

FRONT OF YONGE TOWNSHIP
***POLICY REGARDING WORKPLACE
DISCRIMINATION AND HARASSMENT***

Preamble:

Effective June 2010 the *Occupational Health and Safety Act* was amended to address issues of workplace harassment and violence. As a result employers were required to develop written policies with respect to workplace harassment and maintain a program to implement the policy and to deal with incidents and complaints. For a complete description of the requirements of the amendments see *Workplace Violence and Harassment: Understanding the Law*.

Front of Yonge Township recognizes the dignity and worth of every person and is committed to providing a workplace free from **discrimination** and **harassment** and ensuring that any complaint is resolved quickly and with fairness and confidentiality.

Managers, supervisors, council members, volunteers and staff are expected to uphold this policy. Workplace discrimination or harassment will not be tolerated from any person in the Township including co-workers, members of council, volunteers, supervisors, and members of the public.

Discrimination:

1. Front of Yonge Township adheres to Ontario ***Human Rights Code*** (HRC) with respect to rights of freedom from discrimination in employment: “*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, age, record of offences, marital status, family status or disability*”. HRC R.S.O. 1990, Chapter H.19 s. 5.1
2. **Discrimination** may include abuse of authority or position of power as follows:
 - a) to endanger a staff member’s job
 - b) to undermine the performance of that job
 - c) to threaten the economic livelihood of the staff member
 - d) to interfere with or influence the career of the staff member in anyway

Harassment:

1. Front of Yonge Township recognizes the definition of harassment as set out in the Ontario ***Human Rights Code*** and the ***Occupational health and Safety Act*** both of which define harassment as engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known as unwelcome.

2. Prohibited harassment in the township workplace includes that which is in relation to grounds under the Ontario *Human Rights Code* (race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, family status or disability).
3. The *Occupational Health and Safety Act* does not prescribe the nature of harassment however, prohibited harassment in the township workplace includes that which is personal in nature.
4. Harassment may include:
 - a) making remarks, joke or innuendos that demean, intimidate, or offend
 - b) displaying or circulating offensive pictures or materials in print or electronic form
 - c) bullying
 - d) repeated offensive or intimidating phone calls or e-mails
 - e) inappropriate sexual advances, suggestions or requests

Responsibilities and False Reports

1. The Clerk must develop and maintain a workplace discrimination and harassment program. Appendix A.
2. The program will set out:
 - a) procedures for reporting incidents of workplace discrimination and harassment
 - b) the process for dealing with and investigating complaints
3. Front of Yonge Township Council prohibits any form of retaliation against an employee who files a discrimination or harassment complaint or assists in the investigation of a complaint
4. Employees who are found to have made false or malicious complaints will be subject to disciplinary action
5. This policy will be:
 - a) reviewed annually by the Clerk
 - b) posted in each staffed Township building along with the Workplace Discrimination and Harassment Program – Appendix A
 - c) Put on the Township website

APPENDIX A:

Workplace Discrimination and Harassment Program

1. Awareness about Workplace Discrimination and Harassment Policy and Program

Front of Yonge Township's Human Rights Policy, which addresses both workplace discrimination and harassment, in addition to being included in the township's policy binder will be posted in the Township Office with the Workplace Discrimination and Harassment Program.

2. Reporting Incidents of Workplace Discrimination and Harassment

Front of Yonge Township encourages any staff member or volunteer who believes that he or she has been subjected to discrimination or harassment to discuss the situation with the Clerk.

In the event that there is a complaint against the Clerk, or a conflict of interest, a complaint shall be filed with the Reeve/and or Council. The Reeve and Council may conduct an investigation or designate an individual to investigate and issue a report.

At any time during a meeting or interview concerning a complaint, the staff member lodging the complaint has the right to be represented and accompanied by a person of his or her choice. The same right is also granted to the person against whom the complaint has been lodged.

The staff member with the complaint must provide written notes about the events leading up to the complaint which include:

- a) What happened – a description of the events or situation
- b) When it happened – dates and time
- c) Where it happened
- d) Who saw the incident, if anyone

As well, any related documents or materials having to do with the complaint are to be made available.

3. Complaint Resolution Procedures

If the staff member chooses to pursue the Complaint Resolution Procedure, the Clerk or designate will advise the person against whom the complaint has been lodged.

The Clerk or designate begins a confidential investigation immediately and finishes within 30 days. Throughout the process, the investigator keeps all parties informed, interviews the staff concerned and witnesses, collects evidence, prepares a report and informs the parties in writing of the decision and the underlying reasons.

The Clerk or designate, with concurrence of the Council, is responsible for imposing any disciplinary or corrective measures.

Any staff member may file a complaint with the Ontario Human Rights Commission when the harassment or discrimination is related to one or more of the Human Rights Code's prohibited grounds – race, ancestry, place of origin, colour, ethnic origin, citizenship, creed (religion), sex, sexual orientation, disability, age, marital status, family status, receipt of public assistance, record of offences.