

WORKPLACE RESPECT AND SAFETY POLICY

Statement of Policy

Loyola High School is committed to ensuring a civil and respectful work environment free of any form of harassment, discrimination, or abuse. This commitment requires that all Loyola staff and volunteers actively demonstrate, at all times, a respect for others and an appreciation of differences.

Everyone has the right to work in an environment free from any form of harassment and unacceptable workplace behaviour. Such behaviour towards an individual because of race, creed, colour, religion, country of origin, language, ethnicity, citizenship, ancestry, gender, gender identity, sexual orientation, same-sex partnership status, age, marital or family status, or physical ability is unacceptable, and will not be tolerated. Similarly, harassment, including workplace sexual harassment will not be tolerated. Loyola will treat any allegation of such behaviour as a serious matter.

1. Principles

- 1.1. Every Loyola employee is entitled to a workplace that is free from harassment.
- 1.2. Every reasonable effort will be made to ensure that no Loyola employee is subjected to sexual or psychological harassment.
- 1.3. Disciplinary measures may be taken against any Loyola employee who subjects any other employee to sexual or psychological harassment.

2. Definition

- 2.1. Discriminatory Harassment is defined as, but is not limited to, a course of vexatious comment or conduct against a worker in a workplace that is known or ought to be reasonably known, to be unwelcome and based on characteristics such as race, creed, colour, religion, country of origin, ethnicity, citizenship, ancestry, gender, gender identity, sexual orientation, same-sex partnership status, age, marital or family status, or physical ability. Examples of discriminatory harassment include, but are not limited to, the following:
 - 2.1.1. Insinuations, insults, jokes, crude and offensive comments and language and attitudes;
 - 2.1.2. Deliberate silences and/or snubs;
 - 2.1.3. Gestures and/or touching which are injurious to the dignity or to the physical or psychological integrity of a person;
 - 2.1.4. Physical and/or verbal threats;
 - 2.1.5. Retaliation, intimidation or hostile behaviour;

- 2.1.6. The publication, distribution, or creation of graphic material of a degrading nature and/or which is injurious to the dignity or to the physical or psychological integrity of a person.
- 2.2. Sexual harassment includes engaging in a course of unwanted sexual comment or conduct against a worker in a workplace. Examples of sexual harassment include, but are not limited to, the following:
 - 2.2.1. Sexual insinuations, jokes, insults, crude and offensive comments and language and attitudes;
 - 2.2.2. Touching and/or gestures of a sexual nature which are injurious to the dignity or to the physical or psychological Integrity of a person;
 - 2.2.3. Deliberate, unsolicited, or persistent requests for sexual favours;
 - 2.2.4. Abuse of authority in order to obtain sexual favours;
 - 2.2.5. Denial of a job, promotion, or transfer, dismissal, layoff, or other actions in connection with a refusal to grant sexual favours.
- 2.3. Psychological harassment means any vexatious behaviour in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures, that affects an employee's dignity or psychological or physical integrity and that results in a harmful work environment for the employee. This could include, but not limited to, the following:
 - 2.3.1. Insinuations, jokes, insults, shouting, screaming, swearing, comments, crude and abusive language, offensive literature;
 - 2.3.2. Threats, retaliation, intimidation;
 - 2.3.3. Abuse of authority accompanied by abusive and hurtful behaviours;
 - 2.3.4. Deliberate silences and/or snubs;
 - 2.3.5. Criticizing, slandering, or ridiculing an employee or colleague.

A single serious incidence of such behaviour that has a lasting harmful effect on an employee may also constitute psychological harassment.

3. Roles and Responsibilities of Each Party

3.1. Employees:

All employees contribute to creating a healthy workplace that is free of any form of harassment, notably by:

- 3.1.1. taking personal responsibility for helping to maintain respectful working relationships and to resolve conflicts constructively;
- 3.1.2. reporting any conduct in breach of this policy that they have witnessed or experienced;
- 3.1.3. participating in policy-related training;

3.1.4. collaborating fully in any investigation pertaining to a breach of this policy.

3.2. School management

All school managers play a crucial role in preventing issues or situations of harassment. Their primary responsibilities include:

- 3.2.1. Raise employee awareness of their individual responsibility in order to create and maintain a workplace that is free of harassment;
- 3.2.2. Make employees aware and remind them regularly that it is everyone's responsibility to make the workplace free from harassment;
- 3.2.3. Receive informal reports of harassment from employees;
- 3.2.4. Take the appropriate measures as soon as they become aware of an incident that can be considered as harassment;
- 3.2.5. Intervene, if necessary, to prevent tensions / conflicts between employees from escalating into harassment.

3.3. Human Resources Department

The Human Resources Department plays a crucial role in preventing issues or situations of harassment. Their primary responsibilities include:

- 3.3.1. Ensure the proper implementation of the policy;
- 3.3.2. Be an available, impartial and discrete resource that responds to questions any employee may have with respect to discriminatory harassment, sexual harassment or psychological harassment in the workplace, as well as manages the application of this policy;
- 3.3.3. Receive reports or complaints from employees;
- 3.3.4. Ensure confidentiality when receiving a complaint;
- 3.3.5. Decide on the measures to be taken following a complaint;
- 3.3.6. Recommend training and awareness-raising measures as well as other actions in the context of this policy;
- 3.3.7. Ensure that all employees of the establishment receive policy-related training;
- 3.3.8. Provide advice and training in respect of all forms of harassment in the workplace to members of management;
- 3.3.9. Ensure that no reprisals are taken against persons who report, complain or participate in investigations under this policy.

