



# HURON-PERTH CATHOLIC

District School Board

## Workplace Harassment Policy

<b>Adopted:</b>	<b>August 24, 1998</b>	<b>Policy #:</b>	<b>P 3.4.12.</b>
<b>Revised:</b>	<b>January 26, 2026</b>	<b>Policy Category:</b>	<b>Human Resources</b>

### **BELIEF STATEMENT:**

The Huron-Perth Catholic District School Board (the Board) believes that all of its employees shall work and learn in a respectful, non-threatening environment that is free of harassment in all of its forms and from all sources. The Board recognizes that the inherent right of all individuals to be treated with dignity and respect is central to Catholic values and beliefs and supports a safe and nurturing environment for all workers and students.

### **POLICY STATEMENT:**

The Board is committed to providing a work and learning environment in which all persons are treated with respect and dignity. Workplace harassment will not be tolerated from any person in the workplace; including workers, students, trustees, visitors, teacher candidates, permit holders, contractors as well as any other third party engaged in any school-related activities or in the performance of any work or work-related functions.

In accordance with the *Ontario Human Rights Code* and the *Occupational Health and Safety Act (OHS)*, the Board has established the following procedures.

### **PROCEDURES:**

Where a student is allegedly harassed by an adult, the Principal should alert the police and the appropriate Children's Aid Society if the student is under sixteen (16) years of age, and the parents if the student is under eighteen (18) years of age. Where a victim is allegedly harassed by a student, Board Policy Student Discipline and Safety will be followed. Students who have been found to have violated this policy may be disciplined up to and including expulsion in accordance with the Board Policy Student Behaviour Discipline and Safety.

Workers are encouraged to report any incidents of workplace harassment to the appropriate person. Reasonable action taken by the Board or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.

Management will investigate and deal with all complaints or incidents of workplace harassment in a fair, respectful and timely manner. Information provided about an incident or about a complaint will not be disclosed except as necessary to adhere to this policy. Workers are not to be penalized or disciplined for reporting an incident or participating in an investigation involving workplace harassment.

Harassment does not include reasonable action or conduct by a union representative that comprises part of his or her functions on behalf of the union.

If an employee needs further assistance, he or she may contact Human Resources, the Joint Health and Safety Committee or health and safety representative, and/or a union representative.

The Board shall train on the contents of the workplace harassment policy and program.

This policy shall be reviewed as necessary, but at a minimum once annually by the Executive Manager of Employee Relations and the Joint Occupational Health and Safety Committee.

### **Workplace Harassment Program**

The workplace harassment program applies to all workers including managers, supervisors, temporary employees, students, volunteers and subcontractors.

#### **1. Reporting Workplace Harassment**

Workers can report incidents or complaints of workplace harassment verbally or in writing to their immediate supervisor. When submitting a written complaint, please use the workplace harassment complaint form (Appendix A). When reporting verbally, the reporting contact, along with the worker complaining of harassment, will fill out the complaint form.

The report of the incident should include the following information:

- (i) Name(s) of the complainant(s) and contact information
- (ii) Name of the alleged harasser(s), position and contact information (if known)
- (iii) Names of the witness(es) (if any) or other person(s) with relevant information to provide about the incident (if any) and contact information (if known)
- (iv) Details of what happened including date(s), frequency and location(s) of the alleged incident(s). Include any supporting documents the worker who complains of harassment may have in his or her possession that are relevant to the complaint. In addition, list any documents a witness, another person or the alleged harasser may have in their possession that are relevant to the complaint.

An incident or complaint of workplace harassment should be reported as soon as possible after experiencing or witnessing an incident. This allows the incident to be investigated in a timely manner.

If the worker's supervisor or reporting contact is the person engaging in workplace harassment, contact the applicable Superintendent and report a workplace harassment incident or complaint to the Executive Manager of Employee Relations.

The Executive Manager of Employee Relations shall be notified of the workplace harassment incident or complaint so that they can ensure an investigation is conducted that is appropriate in the circumstances. If the incident or complaint involves one (1) or more senior executive(s), an external person qualified to conduct a workplace harassment investigation who has the knowledge of the relevant workplace harassment laws will be retained to conduct the investigation.

All incidents or complaints of workplace harassment shall be kept confidential except to the extent necessary to protect workers, to investigate the complaint or incident, to take corrective action or otherwise as required by law.

## **2. Investigation**

### **a. Commitment to Investigate**

The Board will ensure that an investigation appropriate in the circumstances is conducted when the Board, human resources, a Principal, a Vice Principal, a Manager or supervisor becomes aware of an incident of workplace harassment or receives a complaint of workplace harassment.

### **b. Who Will Investigate**

The Executive Manager of Employee Relations will determine who will conduct the investigation into the incident or complaint of workplace harassment. If the allegations of workplace harassment involve senior leadership, the Board will refer the investigation to an external investigator to conduct an impartial investigation.

### **c. Timing of the Investigation**

The investigation must be completed in a timely manner, within ninety (90) days or less unless there are extenuating circumstances (i.e. illness, complex investigation) warranting a longer investigation.

### **d. Investigation Process**

The person conducting the investigation, whether internal or external to the Board will, at minimum complete the following:

- i) The investigator must ensure the investigation is kept confidential and identifying information is not disclosed unless necessary to conduct the investigation. Information can be disclosed if necessary to protect workers, take corrective action, or otherwise as required by law. The investigator

should remind the parties of this confidentiality obligation at the beginning of the investigation.

