

**ADMINISTRATIVE PROCEDURE**

SECTION:	LEGAL ISSUES	A.P. NO.:	<b>7-01</b>
TOPIC:	<b>ONTARIO HUMAN RIGHTS CODE (OHRC) DISCRIMINATION AND HARASSMENT OR OCCUPATIONAL HEALTH &amp; SAFETY ACT (OHS) WORKPLACE HARASSMENT</b>	PAGE:	Page 1 of 9
		DATE:	October 2017
REVIEW DATE:	October 2022	REVISED:	

**RESOLUTION PROCESS**

**A**  
**Ontario Human Rights Code (OHRC) Discrimination & Harassment**

**B**  
**Occupational Health & Safety Act (OHS) Workplace Harassment**

**INFORMAL RESOLUTION (A or B)**

1. Complainant notifies Administrator or Supervisor or their Superintendent or Director
2. Administrator or Supervisor asks complainant
  - a) if they made it known that it was unwelcome; or
  - b) if the respondent ought reasonably to have known that the discrimination and harassment or workplace harassment was unwelcome?
3. Administrator or Supervisor fills out Informal Complaint Form
4. Administrator or Supervisor notifies the Respondent of the complaint and notifies the parties of the expectations

**OHRC Discrimination and Harassment or OHS Workplace Harassment stops**

OHRC Discrimination and Harassment or OHS Workplace Harassment continues

**FORMAL RESOLUTION**

\*Administrator or Supervisor receives Formal complaint from complainant

Administrator or Supervisor initiates investigation into allegations

Restorative measures put in place

**OHRC Discrimination and Harassment or OHS Workplace Harassment stops**

\*OHRC includes students, and staff will record information from a student on a Formal Complaint Form

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**General**

This Administrative Procedure (AP) provides a process for dealing with complaints of discrimination and harassment based on the prohibited grounds under the Ontario Human Rights Code (OHRC) and workplace harassment under the Occupational Health and Safety Act (OHS) occurring at the District School Board of Niagara (DSBN), during employment activities not at a DSBN workplace and during school board sanctioned events.

This Administrative Procedure is not intended to limit or constrain the reasonable exercise of management functions in the workplace. Reasonable action or conduct by the employer, administrator, manager or supervisor that is part of his or her normal work function would not normally be considered harassment under the OHRC or the OHS.

Administrators or Supervisors should consult with their Superintendent upon receipt of any Informal or Formal complaint.

**Definitions**

**OHS** defines:

**“workplace harassment”** as:

- (a) 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, or
- (b) workplace sexual harassment;

**“workplace sexual harassment”** as:

- (a) 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
- (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;

It's important to note that Section 1(4) of the OHS says: A reasonable action taken by an employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.

**“Worker”** as:

any of the following, but does not include an inmate of a correctional institution or like institution or facility who participates inside the institution or facility in a work project or rehabilitation program:

- a) A person who performs work or supplies services for monetary compensation.
- b) A secondary school student who performs work or supplies services for no monetary compensation under a work experience program authorized by the school board that operates the school in which the student is enrolled.
- c) A person who performs work or supplies services for no monetary compensation under a program approved by a college of applied arts and technology, university or other post-secondary institution.
- d) A person who receives training from an employer, but who, under the Employment Standards Act, 2000, is not an employee for the purposes of that Act because the conditions set out in subsection 1 (2) of that Act have been met.
- e) Such other persons as may be prescribed who perform work or supply services to an employer for no monetary compensation.

**“Workplace”** as:

any land, premises, location or thing at, upon, in or near which a worker works.

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**Note:** The OHS legislation only applies to a worker in a workplace. Only DSNB staff can launch a workplace harassment complaint under this AP.

**OHRC** does not define “**discrimination**”, however defines:

“**Harassment**” as “engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome.”

