

**THE PROTESTANT SEPARATE SCHOOL BOARD  
OF THE TOWN OF PENETANGUISHENE**

**POLICY MANUAL**

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**POLICY TITLE:**

**Workplace Violence, Discrimination and Harassment Prevention**

**SECTION/CODE:**

**Personnel A – 3a**

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**APPROVAL DATE:**

**March 8, 2021**

**SUPERSEDES:**

**April 6, 2020**

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**1. POLICY STATEMENT**

It is the policy of The Protestant Separate School Board of the Town of Penetanguishene to ensure conduct in its workplaces is in accordance with the Board's Mission, Vision and Values Statements, and the Board's Strategic Plan. As such, workplace violence, discrimination and/or harassment, or threats of violence, discrimination and/or harassment, will not be tolerated.

**2. PURPOSE**

The Protestant Separate School Board of the Town of Penetanguishene is a community that fosters a Christian-centered positive work and school climate, free from discriminatory, violent or harassing behavior. The educational community is a place that promotes responsibility, respect, civility, and academic excellence in a safe learning, teaching and work environment in which all persons are treated with respect and dignity, free from all types of violence, discrimination or harassment, related to any grounds identified within the *Ontario Human Rights Code* and *Occupational Health and Safety Act*.

This Policy is intended to provide greater awareness of the value of establishing and maintaining respectful working and learning environments and of responsiveness to the damaging effects of violence, discrimination and/or harassment in the workplace.

**3. GUIDELINES**

- 3.1 The Board shall comply with the responsibilities placed upon employers by the *Human Rights Code* and the *Occupational Health and Safety Act*.
- 3.2 All reasonable practical steps shall be taken to avoid, reduce, or control, any foreseeable risks to the health and safety of persons who may be affected by Board activities.
- 3.3 The Board shall ensure that allegations of workplace violence, discrimination and/or harassment are dealt with promptly. Alleged incidents of violence, discrimination and/or harassment shall be investigated in a fair, consistent, thorough, and confidential manner.
- 3.4 The Workplace Violence, Discrimination and Harassment Prevention Policy shall apply to all Board employees and other users, such as, but not limited to, members of consultative committees, clients of the Board, parents/guardians, family members, volunteers, permit holders, contractors, and employees of other organizations not related to the Board but who

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nevertheless work on or are invited onto Board premises. This Policy covers violence, discrimination and harassment by such persons which is proven to have repercussions that adversely affect the Board's learning and working environment.

- 3.5 The rights of students to a respectful working and learning environment, free from violence, discrimination and harassment, shall be dealt with under other appropriate policy, legislation, or regulations including, but not limited to, the *Education Act*, Ontario Schools Code of Conduct, and codes of behavior. This Policy applies, however, in appropriate circumstances where workplace violence, discrimination and/or harassment may arise because of student behaviors.
- 3.6 The rights and responsibilities of trustees in regards to a respectful working environment free from harassment shall be dealt with under the appropriate policy, legislation, or regulations including but not limited to the *Ontario Public School Boards' Association (OPSBA) Code of Conduct for Trustees*.
- 3.7 All those covered by the Workplace Violence, Discrimination and Harassment Prevention Policy shall have a right to report objectionable behaviour and are entitled to access the complaint resolution processes. Every attempt shall be made to resolve matters through an informal resolution.
- 3.8 This Policy prohibits reprisals against individuals, acting in good faith, who report incidents of workplace violence, discrimination and/or harassment or act as witnesses. The Board shall take all reasonable and practical measures to prevent reprisals, threats of reprisal, or further violence, discrimination and/or harassment.
- 3.9 The Board shall provide an employee with information and instruction that is appropriate for the employee on the contents of the policy and program with respect to workplace violence, discrimination and harassment and any other prescribed information.
- 3.10 The Board shall develop and maintain a program to implement the Policy with respect to workplace harassment in accordance with the requirements of the *Occupational Health and Safety Act*.

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- 3.11 The Board shall strive to maintain an environment respectful of human rights and free of objectionable behavior for all persons served by it. It shall strive to be ever vigilant of anything that might interfere with this duty. The Board expects that all persons in its learning/working environment shall: be aware of and sensitive to issues of violence, discrimination and/or harassment, support individuals who are or have been targets of violence, discrimination and/or harassment, prevent violence, discrimination and/or harassment through training, take all allegations of violence, discrimination and/or harassment seriously and respond promptly, provide positive role models, and not demonstrate, allow or condone behavior contrary to the Policy, including reprisal.
- 3.12 The Board shall review the Workplace Violence, Prevention and Harassment Prevention Policy as often as necessary, but at least annually.

