



Policy Committee
Thursday, May 1, 2025
EC-340D & Virtual Meeting

AGENDA: 6:00 p.m.

1. Call to Order/Roll Call
2. HWDSB Land Acknowledgement
3. Approval of the Agenda
4. Review of the Policy Committee Workplan

Policy Review:

5. Occupational Health & Safety
6. Workplace Violence & Harassment
7. Whistleblower

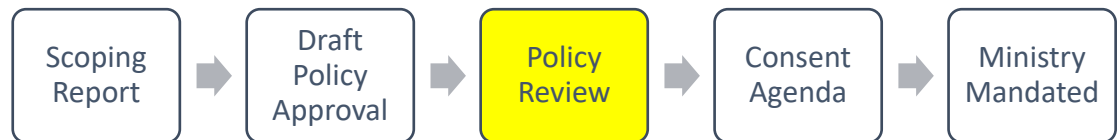
Discussion:

8. Barrier-Free Physical Learning Environment
9. Adjournment

BE YOU. BE EXCELLENT.

Subject: Occupational Health & Safety Policy
Workplace Violence & Harassment Prevention Policy

Executive Council Member Responsible: Jason Alexander, Executive Officer of Human Resources & Staff Well-Being



BACKGROUND

The following policies are being presented for review:

- Occupational Health & Safety
- Workplace Violence & Harassment Prevention

Staff have reviewed both policies and made minor updates to language within the Workplace Violence & Harassment Prevention Policy. The Occupational Health & Safety Policy has no changes being recommended by staff.

RECOMMENDATION(S)

That the Occupational Health & Safety Policy be recommended for approval.

That the Workplace Violence & Harassment Prevention Policy be recommended for approval.

Occupational Health and Safety

Date Approved: XXXX

Projected Review Date: XXXX

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PURPOSE:

Hamilton-Wentworth District School Board (HWDSB) is committed to providing and maintaining a safe and healthy workplace in accordance with the Occupational Health and Safety Act and HWDSB's commitment to the safety and well-being of its employees.

GUIDING PRINCIPLES:

- Promote and encourage a safe and healthy workplace, in accordance with provincial standards and in compliance with legislative requirements.
- Endeavour to eliminate any foreseeable hazards to workers.
- Commit to occupational health and safety being an integral part of the Board's operations.

INTENDED OUTCOMES:

- Establish incident reduction goals.
- Implement strategies to reduce workplace injuries.
- Support the Internal Responsibility System by completing workplace inspections and eliminating hazards.
- Ensuring contractors work safely in our workplace.

RESPONSIBILITY:

Director of Education
Supervisors
Central Joint Health and Safety Committee
All Workers

TERMINOLOGY:

Central Joint Health and Safety Committee: A single Joint Health and Safety Committee established to cover multiple workplaces where the committees' structure has received approval by order of the Minister of Labour.

Internal Responsibility System: A system, within an organization, where everyone has direct responsibility for health and safety as an essential part of their job. It does not matter who or where the person is in the organization, they achieve health and safety in a way that suits the kind of work they do. Each person takes initiative on health and safety issues and works to solve problems and make improvements on an on-going basis.

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Supervisor: The person who has charge of a workplace or authority over a worker. This includes a principal, vice-principal, manager or teacher appointed by HWDSB to direct and supervise a school or organizational unit of a school.

Worker: Any of the following:

- 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 in 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.
- 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.

Examples include, but are not limited to:

- Schools, Board offices, properties, and facilities, as well as vehicles used in the course of completing work and traveling between work sites.
- School-related activities such as extracurricular activities, co-instructional activities, and excursions.
- Conferences, training sessions, workshops and other work-related events or functions.

ACTION REQUIRED:

Every worker protects their own health and safety by working in compliance with the law and with safe work practices and procedures established by the employer. Workers will receive, as appropriate, information, instruction, training, and competent supervision in their specific work tasks to protect their health and safety.

The Central Joint Health and Safety Committee assists in identifying situations that may be a source of danger or hazard to workers and make recommendations to the Board on matters of occupational health and safety.

