

**KENORA DISTRICT SERVICES BOARD
POLICY and PROCEDURE**

TITLE: Workplace Harassment	SECTION: HEALTH and SAFETY
DATE: June 24, 2010	POLICY NO.: KDSB-HSF-I-02
APPROVED BY: Resolution No. 2010-52	REVISED:

1. POLICY STATEMENT

The Kenora District Services Board is committed to taking all reasonable steps to ensure the health, safety and dignity of all employees and workers in the workplace. Employees have the right to work in a safe and respectful environment, free from harassment. Harassment will not be tolerated.

This policy is intended to meet all of the standards set out under the Occupational Health and Safety Act and the applicable legislation as it relates to workplace harassment.

Workplace Harassment is defined 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." (Ontario Ministry of Labour, Occupational Health & Safety Act).

This policy applies to all workplace activities, all employees and shall extend to visitors and clients that are participating in workplace activities including applying for programs, services and benefits to which they may be entitled.

The purpose of this policy is to ensure that:

- 1) Employees understand the definition of workplace harassment and that it will not be tolerated;
- 2) Employees understand that incidents of harassment should be reported;
- 3) Employees understand how and where to find help if they are the subject of or if they witness any harassment;
- 4) Employees understand that there are written policies and procedures aimed at protecting them from harassment and also preventing occurrences from happening.

All complaints will be treated with confidentiality and no documentation regarding the investigations will be filed in an employee personnel file.

All employees bear the responsibility for ensuring harassment is not tolerated.

2. PROCEDURE

Employees are encouraged to attempt to resolve their issues by communicating directly with the person(s) whom they feel are engaging in the inappropriate behaviour. The employee should make it clear to the person(s) that the behaviour is unwelcome and offensive. Any contact or incidents should be recorded with time, date, details of the conduct and the names of any witnesses.

If the employee does not feel comfortable speaking to the person(s) with whom there is an issue for fear of retaliation or violence, and they still believe they are victims of harassment they are encouraged to report these issues to their Supervisor or anyone else in a position of authority who has been designated to deal with issues of harassment. The Supervisor or designate and employee will attempt to resolve the conflict informally.

If all informal attempts do not resolve the issue, a formal complaint may be filed. The complaint must be in writing and must contain a description of the incident including the date and time, the names of anyone involved, any witnesses, as well as what resolution the complainant is looking for in order to settle the issue.

The complaint will be filed with the Supervisor. All complaints will be investigated. All employees will be required to cooperate in any investigations and information gathered during the investigation will be kept confidential. Within 14 days, the Supervisor will provide a report on the investigation as well as recommendations for action.

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Employees found to be in violation of this policy or who do not cooperate during an investigation are considered to be in breach of this policy and will be subject to discipline up to and including dismissal.

Visitors and/or clients found to be in violation of this policy may be subject to denial of goods and/or services in addition to any legal action deemed appropriate by legal authorities.

Worker Rights

Nothing in this policy prevents or discourages a worker from filing an application with the Human Rights Tribunal of Ontario on a matter related to Ontario's Human Rights Code within one year of the last alleged incident. A worker also retains the right to exercise any other legal avenues that may be available.

Implementation of Processes and Procedures

The Chief Administrative Officer shall ensure that appropriate Directives detailing processes and procedures are issued and maintained to implement and carry out the intent of this policy.