

## COMPLAINT PROCESS:

*Where the alleged harassment is covered by the Ontario Human Rights Code, at any stage in the Board's procedure a complainant may choose to refer the complaint to the Human Rights Tribunal of Ontario.*

### **STEP 1 (The majority of cases are resolved at this step.)**

A complainant can choose to advise the person that their conduct is offensive and request that the respondent stop. If the respondent fails to stop, or if the complainant does not feel comfortable in confronting the respondent, then the complaint should move to STEP 2.

### **STEP 2**

A complainant can choose to contact their Supervisor to establish a plan of action for addressing the concern(s). If a complainant after discussion with their Supervisor finds that STEP 2 was not satisfactorily addressed, they can initiate the next step by contacting the Executive Officer of Human Resources or designate.

### **STEP 3**

File the complaint with the Executive Officer of Human Resources or designate. The complainant meets with the Executive Officer of Human Resources or designate. If efforts to resolve the complaint informally fail or have not been completed within one (1) week, an investigation will follow.

### **STEP 4**

#### **Filing of Formal Complaint & Investigation**

A written complaint form must be submitted to the Executive Officer of Human Resources within five (5) working days, on the Disrespectful Conduct, Discrimination & Harassment Formal Complaint Form (available on myhdsb.ca).

The investigator will undertake to investigate the complaint within five (5) working days of the receipt of the complaint form. The investigator will meet with the parties involved and may speak with others who have information.

The investigator shall complete a final report and shall confer with the Executive Officer of Human Resources, or designate to determine the next appropriate steps. Outcomes will be disclosed to the complainant as part of this process.

**The Board reserves its right to impose any action it deems necessary in the circumstances, including the restriction of access to Board property or contacting police if the safety of employees or others is in question.**

**For more information contact your supervisor or the Human Resources Department.**

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Halton District School Board



**GUIDELINES to  
PROMOTE  
A RESPECTFUL  
WORKPLACE FREE  
FROM  
DISCRIMINATION  
and HARASSMENT**

The Halton District School Board expects that everyone associated with the Board has a right to be treated with respect and dignity, and to teach, learn and work in an environment that's free from discrimination and harassment.

The Board has Policies on [Respectful Workplace](#) and [Discrimination and Harassment](#), as well as [Administrative Procedures](#) in place to deal with complaints of Discrimination and Harassment for students, employees and volunteers.

Not all harassment and discrimination directed towards employees is by other employees, volunteers or students. This document will outline procedures to deal with complaints of harassment and discrimination by employees and non-employees towards employees of the Halton District School Board to foster a respectful workplace.

**ABSOLUTELY NO PERSON IS  
SAFE IF DISCRIMINATION OR  
HARASSMENT IS IGNORED,  
TRIVIALIZED OR TOLERATED.**

## INTRODUCTION

The Halton District School Board prohibits discrimination and harassment, both contrary to the *Ontario Human Rights Code*, the *Ontario Occupational Health and Safety Act* or in any other form.

The Halton District School Board expects and requires individuals associated with the Board or using Board property to conduct themselves in a respectful, courteous and appropriate manner at all times and whenever dealing with matters pertaining to the Halton District School Board.

### WHY CONFRONT DISCRIMINATION or HARASSMENT, and DISRESPECTFUL CONDUCT?

As a Board we are committed to:

- fostering respect for the dignity, worth and well-being of all members of the Board's community;
- providing an opportunity for all individuals to develop their full potential; and
- modelling respectful conduct in the workplace and being accountable for appropriate intervention when disrespectful conduct is occurring.

### WHAT IS DISCRIMINATION OR HARASSMENT, and DISRESPECTFUL CONDUCT?

**Discrimination** is unequal treatment on the basis of age, ancestry, colour, race, citizenship, ethnic origin, place of origin, creed, disability, family status, marital status, gender identity,

gender expression, sex, sexual orientation or record of offenses (in employment).

**Harassment** is any vexatious comment or conduct which is known or ought reasonably to be known to be unwelcome.

**It can be...**

- verbal or physical
- persistent or a single incident
- implied or overt

**Workplace Harassment means** engaging in a course vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome.

**Disrespectful conduct** is any behaviour by an individual directed against another individual that a reasonable person would consider inappropriate.

### EXAMPLES OF DISCRIMINATION, HARASSMENT and DISRESPECTFUL CONDUCT

Under the Ontario Human Rights Code, discrimination and harassment is prohibited contrary to the protected grounds of the Human Rights Code.

Examples of Harassment under the Code:

#### Sexual Harassment:

i. Engaging in a course of vexatious comment or conduct against a worker 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

ii. 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;

#### Racial Harassment:

Racial harassment occurs where a person engages in a course of activity or comment that refers to or emphasizes the race or other race-related characteristics of an individual and where it could be reasonably anticipated that such comment or conduct would be unwelcome.

In addition, the Halton District School Board will address any other type of discrimination or harassment of employees that is not identified under the Code. Examples of such include but are not limited to:

- Excessive demands for meetings or unreasonable communication requests by a parent/guardian
- Shouting or swearing at employees
- Demanding or initiating excessive communication with an employee
- Gossiping
- Bullying
- Making derogatory comments to or about another individual
- Physical assault
- Inappropriately interfering in another individual's work
- Embarrassing practical jokes