



<b>Legal References:</b>	<i>Occupational Health and Safety Act Ontario Human Rights Code Education Act</i>
<b>Related References:</b>	<i>Board Policy 1002 - Occupational Health and Safety Policy Board Policy 1008 - Equity and Inclusion Board Policy 1009 - Violence in the Workplace Board Policy 6000 - Safe Schools Board Policy 6001 - Code of Conduct Administrative Procedure 1200 – Student Bullying and/or Harassment Administrative Procedure 3740 - Prevention and Resolution of Workplace Harassment</i>
<b>Effective Date:</b>	<i>February 23, 1998</i>
<b>Revisions:</b>	<i>June 11, 2012 September 19, 2016</i>
<b>Reviewed:</b>	<i>September 14, 2015</i>

## 1. Preamble:

The Waterloo Region District School Board (“the Board”) is committed to providing a safe working and learning environment where all individuals are treated with dignity and respect, free from sexual, racial, ethno cultural, or other harassing or discriminatory behaviour.

This policy is intended to provide a greater awareness of the value of establishing and maintaining respectful working and learning environments and of responsiveness to the damaging effects of harassment in the workplace. The Board will not tolerate harassment of any kind from any person in the workplace.

This policy applies to all work activities that occur while on Board premises, while engaging in workplace activities or workplace social events and extra-curricular activities.

## 2. Definitions

### 2.1. Harassment

The *Ontario Human Rights Code* defines ‘harassment’ as:

*“Engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome.”*

The *Ontario Occupational Health and Safety Act* defines ‘workplace harassment’ as:

- a) *“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*
- b) *Workplace sexual harassment.”*

## Workplace Sexual Harassment

The *Ontario Occupational Health and Safety Act* defines 'workplace sexual harassment' as:

- 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."

Reasonable corrective direction or discipline cannot be construed as harassment.

### 3. Application

- 3.1. This policy applies to all Board employees, trustees and other users such as members of consultative committees, clients of the Board, parents, volunteers, permit holders, contractors, and employees of other organizations not related to the Board but who nevertheless work on or are invited onto Board premises. This policy also covers harassment by such persons which is proven to have repercussions that adversely affect the Board's learning and working environment.
- 3.2. The rights of students to a respectful working and learning environment, free from harassment and discrimination, are dealt with under other appropriate legislation, regulations, and Board policy and procedures including but not limited to: the Education Act (Section XIII), Safe School Policy (6000), Code of Conduct (6001), Student Bullying Prevention and Intervention Policy (6009), and Administrative Procedure 1200 - Student Bullying and/or Harassment.

### 4. Guidelines

- 4.1. The Board is committed to develop and maintain a program to implement this policy with respect to harassment, and to meeting the requirements of the *Occupational Health and Safety Act* and *Ontario Human Rights Code*.
- 4.2. This policy prohibits reprisals against individuals, acting in good faith, who report incidents of harassment or act as witnesses. The Board shall take all reasonable and practical measures to prevent reprisals, threats of reprisal, or further harassment.
- 4.3. This policy will be reviewed on an annual basis by the Director of Education, or designate, as well as the Board of Trustees, and posted in conspicuous locations in the workplace.