

Classification: Staff/Volunteers

No. 226

Cross Reference: [Policy 421 – Violence in the Workplace](#)

Legal Reference: [Occupational Health and Safety Act R.S.O. 1990](#)

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Safe Workplace – Workplace Harassment

1. Purpose:

The Upper Canada District School Board is committed to providing a working and learning environment in which all individuals are treated with respect and dignity in accordance with the provisions of *The Ontario Human Rights Code and Occupational Health and Safety Act*. The Board believes that all stakeholders in the educational community are entitled to learn and work in an environment free of harassment and objectionable behaviour.

The Board is committed to the implementation of measures and procedures to report and deal with incidents and complaints of workplace harassment and to provide workers with information on the contents of the workplace harassment procedures. All members of the Board community are accountable for complying with this policy and procedure and maintaining a harassment free environment.

2. Definitions:

2.1. Harassment

Harassment means engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome contrary to any ground prescribed by the *Ontario Human Rights Code*. Harassment can include sexual harassment as defined pursuant to the *Code*.

2.2 Objectionable Behaviour

Objectionable behaviour is often but not always, persistent, ongoing, vexatious conduct or communications in any form, of attitudes, beliefs or actions towards an individual in the workplace which might reasonably be known to be unwelcome. A single serious act or expression can constitute objectionable behaviour. Objectionable behaviour is not the normal exercise of supervisory responsibilities, including training, direction, instruction, performance appraisal, counselling or discipline.

2.3 Workplace Harassment

Workplace harassment is defined in the *Occupational Health and Safety Act (OHSA)* as 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.

2.3 What is not Workplace Harassment

Reasonable action or conduct by an employee, manager, or supervisor that is part of his or her normal work function would not normally be considered workplace harassment. This is the case even if there are sometimes unpleasant consequences for a worker. Examples could include but are not limited to changes in work assignments, scheduling, job assessment and evaluation, instructing and otherwise communicating with employees, workplace inspections, implementation of dress codes and disciplinary actions.

Differences of opinion or minor disagreements between co-workers would also not generally be considered workplace harassment. In addition, any behaviour that would meet the definition of workplace violence would not be considered workplace harassment.

2.4 Workplace and Working and Learning Environment

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

- The Central Board office
- Education offices
- 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

3. Application

The 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. This policy covers harassment by such persons which is proven to have repercussions that adversely affect the board's working and learning environment.

The rights of students to a respectful working and learning environment, free from objectionable behaviour, 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 Code of Conduct.

4. Reprisals

The policy prohibits reprisals against individuals, acting in good faith, who report incidents of harassment or act as witnesses. The Board shall take all reasonable and practical measures to prevent reprisal, threats of reprisal or further harassment.

5. Review

This policy will be reviewed on an annual basis.