Both the OHRC and OHS uses similar language in its definition. Both require engaging in a course of vexatious [annoying or provoking] comment or conduct which is known or ought reasonably to be known to be unwelcome.

The most important word in the definition is “unwelcome.” We do not have the right to impose our words or actions on someone if they are not wanted. It does not matter if the person has done this intentionally or unintentionally. Some people may be shy or afraid to respond to unwelcome comments or actions. That is why both the OHRC and OHS include the words “ought reasonably to be known to be unwelcome.”

For example, everyone is expected to know that racial, sexual or ethnic slurs or jokes are unwelcome — the speaker should not need to be told that the comment is unwelcome. However, sometimes it is necessary to point out that certain behaviours are causing discomfort.

“Engaging in a course of” means that a comment or action would usually have to occur more than once for it to be considered harassment. However, an employer need only make a comment once if it’s egregious enough for the person to believe that he or she will not get equal treatment as a result.

The principles of harassment also apply in the area of services such as schools. For instance, if students harass others because of their race, sex, sexual orientation, disability, religion, etc., this could be grounds for a complaint. Education is a “service” to which all are equally entitled.

**Who May Initiate a Complaint?**

**OHRC** – All persons in Ontario are provided protection against discrimination and harassment in Ontario. The OHRC prohibits actions that discriminate against people based on a protected ground in a protected social area.

Protected social areas are:

- Accommodation (housing)
- Contracts
- Employment
- Goods, services and facilities
- Membership in unions, trade or professional associations.

Protected grounds are:

- Race
- Colour
- Creed
- Gender Identity
- Marital Status
- And in the case of employment, Record Of Offences (Prohibited Grounds)
- Ancestry
- Ethnic Origin
- Sex
- Gender Expression
- Family Status
- Place Of Origin
- Citizenship
- Sexual Orientation
- Age
- Disability

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**OHS** - Anyone who meets the definition of a worker as defined above may initiate a complaint based on reasonable grounds. Individuals who believe that they have been subjected to such conduct may report the workplace harassment. In addition, those who have witnessed workplace harassment directly, or have reasonable grounds to suspect that it is occurring, may initiate a report. Anonymous reports will not be entertained. Third party disclosures will only go forward (to the formal stage) with the alleged victim's consent.

**Timelines for Initiating a Complaint**

All reports must be filed within thirty (30) calendar days of the most recent alleged harassment regardless if it's an OHRC discrimination and harassment or OHS workplace harassment. A complaint outside this time frame may be considered by consulting the Superintendent of Human Resources and/or Labour Relations Manager/Chief Negotiator. Any alleged OHS workplace harassment that occurred prior to the violence and harassment amendments to the OHS enacted on June 15, 2010, may not be considered.

**Confidentiality**

All complainants, respondents and other persons involved with the complaint processes under this Procedure will ensure that all matters remain confidential. Witnesses should be informed that supervisory and managerial personnel, in obtaining a statement, will maintain said statement in confidence, subject to their ability to conduct a full and thorough investigation.

Notwithstanding the above, procedural fairness requires that the respondent to a complaint be apprised of the nature of the complaint and by whom it has been made so that they have an opportunity to speak to the complaint. The DSNB may be required to provide information obtained during an investigation to an outside agency that has the right to require information otherwise protected by the *Municipal Freedom of Information and Protection of Privacy Act*.

**Records**

All correspondence and other documents generated under this Procedure must, subject to the Municipal Freedom of Information and Protection of Privacy Act, be marked "PRIVATE AND CONFIDENTIAL" and be stored in a locked and secure file in the Human Resources Department.

**Misuse of the Complaint Procedures**

If there is a determination on a balance of probabilities that a complaint has been filed in bad faith, the complaint process will be discontinued and disciplinary action may occur.

**Reprisals**

A worker who files a complaint in good faith or individuals involved in the process must not be subject to reprisal. Alleged reprisals may be filed and investigated as complaints as outlined in this procedure and, if substantiated, are subject to the same consequences as complaints of OHRC discrimination and harassment and OHS workplace harassment.

