

London Public Library

Workplace Harassment and Sexual Harassment Prevention

Effective: December 7, 2023

Next Review: December 2024

PURPOSE:

The purpose of this Policy is to establish a framework for preventing/mitigating the occurrence of Workplace Harassment and Sexual Harassment.

This policy articulates the London Public Library's (Library) commitment to prevent and address harassment and discrimination under the [Ontario Human Rights Code](#) and the [Occupational Health and Safety Act](#).

SCOPE:

This Policy applies to all Library Employees, Board Members, Volunteers, any person having business with the Library, and members of the public. Contractors, visitors and other individuals conducting business on the Library's premises are also expected to conduct themselves in a manner consistent with this Policy.

Allegations of significant breaches of this Policy, including human rights violations by such individuals will be dealt with by the Library and, if substantiated, may be considered a breach of the individual's contract with the Library or affect the person's right to be present on the Library's premises or participate in any of its activities. Patron conduct is covered in the Library's *Charter of Library Use* and *Code of Conduct* policies.

DEFINITIONS:

Employee means a person who is employed by the Library and includes all Employees, including Page and Casual staff.

Volunteer means a person who voluntarily extends his or her services to actively support the Library, and who does so without remuneration.

While Library Board Members Volunteer their time and do not receive remuneration, for the purposes of this Policy they will be referred to as Board Members where they have roles and responsibilities that are different from those of other Volunteers.

Workplace means in or on the property of the Library or away from Library property if the Employee or Volunteer is engaged in work-related activities. This includes all facilities, worksites and vehicles.

Workplace Harassment Under the [Ontario Human Rights Code](#) means engaging in a course of vexatious comment or conduct because of race, ancestry, place of origin,

colour, ethnic origin, citizenship, creed, sex, sexual orientation, transgender identity and expression, age, record of offences, marital status, same-sex partnership status, family status or disability.

Workplace Sexual Harassment is any comment or conduct which is intimidating, annoying or malicious and related to sex or sexual orientation and includes but is not limited to:

- Engaging in a course of vexatious comment or conduct against a worker 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
- Making a sexual solicitation or advance where the person making the solicitation or advance is in a position to 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.
- Unwelcome and/or inappropriate or insulting remarks, jokes, innuendoes or taunting about a person's body, attire, sex or sexual orientation;
- Practical jokes of a sexual nature which cause awkwardness or embarrassment;
- Displaying of sexually explicit picture or other offensive material;
- Suggestive staring, leering or other gestures;
- Unnecessary or unwanted physical contact such as touching, patting or pinching; and
- Request for sexual favours from an Employee implying or suggesting that employment status could be affected.

POLICY STATEMENT:

The Library is committed to the prevention of Workplace Harassment and Workplace Sexual Harassment and will make every effort to:

- Promote a positive, harassment-free Workplace;
- Develop practices and programs to prevent Workplace Harassment and Workplace Sexual Harassment;
- Develop procedures for reporting, investigating and taking action as appropriate, and
- Comply with legislation governing Workplace violence in Ontario, including the [Occupational Health and Safety Act](#), the [Ontario Human Rights Code](#) and the [Municipal Freedom of Information and Protection of Privacy Act](#).

Harassment includes but is not limited to:

- Unwelcome and/or insulting remarks, jokes, innuendoes, or taunting about a person's gender, disability, racial or ethnic background, colour, place of birth, citizenship or ancestry;
- Displaying of racist, derogatory, or offensive pictures or material;
- Refusal to work with or share facilities with an Employee or Volunteer or refusing to serve a patron of the Library because of their disability or racial, religious or ethnic background, sexual orientation, gender identity and/or expression;
- Unwelcome, inappropriate or insulting gestures based on disability, religion or racial or ethnic grounds which cause embarrassment or awkwardness; and
- Harassment by one Employee or Volunteer against another, which occurs outside the Workplace or hours of work but related to the work environment, may also be considered as Workplace Harassment.

