



# POLICY

## WORKPLACE HARASSMENT AND DISCRIMINATION POLICY

<b>Policy Type:</b>	Administration	<b>Effective Date:</b>	2010-05-25
<b>Department:</b>	Corporate Services	<b>Approval Level:</b>	Council
<b>Division:</b>	Human Resources	<b>Policy #:</b>	0013
<b>Section/Facility:</b>	N/A	<b>Revision #:</b>	1

### 1.0 PURPOSE

- 1.1** To promote and maintain a work environment that is free from discrimination and harassment in accordance with the Human Rights Code and the Occupational Health and Safety Act.
- 1.2** The Human Rights Code prohibits discrimination or harassment of an individual on the basis of age, creed (religion), sex, sexual orientation, family status, marital status, disability, race, ancestry, place of origin, ethnic origin, citizenship, colour, or record of offences.

### 2.0 APPLICATION

- 2.1** This policy applies to all City employees, volunteers, co-op students, interns, contract staff, elected officials and appointees acting on behalf of the City, customers and those who work for a contractor who conducts business with the City.
- 2.2** This policy refers to discrimination of an individual based on the perception that one of the grounds apply, or because of an individual's association or relationship with a person identified by one of the prohibited grounds as well as harassment for any reason.
- 2.3** This policy refers to harassment in the workplace for any reason, not solely on one of the prohibited grounds defined by the Human Rights Code.
- 2.4** Performance reviews, work assignments, work evaluation and disciplinary measures taken by the employer for a valid reason do not constitute harassment.



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### 3.0 DEFINITIONS/ACRONYMS (As Required)

**City** - The Corporation of the City of Peterborough, its employees, elected officials, advisory committees, agencies, boards, and commissions.

**Disability** - Is:

- (a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness,
  - (b) a condition of mental impairment or a developmental disability,
  - (c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
  - (d) a mental disorder, or
- an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997.

**Discrimination** - Unfair treatment of a person or group based on personal characteristics, whether intentional or not, that has the effect of imposing disadvantages on such individual or group or that denies or limits access to opportunities, benefits and advantages available to others.

**Family Status** - The status of being in a parent and child relationship.

**Harassment** - Engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome.

**Marital Status** - The status of being married, single, widowed, divorced or separated and includes the status of living with a person in a conjugal relationship outside marriage.

**Record of Offences** - A conviction for:

- (a) an offence in respect of which a pardon has been granted under the Criminal Records Act (Canada) and has not been revoked, or
- (b) an offence in respect of any provincial enactment.

**Workplace** - All locations where business or social activities of the City of Peterborough are conducted.



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### 4.0 POLICY STATEMENT(S)

- 4.1** The City of Peterborough is committed to providing an environment free of discrimination and harassment in which all individuals:
- are treated with respect and dignity;
  - are able to contribute fully; and
  - have equal opportunities.
- 4.2** The City of Peterborough strives to create an inclusive workplace that values and appreciates the diversity and contributions of all its employees.
- 4.3** The City of Peterborough will not tolerate, condone or ignore harassment and discrimination and where a claim of such action has been proven, disciplinary action will be taken, up to and including termination.



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### 5.0 APPENDIX, RELATED POLICIES, PROCEDURES & LINKS

#### 5.1 Pertinent Resources

Human Rights Code

Workplace Safety and Insurance Act, 1997

Criminal Records Act

Occupational Health and Safety Act

Report CPHR 10-005 Workplace Harassment and Discrimination Policy/Workplace Violence Prevention Policy

Committee of the Whole Report No. 12 of a meeting of May 17, 2010

Minutes of the City Council Meeting of May 25, 2010

Report CSHR09-003 Occupational Health and Safety Policy and Workplace Discrimination and Harassment Policy

Committee of the Whole Report No. 7 of a meeting of April 6, 2009

Minutes of the City Council Meeting of April 14, 2009

Report HR04-005 Human Resources Policy Updates dated December 6, 2004

Minutes of the City Council Meeting of December 13, 2004

#### 5.2 Related Policies

Workplace Violence Prevention Policy

Code of Conduct

#### 5.3 Related Procedures

Workplace Discrimination & Harassment Complaint Procedure

Workplace Violence Prevention Procedure

#### 5.4 Related Forms

N/A



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### 5.0 APPENDIX, RELATED POLICIES, PROCEDURES & LINKS

#### 5.5 Miscellaneous

N/A

### 6.0 AMENDMENTS/ REVIEWS

Next Review Date

May 1, 2011

Date (yyyy-mm-dd)	Section(s) Amended	Comments
2004-12-06	N/A	Report HR04-005 approved by Council December 13, 2004 revising the existing Workplace Harassment Policy.
2009-04-06	N/A	Committee of the Whole Report No. 7 of a meeting of April 6, 2009 endorsed Report CPHR09-003 recommending approval of the Workplace Discrimination and Harassment Policy and rescinding all earlier versions of the City's Workplace Harassment Policy with the exception of the information following the section titled "Harassment Complaint Procedures". The information under this Section shall stand until the related procedures are updated and approved.
2009-04-14	N/A	Policy and other recommendations of Report CPHR09-003 approved by Council.
2010-05-17	Policy revised as a result of Bill 168. Policy #0013 retained for this revised version of the Policy.	<p>Committee of the Whole Report No. 12 of a meeting of May 17, 2010 recommending that:</p> <p>the Workplace Harassment and Discrimination Policy in Report CPHR10-005 be approved; and</p> <p>the Workplace Discrimination and Harassment Policy #0013 that was approved by Council on April 14, 2009 through Report HR04-005 dated December 6, 2004 be rescinded.</p>
2010-05-25	N/A	City Council approved Item 2 of Committee of the Whole Report No. 12 of a Meeting of May 17, 2010 (refer to the recommendations immediately above).