

TBU PROC – 14 Anti-Harassment Policy and Procedures

1. District 20 Anti-Harassment Statement

Employees and members of OSSTF District 20 have the right to a workplace and union environment free from harassment and bullying. This includes harassment and bullying by OSSTF employees and by other OSSTF District 20 members.

Harassment and discrimination are not joking matters. They have a destructive effect on a union environment, individual well-being, and union solidarity. Such actions are not only destructive; they can be illegal.

Harassment and discrimination can take many forms and may be verbal, physical, or psychological. They can involve a wide range of actions including comments, gestures or looks, messages, pictures, touching, or more aggressive actions. These acts may be direct or overt; they may be isolated or repeated. They are, however, always degrading, unwelcome, coercive, and unacceptable.

As members of OSSTF, as a union, and as an employer, our goal must be to protect human rights, to promote mutual respect and trust, and to foster inclusion. We cannot condone or tolerate intimidating, demeaning, hostile and/or aggressive behaviour against OSSTF employees or other members of OSSTF. We cannot condone these behaviours when we witness them. As OSSTF members, we must speak out against this conduct and stand together to protect human rights. We must take action.

OSSTF, as an organization, is committed to strengthening member solidarity, and, in addition to representing members' interests in the workplace, takes seriously its own responsibility to ensure that its employees and its members are treated with respect and dignity in all OSSTF workplaces and at all OSSTF District 20 events and meetings.

It should be noted that the normal exercise of supervisory duties, including direction, discipline, and performance evaluation, does not constitute harassment.

Members or employees who feel targeted by harassment or discrimination must be able to speak up and know their concerns will be responded to immediately, in accordance with provincial OSSTF Policies and Bylaws and the Resolution and Complaint Procedure as approved by OSSTF District 20.

2. Requirements for OSSTF District 20 TBU Meetings and Events

- (i) All OSSTF District 20 TBU events and meetings shall have a designated **anti-harassment officer**, appointed by the TBU President or Committee Chair. This officer will be identified at the beginning of each event/meeting. (For a series of regular meetings where the anti-harassment officer remains the same, this individual can be identified at the first meeting of the year, and have his/her name placed on the agenda for the remainder of the year.)
- (ii) A copy of the **anti-harassment policy and procedures** shall be distributed to all individuals at all events and meetings. (For a series of regular meetings, members can be provided with copies at the first meeting of the year.)

3. Role of the Anti-Harassment Officer

The anti-harassment officer provides initial assistance for a member or employee who believes they have experienced harassment.

- (i) Upon receiving a complaint from a member or employee, the anti-harassment officer shall interview the parties involved as soon as possible and collect all relevant information (incident, time, place, witnesses). If the parties wish to come to an informal resolution, the anti-harassment officer may provide mediation.
- (ii) If an informal resolution cannot be reached, the anti-harassment officer shall assist the member or employee with filing a formal complaint. This formal complaint will be filed with the appropriate individual as outlined in the resolution and complaint procedure.

4. Resolution and Complaint Procedure

- (i) A member or employee who believes s/he has been the target of harassment or discrimination at any OSSTF District 20 meeting or event is encouraged to take immediate action to ensure this behaviour is stopped. All efforts will be made to keep the complaint and resulting procedure confidential to the parties involved in the process.
- (ii) As a first step, the member or employee should make it clear to the respondent that s/he finds the behaviour offensive, and ask that it be stopped. This can be done personally, either in writing or verbally, or with the assistance of a third party.
- (iii) If the behaviour recurs or persists, or if a member or employee does not feel safe in approaching the respondent directly, s/he should speak with the designated anti-harassment officer and ask him/her to act. If no officer has been designated, the member should speak with the TBU President to ask that one be appointed. In the event that the incident occurred at a District function, the TBU President may wish to request assistance from another Bargaining Unit President and/or the District President.
- (iv) The designated anti-harassment officer will investigate the complaint promptly, including separately interviewing the parties involved and any witnesses, with a view to resolving the problem informally. This can include mediation in order to allow the parties to resolve the issue.
- (v) If the complaint cannot be resolved informally, the complainant may choose to put the complaint and all relevant information in writing.
- (vi) A formal complaint **against a member of the TBU** will be filed with the **TBU President**. With the assistance of the Field Secretary assigned to District 20, the President will investigate and decide on the outcome of the complaint.
- (vii) The parties will be able to **appeal** a decision made by the **TBU President** through the **TBU Anti-Harassment Appeals Committee** as identified in By-Law 4, Section Three, (I) of the T.B.U. By-Laws.

- (viii) A formal complaint **against a member of another bargaining unit** will be filed with the appropriate **Bargaining Unit President**. With the assistance of the Field Secretary assigned to District 20, the Bargaining Unit President will investigate and decide on the outcome of the complaint.
- (ix) The parties will be able to **appeal** a decision made by a **Bargaining Unit President** through that **bargaining unit's Anti-Harassment Appeals Committee**, or, if no such committee exists in that bargaining unit, through the **District Anti-Harassment Appeals Committee** as identified in By-Law 4, Section Three, (G) of the District 20 By-Laws.
- (x) A formal complaint **against an employee of District 20** will be filed with the **District President**. With the assistance of the Field Secretary assigned to District 20, the District President will investigate, report, and make recommendations, if required, to the District Executive Council. The District Executive Council will consider the recommendations and act accordingly. This can include, but is not limited to, progressive discipline. The District President will keep the respective Bargaining Unit President(s) informed throughout the process.
- (xi) The parties will be able to **appeal** a decision made by the **District President** through the **District Anti-Harassment Appeals Committee** as identified in By-Law 4, Section Three, (G) of the District 20 By-Laws.
- (xii) A formal complaint made **against an elected OSSTF District 20 bargaining unit officer** can be brought to **Judicial Council**, through the Field Secretary assigned to District 20. Judicial Council will investigate and decide upon the outcome of the complaint.
- (xiii) Any formal complaint made **against an employee of OSSTF Provincial Office** will be filed with the **General Secretary**, and will come under the purview of OSSTF Provincial Office policies and procedures.
- (xiv) None of the above restricts a member's or employee's right to **file a complaint with the Ontario Human Rights Commission, or make a complaint to police.**