This Policy does not restrict the authority of those charged with responsibilities such as counseling, performance appraisal, employee relations, scheduling, and the implementation of disciplinary actions.

A complaint filed under this Policy does not preclude an Employee from filing a complaint with the *Human Rights Tribunal of Ontario* or pursuing other appropriate avenues under the grievance process or any other applicable policy.

Responsibilities

Employees, Volunteers, and Board Members are responsible for promoting mutual respect and for preventing and resolving incidents of Workplace Harassment and Workplace Sexual Harassment.

Each has the responsibility to:

- Refrain from conduct that is harassing to Employees, Volunteers, Board Members and other individuals;
- Be knowledgeable about Workplace policy and procedures relating to Workplace Harassment and Workplace Sexual Harassment;
- Report and document incidents in which they have been harassed without reprisal or threat of reprisal; and
- Co-operate in the investigation of any harassment complaint.

The Supervisor also has the responsibility to:

- Communicate Workplace Harassment and Workplace Sexual Harassment prevention procedures to Employees and Volunteers within the assigned work area;

- Receive and report any harassment complaint and take immediate action to report and eliminate harassment by taking such action as directed by management to deal with harassment within the assigned work area;
- Encourage Employees and Volunteers to report incidents of harassment, and
- Post this policy in an area readily accessible within the Workplace.

Management has the additional responsibility to:

- Provide a work environment free of harassment and sexual harassment;
- Inform all Employees and Volunteers, including new hires of this Policy;
- Ensure this Policy is readily accessible to all Employees and Volunteers;
- Assess the Workplace on an annual basis for Workplace Harassment risks;
- Review the Policy annually;
- Provide education and training related to Workplace Harassment and Workplace Sexual Harassment prevention procedures;
- Resolve Workplace Harassment and Workplace Sexual Harassment complaints by investigating and taking appropriate action without delay;
- Take appropriate corrective action, including Employee and Volunteer discipline and management of infractions by the public and others to ensure that such activity, conduct or comment does not continue;
- Monitor any case of harassment until there is satisfaction that corrective measures have been implemented; and
- Take necessary action to protect confidentiality of those involved in complaints.

The CEO & Chief Librarian (CEO) also has the additional responsibility to:

- Receive, assess and investigate complaints about Library Directors/Managers or Board Members;
- Consult with external experts, the Library Board Chair, or other Board Executive Member as appropriate;
- Ensure that all appropriate actions based on findings are undertaken; and
- Report to the Board and transmit reports from external consultants to the Board when required.

The Library Board also has the additional responsibility to:

- Receive, assess and investigate complaints about the CEO or Board Members;
- Consult with external experts as appropriate; and
- Ensure that all appropriate actions based on findings are undertaken.

Reprisal

All individuals have a right to be free of reprisal or threat of reprisal as a result of being involved in a complaint of Workplace Harassment or Workplace Sexual Harassment. Reprisal will be deemed to be a form of harassment and will be dealt with in accordance with this Policy.

Malicious Complaints

If, as a result of an investigation, it is determined that an otherwise unfounded complaint of Workplace Harassment was intended to be malicious, it will be considered a form of harassment and will be dealt with in accordance with this Policy.

Confidentiality

Except where disclosure is required by law or agreed to by consent of the parties, all records relating to a Workplace Harassment complaint will be kept confidential and released only on a need to know basis to authorized personnel. Where an Employee or Volunteer has been disciplined as a result of a substantiated complaint, a record of complaint will be maintained in the Employee or Volunteer's personnel file. When a complaint has been found to be unsubstantiated and the Policy has been used in a vindictive or frivolous manner, a record will be maintained in the complainant's personnel file. Investigative files will be retained permanently, separate from personnel files, with measures to protect confidentiality.

INQUIRIES:

Director, Human Resources

CEO & Chief Librarian