

**ST. CLAIR CATHOLIC DISTRICT SCHOOL BOARD
POLICIES AND PROCEDURES
SECTION D: STAFF AND VOLUNTEERS**

FREEDOM FROM HARASSMENT & DISCRIMINATION	POLICY
EFFECTIVE: 2000 12 01 / 2007 03 27 / 2015 04 28 / 2016 09 27	

POLICY STATEMENT:

The St. Clair Catholic District School Board shall make every effort to provide a workplace environment that respects the dignity of the person and is free from harassment and discrimination.

Behaviour, actions and/or attitudes that undermine the development of trusting relationships, and/or threaten personal achievement and well-being, will be viewed as unacceptable to the St. Clair Catholic District School Board and will be dealt with accordingly.

POLICY GOALS:

- 1) Develop and support a work and learning culture that values diversity and inclusion, fosters respect, and does not tolerate harassment and/or discrimination.
- 2) Outline rights, responsibilities and types of behaviour which fall within the scope of this policy.
- 3) Outline procedures for handling and resolving complaints when this policy is breached by harassment and/or discrimination.

DEFINITIONS:

Discrimination

“Discrimination” includes, but is not limited to, differential and/or unfair treatment based on a prohibited ground set out in the *Ontario Human Rights Code* (“the *Code*”). It includes:

- Not individually assessing the unique merits, capacities and circumstances of a person;
- Making stereotypical assumptions based on a person’s presumed traits;
- Having the impact of excluding persons, denying benefits or imposing burdens.
- Discrimination does not include differential treatment which is permitted under the *Code* for special programs, special interest organizations, and special programs.
- Discrimination can be intentional or unintentional, and direct or indirect.

Prohibited Grounds

The prohibited grounds set out in the *Code* are as follows:

- Age
- Ancestry, colour, race
- Citizenship
- Ethnic origin
- Place of origin
- Creed
- Disability
- Family status

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- Marital status (including single status)
- Gender identity, gender expression
- Receipt of public assistance (in housing only)
- Record of offences (in employment only)
- Sex (including pregnancy and breastfeeding)
- Sexual orientation.

Harassment

Workplace harassment is defined in accordance with the Ontario 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; or workplace sexual harassment.

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

Harassment includes comment or conduct targeted towards a particular individual, as well as comment or conduct directed toward a group of individuals that creates a poisoned working environment for members of that group.

The reasonable exercise of management functions is not considered harassment for the purpose of this Policy. The reasonable exercise of management functions includes, but it is not limited to, giving reasonable instruction or supervisory direction to an employee, providing constructive criticism or counselling, enforcing workplace standards, taking corrective or disciplinary action, or conducting performance appraisals.

Workplace Sexual Harassment

The OHSA further defines Workplace Sexual Harassment:

- (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 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.