- ii) The investigator must thoroughly interview the worker who allegedly experienced the workplace harassment and the alleged harasser(s), if the alleged harasser is a worker of the Board. If the alleged harasser is not a worker of the Board, the investigator should make reasonable efforts to interview the alleged harasser.
- iii) The alleged harasser(s) must be given the opportunity to respond to the specific allegations raised by the worker. In some circumstances, the worker who allegedly experienced workplace harassment should be given a reasonable opportunity to reply. The investigator will inform the alleged harasser of their ability to have a union representative (if applicable) or an alternative representative (if the worker not represented by a union) present at any or all meetings.
- iv) The investigator must interview any relevant witnesses employed by the Board who may be identified by either the worker who allegedly experienced the workplace harassment, the alleged harasser(s) or as necessary to conduct a thorough investigation. The investigator must make reasonable efforts to interview any relevant witnesses who are not employed by the employer if there are any identified. The investigator will inform the worker being interviewed of their ability to have a union representative (if applicable) or an alternative representative (if the worker not represented by a union) to attend the interview(s).
- v) The investigator must collect and review any relevant documents.
- vi) The investigator must take appropriate notes and statements during interviews with the worker who allegedly experienced workplace harassment, the alleged harasser and any witnesses.
- vii) The investigator must prepare a written report summarizing the steps taken during the investigation, the complaint, the allegations of the worker who allegedly experienced the workplace harassment, the response from the alleged harasser, the evidence of any witnesses, and the evidence gathered. The report must set out findings of fact and come to a conclusion about whether workplace harassment was found or not.

e. Results of the Investigation

Within ten (10) days of the investigation being completed, the worker who allegedly experienced the workplace harassment and the alleged harasser, if he or she is a worker of the Board, will be informed in writing of the results of the investigation and any corrective action taken or that will be taken by the Board to address workplace harassment.

f. Confidentiality

Information about complaints and incidents shall be kept confidential to the extent possible. Information obtained about an incident or complaint of workplace harassment, including identifying information about any individuals involved, will not be disclosed unless disclosure is necessary to protect workers, to investigate the complaint or incident, to take corrective action or otherwise as required by law.

The worker who has allegedly experienced harassment, the alleged harasser(s) and any witnesses should not discuss the incident or complaint or the investigation with each other or other workers or witnesses unless necessary to obtain advice about their rights. The investigator may discuss the investigation and disclose the incident or complaint-related information only as necessary to conduct the investigation.

All records of the investigation will be kept confidential.

g. Handling Complaints

If the Board or external investigator has concluded a finding of harassment the employee may be subject to discipline up to and including termination of employment for cause. In addition to any disciplinary action up to and including a suspension, the Board may provide recommendations including but not limited to additional training. If the Board or external investigator has concluded no finding of harassment, the Board may provide recommendations including but not limited to additional training.

### 3. Record Keeping

The Board will keep records of the investigation including:

- a) A copy of the complaint or details about the incident.
- b) A record of the investigation including notes.
- c) A copy of the investigation report (if any).
- d) A summary of the results of the investigation that was provided to the worker who allegedly experienced the workplace harassment and the alleged harasser, if a worker of the Board.
- e) A copy of any corrective action taken to address the complaint or incident of workplace harassment.

All records of the investigation will be kept confidential. The investigation documents, including this report should not be disclosed unless necessary to investigate an incident or complaint of workplace harassment, take corrective action or otherwise as required by law. Records will be kept for a minimum of at least one (1) year.

## **DEFINITIONS:**

**Workplace harassment** is defined in the OHS Act as: 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 known or ought reasonably to be known to be unwelcome, or workplace sexual harassment.

**Workplace sexual harassment** is defined in the OHS Act as:

- (a) 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, or
- (b) 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;<sup>2</sup>

Reasonable action taken by the Board or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.

**Assault** is defined in the Criminal Code of Canada as: an act of intentional force applied to an individual; where one attempts to threaten by an act or gesture to apply force to another person; or causes the other person to believe upon reasonable grounds that the person issuing the threat has the ability to affect his/her purpose.

An assault is any unwanted application of force (or even threat thereof) without consent. This can include strikes, pushes, punches or kicks. Assault can also include grabbing, holding, spitting or more minor forms of contact such as grabbing an item from another person's hand

A person commits an assault when (a) without the consent of another person, he or she applies force intentionally to that other person, directly or indirectly; (b) he or she attempts or threatens, by an act or a gesture, to apply force to another person, if he or she has, or causes that other person to believe on reasonable grounds that he or she has, present ability to effect his purpose; or (c) while openly wearing or carrying a weapon or an imitation thereof, he or she accosts or impedes another person or begs.

## **REFERENCES:**

Board Policy Assault Against or By Staff Member  
Board Policy Violence in the Workplace  
Board Policy Student Behaviour, Discipline and Safety  
[The Ontario Human Rights Code](#)  
[The Occupational Health and Safety Act](#)  
Department of Justice Canada - Criminal Code

## **RESOURCES, APPENDICES AND FORMS:**

### **Appendix 1 - HPCDSB Workplace Harassment Complaint Form**

#### *Section 1 - Information of Worker who has allegedly experienced workplace harassment*

Name of Worker

Contact information of Worker (Address, Telephone, Email)

#### *Section 2 - Information of Alleged Harasser(s) and Contact information (if Available)*

Name of Alleged Harasser

Contact information of Harasser (Address, Telephone, Email)

#### *Section 3 - Details of Complaint of Workplace Harassment*

Please describe in as much detail as possible the bullying and harassment incident(s), including names of workers involved, any witnesses to the incidents, the location, date and time of the incident(s) (behaviour and/or words used) and any additional details.

#### *Section 4 - Relevant Documents and Evidence*

Attach any supporting documents, such as emails, handwritten notes, etc. Physical evidence, such as vandalized personal belongings can be submitted in person. If you are not able to attach the documents and they are relevant to your complaint, please list the documents below. If someone else has relevant documents, please note that below along with that person's name.

#### *Section 5 - Comments or Additional Documents*

#### *Section 6 - Signature and Date*