



**Report 24-112
POLICY REVIEW COMMITTEE**

14 November 2024

**TIER 2 REVISIONS TO POLICY P.009.HR RESPECTFUL WORKPLACE
AND HARASSMENT PREVENTION**

Key Contact: Richard Sinclair, General Counsel - Legal Services

PURPOSE:

1. To seek input on the proposed revisions to Policy P.009.HR Respectful Workplace and Harassment Prevention.

STRATEGIC LINKS:

2. The revisions proposed to Policy P.009.HR Respectful Workplace and Harassment Prevention reflect the Board’s commitment to staff well-being as reflected in its 2023-2027 Strategic Plan.

CONTEXT:

3. Following the review and approved revisions to Procedures [PR.542.HR: Alleged Employee Misconduct toward a Student](#) and [PR.652.HR: Respectful Workplace](#), staff propose updates to the standing policy to align with these changes. The standing policy is outdated and does not address the current operating realities of fostering a respectful workplace across the District. Staff believe that the revised policy better reflects the District’s commitment to acknowledging the respect and dignity of all employees.

KEY CONSIDERATIONS:

4. Key Revisions

The following revisions are proposed to [the standing policy](#):

Updates to the Title of the Policy	
	As the scope of the policy extends beyond harassment prevention, staff added “and” to the title.
Updates to the Specific Directives (4.0)	
Sections 4.1 and 4.3	Delete and replace. These directives should cover all forms of misconduct under the policy, not just

	harassment and disrespectful behaviour. Instead, staff propose: “The District will not tolerate bullying, cyber-bullying, disrespectful behaviour, workplace harassment, discrimination based on a protected ground, microaggressions, or creating a poisoned work environment.”
Sections 4.2 and 4.4	Delete. These are properly addressed in the definitions section.
Section 4.5	Delete. This is properly addressed in the procedure, not the policy.
Section 4.6	Replace with: “If the District receives a formal complaint of an incident of bullying, cyber-bullying, disrespectful behaviour, workplace harassment, discrimination based on a protected ground, microaggressions, or creating a poisoned work environment, the District will follow the Respectful Workplace procedure, and will ensure that the worker who has allegedly experienced harm is informed of the outcome of that process.”
Updates to Appendix A: Policy Definitions	
Definition of “Disrespectful behaviour”	<ul style="list-style-type: none"> • Add the word “vexatious” after “Disrespectful behaviour means...” • Add the word “known” after “...means behaviour that is...” • Add the following to the end of the existing definition: “Disrespectful behaviour does not include the reasonable and appropriate exercise of supervisory responsibilities, including training, direction, instruction, performance appraisal, and discipline. It also does not include commonly socially acceptable and good-natured humour or joking in the workplace.”
Definition of “Respectful behaviour”	<ul style="list-style-type: none"> • Delete the whole of this definition • The policy already includes a definition for “Disrespectful Behaviour”. The thrust of the policy is to create a workplace free of disrespectful behaviour, so it is disrespectful behaviour that is more relevant. Additionally,

	<p>keeping both definitions suggests that all behaviour must fit into one definition or the other, which can create difficulty when trying to characterize conduct that does not fit neatly into either definition. It forces the employer to undertake two analyses for each behaviour assessed. By contrast, defining only “Disrespectful Behaviour” allows the conduct to either fit within the definition or not, which avoids confusion and creates a more functional analysis.</p>
<p>Definition of “Poisoned Work Environment”</p>	<p>The existing definition is focused on a “discriminatory” environment, which is only one way in which an environment can be poisoned. Replace the existing definition with the following: “Poisoned work environment means a work environment in which employee productivity and well-being are undermined by repeated, ongoing, and unresolved conflict such as harassment, discrimination, or disrespectful behaviour. It is typically marked by employees feeling stressed, anxious, and demoralized over an extended period. Other markers might include low morale, high turnover, and diminished performance.”</p>

RESOURCE IMPLICATIONS:

- 5. Besides the resources already allocated to manage the consultation process through the Engage platform, no additional resources are required to approve the proposed revisions to Policy P.009.HR Respectful Workplace and Harassment Prevention.

COMMUNICATION/CONSULTATION ISSUES:

- 6. The proposed revisions were informed by the feedback the District collected in the course of the revisions made to [PR.542.HR: Alleged Employee Misconduct toward a Student](#) and [PR.652.HR: Respectful Workplace](#). Parties consulted included employee unions and the Occupational Health and Safety Committee (OHSC).
- 7. As a Tier 2 Policy Review, the proposed draft will be posted to the District website through Engage OCDSB and awareness will be raised on this consultation through parent/guardian, student, and school council communications. Feedback from the public will be received between 14 November and 12 December 2024, and incorporated into a final draft of the

policy that will be presented to the Policy Review Committee on 13 February 2025 for approval. A recommendation for the approval of the policy will be presented from the Committee to the Board at its meeting on 25 February 2025.

GUIDING QUESTIONS

- Do the proposed revisions reflect the Board's commitment to an environment free of harassment, bullying and other disrespectful behaviours?
- Do the proposed revisions fairly address all equity considerations of this policy?

Richard Sinclair
General Counsel - Legal Services

Pino Buffone
Director of Education and
Secretary of the Board

APPENDICES

Appendix A: Revised Policy P.009.HR Respectful Workplace and Harassment Prevention

Appendix B: Standing Policy P.009.HR Respectful Workplace (Harassment Prevention)