



Section of Policy Manual: Personnel	Policy No. : PER-13
Subject: Prevention of Workplace Harassment and Discrimination	Policy Approval Date: Last Date Approved: Sept. 10, 2020
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The Gravenhurst Library Board (the Library) recognizes the dignity and worth of every person. In compliance with the **Ontario Human Rights Code** R.S.O. 1990, c.H.19 and the **Occupational Health and Safety Act** R.S.O. 1900, chapter O.1, the Library is committed to providing a safe and secure workplace for its employees, and volunteers, free from discrimination and harassment, sexual harassment, and bullying. The Gravenhurst Library Board is also committed to ensuring that any complaint is resolved efficiently, with fairness and confidentiality.

### Section 1: Scope

This policy applies to all employees, board members, and volunteers. The Library does not tolerate workplace discrimination or workplace harassment from any person in the Library including employees, board members, volunteers, family members, and members of the public.

### Section 2: Definitions

2.1. The **Occupational Health and Safety Act** R.S.O. 1900, chapter O.1 defines “workplace harassment” and “workplace sexual harassment” as follows:

2.1.1. “Workplace harassment” means,

2.1.1.1. Engaging in a course of vexatious comment or conduct against an employee or volunteer in a workplace, including virtually through the use of information and communications technology, that is known or ought reasonably to be known to be unwelcome, or

2.1.1.2. Workplace sexual harassment;

2.1.2. “Workplace sexual harassment” means,



- 2.1.2.1. Engaging in a course of vexatious comment or conduct against an employee or volunteer 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, or
  - 2.1.2.2. 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 employee or volunteer and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.
- 2.2. The **Ontario Human Rights Code** R.S.O. 1990, c.H.19 states that “*Every person has a right to equal treatment with respect to employment without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability*”.
- 2.2.1. Within this context, discrimination may include abuse of authority or position of power as follows:
    - 2.2.1.1. To endanger an employee’s job
    - 2.2.1.2. To undermines the performance of that job;
    - 2.2.1.3. To threaten the economic livelihood of an employee;
    - 2.2.1.4. To interfere with or influence the career of an employee in any way.

### Section 3: Policy Objectives

- 3.1. Within the **Ontario Human Rights Code** R.S.O. 1990, c.H.19, every person who is an employee or volunteer has a right to freedom from harassment in the workplace by the employer or agent of the employer or by another employee or volunteer.
- 3.2. The **Ontario Employment Standards Act**, 2000, S.O. 2000, c.41 (ESA) prohibits employers, and anyone acting on their behalf, from harassing or penalizing an employee in any way because the employee asks the employer to comply with the ESA or asks the employer about employee rights under the ESA.



- 3.3. Harassment may include:
- 3.3.1. Making remarks, joke or innuendos that demean, ridicule, intimidate or offend;
  - 3.3.2. Displaying or circulating offensive pictures or materials in print or electronic form;
  - 3.3.3. Bullying;
  - 3.3.4. Repeated offensive or intimidating telephone calls, emails or texts;
  - 3.3.5. Inappropriate sexual advances, suggestions or requests.
- 3.4. A reasonable action taken by an employer or supervisor relating to the management and direction of employees or the workplace, within the conditions of the **Occupational Health and Safety Act** R.S.O. 1900, chapter O.1, is not workplace harassment.

#### **Section 4: Responsibilities**

- 4.1. Everyone in the workplace has a role to play in keeping workplaces safe and healthy. This includes treating all persons with dignity and respect, free of workplace harassment and discrimination.
- 4.2. The CEO/Chief Librarian or designate investigates and documents all complaints or incidents of workplace harassment and discrimination in a fair, respectful, and timely manner. Information provided about an incident or about a complaint is not disclosed except as necessary to protect employees and volunteers, to investigate the complaint or incident, to take corrective action, or as otherwise required by law.
- 4.3. All employees and volunteers are expected to adhere to this policy and will be held responsible by the employer for not following it.
- 4.4. Employees and volunteers are not penalized or disciplined for reporting an incident or for participating in an investigation involving workplace harassment or discrimination.
- 4.5. The CEO/Chief Librarian or designate develops and maintains a workplace program to address harassment and discrimination in consultation with the Health and Safety employee representative which sets out:



- 4.5.1. The process for documenting and investigating complaints, including how parties involved are made aware of outcomes and corrective action and how confidentiality is maintained;
- 4.5.2. Procedures for reporting incidents of workplace harassment and workplace discrimination including measures for reporting incidents to an outside source if necessary and;
- 4.5.3. A formalized training program and the system for maintaining all associated records should an inspection by the Ministry of Labour occur. (See **Appendix A** for a copy of the current program).

4.6. This policy is:

- 4.6.1. Reviewed by the Gravenhurst Public Library Board as often as necessary but at least once a year;
- 4.6.2. Posted in the Library's staff room.

4.7. If an employee or volunteer needs further assistance, they may contact the Health and Safety employee representative. Employees of the Board can also use the Employee Assistance Program made available as a health benefit through the Town of Gravenhurst.

#### **Related Documents:**

**Ontario Human Rights Code**, R.S.O. 1990, chapter H. 19

**Ontario Occupational Health and Safety Act**, R.S.O. 1990, chapter O.1

**Ontario Employment Standards Act**, 2000, S.O. 2000, c. 41

Appendix A (PER-13) – Program to Address Workplace Harassment

Gravenhurst Public Library Policy PER-14 - Prevention of Workplace Violence Policy

Appendix A (PER-14) – Program for the Prevention of Workplace Violence

Appendix B (PER-13 and PER-14) – Workplace Harassment and Discrimination and/or Violence Incident Report Form

Appendix C (PER-13 and PER-14) – Witness Account Form

Gravenhurst Public Library Policy PER-17 – Health and Safety

Gravenhurst Public Library Policy FAC-02 - Safety, Security and Emergency

Gravenhurst Public Library Policy PAT-03 – Patron Code of Conduct

Gravenhurst Public Library Policy PER-12 - Code of Conduct (Employees)

Gravenhurst Public Library Policy PER-04 – Volunteer Program

Gravenhurst Public Library Policy GOV-03 – Appendix A: Board Code of Conduct

WSIB Claim Form – HR Employee Injury Related Documents