

Anti-Harassment and Anti-Discrimination Policy

Last updated June 2010

1. Purpose

The Centre is committed to the prevention of workplace harassment and discrimination and is ultimately responsible for employee health and safety. Every person who is an employee has a right to freedom from harassment and discrimination in the workplace by the Centre or by another employee because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, sex, record of offences, marital status, family status, sexual orientation or disability. Any work related harassment and/or discrimination against an employee is unacceptable and will not be tolerated. The Centre will take whatever reasonable steps to protect employees from workplace harassment and discrimination, from all possible sources, by establishing measures and procedures for employees to report incidents of harassment and/or discrimination, and for the Centre to investigate and deal with incidents and complaints immediately. In the event of an incident or unacceptable behaviour perpetrated by an employee, the Centre will act to discipline the employee, up to and including termination.

2. Scope

This Policy applies to all employees, supply teachers, volunteers, internship students, clients, visitors and any other people who work with the Centre.

3. Definition

Harassment:

- *Ontario Human Rights Code (OHRC) Definition:* engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome.
- Harassment is any behaviour that demeans, humiliates or embarrasses a person, and that a reasonable person should have known would be unwelcome. It includes actions (e.g. touching, pushing), comments (e.g. jokes, negative name-calling), or displays (e.g. posters, cartoons). The *Canadian Human Rights Act* prohibits harassment related to race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, sex, record of offences, marital status, family status, sexual orientation or disability (or perceived disability).

Discrimination:

- The Ontario Human Rights Code (OHRC) does not provide a definition for the term discrimination. However, the intent and meaning of the Code along with interpretations of the term contained in judicial decisions suggest that, discrimination is differential treatment based on a personal characteristic which has an adverse impact on an individual or group. Examples of personal characteristics include race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, sex, record of offences, marital status, family status, sexual orientation or disability (or perceived disability).
- Discrimination robs people of their dignity and their ability to fulfill their capabilities.

The Centre's Violence in the Workplace Policy addresses the attempt, threat or actual execution of physical force that causes physical injury to an employee.

4. Policy

Every person who is an employee has a right to freedom from harassment in the workplace by the employer or agent of the employer or by another employee because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, sex, record of offences, marital status, family status, sexual orientation or disability (or perceived disability).

The Centre shall:

- Take reasonable and preventative measures to protect employees and others from harassment and discrimination
- Provide training for all staff on harassment and discrimination prevention and awareness
- Treat all allegations of harassment seriously, and investigate them promptly
- Foster a harassment and discrimination free workplace
- Resolve instances of harassment as soon as becoming aware of them, even if there has not been a complaint
- Provide support to employees involved with harassment or discrimination and do the best to mitigate the effects of harassment
- Establish and maintain a process for reporting, investigating, documenting, debriefing, and responding to incidents of harassment or discrimination, ensuring that all confirmed instances are taken seriously
- Ensure policy is reviewed at least annually, or when an incident has taken place

Managers shall:

- Understand and uphold the policy making sure to communicate it to all employees
- Respond to, track and report incidents of harassment and/or discrimination and close calls, whether or not a complaint has been made, to Human Resources and the Executive Director, so that they can be investigated
- Handle all harassment situations confidentially and ensure that others involved act accordingly
- Not take reprisal actions against employees for reporting workplace harassment and/or discrimination, but shall take all reasonable and practical measures to protect workers, acting in good faith, who make a report or act as witness
- Address the needs of the parties concerned and the working unit following a complaint in order to establish or re-establish harmonious working relationships and work environment.

Employees shall:

- Be familiar with their rights and responsibilities under the policy and the Ontario Human Rights Code
- Promote a harassment and discrimination-free workplace by not engaging in any behaviour that would constitute harassment or discrimination as defined by the policy, but rather act towards other individuals professionally and respectfully

- Inform their supervisors or Human Resources of any harassment or discrimination, potential harassment or discrimination, close calls, or unacceptable behaviour they may experience or witness.
- Cooperate with the police, company investigators or other authorities as required during any investigation related to workplace violence.

Confidentiality

Newcomer Centre of Peel understands that it is difficult to come forward with a complaint of discrimination and recognizes a complainant's interest in keeping the matter confidential.

To protect the interest of the complainant, the person complained against, and any others who may report incidents of harassment and/or discrimination, confidentiality will be maintained throughout the investigation process to the extent practicable and appropriate under the circumstances.

All records of complaints - including notes from meetings, interviews, results of inquiries, and other relevant material - will be kept confidential by the Centre, except where disclosure is required by a disciplinary or other remedial process or required by law.