

**GREENSTONE PUBLIC LIBRARY BOARD
WORKPLACE VIOLENCE AND HARASSMENT POLICY**

SUBJECT: Purpose

POLICY NO: WVP-1

APPROVAL DATE: October 11, 2011

BOARD MOTION: 11-34

Purpose

To establish and maintain a work environment free of workplace violence and workplace harassment and to provide a mechanism to handle any incidents that may occur.

Scope

All employees, volunteers, and members of the Greenstone Public Library Board, as well as contractors, delivery people, or patrons that employees may come into contact with in the course of carrying out their duties. This policy extends to situations that arise out of employment, that occur at or away from the workplace, during or outside working hours, provided that such occurrences have some negative affect on the working relationship, working environment, job security, or well-being of the employee(s) concerned.

Introduction

The Greenstone Public Library Board is committed to maintaining a workplace that provides every employee with freedom from violence/harassment from other employees or any other person in the workplace. Every employee has the right to work in a dignified, respectful, and harassment-free/violence-free environment. The Board will not tolerate an abusive atmosphere where an employee is subjected to offensive remarks, behaviour, or surroundings that create intimidating, hostile, or humiliating working conditions. Behaviour by any employee that harasses or demeans another employee will not be tolerated. The Board will take whatever action is necessary to correct the situation. Violence / harassment at the workplace is a serious issue and conduct that is found to be harassment will be regarded as a serious matter.

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SUBJECT: Definitions

POLICY NO: WVP-2

APPROVAL DATE: October 11, 2011

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- a) "Workplace harassment" means engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome and is likely to offend or humiliate someone. This includes harassment under the prohibited grounds as stated in the Ontario Human Rights Code (race, ancestry, place or origin, colour, ethnic origin, citizenship, creed, gender, sexual orientation, age, record of offences, marital status, same-sex partnership status, family status, or disability), sexual harassment and sexual solicitation by a person in a position to confer benefit, or for any other reason such as a person's position at work, group or organization involvement, or personal dislike for someone.
- b) "Workplace violence" is defined as the exercise, or the attempt to exercise, physical force by a person against a worker, in a workplace, that causes or could cause physical injury, or a statement or behaviour that is reasonable to interpret as a threat to exercise physical force that could cause injury.

Examples of harassment may include, but are not limited to: unwelcome remarks, jokes, innuendoes, slurs, insults, propositions or taunts based on any of the prohibited grounds; leering, staring, suggestive gestures, or unnecessary physical contact; derogatory or degrading remarks used to describe or directed toward members of one or any of the prohibited grounds; the display or distribution of explicit or otherwise offensive material; or, refusal to converse with or work with another employee because of any prohibited ground. Examples that are not considered harassment include: common social banter that occurs regularly in the work environment; flirtation or a workplace romance between two consenting persons; properly discharged Managerial duties, including disciplinary actions; and, reasonable conduct by a Manager that does not interfere with a climate of understanding and respect for the dignity and worth of all employees.

- c) "Workplace" includes all of the employer's worksites (including meeting rooms, washrooms and offices); other premises where the employer's business is conducted, work-related travel, and work-related social functions.

The Occupational Health and Safety Act RSO 1990, chapter 0.1 defines a "workplace" as any land, premises, location or thing at upon, in or near which a worker works.

- d) "Poisoned work environment" means a work environment where there is innuendo, verbal or physical conduct that violates the prohibited grounds that is so pervasive that it has an adverse effect on working conditions and can interfere with work performance and cause emotional or psychological stress.

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SUBJECT: Principles

POLICY NO: WVP-3

APPROVAL DATE: October 11, 2011

BOARD MOTION: 11-34

- a) All employees, volunteers, and Board members have a responsibility to conduct themselves in a dignified and respectful manner in the workplace, understand the provisions of this policy, and cooperate in any investigation that may occur. This policy must not be used maliciously or in bad faith.
- b) All parties to an investigation have a duty of confidentiality to protect the identities and preserve the reputations and dignity of the complainant(s) and the alleged offender(s), and to maintain the integrity of the investigation. Any breach of this duty will be grounds for discipline.
- c) Alleged offenders are considered innocent and will be treated as such until the investigation proves otherwise. It is the responsibility of the alleged offender to stop the offending action immediately. Any retaliation towards the complainant or any witnesses will be grounds for discipline.
- d) All Board members, the Chief Executive Officer (CEO) and Librarians have a responsibility to ensure that all employees are aware of the provisions of this policy, uphold the principles of this policy, avoid conduct contrary to this policy, not permit or condone behaviour contrary to this policy, treat all complaints of harassment seriously, and take prompt action to address a situation when it arises.
- e) Every employee has a right to claim and enforce his/her rights to institute and participate in proceedings under this policy without reprisal or threat of reprisal for so doing. This policy does not preclude any employee from pursuing his/her rights under the provisions of a collective agreement or the Ontario Human Rights Code.

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SUBJECT: Procedure

POLICY NO: WVP-4

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1. An employee who feels like he/she is a victim of harassment must tell the person to stop and inform him/her that the behaviour is unwelcome. If the person refuses to cooperate, remind him/her that such behaviour is against Board policy. An employee who witnesses a co-worker being subjected to behaviour that may be considered harassment should intervene and provide support to that co-worker where he/she feels comfortable to do so.

If the person still refuses to cooperate, the employee must inform his/her Librarian that he/she perceives that he/she is being harassed and that the alleged offender has been told to stop the behaviour. If requested, the Librarian will informally discuss the matter with the alleged offender to resolve the complaint.

The Librarian, with support from the CEO, will provide a confidential written report regarding the situation. The employee should keep a written record of the incident(s) including date, time, location, witnesses, and any other relevant information. Any employee who witnesses an incident should also keep a written record in case he/she is asked to provide his/her observations.

2. If the harassment continues, the employee may file an official written complaint with his/her Librarian or the CEO, which must be received within one (1) month of the initial incident. The Librarian will advise the CEO, who will establish an investigation team to investigate the complaint. The team shall ideally consist of at least three (3) people who are not a party to the complaint, including the CEO and a representative of the Union (if applicable).
3. The investigation team shall conduct a formal investigation, which will include separate interviews with the complainant, the alleged offender, and any other person who may have information relevant to the investigation (i.e., witnesses). Interviewees may have his/her union representative (if applicable) or a co-worker present during their interview upon request. All information gathered in the investigation will be documented and held in the strictest confidence by all parties involved. The investigation should be completed within thirty (30) days of receipt of the written complaint.
4. A confidential record of the investigation and findings will be kept by the CEO and a summary provided to the complainant and the alleged offender. If the investigation team finds that the complaint is valid, the offender will be subject to disciplinary action in accordance with the organization's discipline policy. If the complaint is determined to be without merit, all parties involved in the investigation will be informed of such. If the investigation team finds that an unsupported complaint was made with malicious intent, the complainant will be subject to disciplinary action.
5. If the employee perceives that he/she is being harassed by the CEO or a Librarian, the employee should inform the person to whom the perceived harasser reports. If

the CEO requires a designate to act during this process, it shall be the Board Chair.

6. If an employee is threatened with physical force or is subjected to physical force, it is to be reported to the CEO or Branch Librarian and the police will be called immediately. The Ministry of Labour will be notified within 48 hours of the incident. An investigation will also be conducted by the CEO. The Greenstone Public Library Board will enforce a zero tolerance position on all violent acts within the workplace.