Greater Essex County District School Board

Regulation: Health and Safety, Workplace Violence and Workplace Harassment

Reference No: R-BA-06

Occupational Health and Safety

1. Accident injury and occupational illness prevention shall be an operational responsibility that may require decisions at the highest management level of the Board.

2. The Board is committed to the protection of employees, students, visitors and contractors from accidents, injuries, and occupational illnesses. To that end the Board will comply with the Occupational Health and Safety Act (OHSA) and its related/applicable regulations. Senior Management, being the Board Administration and Principals/Supervisors, shall communicate with all employees, students, visitors, and contractors that they must comply with the provisions of the OHSA, its related/applicable regulations, Board Policies/Regulations/Administrative Procedures and the Board's Health & Safety (H&S) Management Program.

3. Where occupational health and safety legislation has been proclaimed by the Province of Ontario, the Board shall institute a H&S Management Program together with the necessary components to ensure the effectiveness of the H&S Management Program including but not exclusive of the following:

    a. Training to ensure that employees are competent to perform their respective tasks;
    b. Provision of health (as it pertains to occupational illness and designated substances) and safety programs to disseminate the latest developments in health and safety;
    c. A reporting system whereby accident and injury trends can be recognized and analyzed for preventive measures;
    d. Establishment of Joint Occupational Health and Safety Committees so that health and safety issues throughout the Greater Essex County District School Board can be addressed or directed to the appropriate department or agency.

4. In order to carry out the above obligations and assist all employees in carrying out their respective responsibilities, the Board shall maintain an employee whose duties encompass the continuing health and safety issues under the legislation.

5. The H&S Management Program outlines detailed responsibilities and safety precautions.

Workplace Violence

6. The Board's Workplace Violence Prevention Management Program outlines detailed responsibilities and includes the necessary components to ensure its effectiveness including training, control measures related to risk assessment finding, summoning assistance, reporting and investigation requirements. The Board acknowledges the need to protect staff from domestic violence that may occur in the workplace.

Workplace Harassment/Workplace Sexual Harassment R-BA-06

7. **Workplace Harassment** means engaging in a course of vexatious comment or conduct against a worker in a workplace including verbally through the use of information and communications technology that is known or ought to reasonably to be known to be unwelcome.

8. **Workplace Sexual Harassment** means:
    a. Engaging in a course of vexatious comment or conduct against a worker including verbally through the use of information and communications technology in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
    b. Making a sexual solicitation or advance where the person making the solicitation or advance is in the position of confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

9. Reasonable action taken by the Employer or a Supervisor relating to the management and direction of workers, or the workplace is not Workplace Harassment.

10. Workers are encouraged to report any incidents of Workplace Harassment to the appropriate person, as outlined in the Workplace Harassment / Workplace Sexual Harassment Management Program. Workers also have the right to pursue complaints with the Human Rights Tribunal of Ontario, the Ministry of Labour and through the grievance process.

11. The responsible individual, as outlined in the Workplace Harassment / Workplace Sexual Harassment Management Program, will investigate and deal with all complaints or incidents of Workplace Harassment in a fair, respectful and timely manner, information provided about an incident or about the complaint will not be disclosed except as necessary to protect workers, to investigate the complaint or incident, to take corrective action or as otherwise required by law.

12. All Board staff are expected to adhere to the Board's Workplace Harassment/ Workplace Sexual Harassment Policy, Regulation and Management Program, and will be held responsible by the Employer for not following it. Workers are not to be penalized or disciplined for reporting an incident or for participating in an investigation involving Workplace Harassment / Workplace Sexual Harassment. All Board staff are expected to participate and collaborate with investigators, in a timely fashion and without unreasonable delay, should they be required during an investigation. Accommodations may be provided to staff if communicated with the investigator and where required.

    The perpetrator of Workplace Harassment may be disciplined, up to and including termination.

    The Employer or a Supervisor, who has the authority to prevent or address harassment of which they are aware or ought reasonably to be aware is occurring, may be held responsible for failing to exercise their authority to do so.

13. The Board's Workplace Harassment/Workplace Sexual Harassment Management Program outlines detailed responsibilities and includes necessary components to ensure its effectiveness including training, control measures, reporting and investigation requirements.
14. Any Board staff that requires / needs further assistance may contact their Supervisor, Occupational Joint Health & Safety Member, the Board's Human Resources Department, their Union Representative or the Board's Joint Employee Assistance Program.

15. The Board's Policy and Regulation AD-48, Human Rights, should also be referenced.

Mental Health & Resilience - Staff

16. The Board's Policy P-HR-20, Mental Health & Resilience – Staff, should also be referenced.

Correcting Employee Behaviour & Progressive Discipline

17. The Board's Administrative Procedure AP-HR-30, Correcting Employee Behaviour & Progressive Discipline should also be referenced.

Commitment to Health & Safety

The Board's commitment to Health & Safety is further exemplified by requiring the signatures of the Director of Education, Site Supervisor and OJH&SC worker member(s) on each site's posted copy of BA-06 Policy and Regulation. While this is not a legislative requirement under the OHSA, it is a best practice which signifies the commitment to Health & Safety at all levels of the organization (i.e. Employer, Supervisor, Worker) at each work site.



Director of Education and Secretary of the Board

Site Principal / Supervisor

Site OJH&SC Worker Member