



## **Freedom from Harassment and Discrimination**

**Date: 2000 12 01 / 2007 03 27 / 2015 04 28 / 2016 09 27 / 2024 05 28 / 2025 06 17**

### **Policy Statement**

The St. Clair Catholic District School Board (the 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 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 or discrimination.
2. Outline rights, responsibilities, and types of behaviours which fall within the scope of this policy.
3. Outline procedures for handling and resolving complaints if this policy is breached.

### **Definitions**

**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"). Specific examples include:

- not individually assessing the unique merits, capacities and circumstances of a person;
- making stereotypical assumptions based on a person's presumed traits; or
- 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** — as set out in the Code, the Prohibited Grounds are: age, ancestry, colour, race, citizenship, ethnic origin, place of origin, creed, disability, family status, 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), and 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, including virtually through the use of information and communications technology,

that is known or ought reasonably to be known to be unwelcome; or workplace sexual harassment.

Harassment typically involves a pattern of comments 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.

Virtual harassment can include unwelcome behaviour conducted through digital channels and platforms such as emails, instant messages, video calls, social media, and can be verbal, written or visual.

The reasonable exercise of management functions is not considered harassment for the purpose of this policy. The reasonable exercise of management functions includes, but 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 as:

- a) engaging in a course of vexatious comment or conduct against a worker in a workplace, including virtually through the use of information and communications technology, 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.

## References

*Ontario Human Rights Code*  
*Occupational Health and Safety Act*