



## Policies and Procedures

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### 4245 - Regulation - Workplace Harassment

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#### Introduction

The Durham District School Board has a duty to maintain an environment respectful of human rights and free of harassment for all persons served by it.

The Board expects that all persons in its learning/working environment will:

- be aware of and be sensitive to issues of harassment;
- support individuals who are, or have been targets of harassment;
- prevent harassment through training;
- take all allegations seriously and respond promptly;
- provide positive role models; and
- not demonstrate, allow or condone behaviour contrary to the Policy.

#### 1.0 BOARD RESPONSIBILITY

In accordance with Bill 168, the Durham District School Board shall ensure:

- The Workplace Harassment Policy is in written form and is posted in a conspicuous place in the workplace;
- The Workplace Harassment Policy is reviewed as often as is necessary, but at least annually;
- The Board provides employees with information and instruction that is appropriate for the worker on the contents of the policy and program with respect to workplace harassment and any other prescribed information.

#### 2.0 DEFINITIONS

##### 2.1 Harassment

Harassment means engaging in a course of vexatious comment, objectionable behaviour, 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 such behaviour.

##### 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.

##### 2.4 Poisoned Environment

Poisoned Environment is a specific form of harassment in which a psychological atmosphere is created which causes people to feel fearful, intimidated and/or disrespected.

Note: It is understood that abusive treatment of an employee by a supervisor, or abuse of authority, where it can be shown to be based on a prohibited ground under the Ontario Human Rights Code, will constitute a violation of this procedure. Harassment does not however include differences of opinion or minor disagreements between co-workers, or between supervisors and workers, nor does it include the normal exercise of supervisory responsibilities, including appraisals, counselling and discipline.

#### 3.0 'WORKING AND LEARNING ENVIRONMENT' AND 'WORKPLACE' DEFINITION

3.1 The working and learning environment is any place where employees, students and other users perform work or work-related duties or functions. Schools and school-related activities, such as extracurricular activities and excursions, comprise this environment, as do Board offices and facilities. Conferences and training sessions also fall within the ambit of this policy.

3.2 Workplace is defined as all work activities that occur while on Board premises, or while engaging in workplace activities.

## 4.0 APPLICATION

4.1 The Policy on Workplace Harassment applies to:

- all Board employees,
- other users which include employees of other organizations, and other persons, not related to the Board but who nevertheless work on or are invited onto Board premises.

4.2 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 Codes of Behaviour, Safe Schools Act (now Section XIII of the Education Act), Professional Codes of Conduct, and DDSB Policies, Regulations and Procedures.

## 5.0 REPORTING

5.1 All those who are covered by this Policy have a right to report harassment and are entitled to have access to the dispute resolution processes.

5.2 Every attempt should be made to resolve matters through an informal resolution. The first step is to inform the individual that his/her behaviour is unwelcome and must stop immediately.

5.3 Supervisory and managerial personnel must address and attempt to resolve disputes in a timely manner in order to stop the conduct.

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### Appendix:

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### Document Links:

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Effective Date	Legislative References	Regulation
01/17/1991		
<b>Amended/Reviewed</b>		
05/08/1995		
08/08/2006		
09/20/2010		