



REPORT TO

GOVERNANCE AND POLICY COMMITTEE

Respectful Workplace Policy

“We are putting no obstacle in anyone’s way, so that no fault may be found with our ministry.”
2 Corinthians 6:3

Drafted

November 17, 2024

Meeting Date

December 3, 2024

Lynda Coulter, Executive Superintendent of Human Resources, Equity and Leadership
 Nairi Kazazian, Head of Labour Relations and Occupational Health and Safety
 Stephanie Obradovich, Senior Legal Counsel
 Marta Radic, Coordinator of Occupational Health & Safety
 Derek Luk, Senior Policy Advisor
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RECOMMENDATION REPORT

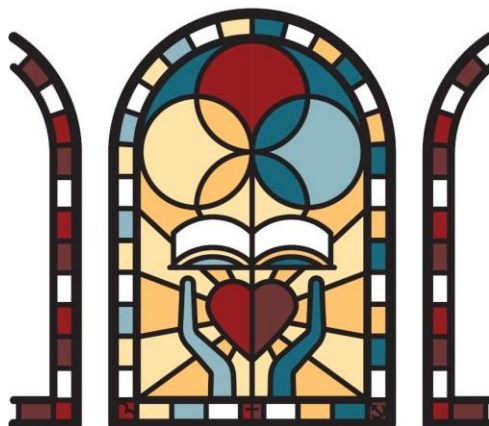
Vision: *IN GOD’S IMAGE: Growing in Knowledge, with Justice and Hope.*

Mission: *Nurturing the faith development and academic excellence of our Catholic learning community through the love of God, neighbour, and self.*



MULTI-YEAR STRATEGIC PLAN
2022 - 2025

IN GOD’S IMAGE: Growing in Knowledge, with Justice and Hope



Brendan Browne
Director of Education

Adrian Della Mora
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Associate Director of Corporate Services and Chief Commercial Officer

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A. EXECUTIVE SUMMARY

This report provides a proposed Respectful Workplace Policy (Appendix A) that would replace three existing Human Resource policies; Harassment and Discrimination in the Workplace policy (Appendix B), Conflict Resolution, (Appendix C), and Complaint Against a Staff Person policy (Appendix D) to create a more efficient and effective way of resolving employee related matters.

The cumulative staff time required to prepare this report was 36 hours.

B. PURPOSE

1. The proposed Respectful Workplace Policy addresses GAP's September 3, 2024 direction to review the three noted policies with the goal of amalgamating them into one policy.

C. BACKGROUND

1. On September 3, 2024, GAP directed staff to review the three policies in addition to two others (Occupational Health and Safety policy and Workplace Violence policy) that require annual review.
2. As part of the Respectful Workplace Policy workplan, a draft policy and procedure was shared with the Board's labour partners for consultation purposes. Based on the feedback and suggestions from the labour partners, the policy and procedure were revised to include the following:
 - Expanded scope of policy to include workers
 - Confirmed that TCDSB will not, in most cases, act on anonymous complaints but retains the discretion to do so as it deems appropriate and necessary
 - Included a statement that the decision to proceed to the formal resolution route will not be made in an arbitrary, discriminatory or bad faith manner
 - Included a statement that if a respondent is not an employee of the TCDSB, the TCDSB will take appropriate action in the circumstances to address the allegations of harassment
 - Included a reference to obligations teachers may have under the *Teaching Profession Act*
 - Included an appeal process (a complaint to the Ministry of Labour or a grievance)

3. The new draft policy contains many similarities to the three policies that it is recommended to replace. Some of the main similarities are as follows:
 - Encourages the early resolution of concerns at the level that is as close to the source of conflict as possible
 - Includes informal conflict resolution if appropriate in the circumstances
 - If an investigation is required, an investigation that is appropriate in the circumstances will be conducted
 - Confidentiality is protected
 - Reprisals are prohibited
 - An appeal process is available to complainants who are not satisfied with the results of an investigation (i.e. filing a complaint with the Ministry of Labour, or a grievance per the applicable collective agreement)
4. While some of the main differences between the draft Respectful Workplace policy are identified below:
 - The new policy does not apply to allegations of discrimination as defined by the *Human Rights Code*. A work plan for a Human Rights Policy has been approved, and complaints of discrimination will fall under that policy.

D. EVIDENCE/RESEARCH/ANALYSIS

1. Currently the Board has three policies that address conflict in the workplace: Harassment and Discrimination in the Workplace, Conflict Resolution, Complaint Against a Staff Person, and can be confusing for staff to navigate.
2. In February of 2023 the new Labour Relations unit within Human Resources began to work with both internal and external stakeholders for all labour and employment related matters. The team works closely with Principals, Vice-Principals and employee supervisors to navigate through difficult employee matters and help resolve matters locally.
3. Working with Principals, Vice-Principals and employee supervisors directly has proven to be an efficient way of managing day-to-day employee matters.
4. The proposed Respectful Workplace Policy includes Human Resources best practices such as including definitions of workplace harassment and workplace sexual harassment, explanation of what may happen if policy is not followed; and a supporting procedure (Appendix E), with prescribed formal or information resolution procedures.

E. METRICS AND ACCOUNTABILITY

1. If approved, the new Respectful Workplace policy will be reviewed annually since it is replacing the Harassment and Discrimination in the Workplace policy, among other policies, which must be reviewed annually as one of three TCDSB Occupational Health and Safety policies.

F. STAFF RECOMMENDATION

1. Staff recommend that the proposed Respectful Workplace policy (Appendix A) be approved and the Harassment and Discrimination in the Workplace policy (Appendix B), Conflict Resolution (Appendix C), and Complaint Against a Staff Person Policy (Appendix D) be rescinded.