4. Reporting and Complaints

- 4.1. Any employee who feels that he or she is being harassed should indicate to the person committing the behaviour that the behaviour is offensive and ask that the person stop immediately. If the behaviour does not come to an end, or if the person is not

comfortable addressing the situation directly with the person committing the behaviour, the person must report the situation in accordance with the following mechanism.

Informal Report

- 4.2. It is possible that an employee, presumably victim of harassment, does not wish to formally file a complaint and prefers to resolve the issue by speaking informally with its supervisor/manager or with the head of Human Resources Department. In this case, an action plan must be drawn up between the individuals concerned in order to resolve the problem.
- 4.3. In such a situation, the person who received the informal complaint regularly follows up with the employee who has expressed his or her discomfort in order to ensure that the problem has been resolved.
- 4.4. An employee who has proceeded informally may file a formal complaint at any time.

Formal Complaint

- 4.5. Any employee, presumably victim of harassment, who wishes to file a formal complaint must do so as quickly as possible, and at the latest within 90 days of the last incidence of the offending behaviour. Nothing in this policy limits the employee's right to file a complaint with the CNESST within the delays provided for in the *Act Respecting Labor Standards*¹.
- 4.6. The complaint must be made to the head of the Human Resources Department. The employee, presumably victim of harassment, must be prepared to indicate the name of the alleged harasser and the details of the incident(s) such as the date, the time, the place, the frequency, details of events and people present, if applicable.

If a complaint is brought forward against a member of the Human Resources Department, it may be filed directly to the President, who will be responsible for conducting the investigation, if necessary, following the steps set out herein.

- 4.7. The formal complaint must be signed by the employee.
- 4.8. In order to protect employees who file complaints and to facilitate reporting, all complaints are treated with discretion and kept confidential to the maximum extent possible.

¹ The *Act Respecting Labour Standards*, CQLR c N-1.1, provides that any complaint concerning psychological harassment must be filed within two years of the last incidence of the offending behaviour (section 123.7).

Investigation and results

- 4.9. Following the filing of a formal complaint, if deemed necessary, the head of the Human Resources Department may designate a person to be responsible for the investigation. Said person can be an internal or external resource.

The person responsible for the investigation can be assisted by an additional person, if necessary and if approved by the head of the Human Resources Department.

- 4.10. The alleged harasser will be informed of the complaint at the beginning of the process but may receive detailed information later on as circumstances require. Again, all reasonable efforts shall be made to ensure that complaints are kept confidential to the maximum extent possible.
- 4.11. The investigation may include, among other things, interviews with the employee who filed the complaint, the alleged harasser and any relevant witnesses, as well as a review of any and all relevant facts and records.
- 4.12. When deemed necessary, the employee who filed the complaint and / or the alleged harasser may be subject to temporary administrative measures to prevent them from being in contact during the investigation.
- 4.13. After gathering the relevant information needed to conduct a proper investigation, the person responsible for the investigation shall render a decision on the merits of the complaint.
- 4.14. Where a complaint of harassment is substantiated, the harasser may be subject to disciplinary action, up to and including dismissal.
- 4.15. The person who brought forward the complaint of harassment and the person who allegedly committed the harassment will be informed of the results of the investigation and if any corrective action has been taken or will be taken as a result of the investigation.
- 4.16. The school may take all appropriate measures to support the victim and / or witness and facilitate reintegration into the workplace, if necessary. It may take the same measures for any alleged harasser in the event that the complaint is unfounded.

5. General Provisions

- 5.1. The school will not tolerate repeat offences, prejudice, retaliation, or intimidation against any individual who reports or provides information concerning workplace

harassment that he or she knows or reasonably believes to be valid. Any such behaviour shall be subject to severe disciplinary action, up to and including dismissal.

- 5.2. An accusation of harassment must not be taken lightly nor made maliciously. It is clear that if harassment constitutes unacceptable behaviour, the same applies to accusations of harassment that are made maliciously. Anyone responsible for making a malicious allegation of harassment shall also be subject to severe disciplinary action, up to and including dismissal.
- 5.3. It must be understood that this policy is not intended to discourage good social relations in the workplace, camaraderie, civility, and respectful behaviour in a healthy, fair, and reasonable work context. Its purpose is to identify and correct undesirable behaviours prejudicial to the dignity and to the physical or psychological integrity of individuals.

6. Communication and Training

- 6.1. Each year, at our opening meetings, the guidance staff presents the roles and functions of the guidance services to the faculty/staff.
- 6.2. Faculty and staff are referred to our employee assistance program, this Workplace Respect and Safety Policy and the Human Resources Department.
- 6.3. A current version of this Workplace Respect and Safety Policy shall be incorporated in the Loyola High School Teachers Manual.
- 6.4. A current version of this Workplace Respect and Safety Policy shall be published on the Loyola website.

7. Board Oversight of Policy and Policy Review

- 7.1. On no less than a semi-annual basis, the president must provide a report to the Board of Governors detailing:
 - 7.1.1. The number of complaints of harassment at the school;
 - 7.1.2. The nature of the complaints;
 - 7.1.3. The outcome of the complaints;
 - 7.1.4. Any disciplinary measures that have been taken as a result of the complaint;
 - 7.1.5. Results of the follow-up and debriefing.
- 7.2. This policy may be revised at Loyola's discretion.

Approved: September 21, 2020