



Toronto Catholic District School Board
Faith in Your Child

TCDSB Policy Register

Harassment And Discrimination In The Workplace H.M.14

Date Approved: 2 May 07	Date of Review:	Dates of Amendment:
Cross Reference: Education Act, 1990, s. 301, 302 Ontario Human Rights Code, 1990 TCDSB Violence Prevention Policies. V.P.01. V.P.02, V.P.08 TCDSB Human Resources Policies. H.M.19, H.M.24, H.M.28 TCDSB Safe Schools Policies S.S.05, S.S06 S.M.05 Sexual Harassment Ontario Code of Conduct O. Reg. 521, Collection of Personal Information Municipal Freedom of Information and Protection of Privacy Act TCDSB, <i>Sexual Harassment- Policy and Practices, 2001</i> , manual Police/ School Board Protocol		

Policy:

The Toronto Catholic District School Board recognizes that all people are created in the image and likeness of God and, as such, deserve to be treated with dignity, respect and fairness.

The Toronto Catholic District School Board is committed to the Board's mission of providing a safe and welcoming environment that is an example of Christian Community. Every member of this community – student, parent/guardian, employee, contracted service provider, trustee, parish priest or others while on Board property and at Board sponsored events shares in the responsibility for creating an environment that is safe and respectful.

In keeping with these beliefs, it is the policy of the Board that every employee, contracted employee, volunteer and trustee has the right of freedom from harassment and discrimination in the workplace.

The Toronto Catholic District School Board recognizes that its school system, consistent with the protection afforded in the Constitution Act 1867 and confirmed in the Canadian Charter of Rights and Freedoms, gives pre-eminence to the tenets of Roman Catholicism. Subsection 19 (1) of the Ontario Human Rights Code provides that *"This Act shall not be construed to adversely affect any right or privilege respecting separate schools enjoyed by separate school boards or their supporters under the Constitution Act, 1867 and the Education Act"*. The Board does not relinquish these rights.

Definitions:

Discrimination

Unfair treatment because of race, sex, colour, ancestry, place of origin, ethnic origin, marital status, same sex partner status, sexual orientation, age, disability, citizenship, family status or religion.

Workplace

The workplace is any place where employees, contract employees, volunteers and trustees and other users perform work or work-related duties or functions. Schools and school-related activities, such as extracurricular activities and excursions, comprise the workplace, as do Board offices and facilities. Conferences and training sessions are included within this policy.

Harassment

Harassment is any vexatious behaviour that threatens, intimidates, demeans, humiliates, or embarrasses a person or a group, and that a reasonable person should have known would be unwelcome. It includes actions, comments, or displays. It normally involves a course of conduct but a single act of a serious nature may constitute harassment.

The exercise of supervisory responsibilities, including training, performance appraisal, direction, instruction, counselling and discipline does not constitute harassment as long as these are not being exercised in a discriminatory or intimidating manner.

Regulations:

1. This policy will apply to all Board employees, contract employees, volunteers and trustees who are employed by or perform functions for the Toronto Catholic District School Board.
2. A complaint may be initiated by an individual who believes they have been harassed or by those who are covered by this policy who have witnessed directly or have reasonable grounds to suspect that harassment is occurring.
3. Any complaint must be filed within six (6) months following the harassment. However, the time limit may be extended at the discretion of the Board.
4. There shall be both a mediated process and a formal complaint resolution process available.
5. Individuals who engage in harassment may be disciplined up to and including dismissal.
6. There will be an appeal process.
7. All complaints will be handled in a serious manner. Complaints must not be made in a frivolous or vexatious manner or in bad faith and may be subject to disciplinary procedures if so determined.
8. There is an obligation on all persons involved in a harassment/discrimination investigation to maintain confidentiality to the fullest extent practicable and appropriate under the circumstances. Any breach of confidentiality is subject to appropriate disciplinary action.
9. Records will be retained in keeping with the requirements of the *Municipal Freedom of Information and Protection of Privacy Act*, the *Human Rights Code* and the *Education Act*.
10. There will be an annual review by a standing committee of employee and board representatives of this policy and related procedures with a report to the Board.
11. The Director of Education will develop and implement protocols and procedures that discourage harassment and ensure that suitable awareness and training is available to all those covered by the policy.
12. When dealing with allegations of harassment, the parties shall refer to the Toronto Catholic District School Board manual "The Respectful Workplace: Addressing Harassment and Discrimination" which provides specific guidelines and procedures.

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- "The Respectful Workplace"--Addressing Harassment and Discrimination