



SEXUAL HARASSMENT GUIDELINES

Responsibility:	<i>Superintendent, Human Resource Services Senior Manager, Human Resource Services</i>
Legal References:	<i>Teaching Profession Act: Section 18(1)(b); Ontario Human Rights Code, 1981; Human Rights Commission</i>
Related References:	<i>Board Policy 1004 – Harassment Administrative Procedure 3740 – Prevention and Resolution of Workplace Harassment</i>
Revisions:	
Reviewed:	<i>January 2016</i>

1. Preamble

- 1.1 The procedures that follow outline the nature of sexual harassment, and provide guidelines and expectations for the investigative process undertaken in response to cases of sexual harassment.

2. Introduction

- 2.1 The Waterloo Region District School Board is committed to the principle of equal opportunity for all people associated with the school system. In keeping with this principle, it is the intent of this Board to provide and maintain a work and school environment that ensures the fulfillment of personal goals, promotes productivity, self-esteem and the dignity of every individual.

3. Board Policy

- 3.1 It shall be the policy of the Waterloo Region District School Board to provide and maintain an environment in which employees, volunteers and students shall be free from unsolicited and unwelcome sexual harassment of a verbal, visual or physical nature and that all people associated with the school system will conduct themselves at all times in a way that ensures an educational system free from sexual harassment.

4. Sexual Harassment

- 4.1 Whatever form it takes, whether of a verbal, visual or physical nature, sexual harassment is a disruptive element that undermines the work/study relationship and threatens the integrity, well-being and performance of the individual.
- 4.2 Harassment is defined as engaging in a course of vexatious comment or conduct that is known, or ought reasonably to be known, to be unwelcome.
- 4.3 All employees, volunteers and students of the Board shall be free from sexual harassment, which includes, but is not limited to:
- 4.3.1 Sexual advances, where the person making the advances knows, or ought reasonably to know, that such behaviour is unwelcome; or
 - 4.3.2 Requests for sexual favours, where the person making the requests knows, or ought reasonably to know, that such behaviour is unwelcome; or

- 4.3.3 Other sexually-oriented remarks or behaviour, where the person making the remarks or engaging in the behaviour knows, or ought reasonably to know, that such remarks or behaviour is unwelcome, and which either may be reasonably expected to interfere with a person's work/school performances, or may reasonably be perceived as creating an intimidating, hostile or offensive work/classroom environment; or
- 4.3.4 A sexual advance or solicitation made by a person in a position to confer, grant or deny a benefit, privilege or advancement to the person, where the person making the advance or solicitation knows, or ought reasonably to know, that it is unwelcome; or
- 4.3.5 A reprisal, or threat of reprisal, for the rejection of a sexual advance or solicitation where the reprisal is made or threatened by a person in a position to grant, confer or deny a benefit, privilege or advancement; or
- 4.3.6 A display of exploitive pictures, cartoons or graffiti on any Board premises.

5. General

- 5.1 The intent of this policy is preventative in nature, not punitive.
- 5.2 Nothing in this Policy prevents an individual from pursuing his or her rights under the Ontario Human Rights Code, 1981 or with the Human Rights Commission. It is the desire of the Board, however, for the parties to initially attempt to resolve all complaints through the procedure outlined below.
- 5.3 Given the sensitive nature of any complaint, it is imperative that all parties involved in the processing of a complaint endeavour to maintain complete confidentiality. Confidentiality, however, may not be possible where statutory obligations, such as the Teaching Profession Act, s.18(1)(b), require disclosure.
- 5.4 The initial objective of the Policy is to attempt to resolve the problem without invoking the procedure. Accordingly, the complainant(s) may wish to resolve the issue by directly addressing the alleged harasser(s) and indicating to them in a clear, direct and firm way that the impugned comments or actions are considered offensive. If the situation is not resolved to the satisfaction of the complainant(s), the following steps should be initiated.

6. Investigative Procedures

- 6.1 Administrative Procedure 3740 - Prevention and Resolution of Workplace Harassment provides a guide for complainants and supervisors responding to incidents of harassment.