

<b>Workplace Discrimination and Harassment</b>	
<b>Adopted:</b> June 29, 2010	<b>Last Reviewed/Revised:</b> September 17, 2024
<b>Next Scheduled Review:</b> 2025-2026	
<b>Associated Policies &amp; Procedures:</b> <a href="#">III-15 Workplace Violence</a> <a href="#">VI-04 Complaints Resolution Process Workplace Discrimination/Harassment/Violence</a> <a href="#">I-36 Trustee Code of Conduct</a> <a href="#">I-43 Use of Technology and Digital Citizenship</a> <a href="#">VI-62 Use of Technology and Digital Citizenship</a> <a href="#">II-39 Progressive Discipline &amp; Safety in Schools Code of Conduct - Suspensions &amp; Expulsions</a> <a href="#">VI-44 Progressive Discipline and Safety in Schools</a> <a href="#">VI-102 Responding to Hate or Bias Motivated Incidents Involving or Impacting Students</a>	

## Purpose

To uphold Halton Catholic District School Board’s (HCDSB) commitment to providing an environment free of discrimination and harassment for all its employees, stakeholders, and students, where all individuals are treated with respect and dignity, can contribute fully and have equal opportunities.

The Workplace Discrimination and Harassment Policy is guided by the Ontario *Human Rights Code* and the Ontario *Occupational Health and Safety Act*.

## Application and Scope

This policy applies to all HCDSB employees, trustees and other users of the HCDSB’s facilities, such as members of consultative committees, parents/guardians, volunteers, permit holders, contractors and employees of other organizations not related to the HCDSB but who nevertheless work on or are invited onto HCDSB premises. This policy addresses workplace harassment and discrimination from all sources including third parties, supervisors, employees, students, parents/guardians, and members of the public.

The rights of students to a respectful working and learning environment, free from discrimination and harassment, are protected under other appropriate policy, legislation, or regulations including, but not limited to, the *Education Act*, *Ontario Schools Code of Conduct*, *HCDSB Codes of Conduct*, and *Procedure VI-102 Responding to Hate or Bias Motivated Incidents Involving or Impacting Students*.

This policy applies to the workplace. The HCDSB's workplace is any place where employees perform work or work-related duties or functions and/or spaces where actions extend into the worksite.

## References

[Education Act](#)

[Ontario Human Rights Code](#)

[Ontario Schools Code of Conduct](#)

## Definitions

**Protected Grounds of Discrimination:** Protected grounds as set out in applicable human rights legislation (OHRC Part I Section 5 (1)).

**Discrimination:** Discrimination includes, but is not limited to, a differential act, system, or behaviour which differentiates between individual or groups, imposes a disadvantage or withholds an advantage on the basis of any protected ground in the *Ontario Human Rights Code* (OHRC). It may involve direct actions, or it may involve rules, practices, or procedures that appear neutral, but disadvantage certain Code-protected person(s).

### **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.

Harassment typically involves a pattern of comment or conduct that occurs over time. However, a single incident or a serious nature may be sufficient to constitute harassment.

Harassment may include slurs, epithets, threats, derogatory comments or visual depictions, unwelcome jokes and teasing. Harassment can be verbal, non-verbal, by conduct, or in the written word.

### **Workplace Sexual Harassment:**

- 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.

**Examples of discrimination, harassment, or sexual harassment include, but are not limited to:**

- Epithets, remarks, jokes or innuendos related to a person's race, gender identity, gender expression, sex, disability, sexual orientation, creed, age, or any other ground;
- Display or distribution of offensive or racist pictures, graffiti or other derogatory material;
- Singling out a person for humiliating or demeaning "teasing" or jokes because they are a member of a Code-protected group;
- Bullying or participating in or condoning a culture of workplace toxicity that is known or ought to be reasonably known to be offensive;
- comments about a person's dress, speech or other practices that may be related to their sex, race, gender identity or creed;
- Sexual advances or requests for sexual favours which are known or ought reasonably to have been known by the person making the advances to be unwelcome;
- Sexually oriented remarks or behaviours which are known or ought reasonably to have been known by the person making the remarks and/or engaging in the behaviour to be unwanted or unwelcome; and/or
- The display of sexually explicit or exploitative pictures, cartoons, or jokes within the HCDSB premises or on HCDSB property or the telling of jokes of a sexual nature.

However, the standard exercise of supervisory responsibilities, including training, evaluation, counseling, and discipline when warranted, does not constitute workplace discrimination or harassment.

## Principles

HCDSB expects that conduct in its workplaces shall be in accordance with the gospel values of Jesus Christ, the HCDSB's Mission and Vision Statements, and Guiding Principles.

HCDSB is committed to providing a learning and working environment that is safe and inclusive of the needs and well-being of the individual employee and student.

HCDSB will not tolerate, condone, or ignore any workplace discrimination or harassment.

Where any employee of the HCDSB is found to have violated this Policy, they may be disciplined, up to and including termination of employment for just cause.