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PROGRESS INDICATORS:

Intended Outcome	Assessment
Establish incident reduction goals.	A comparison, year over year, of notifiable accidents, explosion, fire, or incident 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 injuries.	Strategies will be evaluated by reviewing and comparing, year over year, incident reports in the identified categories.
Support the Internal Responsibility System by completing workplace inspections and eliminating hazards.	The successful completion of monthly and annual workplace inspections.
Ensuring contractors work safely in our workplace.	Performance will be evaluated by reviewing critical injuries involving contractors and WSIB claim data where applicable.

REFERENCES:

Government Documents

Education Act

Occupational Health and Safety Act



Workplace Violence and Harassment Prevention

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PURPOSE:

Hamilton-Wentworth District School Board (HWDSB) is committed to 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:

- Work together to create an environment free from discrimination, harassment, and workplace violence to foster the development of trusting and respectful relationships.
- Fulfill our obligations under the Occupational Health and Safety Act and Ontario Human Rights Code.

INTENDED OUTCOMES:

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

RESPONSIBILITY:

Director of Education
Supervisors
Central Joint Health and Safety Committee
All Workers

TERMINOLOGY:

Central Joint Health and Safety Committee: A single Joint Health and Safety Committee established to cover multiple workplaces where the committee's structure has received approval by order of the Minister of Labour.

Discrimination: Any form of unequal treatment based on a protected ground under the Human Rights Code (the Code), whether imposing extra burdens or denying benefits. It may involve direct actions that are discriminatory on their face, or it may involve rules, practices or procedures that appear neutral but have the effect of disadvantaging certain groups of people. It can be direct or indirect, individual, or systemic. It may take obvious forms (direct), or occur in very subtle ways (indirect). In any case, even if there are many factors affecting a decision or action, if discrimination is one factor, that is a violation

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that could lead to progressive discipline. Hate activities and harassment are forms of discrimination. Putting measures to correct, relieve or remedy hardship or systemic discrimination experienced by persons or groups in an attempt to achieve equity is not discrimination.

Supervisor: The person who has charge of a workplace or authority over a worker. This includes a principal, vice-principal or teacher appointed by HWDSB to direct and supervise a school or organizational unit of a school.

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. 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. This includes any virtual or digital environments. Examples include, but are not limited to:

- Schools, Board offices, properties, and facilities, as well as vehicles used while completing work and travelling between work sites.
- School-related activities such as extracurricular activities, co-instructional activities, and excursions.
- Conferences, training sessions, workshops and other work-related events or functions.
- Under the Ontario Human Rights Code, protection from workplace harassment and workplace sexual harassment also applies where workers are travelling to and from work-related activities.

This policy also applies to telephone, email, social media, or other communications related to work.

Workplace Violence: The Occupational Health and Safety Act, defines workplace violence 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, including virtually through the use of information and communications technology, that is



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known or ought reasonably to be known to be unwelcome, or workplace sexual harassment. 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, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sexual orientation, gender identity, gender expressions, age, a record of offences, marital status, family status, disability. It is important to note that there is potential for more than one protected ground to intersect, where an employee is protected under multiple identified grounds simultaneously. Further, the Ontario Human Rights Code protects employees from discrimination because of association, relationship, or dealings with another person identified by a protected ground.

Workplace Sexual Harassment: Engaging in a course of vexatious comment or conduct against a worker in a workplace, including virtually through the use of information and communications technology, 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.

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*.

HWDSB will:

- Develop a complaint process and ensure all complaints of workplace discrimination and harassment are appropriately investigated.
- Post the policy in all HWDSB workplaces on the Health and Safety Bulletin Board.
- Provide all workers with information and instruction upon hire, annually and as needed about this policy and discrimination, harassment, and violence in the workplace.