**INFORMAL RESOLUTION**

Every attempt should be made to resolve matters through an informal resolution. An employee seeking informal resolution must contact (his/her) School Administrator(s)/Supervisor, to arrange a confidential meeting to deal with the alleged OHRC discrimination and harassment or OHS workplace harassment complaint. If the School Administrator(s)/Supervisor is the party alleged to be responsible for the harassment or alleged to condone the workplace harassment, the complaint must be filed with the appropriate supervisory individual above the School Administrator(s)/Supervisor.

Students who wish to initiate a complaint of OHRC discrimination and harassment can do so by contacting the School Administrator(s)/Supervisor, Co-op, Teacher or other trusted staff member, who will bring it to the attention of the Administrator or Superintendent.

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Prior to initiating any complaint and throughout the complaint process, complainants have a right to assistance and support (DSBN representation/Association/Union). Individuals, who are named as respondents in a complaint, as well as witnesses, also have a right to assistance and support (DSBN representation/Association/Union) throughout the complaint process.

Student complainants are equally entitled to assistance and support. This may include, but not limited to: the parent/guardian/ward for the student.

The School Administrator(s)/Supervisor will complete the OHRC Discrimination and Harassment or OHS Workplace Harassment Informal Complaint Form (Appendix A). This individual may facilitate an informal resolution by:

- (a) Suggesting that the complainant confront the problem by making it clear to the individual alleged to have engaged in harassment that the behaviour is not acceptable and by obtaining a commitment that the behaviour will stop, where possible.
- (b) Informing the respondent of the complainant's concern regarding the alleged harassment and the DSBN's expectation for appropriate behaviour, providing a copy of the DSBN's Policies and Procedures on OHRC Discrimination and Harassment or OHS Workplace Harassment and/or other relevant DSBN policies, and obtaining a commitment that the alleged harassment will stop.
- (c) Following up with the complainant to ensure that the alleged harassment has stopped.

Follow-up possibilities:

- (a) Counselling for the parties.
- (b) Application of strategies to restore a positive learning/working environment.
- (c) Specific information and instruction for the complainant or respondent.
- (d) Workshops for the staff and/or others in the school/workplace regarding their responsibilities (Appendix C).
- (e) Permanent separation of respondent and complainant from each other.
- (f) Restorative measures.
- (g) Letter of Counsel/Expectations (non-disciplinary).
- (h) Progressive discipline (see Administrative Procedure 7-02: Guidelines for Effective Employee Documentation and Progressive Discipline).

**FORMAL RESOLUTION**

All formal complaints filed under this Administrative Procedure are subject to a threshold assessment to determine whether the alleged harassment, if proven, meets the definition of OHRC Discrimination and Harassment or OHS Workplace Harassment. In all cases, School Administrator(s)/Supervisors have a duty to respond to and take action(s) to resolve any alleged situations involving workplace harassment.

**Threshold Assessment**

If the DSBN, following this threshold assessment, determines that the complaint filed:

- (a) Would not, if true, meet the definition of, workplace harassment.
- (b) Does not provide sufficient details of the alleged harassment (provided the complainant is given notice that insufficient details have been provided and given reasonable time to provide sufficient details), or
- (c) Is frivolous or trivial, has not been made in good faith or would, if investigated, constitute an abuse of this Procedure, then the complainant must be so advised and no further action must be taken under this Procedure.

Prior to initiating any complaint and throughout the complaint process, complainants have a right to assistance and support (DSBN representation/Association/Union). Individuals, who are named as respondents in a complaint, as well as witnesses, also have a right to assistance and support (DSBN representation/Association/Union) throughout the complaint process.

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Student complainants are equally entitled to assistance and support. This may include, but not limited to: the parent/guardian/ward for the student.

