



REPORT TO

REGULAR BOARD

REPORT OF THE GOVERNANCE AND POLICY COMMITTEE ON HARASSMENT AND DISCRIMINATION POLICY

O Lord, You have pleaded my soul's cause; You have redeemed my Life. Lamentations 3:58

Created, Draft

May 27, 2014

First Tabling

February 17, 2015

Review

March 26, 2015

Ann Andrachuk, Chair, Governance and Policy Committee
Loretta Notten, Superintendent Governance and Policy

RECOMMENDATION REPORT

Vision:

At Toronto Catholic we transform the world through witness, faith, innovation and action.

Mission:

The Toronto Catholic District School Board is an inclusive learning community rooted in the love of Christ. We educate students to grow in grace and knowledge and to lead lives of faith, hope and charity.



Members of the Committee:

Ann Andrachuk, Chair
Angela Kennedy, Vice Chair
Maria Rizzo, Trustee Ward 5
Mike Del Grande, Trustee Ward 7
Gary Tanuan, Trustee Ward 8
Jo-Ann Davis, Trustee Ward 9
Nancy Crawford, Ex-Officio

A. COMMITTEE RECOMMENDATIONS

At the May 27th, 2014 Governance and Policy Committee, it was recommended:

1. To move forward with the draft amended policy and guidelines for consultation with our federation partners.
2. That under Evaluation and Matrix, an annual report be submitted to the Student Achievement Committee on the statistics, number of complaints lodged by groups and the status of the complaints.
3. That the Director revise the policy and guidelines to distinguish different processes for complaints for elected officials and the Director of Education, Non-employees and Employees.
4. That the Scope and Responsibility be amended to clearly identify the parties involved and their roles as part of the policy.
5. That the financial and legal impact be removed from the final version of the policy on a go forward basis.

At the February 17th, 2015 Governance and Policy Committee, it was recommended:

1. That the Board rescind policy H.M. 28 Sexual Harassment Policy.
2. That the Board approve the revised H.M. 14 Harassment and Discrimination Policy and the Respectful Workplace Guidelines.

B. ORIGIN

In 2010, amendments to the Occupational Health and Safety Act were made that legislated that all employers have comprehensive policies and programs to address harassment, discrimination and workplace violence. Further, additional protected grounds of discrimination were added to the Human Rights Code in 2013.

Further, amendments are required to delineate the different processes and options available to all TCDSB stakeholders to address harassment and discrimination.

There is no longer a need for a separate policy to address sexual harassment given that H.M. 14- addressing Harassment and Discrimination in the

Workplace is an umbrella policy that covers all the protected grounds of discrimination under the Human Rights Code.

C. EXECUTIVE SUMMARY

The Harassment and Discrimination in the Workplace Policy (H.M. 14) and the corresponding Guidelines contained in TCDSB's Respectful Workplace Protocol require updating and revisions to ensure that the Board is in alignment with relevant legislative changes. Also proposed within the scope of the Board's work on H.M. 14 is that the Board's Sexual Harassment policy (H.M. 28) be eliminated given that H.M. 14 is an umbrella policy that covers all the protected grounds of discrimination within the Human Rights Code. The revised Policy and Protocol came before the Governance Committee for the first time in May 2014. At that time staff identified that the next step in development of the policy would be consultation with TCDSB's Federation partners. That consultation has taken place. Further, there was a request by the Governance Committee that a separate process be identified for complaints against the Director of Education and elected officials. With these action items complete, the revised policy and protocol was recommended to the Governance Committee and now to Board for adoption.

Dialogue at the February 17, 2015 Governance Committee focused on the issue of parental harassment and the ability of a parent to appeal a trespass notice. There was also conversation regarding the notation in the staff report (Appendix C) that the Toronto Secondary Unit was not fully satisfied with the Respectful Workplace document and some of the processes identified therein. Finally there was conversation regarding the process for complaints against Trustees and what might or might not constitute an individual's understanding of harassment.

D. APPENDICES

1. Appendix A: Revised Harassment and Discrimination Policy
2. Appendix B: Respectful Workplace Document (Operational Procedure)
3. Appendix C: Report to Governance Committee on revised Harassment and Discrimination Policy

E. MOTIONS

1. That the Board rescind policy H.M. 28 Sexual Harassment Policy.

2. That the Board approve the revised H.M. 14 Harassment and Discrimination Policy and the Respectful Workplace Guidelines.

Motions declared carried.