

SAMPLE: Harassment Policy

From Southern Ontario Library Services (SOLS) *Internal Policies & Procedures Manual*

Definition

The *Ontario Human Rights Code* defines harassment as “engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome.” The behaviour comprises objectionable conduct, comment or display made on either a one-time or continuous basis that demeans, belittles, or causes personal humiliation or embarrassment to another staff member.

Harassment may include abuse of authority or position power as follows:

- to endanger a staff member’s job,
- to undermine the performance of that job,
- to threaten the economic livelihood of the staff member, or
- to interfere with or influence the career of the staff member in anyway.

It includes acts such as intimidation, threats, black mail, and coercion.

Sexual Harassment

Sexual harassment refers to any conduct, comment, gesture or contact of a sexual nature, whether on a one-time basis or in a series of incidents:

- that might reasonably be expected to cause offence or humiliation to any employee; or
- that might reasonably be perceived by the staff member as placing a condition of a sexual nature on employment or on any opportunity for training or promotion.

Guidelines on Discrimination or Harassment

- SOLS encourages any staff member who believes that he or she has been subjected to discrimination or harassment to discuss the situation with the Director of Operations. As an advisor on human rights issues, the Director of Operations offers information and advice on how to deal with these issues and assists the staff member in choosing a course of action.
- 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. This same right is also granted to the person against whom the complaint has been lodged. The accompanying individual may be a union representative, colleague or legal counsel.
- Any staff member may file a complaint with the Ontario Human Rights Commission within six months of the occurrence of alleged discrimination or harassment. A member of the bargaining unit may pursue a grievance if he or she believes his or her rights under the collective agreement have been violated.
- Protection from reprisals is assured for anyone involved, including the staff member who makes a complaint, as well as, witnesses, advisors, representatives of complainants and witnesses, investigators, and decision makers and members of SOLS' management.
- While members of SOLS' management are responsible for providing a work environment that is free of discrimination or harassment, their authority is not restricted with regard to their usual management responsibilities such as performance management or disciplinary actions. Failure to take corrective action on harassment or discrimination on their part may result in the imposition of sanctions on them as well as the offender.

The legal aspects of Harassment are governed by legislation and are subject to change. For definitive rules on employment standards and legal aspects of harassment and human rights, consult a labour lawyer or human resources specialist and refer them to the Ontario Ministry of Labour (www.labour.gov.on.ca).