**Initiating a Complaint**

Complainants, whether a worker or a student must contact their School Administrator(s)/Supervisor, in order to complete and file the OHRC Discrimination and Harassment or OHS Workplace Harassment - Formal Complaint Form (Appendix B).

If the School Administrator(s)/Supervisor is the party alleged to be responsible for the harassment or alleged to condone the workplace harassment, the complaint must be filed with the appropriate supervisory individual above the School Administrator(s)/Supervisor.

School Administrator(s)/Supervisors who receive a Formal Complaint Form must follow the procedures set out in the section entitled Procedures for Resolving a Complaint.

**Respondents to a Complaint**

Individuals who are named as respondents in a complaint have a right to know in a timely manner that they are the subject of a complaint, who the complainant is, what the allegations are and what approach to a resolution is being considered. In particular, a respondent has a right to know the specifics of an allegation, including date, time, location and alleged conduct. Respondents will be apprised of the complaint and given time to prepare a full and complete response to the allegations. If the respondent declines to participate in the investigative process, the investigation must proceed. The respondent should be encouraged to participate in the interest of a balanced and fair process.

**Formal Investigation and Resolution**

Formal complaints require an investigation of the complaint allegations. Investigations will most often be done by the School Administrator(s)/Supervisor of the complainant and/or respondent. School Administrator(s)/Supervisors have the right to assistance and support from Human Resources at any stage of the complaint process. If the respondent declines to participate in the investigative process, the investigation must proceed. The respondent should be encouraged to participate in the interest of a balanced and fair process. In a Formal investigation, School Administrator(s)/Supervisors who conduct the investigation must ensure that the following steps are taken as soon as possible:

1. Take appropriate measures to ensure the safety of the complainant.
2. Notify the complainant(s), the respondent(s) and witness(es) that they are entitled to support and assistance (DSBN representation/Association/Union) throughout the process.
3. Ensure that the respondent(s) are apprised of the complaint.
4. Interview the complainant(s) separately.
5. Inform the respondent(s) of the allegation and provide an opportunity for response.
6. Interview the respondent(s) separately.
7. Interview witness(es) separately.
8. Determine whether the alleged workplace harassment did or did not occur based on a balance of probabilities.
9. Provide a written summary of the findings and conclusions to the complainant and to the respondent and give them an opportunity to respond to same.
10. Take appropriate action(s) to resolve the situation.

If the respondent declines to participate in the formal investigative process, the investigation must proceed. The respondent should be encouraged to participate in the interest of a balanced and fair process.

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**Standard of Proof**

The standard of proof to be applied is the balance of probabilities.

**Outcomes in Formal Investigation**

In the event a complaint is not substantiated, no further action will be taken, subject to the section on Records. However, if there is a need to restore a positive learning/working environment, steps may be taken to meet such needs.

Follow-up possibilities:

- (a) Counselling for the parties.
- (b) Application of strategies to restore a positive learning/working environment.
- (c) Specific information and instruction for the complainant or respondent.
- (d) Workshops for the staff and/or others in the school/workplace regarding responsibilities (Appendix C).
- (e) Permanent separation of respondent and complainant from each other.
- (f) Restorative measures.
- (g) Letter of Counsel/Expectations (non-disciplinary).
- (h) Progressive discipline (see Administrative Procedure 7-02: Guidelines for Effective Employee Documentation and Progressive Discipline).

**Mediated Resolution**

Nothing in this Administrative Procedure denies or limits access to other avenues of redress available under the law or through the filing of a grievance or through progressive discipline.

In such a case, this process must cease until the parties and their respective representatives have met with the Superintendent of Human Resources and/or Labour Relations Manager/Chief Negotiator to determine which dispute resolution process will proceed.

Mediation involves an unbiased third party acting as a facilitator in direct communication between the parties who voluntarily agree to enter into this process. It is an opportunity to resolve disputes in a respectful manner. It provides the opportunity to generate a variety of options for resolution and contributes to restoring the working relationship between the parties.

