



Workplace Harassment and Sexual Harassment Prevention

Effective: December 5, 2024

Next Review: December 2025

PURPOSE:

To establish a framework for preventing/mitigating the occurrence of Workplace Harassment and Workplace Sexual Harassment.

This policy articulates the London Public Library's (Library) commitment to fostering a workplace that is safe and inclusive, where the diversity, dignity, and perspectives of all individuals are valued and respected. The Library will not tolerate or condone harassment, Workplace Discrimination or reprisals and will take active steps to promote a psychologically safe, inclusive and respectful workplace in accordance with the [Ontario Human Rights Code](#) and the [Occupational Health and Safety Act \(OHSA\)](#).

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 Library's property 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 Library property 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.

Poisoned Work Environment: Unwelcome comments or conduct can poison someone's working environment, making it a hostile or uncomfortable place to work even if the person is not being directly targeted. This is known as a **poisoned (toxic) working environment**, and it is a form of Workplace Harassment.

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 Discrimination: Under the Ontario Human Rights Code, every person has a right to equal treatment with respect to employment without discrimination based on the protected grounds of discrimination: 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 Harassment: Is a protected health and safety issue covered under the OHSa and is defined as engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome. The OHSa also states a reasonable action taken by an employer or supervisor relating to the management and direction of workers or the workplace is not Workplace Harassment.

Workplace Sexual Harassment: is defined as 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.

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; and build a psychological safe and inclusive workplace which depends on treating each other with civility and respect;
- 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 OHSa, the *Ontario Human Rights Code* and the [Municipal Freedom of Information and Protection of Privacy Act](#).

Workplace 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.

Disrespectful behaviour can include the above examples of Workplace Discrimination, Workplace Harassment and sexual or gender-based harassment. The examples below may also constitute disrespectful behaviour, Workplace Harassment, or both depending on the context, circumstances, impact, and frequency.

Examples of disrespect include:

- racial and other microaggressions (a microaggression is a comment or action that expresses prejudice against a marginalized group or person)
- speaking in a belittling or condescending tone
- snide, sarcastic, or demeaning comments
- persistently interrupting or speaking over someone
- glaring, finger-pointing, eye-rolling, and other nonverbal gestures of disrespect
- disparaging or making fun of someone, even if it's meant as a joke, as well as referencing their community or culture in a derogatory way
- swearing or using unprofessional language, even if not directed at a particular person and even if those nearby are not personally offended
- passive-aggressive behaviour, such as refusing to directly communicate with someone about an issue and instead complaining behind their back
- embarrassing or humiliating someone
- gossiping, including sharing information that someone would probably want kept secret or speaking about someone behind their back in a negative way
- deliberately ignoring someone
- deliberately interfering with or impeding someone's work

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.

What is NOT Workplace Harassment:

Legitimate, reasonable management actions that are part of the normal work function are not considered Workplace Harassment. This includes:

- enforcing workplace rules and policies
- measures to correct performance deficiencies, such as placing someone on a performance improvement plan
- changes to schedules and work location
- imposing discipline for workplace infractions
- requesting medical documents to support an absence from work
- organizational changes such as restructuring

Workplace Harassment also does not include occasional disagreements or personality conflicts, or stressful events that are part of the normal work duties.

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 Workplace 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 Workplace Harassment complaint and take immediate action to report and eliminate Workplace Harassment by taking such action as directed by management to deal with Workplace Harassment within the assigned work area; this would also include

disrespect that may not constitute Workplace Harassment, but which could lead to Workplace Harassment or a Poisoned Work Environment if left unchecked

- Identify and eliminate barriers to a psychologically safe and inclusive workplace;
- Act as role models and champions of a respectful workplace;
- Monitor the workplace and employee behavior; keeping detailed records of any violations of this policy and corrective actions taken;
- Encourage Employees and Volunteers to report incidents of Workplace 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 Workplace Harassment and Workplace 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 Workplace 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 relay 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.

Everyone has a role to play in fostering a respectful work environment. If you feel safe doing so, you should speak up and intervene respectfully when you witness Workplace Harassment, Workplace Discrimination, or disrespect. If you don't feel safe speaking up in the moment, you can still take an active role in addressing the disrespect by bringing it to the attention of a supervisor, manager, or Human Resources, and by offering support to the target of the behaviour.

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 Workplace 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 Workplace 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