

3.1 The Board recognizes the principle of basic human dignity. The Board is committed to providing a workplace in which all individuals are treated with respect and dignity, and where workplace harassment, bullying and other disrespectful behaviours are not tolerated, including by workers, students, parents, trustees, suppliers and others with whom employees interact in the course of their employment.

Guiding Principles

3.2 The District shall ensure through implementation of this policy that:

- a) All workers are able to work in an environment which is free from workplace harassment, bullying and other disrespectful behavior.
- b) Persons in a position of authority shall not use their authority inappropriately vis a vis another person.
- c) Workers and all members of the District community understand their responsibility for contributing to a respectful workplace and model the character attributes Acceptance, Appreciation, Cooperation, Empathy, Fairness, Integrity, Optimism, Perseverance, Respect, and Responsibility.
- d) All workers shall attempt to make every reasonable effort to resolve issues arising as a result of friction, conflict or disagreement in a respectful and professional manner that contributes to a healthy and productive workplace.
- e) Complaints related to workplace harassment, bullying, disrespectful behavior or a poisoned work environment are taken seriously and addressed appropriately and in a timely manner.

4.0 SPECIFIC DIRECTIVES

4.1 Workplace harassment of any kind shall not be tolerated.

4.2 Workplace harassment may take the following forms:

- a) verbal, including offensive words or jokes which demean persons on the basis of any form of discrimination, bullying, or intimidation;
- b) environmental, including graffiti, defacement of private or public property including school lockers, pictures or cartoons that are demeaning of others based on any of the above forms of discrimination;
- c) physical, including unwelcome physical contact or assault, offensive gestures, threatening physical behaviour, physical bullying; and
- d) psychological, including deliberate isolation or ostracism, condescending or patronizing behaviour which undermines self-respect.

4.3 Disrespectful behaviour shall not be tolerated from anyone in the workplace. Forms of disrespectful behaviour may include, but are not limited to:

- a) written or verbal comments, actions, gestures, behaviours or 'jokes' which would reasonably be perceived as unwelcome, humiliating, offensive, hurtful, or belittling;
 - b) bullying or intimidating behaviour;
 - c) abuse of authority;
 - d) yelling, shouting, screaming, or swearing;
 - e) deliberately excluding or isolating a person from relevant work activities or decision-making;
 - f) stereotyping or making inappropriate assumptions about an individual based on an individual's personal qualities, characteristics or role; and
 - g) devaluing or trivializing a person's successes, contributions or concerns.
- 4.4 Workplace harassment and disrespectful behaviour does not include a reasonable action taken by the OCDSB or supervisor relating to the management and direction of workers or the workplace, including but not limited to
- a) training, direction, instruction, performance management, and discipline.
- 4.5 Respectful behaviour includes:
- a) being polite and courteous;
 - b) treating others equitably and fairly;
 - c) accepting responsibility for actions, reactions, and behaviours that impact others;
 - d) respecting the differences in people;
 - e) respecting the rights of others;
 - f) showing proper care and regard for District property and for the property of others; and
 - g) demonstrating honesty and integrity.
- 4.6 Where a conflict arises between workers opportunities for resolution should be sought, or may be presented, by the parties to the conflict in order to resolve the matter. As such, the parties are encouraged to be open to reasonable solutions to the conflict at any time throughout the process. Workers shall have recourse to appropriate mechanisms for redress where an alleged incident of harassment or disrespectful behaviour is shown to have occurred.
- 4.7 All incidents of workplace harassment and disrespectful behaviour, when reported or discovered, shall lead to appropriate corrective and/or disciplinary action, as set out in the procedure which shall accompany this policy. The District shall ensure that an appropriate response is made in a timely manner to each alleged incident.
- 4.8 This policy is not intended to interfere with positive and appropriate social interaction that occurs in the workplace.

- 4.9 The Director of Education, or designate, shall, in consultation with the Joint Health and Safety Committee, develop and maintain written procedures to implement this policy. Such procedures shall:
- a) include measures and procedures for workers to report incidents of workplace harassment, including measures for reporting to a person other than the supervisor where the supervisor is the alleged harasser;
 - b) set out how incidents or complaints of workplace harassment will be investigated and dealt with;
 - c) set out how information obtained about an incident or complaint of workplace harassment, 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;
 - d) set out how a worker who has allegedly experienced workplace harassment and the alleged harasser, if he or she is an a worker, 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.
 - e) require that appropriate information and instruction be provided to workers on the contents of the policy and the procedures.
 - f) include monitoring and measuring processes to ensure the effectiveness of the respectful workplace policy and program in promoting and maintaining a respectful workplace.

5.0 REFERENCE DOCUMENTS

Accepting Schools Act, Bill 13, 2012

Education Act, 2000, Section 171 and Part XIII

Human Rights Code of Ontario

Ministry of Education, Code of Conduct, 2000

The Teaching Profession Act

Board Policy P.026.SCO: Student Suspension and Expulsion

Board Policy P.032.SCO: Safe Schools

Board Policy P.098.CUR: Equity and Inclusive Education

Board Policy P.103.HR: Alleged Employee Misconduct Towards a Student

Board Policy P.123.SCO: Bullying Prevention and Intervention

Board Policy P.132.HS: Violence in the Workplace

Board Procedure PR.515.SCO Student Suspension/Investigation/Possible Expulsion

Board Procedure PR.541.HS: Alleged Harassment of an Employee

Board Procedure PR.542.HR: Alleged Employee Misconduct toward a Student

Board Procedure PR.543.HR: Alleged Harassment of a Student

Board Procedure PR.652.HR: Respectful Workplace

Board Procedure PR.659.SCO: Bullying Prevention and Intervention

Board Procedure PR.680.HS: Violence in the Workplace