



Policy Name:	<b>Prevention of Workplace Harassment and Discrimination</b>
Policy Type:	<b>Human Resource</b>
Policy Number:	<b>HR-07</b>
Original Adoption Date:	<b>November 2008</b>
Current Approval:	<b>March 2025</b>
Review:	<b>March 2026</b>
Motion:	<b>2025:24</b>

## **Prevention of Workplace Harassment and Discrimination**

### **1. Purpose:**

The Library Board 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.

The OPL is committed to building and preserving a safe, productive, and healthy working environment based on mutual respect.

### **2. Policy:**

This policy applies to all employees, Board members, and volunteers and all are expected to uphold this policy. Workplace discrimination or workplace harassment will not be tolerated from any person in the Library including members of the Board, supervisors, co-workers, volunteers, family members, patrons, and members of the public.

### **3. Definitions**

- a. **"Workplace Harassment"**, as defined by the ***Occupational Health and Safety Act (OHSA)*** means, 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, and/or workplace sexual harassment.
- b. **Harassment** may include:
  - i. making remarks, joke or innuendos that demean, ridicule, intimidate, or offend
  - ii. displaying or circulating offensive pictures or materials in print or electronic form



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- iii. bullying
  - iv. repeated offensive or intimidating telephone calls or e-mails
  - v. inappropriate sexual advances, suggestions or requests
- c. The ***Ontario Human Rights Code, R.S.O. 1990, Ch H.19 s 5(1)*** states that "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, gender identity, gender expression, age, record of offences, marital status, family status or disability".

Within this context, **discrimination** may include abuse of authority or position of power as follows:

- i. to endanger an employee's job
- ii. to undermine the performance of that job
- iii. to threaten the economic livelihood of an employee
- iv. to interfere with or influence the career of an employee in any way

"**internal**" means a complaint was made by staff against staff.

"**external**" means a complaint was made by staff against a member of the public or a Board member.

#### **4. Responsibilities**

- a. The Board
  - i. Supports the policy and review it annually.
  - ii. The Board Chair is responsible for initiating an expeditious and confidential investigation into any workplace harassment or discrimination



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complaint by an employee where the alleged perpetrator is the CEO or member of the Board. Board members will be investigated and disciplined as directed by the ***City of Orillia Policy Manual, Ch. 27, article 14.***

- b. The CEO or designate(s) must develop and maintain a workplace harassment and discrimination plan which will set out:
  - i. the process for dealing with and investigating complaints including how parties involved will be made aware of outcomes and corrective action and how confidentiality will be maintained
  - ii. procedures for reporting incidents of workplace discrimination and workplace harassment including measures for reporting incidents to an outside source if necessary
  - iii. a formalized training program and the system for maintaining all associated records should an inspection by the Ministry of Labour or employee inquiries occur
- c. Each employee, Board member, and volunteer
  - i. Ensures the working environment is safe and healthy by complying with the policy.
  - ii. Reports and documents incidents in which they have experienced or witnessed harassment in the workplace without reprisal or the threat of reprisal.



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## 5. Procedure

### Section 1 – Awareness and Training

- a. This policy will be included in the Library’s Person in Charge binder and will be posted in the staff area.
- b. All employees and volunteers will receive information and instruction on the contents of this policy, as part of the initial orientation and renewed on an annual basis. Each person will sign off that they received this training and this information will be included in the training records for Library staff.

### Section 2 – Reporting Incidents of Discrimination and Workplace Harassment

- a. Any employee or volunteer subjected to discrimination or harassment in the workplace should discuss the situation with the CEO. If there is a complaint against the CEO or a conflict of interest, a complaint will be filed with the Board Chair. The Library Board may investigate or designate an individual to investigate and issue a report. Any resulting disciplinary action will be made by the Board Chair or their designate.
- b. At any time during a meeting or interview concerning a complaint, both the employee lodging the complaint and the person against whom the complaint has been lodged has the right to be represented and accompanied by a person of their choice.
- c. Any related documents or materials having to do with the complaint are to be made available to the investigating body and the employee with a complaint must provide written notes about the events leading up to the complaint which include:
  - i. What happened – a description of the events or situation



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- ii. When it happened – dates and times
  - iii. Where it happened
  - iv. Who saw the incident, if anyone
- d. For internal complaints, Appendix E Orillia Public Library Workplace Violence, Workplace Harassment, and Workplace Sexual Harassment Report and Investigation Form will be completed. For external complaints, an incident report will be completed.
- e. In the case of harassment, information about the incident or complaint, including identifying information about any individual involved will be kept confidential unless disclosure is necessary for the purpose of investigation or taking corrective action, or required by the law.

### **Section 3 – Complaint Investigation and Resolution**

- a. An investigation that is appropriate in the circumstances will be conducted into incidents and complaints of harassment. If this is an internal complaint, the CEO will advise the person against whom the complaint has been lodged of the investigation. The Library recognizes and acknowledges that, under **Bill 132**, an inspector from the Ontario Ministry of Labour has the power to order the Library Board, as employer, to have an impartial third party conduct an investigation at the Library’s expense and report the outcome of their findings to the complainant.
- b. For internal situations, the CEO, or their designate, initiates a confidential investigation immediately and finishes within 30 days. Throughout the process, the investigator keeps all parties informed; interviews the employee concerned and witnesses; collects evidence; prepares a report; and informs the parties, in writing, of the decision and the underlying reasons for the decision.



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- c. The CEO is responsible for imposing any disciplinary or corrective measures for internal and external situations with the exception of Board members who are held accountable by the ***City of Orillia Policy Manual, Ch. 27, article 14.***
- d. Any employee 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, gender identity, gender expression, age, record of offences, marital status, family status or disability.

**Related Documents:**

- [\*\*Bill 132: An Act to amend various statutes with respect to sexual violence, sexual harassment, domestic violence and related matters\*\*](#)
- ***City of Orillia Policy Manual***
- [\*\*City of Orillia: Code of Conduct – Members of Council, Committees and Local Boards, Chapter 27\*\*](#)
- Orillia Public Library: Complaints and Problems (HR-11)
- HR-07 Appendix A: Orillia Public Library Workplace Violence, Workplace Harassment, and Workplace Sexual Harassment Report and Investigation Form
- [\*\*Human Rights Code, R.S.O 1990\*\*](#)
- [\*\*Occupational Health and Safety Act, R.S.O. 1990\*\*](#)
- [\*\*Ontario Human Rights Commission\*\*](#)
- Orillia Public Library: Incident Report
- Orillia Public Library: Letter of Suspension
- Orillia Public Library: Letter of Trespass



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- Orillia Public Library: Prevention of Workplace Violence (HR-08)
- Orillia Public Library: Safety, Security, and Emergencies (OP-02)