#### **4. TERMS AND DEFINITIONS**

##### **4.1 WORKPLACE VIOLENCE, DISCRIMINATION AND HARASSMENT**

Workplace violence, discrimination and harassment means engaging in a course of threatening or vexatious behavior, dialogue, action or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome and personally offensive or injurious to the recipient. Violence, discrimination and/or harassment may, dependent on the circumstances, consist of a single action or a series of incidents. The normal proper exercise of supervisory responsibilities, including training, evaluation, counseling, and discipline when warranted, does not constitute workplace violence, discrimination or harassment.

##### **4.2 WORKPLACE SEXUAL HARASSMENT**

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 known to be unwelcome; or

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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.

- 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 may include slurs, threats, derogatory comments or visual depictions, unwelcome jokes and teasing. Harassment can be verbal, visual, by conduct, or in the written word or any form of electronic harassment.

**4.3 REPRISAL**

Reprisal is any act of retaliation, either direct or indirect.

**4.4 SUPERVISORY AND MANAGERIAL PERSONNEL**

Where referred to, supervisory and managerial personnel include Principal/ Vice Principal and Supervisory Officer.

**4.5 COMMUNICATION TRAINING AND IMPLEMENTATION**

All staff will be trained within three (3) months of the enactment of this policy or of their start date with the PSSBP, on Workplace Violence, Discrimination and Harassment Prevention, including signs of violence, discrimination and harassment, identified risks, method of prevention. The training must also include methods for obtaining assistance and reporting incidents.

Training on the components of this policy and related procedures must be reviewed every three (3) years.

*(refer to Workplace Violence and Harassment Complaint Process, Appendix A)*

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**5. ROLES AND RESPONSIBILITIES**

All employees of the Board are expected to uphold and abide by this policy and maintain an environment respectful of human rights and free of violence, discrimination and harassment for all persons served by it.

The Board will investigate and deal with all complaints or incidents under this policy in a fair and timely manner. Information about a complaint or incident will not be disclosed except to the extent necessary to protect workers; to investigate the complaint or incident; to take corrective action; or as otherwise required by law.

All employees, and in particular, individuals in a supervisory capacity have the additional responsibility to act immediately on observations or allegations of violence, discrimination or harassment and should address potential problems before they become serious. All employees are encouraged to report workplace violence, harassment and discrimination to the appropriate person.

**6. REPRISAL**

Reprisal is defined as any act of retaliation, either direct or indirect. The Board will take all reasonable and practical measures to prevent reprisals, threats of reprisal, or further harassment against individuals, acting in good faith, who report incidents of workplace violence, discrimination or harassment, participate in an investigation and/or act as a witness.

**7. REFERENCES/RELATED DOCUMENTS**

*Canadian Charter of Rights and Freedoms*  
*Ontario Human Rights Code*  
*Ontario Occupational Health and Safety Act*  
*Municipal Freedom of Information and Protection of Privacy Act*  
*Teaching Profession Act*  
*Ontario College of Teachers Act, 1996*  
*Education Act*  
*The Early Childhood Educators Act*  
*Code of Ethics for Ontario Public School Board Association Trustees*

*Social Work and Social Service Work Act, 1998*  
*Psychology Act, 1991*

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**8. RELATED BOARD POLICIES**

D39, Safe School Policy – Consultations

D35, Police/School Board Protocol

D50, Safe and Accepting Schools

D51a – Safe and Accepting Schools – Bullying Intervention and Prevention

D51b – Safe and Accepting Schools – Progressive Discipline

D51c – Safe and Accepting Schools – Suspensions and Expulsions

D51d – Safe and Accepting Schools – Delegation of Authority

Additional Related Policies - To Be Determined through the Policy Review Process

**RELATED FORMS**

Workplace Violence and Harassment Complaint Process (Appendix A)

Workplace Violence and Harassment Complaint Form (Appendix B)

**9. APPROVED BY BOARD**

March 8, 2021

**10. NEXT REVIEW DATE**

March, 2022

**11. REVIEWED BY**

Policy Committee of The Protestant Separate School Board of the Town of Penetanguishene