



# **Dufferin-Peel Catholic District School Board**

## **GENERAL ADMINISTRATIVE PROCEDURES**

**GAP NUMBER:** 305.00  
**SECTION:** 300 – ALL STAFF  
**SUBJECT:** **Employee Workplace Conduct (Including Workplace Harassment)**  
**REFERENCE:** Admin Council, September 28, 2010  
**EFFECTIVE:** September 1, 1991  
**REVISED:** March 22, 2004; March 19, 2007; September 28, 2010  
**REPLACES:** 305.00

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Attached, as follows:

- A. General Administrative Procedures - *(Pages 2 – 10)*
- B. Employee Workplace Conduct Checklist (Including Workplace Harassment) – *(Pages 11 – 13)*
- C. Workplace Conduct Complaint Form (Including Workplace Harassment) – GF336  
*(Pages 14 – 15)*



**Responsibilities**

It is the Board's expectation that all persons covered will adhere to the Board's procedure, and are required to:

- refrain from engaging in discrimination and harassment
- report occurrences of discrimination and harassment
- be a positive role model
- support victims of discrimination and harassment

**Harassment**

Harassment 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. Harassment normally involves persistent comments or conduct, but may include a single act.

Harassment may include, but is not limited to:

- Unwanted comments, conduct, suggestions or interference



**Responsibilities for Reporting Harassment and Discrimination**

All persons covered under this procedure have the responsibility for and are expected to promote a working and learning environment that is free from harassment and discrimination, and to

**In Employment**

Employees who engage, directly or indirectly, in harassment or discrimination may be disciplined up to and including dismissal.

**Confidentiality**

All records of the complaint, including contents of meetings, interviews, results of inquiries and other relevant material will be kept confidential by the Dufferin-Peel Catholic District School Board, except where disclosure is required by a disciplinary or other remedial process or required by operation of law or as a consequence of contemplated or actual litigation. Records

**WORKPLACE CONDUCT COMPLAINT PROCEDURE STEPS (INCLUDING  
WORKPLACE HARASSMENT)**

- b) The Supervisor, Principal or Manager is required to contact the respective Superintendent/designate to arrange a consultation within two working days.
- c) The Respondent cited in a complaint will be entitled to receive a copy of the ***Workplace Conduct Complaint Form (including Workplace Harassment)*** filed by the Complainant within three working days of the submission. The Supervisor, Principal, Manager or Superintendent/designate is responsible for ensuring that the Respondent receives a copy of the written complaint. Teachers are required to note their obligation under the regulation of the Teaching Profession Act, S. 18 (1) (b) as outlined on page 3 of this procedure.
- d) Both the Complainant and the Respondent have the right to representation during any discussions or meetings held during the process and shall be advised of this right by the Supervisor, Principal, Manager or Superintendent/designate.
- e) The Supervisor, Principal, Manager or Superintendent/designate will collect evidence by interviewing the Complainant and Respondent (separately), interviewing any witnesses, and otherwise investigating all aspects of the matter which are relevant in determining whether the allegations of harassment are substantiated.
- f) The Supervisor, Principal, Manager or Superintendent/designate must keep confidential and comprehensive notes of all meetings.
- g) The following actions may occur:

- Attempt at informal resolution

- Referral to other more appropriate Board procedures, or other process, if appropriate or necessary

- Referral of the complaint to Step 3 – Formal Process

**Note:** If it is determined at Step 2 that the complaint will involve disciplinary action, the Supervisor, Principal, Manager or Superintendent/designate will forward the complaint to the Superintendent of Employee Relations for review. If disciplinary action is required, a copy of any disciplinary correspondence will be placed in the employee's personnel file.

- h) If the complaint is resolved at Step 2 – Informal Process, the resolution is confirmed in writing and signed by both the Complainant and the Respondent. A copy is to be forwarded to the Superintendent of Employee Relations in an envelope marked "Private and Confidential" by the Complainant's Supervisor, Principal, Manager or Superintendent/designate. The Superintendent of Employee Relations/Designate will place the document(s) in a secure Employee Relations File. A copy of the written resolution will not be placed in either the Complainant's or the Respondent's personnel file.
- i) If there is not a satisfactory resolution at Step 2, the Superintendent will submit a report to the Superintendent of Employee Relations requesting that the complaint be advanced to Step 3.



**Step 3 - Formal Resolution Process:**

- a) The complaint may proceed to Step 3 in the following circumstances:

- h) The investigation into the complaint must be handled expeditiously. While it is expected that all investigations occurring under this complaint procedure will be completed within six months of the filing of the complaint, delays may occur.
- i) Notwithstanding either party's refusal to co-operate in an investigation, the Board may deem it necessary to follow the complaint procedure through to completion.
- j) The Superintendent of Employee Relations/designate will advise the Complainant and the Respondent of the results of the Step 3 investigation and any actions that may be taken in the matter. The specific details of any disciplinary action will only be provided to the employee who is to be disciplined.

k) **Outcomes**

Depending on the outcome of the Step 3 investigation, a decision regarding rehabilitative or disciplinary action for the Respondent and/or the Complainant may include, but is not limited to:

- Counselling
- Education on Harassment
- Formal written apology
- Change of work assignment of the Complainant and/or Respondent
- Disciplinary action up to and including dismissal

Such a decision regarding outcomes is made by the Superintendent of Employee Relations.

- l) In the opinion of the Board, reasonable investigation information, including for example names of witnesses and factual information provided, will be shared in confidence with the Union representative(s) of the Complainant and/or Respondent, upon written request.

**GENERAL ADMINISTRATIVE PROCEDURE: #305.00**

All persons working for the Board or carrying out Board business on a temporary, part time or full time basis are covered by this procedure.



Superintendent of Employee Relations designate (may be board employee or independent) will commence a separate investigation into the complaint within ten (10) working days of the receipt of a written request for a Step 3 investigation.

Superintendent of Employee Relations designate to interview the Complainant, Respondent and any witnesses (separately).

*Note:* If the complaint can appropriately be resolved through mediation, an effort to do so will be made by the Superintendent of Employee Relations/designate. If it is determined by the Superintendent of Employee Relations/designate that mediation is not appropriate, or if no resolution is reached through mediation, the investigation will continue and a determination in the matter will be made by the Superintendent of Employee Relations.

*Note:* If mediation is successful, the agreement reached between the parties will be confirmed in writing by all parties. A copy of the mediated agreement will be given to both the Complainant and the Respondent and a copy will be stored in a secure file in the Employee Relations Department.

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Date(s) of Incident(s) or Time Frame and Location of Incident:

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What steps have been taken to date to resolve the complaint:

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Resolution Requested:

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Complainant(s) Signature(s):

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Date: \_\_\_\_\_  
Date: \_\_\_\_\_

Supervisor/Principal/Manager/Superintendent's Signature (indicating receipt):

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Date of Receipt: \_\_\_\_\_

*The information contained in this form is of a highly confidential nature and will be protected as outlined in GAP #305.00 – Employee Workplace Conduct (Including Workplace Harassment).*