## Requirements

### **1. Information and Instruction with Respect to Workplace Discrimination and Harassment:**

- a) The HCDSB will provide employees with:
  - i. Information and training that is appropriate for employees on the contents of the policy and program with respect to workplace discrimination and harassment; and
  - ii. Any other prescribed information.

## **2. Procedure to Implement the Policy with Respect to Workplace Discrimination and Harassment:**

- a) The HCDSB has developed a procedure to implement the policy with respect to workplace discrimination and harassment. Refer to *Procedure VI-04 Complaints Resolution Process - Workplace Discrimination Harassment Violence* for more information.
- b) Without limiting the generality of paragraph a) above, the procedure outlines:
  - i. Measures and procedures for employees to report incidents of workplace discrimination or harassment to a person other than the employer or supervisor, if the employer or supervisor is the alleged harasser;
  - ii. How incidents or complaints of workplace discrimination or harassment will be investigated and dealt with;
  - iii. How information obtained about an incident or complaint of workplace discrimination or harassment, including identifying information about any individuals involved, will not be disclosed unless the disclosure is necessary for investigating, taking corrective action, or by law; and,
  - iv. How an employee who has allegedly experienced workplace discrimination or harassment and the alleged harasser (if an employee of the HCDSB) will be informed of the results of the investigation and of corrective action that has been or will be taken.

## **3. Dissemination of the Policy:**

The policy and procedures concerning workplace discrimination and harassment will be posted at a visible place in the workplace.

The Director of Education, through Human Resources Services, will ensure that new employees receive a copy of this policy and ensure that it will be highlighted at new hire orientations and at parent/guardian meetings.

All Principals must review this policy and associated *Procedure VI-04 Complaints Resolution Process* and *Procedure VI-102 Responding to Hate or Bias Motivated Incidents Involving or Impacting Students* on an annual basis with all staff at the start of each school year. The Principal must ensure that all teaching and support staff in the building who may be absent on the day review the policy and procedure as soon as possible.

## **4. Review of the Policy:**

The HCDSB will review the policy with respect to workplace discrimination and harassment as often as is necessary, but at least annually.

## **5. Duties of the Supervisor:**

The HCDSB strives to maintain an environment respectful of human rights and free of objectionable behaviour for all persons served by it. It must be ever vigilant of anything that might interfere with this duty. The HCDSB expects that all persons in its learning/working environment will:

- Be aware and sensitive to issues of discrimination and harassment;
- Support individuals who are, or have been targets of discrimination and harassment;
- Prevent discrimination and harassment through training;

- Take all allegations of discrimination and harassment seriously and respond promptly; and,
- Provide positive role models; and not demonstrate, allow or condone behaviour contrary to the policy, including reprisals.

## 6. Role and Responsibilities – All Employees:

All employees of the HCDSB are expected to uphold and abide by this policy and maintain an environment respectful of human rights and free of discrimination and harassment for all persons served by it.

The HCDSB will investigate and deal with all complaints or incidents under this policy in a fair and timely manner. Information about a complaint or incident will not be disclosed by the investigator except to the extent necessary to protect workers; to investigate the complaint or incident; to take corrective action; or, as otherwise required by law. Under no circumstances may any involved party – complainant, respondent, or witness – disclose any information pertaining to any investigatory matter. Any breach in confidentiality throughout and/or following the investigation process, except as required by law, will result in disciplinary action, up to and including termination for just cause.

All employees, and in particular, Principals, Managers and Supervisors have the additional responsibility to act immediately on observations or allegations of discrimination or harassment and should address potential problems before they become serious. All employees are encouraged to report workplace harassment and discrimination to the appropriate person.

## 7. Reprisal:

This policy prohibits reprisals against individuals, acting in good faith, who report incidents of workplace discrimination or harassment, participate in an investigation, and/or act as witnesses. The HCDSB will take all reasonable and practical measures to prevent reprisals, threats of reprisal, or further discrimination and harassment. Reprisal is defined as any act of retaliation, either direct or indirect.

## 8. Complaints:

All employees have a right to claim and enforce their right to a workplace free of discrimination and harassment and are entitled to have access to the complaint procedures. Every attempt should be made to resolve matters through an informal resolution. In order to resolve workplace discrimination and/or harassment, supervisory and managerial personnel must address and attempt to resolve complaints under this policy and procedure in a timely fashion and keep records of complaints and any subsequent response or action taken. Refer to *Procedure VI-04 Complaints Resolution Process - Workplace Discrimination Harassment Violence* and *Procedure VI-102 Responding to Hate or Bias Motivated Incidents Involving or Impacting Students* for more information.

## 9. Attendant Procedures:

The Director of Education shall establish administrative procedures relative to the complaint process in collaboration with Human Resources Services.



**Policy No. III-16** | Workplace Discrimination and Harassment

---

The Superintendent, Human Resources Services shall be responsible for implementing and monitoring this policy and its attendant administrative procedures.

APPROVED: Regular Meeting of the Board

AUTHORIZED BY: \_\_\_\_\_  
*Chair of the Board*