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## Edwardsburgh Cardinal Public Library

Policy Type:	Human Resources	Policy Number:	HR - 07
Policy Title:	Human Rights – Discrimination and Harassment	Initial Policy Approval Date:	Mar. 31, 2015
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		Year of Next Review:	2018

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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.

Board members, employees, and volunteers are expected to uphold this policy. Workplace discrimination or harassment will not be tolerated from any person in the library including members of the board, supervisors, co-workers, volunteers, clients and family members.

### Section 1: Discrimination

1. The Ontario **Human Rights Code** 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, age, record of offences, marital status, family status or disability”. HRC R.S.O. 1990, CHAPTER H. 19 s. 5.1
2. Discrimination may include abuse of authority or position of power as follows:
  - a) to endanger an employee’s job
  - b) to undermine the performance of that job
  - c) to threaten the economic livelihood of an employee
  - d) to interfere with or influence the career of an employee in any way

### Section 2: Harassment

1. The Ontario **Human Rights Code** and the **Occupational Health and Safety Act** both define harassment as engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome.
2. Prohibited harassment in the library workplace includes grounds under the Ontario **Human Rights Code** (race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, family status or disability).

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## Human Rights - Discrimination and Harassment (Continued)

3. The **Occupational Health and Safety Act** does not prescribe the nature of harassment however, prohibited harassment in the library workplace includes that which is personal in nature and not necessarily based on identification with a recognized group.
4. Harassment may include:
  - a) making remarks, joke or innuendos that demean, ridicule, intimidate, or offend
  - b) displaying or circulating offensive pictures or materials in print or electronic form
  - c) bullying
  - d) repeated offensive or intimidating phone calls or e-mails
  - e) inappropriate sexual advances, suggestions or requests
5. Uninvited sexual touching will be considered assault and reported to police.

### Section 3: Responsibilities and False Reports

1. The CEO must develop and maintain a workplace discrimination and harassment program. See Appendix A.
2. The program will set out:
  - a) procedures for reporting incidents of workplace discrimination and harassment
  - b) the process for dealing with and investigating complaints
3. This policy will be:
  - a) reviewed annually by the board
  - b) posted for the staff along with the Workplace Discrimination and Harassment Program Appendix A

### Related Documents:

**Human Rights Code** R.S.O. 1990, Chapter H.19

**Occupational Health and Safety Act** R.S.O. 1990, Chapter O.1

**Bill 168 An Act to amend the Occupational Health and Safety Act with respect to violence and harassment in the workplace and other matters.** S.O. 2009 Chapter 23

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## Human Rights - Discrimination and Harassment (Continued)

### Appendix A

#### Workplace Discrimination and Harassment Program

##### 1. Awareness about Workplace Discrimination and Harassment Policy and Program

The human rights policy, which addresses both workplace discrimination and harassment, in addition to being included in the library's policy binder will be posted for the staff along with the Workplace Discrimination and Harassment Program.

##### 2. Reporting Incidents of Workplace Discrimination and Harassment.

Any employee or volunteer subjected to discrimination or harassment should discuss the situation with the CEO.

In the event that there is a complaint against the CEO or a conflict of interest, a complaint shall be filed with the board chair. The library board may conduct an investigation or designate an individual to investigate and issue a report.

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 his or her choice.

The employee with a complaint must provide written notes about the events leading up to the complaint which include:

- a) What happened – a description of the events or situation
- b) When it happened – dates and times
- c) Where it happened
- d) Who saw the incident, if anyone

As well, any related documents or materials having to do with the complaint are to be made available.

##### 3. Complaint Resolution Procedures

If the employee chooses to pursue the Complaint Resolution Procedure, the CEO will advise the person against whom the complaint has been lodged.

The CEO, or his or her 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.

The CEO is responsible for imposing any disciplinary or corrective measures.

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, disability, age, marital status, family status, receipt of public assistance, record of offences.