

## **WORKPLACE HARASSMENT POLICY**

August 2022

At Elora Cooperative Preschool, the health and safety of our employees is paramount. Priority is given to protecting our employees and our visitors from violence and/or intimidating behaviours. Such conduct interferes with everyone's ability to perform their job and is not in keeping with the Centre's philosophy of trust and mutual respect.

ECP's employees, client's, parents and Board are entitled to have a work environment free from harassment and discrimination as prescribed by the Human Rights Code in Ontario and the Occupational Health and Safety Act. This policy applies to all employees and members of RCCP while in the workplace, during workrelated field trips or during any workrelated social functions.

Employees and members of RCCP are expected to assist the school in its attempts to prevent and eliminate harassment in the workplace. RCCP will treat any form of harassment that occurs in the workplace seriously irrespective of the alleged perpetrator's position.

Nothing in this policy limits an individual's right to file a complaint with the Ministry of Labour should they feel the situation warrants such action.

### **Definition**

The Occupation Health and Safety Act defines workplace harassment as "engaging in a course of vexatious comments or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome."

Harassment and discrimination can take the following forms including:

1. **Discriminationbased Harassment**  
Includes any verbal or physical conduct that may reasonably be perceived as denigrating or showing hostility or aversion toward an individual because of the individual's race, colour, religion, gender, sexual orientation, national origin, age, disability, or other status protected by law, or because status of the individual's relatives, friends, or associates.
2. **Sexual Harassment** Generally there are two types of sexual harassment:
  - a. repeated sexual advances or solicitations made by a person where such person knew or ought reasonably to have known that the advance was unwelcome; and/or
  - b. a reprisal or threat of reprisal for the rejection of a sexual solicitation or advance made by a person who is in a position to grant or deny a benefit.

### **Responsibilities of Board Members and Supervisors**

- promote a harassmentfree workplace
- provide employees with information and instruction regarding the workplace policy and program with respect to workplace harassment including appropriate steps to be taken and investigation procedures
- take reasonable precautions for the protection of the worker
- ensure employees understand who to contact regarding concerns about the policy and when to report an incident
- respond to complaints brought to their attention
- respect the confidentiality and sensitivity of such issues
- document all information and investigation results

- request an investigation into allegations of harassment be conducted where appropriate
- if witnessing elements of a poisoned work environment, take action

### **Responsibility of Employees**

- compliance with this policy is the responsibility of all employees
- employees must avoid any behaviour or conduct that could reasonably be interpreted as a violation of this policy
- employees must maintain a work environment free from discrimination and/or harassment

### **Process for Making Harassment Complaints**

For less serious incidents of harassment, if employees have witnessed or experience conduct which they believe to be inconsistent with this policy they have a responsibility to:

- make the objection clearly known to the offender
- ask the individual to stop the behaviour
- where an employee approaches another employee with a workplace harassment complaint/concern, s/he should clearly state that the perceived action/behaviour is viewed as harassment under the terms of the preschool's policy
- in certain circumstances, it may be inappropriate or the employee may feel uncomfortable in asking the individual to stop. In this case, the behaviour should be directly reported to their Supervisor or President of the Board of Directors.
- A written record of the action/behaviour and complaint should be provided to your Supervisor or the President of the Board including the dates, times, nature of the action/behaviour and witnesses (if any).

### **Investigation Process**

- all complaints must be investigated promptly
- all those directly involved and witnesses will be spoken with
- notes/statements will be prepared during each interview, reviewed by the person(s) being interviewed and signed for accuracy
- records or other documents relevant to the incident will be reviewed
- relevant collective agreement or employment contract language or organizational policies/procedures will be reviewed
- a final summary report of the investigation will be prepared

### **Corrective Action**

Any employee found to have engaged in conduct that violates this policy will be subject to discipline, up to and including termination of employment. Because allegations of acts of harassment are very serious, frivolous complaints found to have been made for improper purposes will result in disciplinary action taken against the complainant.

### **Confidentiality**

Employees should feel secure in knowing that their concerns will be handled discretely and sensitively. As such, employee issues will usually remain between the employee and their Supervisor. On occasion, however, an investigation may require consultation with another employee, Supervisor, or member(s) of the Board of Directors, in order to ensure an appropriate resolution. In such cases, the employee will be consulted prior to involving others.

**Reprisals**

This policy strictly prohibits reprisals against an employee because s/he has brought forward a concern or has provided information regarding a concern under this policy. Any employee who commits or threatens to commit reprisals against another employee for following this, or any of the preschool's policies in good faith, may be subject to discipline, up to and including dismissal for cause