

<i><b>Rainy River District School Board</b></i>	<b>SECTION 7</b> <i>Health &amp; Safety</i>
<b>WORKPLACE HARASSMENT AND VIOLENCE PREVENTION</b>	<b>7.75</b>

## **POLICY**

The Rainy River District School Board will provide safe working and learning environments, free from any type of harassment and violence.

## **RATIONALE**

The Rainy River District School Board believes that all individuals shall be treated with respect and dignity. Acts of violence or harassment will not be tolerated.

## **IMPLEMENTATION**

As per Procedure 7.75, Workplace Harassment, and Procedure 7.76, Workplace Violence Prevention.

## **GUIDELINES**

### **1.0 General Guidelines**

- 1.1 This policy defines behavior that constitutes workplace violence and harassment, and outlines the framework for dealing with such incidents and complaints.
- 1.2 This policy applies to all board employees, trustees, volunteers, parents, contractors, permit holders, and employees of other organizations not related to the Board but who nevertheless work on or are invited onto Board premises.

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* and Regulations, Codes of Behaviour, *Safe Schools Act* and professional codes of conduct.

- 1.3 Workplace violence and harassment 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.
- 1.4 It is the responsibility of all supervisors to implement this policy and corresponding procedures, and to communicate to all employees that harassment and violence in all forms will not be tolerated.

- 1.5 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 or the workplace is not workplace harassment.

## **2.0 Harassment Program**

- 2.1 The Board 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 which will:
- include measures and procedures for employees to report incidents of workplace harassment to a person other than the employer or supervisor, if the employer or supervisor is the alleged harasser;
  - set out how incidents or complaints of workplace harassment will be investigated and dealt with;
  - 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;
  - set out how an employee who has allegedly experienced workplace harassment and the alleged harasser, if he or she is an employee of the Board, 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 program developed will be reviewed as often as necessary, but at least annually, to ensure that it adequately implements the policy with respect to workplace harassment.

## **3.0 Duties and Reporting**

- 3.1 All employees:
- are encouraged to raise any concerns about workplace harassment and/or the potential for workplace violence to their supervisor;
  - must report any violent incidents and threats of violence;
  - must cooperate in investigations.
- 3.2 To protect a worker from workplace harassment or violence, the Board will ensure that:
- an investigation is conducted into incidents and complaints of workplace harassment or violence that is appropriate in the circumstances;
  - the employee who has allegedly experienced workplace harassment and the alleged harasser, if he or she is an employee of the Board, are informed in writing of the results of the investigation and of any corrective action that has or will be taken as a result of the investigation.
- 3.3 The Board shall take all reasonable and practical measures to prevent reprisal, threats of reprisal or further harassment against individuals, acting in good faith, who report incidents

of, or witness, harassment or workplace violence. Anyone who retaliates against someone who has reported in good faith is subject to discipline, up to and including dismissal.

An individual who makes an unsubstantiated report, which is knowingly false or made with vexatious or malicious intent, shall be subject to discipline, up to and including dismissal.

3.4 All employees will be provided with information and instruction on the contents of the policy and program with respect to workplace violence and harassment.

3.5 This policy must be reviewed annually.

### **Definitions:**

**Workplace Harassment** means engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought to reasonably be known to be unwelcome, or workplace sexual harassment.

### **Workplace Sexual Harassment means:**

- 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
- 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.

**Workplace Violence** as defined by the *Occupational Health and Safety Act*, is:

- the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
- an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to a worker;
- a statement or behaviour that it 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.

### **Workplace and Working and Learning Environment**

The Workplace is any place where individuals perform work, or work related duties or functions for the Rainy River District School Board. This includes, but is not limited to:

- Education Centre
- Schools
- 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.

<u>CROSS REFERENCE</u>	<u>Date Approved</u> November 1, 2016	LEGAL/MINISTRY OF <u>EDUCATION</u>
Policy 7.00 Occupational Health and Safety		<u>REFERENCE</u>
Procedure 7.75 Workplace Harassment	<u>Board Motion</u> 277	<i>Ontario Human Rights Code</i>
Procedure 7.76 Workplace Violence Prevention	<u>Review Prior to</u> 2021	<i>Occupational Health and Safety Act</i>
Policy 3.86 Employee Code of Conduct		<i>Bill 168, Amendment to the Occupational Health &amp; Safety Act</i>
Policy 4.16 Safe Schools		<i>Bill 132, Amendment to the Occupational Health &amp; Safety Act</i>
		<i>Municipal Freedom of Information and Protection of Privacy Act</i>