Where there is already a formal complaint being investigated under these procedures, at any time during the investigation, the parties may agree to hold the investigation in abeyance and attempt to achieve a mediated resolution. Mediation will only occur if the employer agrees to use it as an option in resolving a particular dispute.

Mediation is appropriate when all parties agree that a mutually agreeable solution is achievable and desirable. Mediation is voluntary and the complainant and respondent may choose to withdraw at any time. The person conducting the investigation will request approval from the Superintendent of Human Resources and/or Labour Relations Manager/Chief Negotiator. A Human Resources staff member may act as a mediator or a trained individual may be assigned.

The parties, DSBN representation/Association/Union representing the complainant, DSBN representation/Association/Union representing the respondent, must equally share the cost associated with mediation. Meetings required for mediation sessions must be scheduled as soon as possible.

When matters are resolved through mediation, the complainant, respondent and a DSBN representative will sign a memorandum of agreement outlining the terms to which they have agreed. If mediation is unsuccessful, the formal investigation process will continue.

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**DISCIPLINARY ACTIONS**

**Worker Respondents**

In the event a complaint is substantiated on the balance of probabilities, the School Administrator(s)/Supervisor may impose discipline as appropriate and consistent with the circumstances.

**Other Respondents**

Actions must be determined as appropriate for the individual situation and may include such responses as a letter of disapproval and warning, a revoking of permits or contracts, an issuing of a trespass warning, or other remedies as provided by the common law and/or the appropriate legislation. The involvement of the appropriate Superintendent is recommended in these cases.

**REVIEW OF DECISION**

In the event a complainant or respondent to a formal complaint has one or both of the specific concerns listed below, a request, in writing within ten calendar days of the receipt of the written findings and decision of the person conducting the investigation, may be made to the Director or Designate to convene a Review. A Reviewer will be appointed by the Director or Designate.

The grounds for review are:

- a) The person conducting the investigation failed to comply with this procedure.
- b) New evidence becomes known after the final decision but before the expiry of the ten calendar days' limitation period for requesting a review.

No review of the final decision will be undertaken with regard to the claim that the conclusions drawn by the investigator(s) based on findings of fact were incorrect.

The Reviewer will report his/her findings to the Director or Designate, who will affirm or amend the final decision, or require that a new investigation be undertaken.

**WORKPLACE HARASSMENT PREVENTION PROCEDURE POSTING**

The Workplace Harassment Prevention Administrative Procedure must be in written form and must be posted at a conspicuous place in the workplace. This does not apply if the number of employees regularly employed at the workplace is less than six.

**INFORMATION AND INSTRUCTION**

The DSBN must provide employees with information and instruction that is appropriate for the worker on the contents of the policy and program with respect to OHRC Discrimination and Harassment or OHS Workplace Harassment and any other prescribed information.



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**Attachments**

- Appendix A: Ontario Human Rights Code (OHRC) Discrimination & Harassment or Occupational Health & Safety (OHS) Workplace Harassment- Informal Complaint Form
- Appendix B: Ontario Human Rights Code (OHRC) Discrimination & Harassment or Occupational Health & Safety (OHS) Workplace Harassment - Formal Complaint Form
- Appendix C: Workplace Harassment Prevention Responsibilities

**References**

- Policy E-03: Health and Safety
- Policy E-15: Workplace Violence and Harassment Prevention
- Policy G-02: Safe Schools
- Policy G-08: Code of Student Behaviour
- Policy G-28: Student Discipline
- Policy G-39: Human Rights Discrimination and Harassment or Occupational Health and Safety Workplace Harassment
- Administrative Procedure 3-08: Police Protocol
- Administrative Procedure 3-10: FACS Protocol
- Administrative Procedure 3-26: Student Discipline
- Administrative Procedure 5-27: Workplace Violence Prevention
- Administrative Procedure 7-02: Guidelines for Effective Employee Documentation and Progressive Discipline