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- Ensure workers are not penalized for reporting an incident or for participating in an investigation involving workplace violence or harassment while acting in good faith.
- Make workers aware of additional assistance through the Central Joint Health and Safety Committee (CJHSC), the Human Rights Legal Support Centre or the Board's Employee and Family Assistance Program (EFAP).
- Instruct supervisors to create a respectful workplace, model behaviours that are expected of all workers, and address issues that they become aware of, regardless of whether a complaint is made by the worker.
- Ensure supervisors investigate as appropriate all incidents and complaints of workplace harassment or violence in a fair, respectful, and timely manner, following the Board's established process. HWDSB will ensure supervisors are held accountable for responding to and resolving complaints of harassment.

PROGRESS INDICATORS:

Intended Outcome	Assessment
Establish workplace violence 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 and complaint summary reports.
Raise awareness of all workers' direct responsibility to ensure a violent 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

Subject:

Whistleblower Policy

Executive Council Member Responsible:

Jason Alexander, Executive Officer of Human Resources & Staff Well-Being



BACKGROUND

Staff have reviewed the Whistleblower Policy as part of the review cycle, with minor updates made to language throughout the policy.

RECOMMENDATION(S)

That the Whistleblower Policy be recommended for approval.

Whistleblower Policy

Date Approved: XXXX

Projected Review Date: XXXX

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PURPOSE:

Hamilton Wentworth District School Board (HWDSB) is committed to providing learning and working environments that are welcoming, respectful, accessible, and free from discrimination and harassment. As a public school board, HWDSB prioritizes the effective stewardship of its resources in accordance with all applicable laws. Interested parties who have reasonable information or concerns with respect to human rights violations, poisoned environment, conflicts of interest, child protection, violence, harassment, bullying, alleged illegal practices, questionable financial or operational transactions or any breach of Board policy or procedure are encouraged to file a Whistleblower Complaint

HWDSB will provide supports and protections from unfair disciplinary actions or reprisals to those who come forward under the Whistleblower Policy.

GUIDING PRINCIPLES:

HWDSB:

- Values an organizational environment that is open and transparent and conducts operations with integrity.
- Considers all reasonable information it may receive about wrongdoing.
- Protects the identities of whistleblowers. Exceptions will be made if the issue requires investigation by law enforcement or if disclosure is required by law.
- Acknowledges that it may be difficult for a member of the HWDSB community to come forward as a whistleblower given the hierarchy of the organization.
- Encourages disclosures of wrongdoing to be made sooner, rather than later, to reduce harm to the HWDSB community.
- Demonstrates commitment to maintaining high professional ethical standards.

INTENDED OUTCOMES:

- Support individuals to report suspected wrongdoing by any member of the HWDSB community.
- Ensure that there is no reprisal against an individual reporting a suspected wrongdoing under this policy.
- Provide all whistleblowers with access to a post-report and investigation feedback related to the complaint process.

RESPONSIBILITY:

Director of Education

All members of the HWDSB Community are responsible for exercising diligence in preventing and reporting all suspected wrongdoing in good faith.

Whistleblower Policy

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TERMINOLOGY:

Conflict of Interest: A potential, apparent or actual conflict where an employee or trustee's financial or other personal interest, whether direct or indirect, conflicts or appears to conflict with the employee's responsibility to the Board or with participation in any recommendation or decision pertaining to hiring within the Board.

Conflict of Interest – Relationship: Relationship means any relationship of the employee to persons of their immediate family whether related by blood, adoption, marriage or common-law relationship, and any relationship of an intimate and/or financial nature during the preceding five years, any student-supervisor relationship or any other past or present relationship that may give rise to a reasonable apprehension of bias.

Good Faith: A sincere belief or motive without any malice or the desire to defraud others.

HWDSB Community: Students, staff, parents, guardians, caregivers, trustees, community advisory committee members, school council members, permit holders, vendors, service providers, contractors, volunteers, visitors and all other persons who are invited to access, provide services or attend Board and school events. It also includes any person or organization who enters into an agreement with HWDSB or uses Board property.

HWDSB Environment: Board property, schools, school buses, virtual or digital learning and working environments, social media, school or work-related events or activities, before- and after-school programs, extracurricular activities, co-instructional activities and excursions. It may include any other locations outside HWDSB that may have an impact on the school or work climate.

