

# Greater Essex County District School Board

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## **Workplace Harassment/Workplace Sexual Harassment R-BA-06**

7. **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 to be known to be unwelcome.
8. **Workplace Sexual Harassment** means:
  - a. 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
  - b. Making a sexual solicitation or advance where the person making the solicitation or advance is in the position of 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.
9. Reasonable action taken by the Employer or a Supervisor relating to the management and direction of workers, or the workplace is not Workplace Harassment.
10. Workers are encouraged to report any incidents of Workplace Harassment to the appropriate person, as outlined in the Workplace Harassment / Workplace Sexual Harassment Management Program. Workers also have the right to pursue complaints with the Human Rights Tribunal of Ontario, the Ministry of Labour and through the grievance process.
11. The responsible individual, as outlined in the Workplace Harassment / Workplace Sexual Harassment Management Program, will investigate and deal with all complaints or incidents of Workplace Harassment in a fair, respectful and timely manner, information provided about an incident or about the complaint will not be disclosed except as necessary to protect workers, to investigate the complaint or incident, to take corrective action or as otherwise required by law.
12. All Board staff are expected to adhere to the Board's Workplace Harassment/ Workplace Sexual Harassment Policy, Regulation and Management Program, and will be held responsible by the Employer for not following it. Workers are not to be penalized or disciplined for reporting an incident or for participating in an investigation involving Workplace Harassment / Workplace Sexual Harassment.

The perpetrator of Workplace Harassment may be disciplined, up to and including

- 14. Any Board staff that requires / needs further assistance may contact their Supervisor, Occupational Joint Health & Safety Member, the Board's Human Resources Department, their Union Representative or the Board's Joint Employee Assistance Program.
- 15. The Board's Policy and Regulation AD-48, Human Rights, should also be referenced.

**Mental Health & Resilience - Staff**

- 16. The Board's Policy P-HR-20, Mental Health & Resilience – Staff, should also be referenced.

**Correcting Employee Behaviour & Progressive Discipline**

- 17. The Board's Administrative Procedure AP-HR-30, Correcting Employee Behaviour & Progressive Discipline should also be referenced.

**Commitment to Health & Safety**

The Board's commitment to Health & Safety is further exemplified by requiring the signatures of the Director of Education, Site Supervisor and OJH&SC worker member(s) on each site's posted copy of BA-06 Policy and Regulation. While this is not a legislative requirement under the OHSA, it is a best practice which signifies the commitment to Health & Safety at all levels of the organization (i.e. Employer, Supervisor, Worker) at each work site.



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Director of Education and Secretary of the Board

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Site Principal / Supervisor

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Site OJH&SC Worker Member