

## Workplace Harassment Policy

### **Commitment Statement**

At Bright Child Montessori, the health and safety of our employees is paramount. Priority is given to protecting our employees and our visitors from harassment and discrimination. Such conduct interferes with everyone's ability to perform their job and is not in keeping with the School's philosophy of trust and mutual respect.

By working together, and giving the utmost attention to the safety and well-being of each other, we will meet our shared objective of a healthier and safer working environment for all.

Bright Child Montessori employees and clients are entitled to be treated with dignity and respect and have a work environment free from harassment and discrimination as prescribed by The *Human Rights Code* in Ontario and the *Occupational Health and Safety Act*. This policy applies to all employees and agents / representatives of Bright Child Montessori while in the workplace, during work-related field trips or travel, or during any work-related and/or social functions.

Employees are expected to assist Bright Child Montessori in its attempts to prevent and eliminate harassment in the workplace. Bright Child Montessori will treat any form of harassment that occurs in the workplace seriously regardless of the alleged perpetrator's position.

Nothing in this policy limits an individual's right to file a complaint with the Human Rights Commission or the Ministry of Labour should they feel the situation warrants such action.

### **Definition**

The *Occupational Health and Safety Act* defines workplace harassment as "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."

Harassment and discrimination can take the following forms including:

#### 1. Discrimination-based Harassment

Includes any verbal or physical conduct, that may reasonably be perceived as denigrating or showing hostility or aversion toward an individual because of the individual's race, colour, religion, gender, sexual orientation, national origin, age, disability, or other status

protected by law, or because of the protected status of the individual's relatives, friends, or associates. This type of harassment includes, but is not limited to:

a) Epithets, slurs, negative stereotyping, demeaning comments, including comments pertaining to a person's dress, accent or other cultural differences, or intimidating acts that are based on an individual's protected status; and/or

b) Written or graphic material (whether by printed or electronic media circulated within or posted within the workplace that shows hostility toward or is demeaning to an individual or group because of his or her protected status.

## 2. Sexual Harassment

Generally there are two types of sexual harassment:

a) Repeated sexual advances or solicitations made by a person where such person knew or ought reasonably to have known that the advance was unwelcome; and/or

b) A reprisal or threat of reprisal for the rejection of a sexual solicitation or advance made by a person who is in a position to grant or deny a benefit.

### **Behaviours Constituting Harassment**

- Differential treatment of employees or co-workers based on race, gender, ethnicity, etc.;
- Verbal or written comments, jokes, teasing, and/or other communication of a sexual nature;
- Demeaning language based on gender or sexual preference;
- Graphic comments about an individual's body;
- The use of sexually degrading words to describe an individual;
- The display of sexually suggestive objects and/or pictures in the workplace;
- Foul or obscene language and/or gestures;
- Unwanted physical conduct such as patting, pinching, and/or brushing up against another person's body;
- A promise of better treatment in return for sexual favours; and/or
- Indirect or expressed threats for refusal of a sexual request.

## **Responsibilities of Board Members, Managers and Supervisors**

- Promote a harassment-free workplace;
- Provide employees with information and instruction regarding the workplace policy and program with respect to workplace harassment including appropriate steps to be taken and investigation procedures;
- Take every reasonable precaution for the protection of the worker;
- Ensure employees understand who to contact regarding concerns about policy or when to report an incident;
- Model behaviour, which helps support a positive work environment;
- Ensure the workplace is free from harassment and discrimination;
- Respond to complaints brought to their attention.
- Respect the confidentiality and sensitivity of such issues;
- Document all information and investigation results;
- Request that an investigation into allegations of harassment be conducted where appropriate; and
- If witnessing harassment or elements of a corruptive or destructive work environment, take action.

## **Investigation Process**

- All complaints will be investigated promptly.
- All those directly involved and witnesses will be spoken with.
- Notes/statements will be prepared during each interview, reviewed by the person(s) being interviewed and signed for accuracy.
- Records or other documents relevant to the incident being investigated (this may include work schedules, complaints and observation notes, incident and suspension forms and may involve taking pictures of the scene) will be reviewed.
- Relevant collective agreement or employment contract language or organizational policies/procedures will be reviewed.
- Depending on the scope of the investigation, employees may need to seek the assistance of the Executive Director and Board of Directors.
- A final summary/report of the investigation will be prepared.

## **Corrective Action**

Any employee found to have engaged in conduct that violates this policy will be subject to discipline, up to and including termination of employment. Allegations of harassment are very serious, frivolous complaints found to have been made for improper purposes will result in disciplinary action being taken against the accused.



## **Confidentiality**

Employees should feel secure in knowing that their concerns will be handled discreetly and sensitively.

As such, employee issues will usually remain between the employee, and their Supervisor. On occasion, however, an investigation may require consulting with another employee, Supervisor, Executive Director, the Board and the Health and Safety Representative, in Bright Child Montessori to ensure and appropriate resolution. In such cases, the employee will be consulted prior to involving others.

## **Reprisals**

This policy strictly prohibits reprisals against an employee because s/he has brought forward a legitimate concern or has provided information regarding a concern under this policy. Any employee who commits or threatens reprisal against another employee for following this, or any of the School's policies in good faith, may be subject to discipline, up to and including dismissal for cause.