**OHRC DISCRIMINATION AND HARASSMENT OR OHS WORKPLACE HARASSMENT  
INFORMAL COMPLAINT FORM**

**SECTION ONE: EMPLOYEE INFORMATION**

Name: (Complainant)	Affiliation:
Employee ID:	<input type="checkbox"/> Superintendent
Position:	<input type="checkbox"/> Principal – Vice Principal
Work Location:	<input type="checkbox"/> Support Staff
Administrator/Supervisor Filing in Form:	<input type="checkbox"/> Elementary Occasional
	<input type="checkbox"/> Secondary Occasional
	<input type="checkbox"/> EFTO
	<input type="checkbox"/> OSSTF
	<input type="checkbox"/> CUPE
	<input type="checkbox"/> APSSP
	<input type="checkbox"/> Other
Date Reported to Administrator/Supervisor:	

**SECTION TWO: DETAILS OF INCIDENT**

Site Name:	Site Phone:
Site Address:	Date and Time of Incident:
Personal Contact Information: (Optional)	E-mail: _____
Home Phone: _____	Cell: _____

**Respondent:**  Co-worker  Parent/Guardian  Visitor  Student  Teacher  Support Staff

Other (specify) \_\_\_\_\_

**Name of Respondent:** \_\_\_\_\_

<b>Witnesses:</b>	Description of their respective role in the incident:
School/Department/Worksite: _____	_____
Witness, Job Title: _____	_____

**OHS Workplace Harassment: (check if applicable)**

Course of vexatious:  Comment  Conduct

**OHRC Discrimination and Harassment: (Check if applicable)**

Age  Ancestry  Citizenship  Colour  Creed  Disability  Ethnic Origin

Family Status  Gender Expression  Gender Identity  Marital Status  Place of Origin

Race  Record of Offences  Sex  Sexual Orientation

**Details of Incident** (Please include what led up to the incident/please use name or initials if students):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_


**Facilitated informal resolution steps:**

**Step 1.** It was suggested to the complainant to confront the problem by making it clear to the respondent that the discrimination/harassment or workplace harassment is not acceptable and to obtain a commitment that the comment or conduct will stop.

Complainant agreed to implement the above requirement by \_\_\_\_\_(Date)

Complainant did not agree to implement requirement (Administrator/Supervisor must discuss the requirement with the respondent if the complainant does not feel comfortable doing so)

**Step 2.** The complainant's School Administrator(s)/Supervisor informs the respondent's School Administrator(s)/Supervisor that a complaint has been made.

**Step 3.** Respondent will be informed by the complainant's School Administrator(s)/Supervisor and the respondent's School Administrator(s)/ Supervisor (if applicable) by \_\_\_\_\_(Date) of the complainants concern regarding the alleged discrimination/harassment or workplace harassment, the DSBN's expectation for appropriate comment or conduct. Providing a copy of the DSBN's Policy and Procedures on Discrimination/Harassment or Workplace Harassment and/or other relevant Board policies, and obtaining a commitment that the alleged discrimination/harassment or workplace harassment will stop.

**Step 4.** The School Administrator(s)/Supervisor will follow-up with the complainant to ensure that the alleged harassment has stopped by \_\_\_\_\_ (Date).

**SECTION THREE: SIGNATURE AND DISTRIBUTION**

**Supervisor Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

The information contained in this form is confidential and every reasonable step will be taken to maintain confidentiality in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act. (When the complainant and respondent are both teachers, the complainant must meet the reporting obligations of Section 18(1)(b) of the Regulation made under the Teaching Profession Act).

**INSTRUCTIONS FOR HANDLING THIS FORM**

Please place this form in a sealed envelope marked "PRIVATE AND CONFIDENTIAL" and send it to the Superintendent of Human Resources, District School Board of Niagara, 191 Carlton Street, St. Catharines, ON, L2R 7P4.