Ontario Human Rights Code (OHRC): The Code prohibits actions that discriminate against people based on a protected ground in a protected social area.

Protected Grounds:

- Age
- Ancestry
- Citizenship
- Colour
- Creed (includes religion)
- Disability (including mental, physical, developmental, or learning disabilities)
- Ethnic origin
- Family status (such as a parent-child relationship, elder relationships)
- Gender Identity and Gender Expression
- Marital status (including the status of being married, single, widowed, divorced, separated or living in a conjugal relationship outside of marriage, whether in a same sex or opposite sex relationship).
- Place of origin
- Race
- Sex (including pregnancy and breastfeeding)

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- Sexual Orientation
- Record of offences (criminal conviction for a provincial offence, or for an offence for which a pardon has been received) (applies to employment only).
- Socio-economic status (not a protected ground under the Code but protected under the HWDSB Human Rights Policy).

Protected Social Areas:

- Accommodation (housing)
- Contracts
- Employment
- Goods, services and facilities
- Membership in unions and trade or professional associations

Poisoned environment: A negative, hostile or unpleasant learning or work environment created due to comments, conduct or activities that harass or discriminate against a person or a group. It might not be directed at a specific individual. A poisoned environment may result from a series of incidents or a single serious incident. Allowing inappropriate behavior to continue and failing to adequately remedy and restore the environment following the incident(s) may result in a poisoned environment.

Reasonable Information: Any information that is based on sound judgement and is fair and valid.

Reprisal: An action or threat that is intended as retaliation or punishment for making a report of wrongdoing.

Whistleblower: A person who brings forward information of suspected wrongdoing through the whistleblower process.

Wrongdoing:

- Violation of laws, acts or legislation (e.g., Ontario Human Rights Code, Criminal Code of Conduct).
- Serious breach of the HWDSB Code of Conduct or existing HWDSB policies and procedures.
- Misuse of public funds or public assets.
- Mismanagement or abuse of positional power.
- Doing something that creates a significant danger to physical or mental health, safety or the life of a person or persons.
- Time theft (e.g., an employee collects pay for time not actually worked).
- Knowingly directing, counseling or pressuring a person to commit wrongdoing.

ACTION REQUIRED:

- Maintain a Whistleblower Procedure that is accessible to the HWDSB community. The procedure will establish and maintain a clear process for how to submit whistleblower reports to the third-party company contracted by HWDSB, how the third-party company will process whistleblower reports, how reports of suspected wrongdoing about a member of the HWDSB community will be investigated and how to provide feedback



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about the process.

- Address and remedy wrongdoing, as defined by the policy, appropriately and in an independent, transparent, fair and timely manner.
- Ensure that a person who, in good faith, reports suspected wrongdoing and anyone associated with the report, including witnesses, are protected from reprisal, including harassment, retaliation or adverse employment consequences.
- Maintain a post-report and investigation complaint process for any whistleblower.
- Provide information to all employees to make clear that this policy does not affect or replace any duty to make a report that is required or permitted under legislation.
- Communicate annually to the HWDSB Community about the Whistleblower Policy and Procedure, including details about how to make a report.

PROGRESS INDICATORS:

Intended Outcome	Assessment
Support HWDSB community members to report suspected wrongdoing by any member of the HWDSB community.	The Director of Education or designate will provide an annual report to a committee of the Board about the implementation of this policy (including submissions data and general findings).
Ensure that there is no reprisal against those who report a suspected wrongdoing under this policy.	The Director of Education or designate will review the process regularly to ensure no reprisals have occurred through feedback received and the complaint process.
Provide all whistleblowers with access to a post-report and investigation feedback and/or complaint process.	The Director of Education or designate will receive all feedback or complaints about the process and review them for potential action.

REFERENCES:

Government Documents

Canadian Criminal Code (R.S., 1985, c. C-46)
 Child, Youth and Family Services Act
 Education Act
 Ministry of Education Expenditure Guidelines
 Ontario Regulation 361/10: Audit Committees
 Ontario Human Rights Code
 The Criminal Code of Canada (RS., 1985, c. C-46)