



NUMBER:	H: 08
EFFECTIVE:	Jan. 11, 2000 Mar. 28, 2018
AMENDED:	June, 2017 Mar. 2018
RELATED POLICIES:	See References
REPEALS:	
REVIEW DATE:	2021-2022

1.0 OBJECTIVE:

1.1 The Windsor-Essex Catholic District School Board shall, in accordance with the gospel values of Jesus Christ and the Board’s mission, vision, and goals, endeavour to provide a work environment free from any form of harassment, in which every person is valued and treated with respect, dignity and acceptance.

2.0 DEFINITIONS:

2.1 *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. Workplace harassment includes, but is not limited to: offensive comments or jokes; bullying or aggressive behaviour; displaying or circulating offensive pictures or materials; inappropriate staring; sexual harassment; isolating or making fun of a worker because of their gender identity.

This definition includes sexual harassment due to the worker’s sex, sexual orientation, gender identity, or gender expression. It also includes 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.

Examples of sexual harassment may include:

- Making unnecessary physical contact, including unwanted touching
- Using language that puts someone down and/or comments toward women (or men), sex-specific derogatory names
- Leering or inappropriate staring
- Making gender-related comments about someone’s physical characteristics or mannerisms
- Making comments or treating someone badly because they don’t conform with sex-role stereotypes
- Showing or sending unwanted pornography, sexual pictures, or cartoons, sexually explicit graffiti, or other sexual images (including online)
- Sexual jokes, including passing around written sexual jokes (ex. by email)
- Rough and vulgar humour or language related to gender
- Using sexual or gender-related comments or conduct to bully someone
- Spreading sexual rumours (including online)

- Making suggestive or offensive comments or hints about members of a specific gender
- Making sexual propositions
- Verbally abusing, threatening or taunting someone based on gender
- Bragging about sexual prowess
- Demanding dates or sexual favours
- Asking questions or talking about sexual activities
- Making an employee dress in a sexualized or gender-specific way
- Making threats to penalize or otherwise punish a person who refuses to comply with sexual advances (i.e., reprisal or payback)

The normal proper exercise of supervisory responsibilities, including training, evaluation, counselling, and discipline when warranted, does not constitute workplace harassment. This policy shall not offer protection from legitimate and substantiated criticism of work performance or competency.

- 2.2 The *Workplace* is 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 ambit of this policy.

3.0 GUIDING PRINCIPLES:

- 3.1 The Board shall advocate a greater awareness and understanding of harassment in the workplace.
- 3.2 The Board shall consider harassment as a serious offence.
- 3.3 The Board shall treat complaints of harassment with sensitivity and such matters shall be dealt with quickly, fairly and confidentially. Appropriate complaint initiation processes and incident investigation techniques shall be carried out and documented.
- 3.4 This policy applies to all members of the Board community, including but not limited to, trustees, students, employees, and other users, such as 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 also covers harassment by such persons which is proven to have repercussions that adversely affect the Board's learning and working environment.
- 3.5 The rights of students to a respectful working and learning environment, free from harassment, are dealt with under other appropriate policy, legislation or regulations including, but not limited to, the Education Act and the Board/School Code of Conduct.
- 3.6 Employees who engage in harassment may be subject to disciplinary actions from reprimand to dismissal depending on the severity of the incident and in compliance with this policy.

3.7 Retaliation against an individual (whether on behalf of oneself or another individual) for having invoked this policy shall be treated as harassment and dealt with accordingly.

3.8 All information collected under this policy shall be dealt with in accordance with the Municipal Freedom of Information and Protection of Privacy Act, 1989.

4.0 SPECIFIC DIRECTIVES:

4.1 Administrative procedures will be developed to implement this policy. The procedure will:

- i. include measures and procedures for workers to report incidents of workplace harassment; and
- ii. set out how the Board will investigate and deal with incidents and complaints of workplace harassment.

4.2 The Board will provide an employee with:

- i. information and instruction that is appropriate for the employee on the contents of the policy and procedure with respect to workplace harassment; and
- ii. any other information or instruction prescribed by applicable legislation.

4.3 Posting of the Policy

- i. The policy concerning workplace harassment will be posted at a conspicuous place in the workplace.

5.0 RESPONSIBILITY:

5.1 All members of the Board community are accountable for complying with this policy and maintaining a harassment-free environment.

5.2 The Director of Education shall be responsible for implementation of this policy and accompanying procedures.

6.0 REVIEW AND EVALUATION:

6.1 This policy shall be reviewed in the 2021-2022 Policy Review Cycle, and/or as otherwise required.

7.0 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
Teaching Profession Act
Ontario College of Teachers Act

Education Act

Other related policies of the Board which support this policy are:

A: 07 Channels of Communication

A: 12 Code of Ethics/Conflict of Interest

A: 14 Promoting and Supporting Equity & Inclusion Within a Catholic Community

H: 06 Health and Safety of Employees

H: 09 Assault on Employee

IT:01 Acceptable Use of Information Technology Resources

H: 19 Violence Prevention in the Workplace

SC: 15 Code of Conduct

ST: 05 Student Discipline Policy