

**PLAN**

**Title:** *Workplace Discrimination & Harassment Program*



**Type:** Administrative Plan or Program

**Authority:** CEO

**Staff Presentation:** October 26, 2017 All-Staff Meeting

**Associated Documents:** POL-ADM.2018.48 HS4- Respectful Workplaces

**Section I**

**Reporting Incidents of Workplace Discrimination and Harassment**

1. The BMPL encourages any staff member or volunteer who believes they have been subjected to discrimination or harassment to discuss the situation with the CEO.
2. In the event that there is a complaint against the CEO or a conflict of interest, a complaint shall be filed with the Board Chair. The Board may conduct an investigation or designate an individual to investigate and issue a report.
3. At any time during a meeting or interview concerning a complaint, the staff member lodging the complaint has the right to be represented and accompanied by a person of their choice. The same right is also granted to the person against whom the complaint has been lodged.
4. The staff member with a complaint must provide written notes about the events leading up to the complaint which include:
  - 4.1. What happened – a description of the events or situation;
  - 4.2. When it happened – dates and times;
  - 4.3. Where it happened;
  - 4.4. Who saw the incident, if anyone.
5. **If the complainant fails to provide the requested written documentation within thirty (30) days from the date the letter is sent by the Board, the complaint shall be deemed to be withdrawn by the complainant and no further action will be taken regarding the complaint.**
6. As well, any related documents or materials regarding the complaint are to be made available.

**Section II**

**Complaint Resolution Procedures**

1. If the staff member chooses to pursue the Complaint Resolution Procedure, the CEO will advise the person against whom the complaint has been lodged.
2. The CEO begins a confidential investigation immediately and finishes within 30 days. Throughout the process, the investigator keeps all parties informed, interviews the staff concerned and witnesses, collects evidence, prepares a report and informs the parties in writing of the decision and the underlying reasons.
3. The CEO is responsible for imposing any disciplinary or corrective measures.
4. Should the CEO be the complainant or otherwise involved in the complaint, the Chair will be responsible to strike an Ad Hoc Committee that will be responsible for imposing any disciplinary or corrective measures.
5. Proven cases of harassment will be dealt with under the disciplinary section of the Employment Policy. Disciplinary or corrective measures may also be taken against an employee who interferes with the resolution of a complaint by threats, intimidation or retaliation; or anyone who files a complaint that

is frivolous, malicious or not in good faith.

6. **Discipline under this section should be appropriate to the offense and relevant circumstances of the case and is applied after an admission or judgment of harassment. Considerations in determining discipline may include, but are not limited to such factors as, previous harassment, precedence set in similar cases, respondent's intent and acknowledgement of wrongdoing, the degree of aggression and physical contact which occurred, the power differential of the parties, numbers of events, impact of the harassment on the complainant, and the need to prevent the repetition of proven harassment towards the complainant and others.**
7. Staff may always report a matter to OHSA.
8. If a matter fits, the staff may also report any matters to the Ontario Human Rights Commissions when the harassment or discrimination is related to one or more of the Human Rights Code's prohibited grounds - race, ancestry, place of origin, colour, ethnic origin, citizenship, creed (religion) sex, sexual orientation, disability, age, marital status, family status, receipt of public assistance, record of offences.

### **Section III                      Review Cycle**

This plan will be reviewed biennially or as changes to the legislation dictates.

Original Approval: \_\_\_\_\_

Amended On: \_\_\_\_\_