



# Workplace Violence and Harassment Prevention

Date Approved: 2020

Projected Review Date: 2021

Page 1 of 4

## PURPOSE:

Hamilton-Wentworth District School Board (HWDSB) believes in the prevention of workplace violence and harassment while promoting a safe workplace in which all people respect one another and work together to achieve common goals.

## GUIDING PRINCIPLES:

- Value workers by respecting their concerns and responding to their needs.
- Foster the development of trustful and respectful relationships in an environment free from discrimination, harassment and workplace violence.
- Fulfill our obligations under the Occupational Health and Safety Act, Employment Standards Act and Ontario Human Rights Code.

## INTENDED OUTCOMES:

- Establish incident reduction goals.
- Implement strategies to reduce workplace violence and harassment.
- Raise awareness of all workers' direct responsibility to ensure a violence and harassment free working and learning environment.

## RESPONSIBILITY:

Director of Education – Annual review – per the *Occupational Health and Safety Act, S.32*  
Members of Executive Council

## TERMINOLOGY:

*Worker:* Can be defined as

- A person who performs work or supplies services for monetary compensation.
- A secondary school student who performs work or supplies services for no monetary compensation under a work experience program authorized by the school board that operates the school in which the student is enrolled.
- A person who performs work or supplies services for no monetary compensation under a program approved by a college of applied arts and technology, university private Career College or other post-secondary institution.



# Workplace Violence and Harassment Prevention

Date Approved: 2020

Projected Review Date: 2021

Page 2 of 4

- Such other persons as may be prescribed (by the Occupational Health and Safety Act) who perform work or supply services to an employer for no monetary compensation.

*Workplace:* Any land, premises, location or thing at, upon, in or near which a worker works.

*Workplace Violence:* As per the *Occupational Health and Safety Act*, workplace violence is defined as:

- a) The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker.
- b) An attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to a worker.
- c) A statement or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against a worker, in a workplace that could cause physical injury to a worker.

*Workplace Harassment:* 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.

The Ontario Human Rights Code also protects employees from harassment in employment by the employer, agent of the employer or by another employee because of the following prohibited grounds: Race, Colour, Ancestry, Creed (religion), Place of Origin, Ethnic Origin, Citizenship, Sex (including pregnancy, gender identity), Sexual Orientation, Age, Marital Status, Family Status, and Disability.

*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 to be known to be unwelcome. This could also include 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.

The Ontario Human Rights Code offers protection for workers against harassment because of sex or sexual solicitation by a person in a position to confer benefits. Every person who is an employee has a right to freedom from harassment in the workplace because of sex, sexual orientation, gender identity or gender expression by their employer or agent of the employer or by another employee.

Every person has a right to be free from a sexual solicitation or advance made by a person in a position to confer, grant or deny a benefit or advancement to the person where the person making the solicitation or advance knows or ought reasonably to know that it is unwelcome; or a reprisal or a threat of reprisal for the rejection of a sexual solicitation or advance where the reprisal is made or threatened by a person in a position to confer, grant or deny a benefit or advancement to the person.



# Workplace Violence and Harassment Prevention

Date Approved: 2020

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Page 3 of 4

## ACTION REQUIRED:

Staff will implement and maintain procedures to operationalize this policy under the requirements prescribed in the *Ontario Human Rights Code* and *Occupational Health and Safety Act*.

Staff will ensure:

- The policy is posted in all HWDSB workplaces on the Health and Safety Bulletin Board.
- All workers receive information and instruction annually about discrimination, harassment and violence in the workplace.
- Workers are not to be penalized or disciplined for in good faith reporting an incident or for participating in an investigation involving workplace violence or harassment
- Workers are aware of additional assistance through the Central Joint Health and Safety Committee (JHSC), the Human Rights Legal Support Centre or the board's Employee Assistance Program (EAP).
- Management will investigate and act on all complaints or incidents of workplace harassment or violence in a fair, respectful and timely manner.

## PROGRESS INDICATORS:

Intended Outcome	Assessment
Establish incident reduction goals	A comparison, year over year, of notifiable incidents of workplace violence where a person is killed or critically injured, disabled from performing their usual work or requires medical attention.
Implement strategies to reduce workplace harassment and violence.	Strategies will be evaluated by reviewing and comparing, year over year, incident reports in the identified categories.
Raise awareness of all workers' direct responsibility to ensure a violence and harassment free working and learning environment.	Measured through feedback from online workplace violence and harassment training.

## REFERENCES:

### Government Documents

Human Rights Code

Occupational Health and Safety Act, Section 32.0.1

Employment Standards Act



# Workplace Violence and Harassment Prevention

Date Approved: 2020

Projected Review Date: 2021

Page 4 of 4

## **HWDSB Policies**

Code of Conduct

Occupational Health and Safety

Student Behaviour and Discipline