## District School Board of Niagara

## OHRC DISCRIMINATION AND HARASSMENT OR OHS WORKPLACE HARASSMENT FORMAL COMPLAINT FORM

### SECTION ONE: EMPLOYEE INFORMATION

Name: (Complainant)	Affiliation:
Employee ID:	<input type="checkbox"/> Superintendent
Position:	<input type="checkbox"/> Principal – Vice Principal
Work Location:	<input type="checkbox"/> Support Staff
Name of Person Filling in Form if not Same as Above:	<input type="checkbox"/> Elementary Occasional
	<input type="checkbox"/> Secondary Occasional
	<input type="checkbox"/> EFTO
	<input type="checkbox"/> OSSTF
	<input type="checkbox"/> CUPE
	<input type="checkbox"/> APSSP
	<input type="checkbox"/> Other
	Date Reported to Administrator/Supervisor:

### SECTION TWO: DETAILS OF INCIDENT

Site Name:	Site Phone:
Site Address:	Date and Time of Incident:
Personal Contact Information: (Optional)	E-mail: _____
Home Phone: _____	Cell: _____

**Respondent:**     Co-worker     Parent/Guardian     Visitor     Student     Teacher     Support Staff

Other (specify) \_\_\_\_\_

**Name of Respondent:** \_\_\_\_\_

<b>Witnesses:</b> School/Department/Worksite: _____ Witness, Job Title: _____	<b>Description of their respective role in the incident:</b> _____ _____
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#### OHS Workplace Harassment: (check if applicable)

Course of vexatious:     Comment     Conduct

#### OHRC Discrimination and Harassment (check if applicable):

Age     Ancestry     Citizenship     Colour     Creed     Disability     Ethnic Origin  
 Family Status     Gender Expression     Gender Identity     Marital Status     Place of Origin  
 Race     Record of Offences     Sex     Sexual Orientation

#### Details of Incident (Please include what led up to the incident/please use name or initials if students):


How did you react to the OHRC discrimination and harassment or OHS workplace harassment?

If applicable, describe any incident that took place previously:

**SECTION THREE: SIGNATURE AND DISTRIBUTION**

Date respondent was informed that the OHRC discrimination and harassment or OHS workplace harassment was unwelcome: \_\_\_\_\_

Date of attempt at informal resolution: (if applicable) \_\_\_\_\_

I hereby certify that to the best of my knowledge the above-mentioned information is true, accurate and complete. Making false or frivolous allegations is in violation of this Administrative Procedure and subject to discipline as appropriate and consistent with the circumstances.

**Complainant Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

The information contained in this form is confidential and every reasonable step will be taken to maintain confidentiality in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act. (When the complainant and respondent are both teachers, the complainant must meet the reporting obligations of Section 18(1)(b) of the Regulation made under the Teaching Profession Act).

**INSTRUCTIONS FOR HANDLING THIS FORM**

Please place this form in a sealed envelope marked "PRIVATE AND CONFIDENTIAL" and send it to the Superintendent of Human Resources, District School Board of Niagara, 191 Carlton Street, St. Catharines, ON, L2R 7P4.



## **WORKPLACE HARASSMENT PREVENTION RESPONSIBILITIES**

### **RESPONSIBILITIES OF ALL PERSONS IN DSBN LEARNING/WORKING ENVIRONMENTS**

It is the responsibility of every person to create and contribute to a climate of understanding and mutual respect for the rights and dignity of each individual by:

- Showing courtesy and self-discipline in actions and words
- Seeking informal problem solving of issues
- Respecting rules, regulations and practices that are in place which provide for safe and secure learning and working environments
- Demonstrating honesty, integrity and behaviours that are representative of a positive and supportive atmosphere
- Showing proper care and regard for DSBN property and for the property of others
- Telling the individual(s) concerned that the harassment is unwelcome and must cease
- Reporting harassment to their Supervisor