

## WORKPLACE VIOLENCE, DISCRIMINATION & HARASSMENT PREVENTION POLICY

### A. WORKPLACE VIOLENCE PREVENTION POLICY

#### 1. Statement of Policy

Toronto Standard Condominium Corporation No. 1723 is comprised of 314 Dwelling Units, located at 5233 Dundas Street West, Toronto, Ontario and is committed to the prevention of workplace violence and is ultimately responsible for the health and safety of all workers within its facilities. This includes the health and safety of the Corporation's employees and the employees of companies that provide services to the Corporation. Toronto Standard Condominium Corporation No. 1723 will take whatever steps are reasonable to protect its workers from workplace violence from all sources.

#### 2. Definitions

Workplace violence is defined to be:

- a) the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
- b) an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker; or
- c) a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the employee, in a workplace, that could cause physical injury to the worker.

#### 3. Application of Policy

Violent behaviour in the workplace is unacceptable from anyone. This policy applies to all persons who may be in any workplace Toronto Standard Condominium Corporation No. 1723. This includes the Corporation's employees, employees of other companies that provide services to the Corporation, visitors, guests, current and prospective unit owners and residents. A workplace of the Corporation is any place at which workers of the Corporation work, including the units, common elements, as well as any shared facilities. Everyone in the workplace must be dedicated to preventing workplace violence. The management team, board members of self-managed corporations, supervisors and all other workers are expected to uphold this policy and will be held accountable by the Corporation for doing so.

#### 4. Workplace Violence Prevention Program

Toronto Standard Condominium Corporation No. 1723 has developed a Workplace Violence Prevention Program that implements this Workplace Violence Prevention Policy. It includes:

- a) an assessment of the risk of workplace violence;
- b) measures and procedures to protect workers from workplace violence;
- c) a means of summoning immediate assistance in the event of a violent or potentially violent incident;
- d) a process for workers to report incidents or raise concerns of workplace violence;
- e) a process for investigating incidents of workplace violence; and

- f) periodic reassessment of Toronto Standard Condominium Corporation No. 1723's Workplace Violence Prevention Policy and Workplace Violence Prevention Program.

Toronto Standard Condominium Corporation No. 1723 will ensure that this Workplace Violence Prevention Policy and the supporting Workplace Violence Prevention Program are implemented and maintained and that all workers and supervisors have the appropriate information and instruction to protect them and their co-workers from violence in the workplace.

## 5. Responsibility

All workers will adhere to this Workplace Violence Prevention Policy and the supporting Workplace Violence Prevention Program. The management team, board members of self-managed corporations and supervisors, if any, are responsible for ensuring that the measures and procedures set out in the Workplace Violence Prevention Program are followed by workers and that workers have the information they need to protect themselves and their co-workers from workplace violence.

Every worker must work in compliance with this Workplace Violence Prevention Policy and the supporting Workplace Violence Prevention Program. All workers are encouraged to raise any concerns about workplace violence and are required to report any violent incidents or threats of violence.

## B. WORKPLACE DISCRIMINATION AND HARASSMENT PREVENTION POLICY

### 1. Statement of Policy

Toronto Standard Condominium Corporation No. 1723 recognizes the dignity and worth of all persons and to that end believes in providing and maintaining a work environment in which all employees of Toronto Standard Condominium Corporation No. 1723 and employees of companies providing services to Toronto Standard Condominium Corporation No. 1723, owners, residents, guests and visitors are free from workplace harassment.

### 2. Prohibited Discrimination and Harassment

First, the *Human Rights Code* provides that every person has the right to equal treatment with respect to employment without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, family status or disability (the "prohibited grounds"). This provision means that there is a prohibition on any form of discrimination based upon a prohibited ground, save and except for differential treatment of a person that is for a reasonable and legitimate purpose (e.g. *bona fide* occupational requirement). Any form of wrongful discrimination is therefore prohibited including, but not limited to, the harassment of a person on the basis of one of the prohibited grounds.

Second, the *Human Rights Code* provides that every person who is an employee has a right to be free from harassment in the workplace because of sex by his or her employer or an agent of the employer or by another employee. The *Human Rights Code* also provides that every person has the right to be free from a sexual solicitation or advance made by a person in a position to grant or deny a benefit or advancement to the person where the person making the solicitation or advance knows or ought reasonably to know that the solicitation or advance is unwelcome. The *Human Rights Code* also provides that every person has a right to be free from any reprisal or threat of reprisal for the rejection of any such sexual solicitation or advance. Third, the *Occupational Health and Safety Act*

prohibits any form of workplace harassment. It is not limited to harassment based upon prohibited grounds. It is a broader prohibition of harassment than that contained in the *Human Rights Code*.

### 3. Definitions

In order to understand the scope of this policy, it is necessary to set out the definitions of certain terms.

- a) "Workplace" for the Corporation's purposes means any place in Toronto Standard Condominium Corporation No. 1723 or shared facilities, if any, where work-related activities are conducted.
- b) "Harassment" means engaging in a course of vexatious comment or conduct that is known, or ought reasonably to be known, to be unwelcome. It includes unwelcome, unwanted, offensive, or objectionable conduct that may have the effect of:
  - I. creating an intimidating, hostile or offensive work environment;
  - II. interfering with an individual's work performance;
  - III. adversely affecting an individual's employment relationship; and/or
  - IV. denying an individual dignity and respect.

Harassment may result from one incident or a series of incidents. It may be directed at a specific individual or group. Examples of harassment, or discriminatory conduct which may constitute workplace harassment, include, but are not limited to:

- i. humiliating an employee of the Corporation or another employer's worker, in front of co-workers, owners, residents, visitors, guests or another employer's workers;
  - ii. the making of any work-related decision (including matters of hiring, promotion, compensation, work assignments, evaluations, training or job security) on the basis of any of the prohibited grounds rather than on the basis of merit;
  - iii. comments which are intended, or that ought reasonably to be known, to promote stereotyping of a person or persons on any of the prohibited grounds;
  - iv. jokes or comments which draw attention, for example, to a person's disability, age, ethnic, racial, or religious background or affiliation or which draw attention to a person's gender or sexual orientation with the effect of undermining such a person's role in a professional or business environment or that by their nature are known or ought reasonably to be known to be embarrassing or offensive;
  - v. derogatory remarks, verbal abuse or threats directed towards members of one gender or regarding the sexual orientation of an individual or individuals or with respect to the ethnic, racial or religious background or affiliation of an individual or group; and/or
  - vi. bullying.
- (c) "Sexual Harassment" is any unsolicited conduct, comment, or physical contact of a sexual nature that is unwelcome by the recipient. It includes, but is not limited to:
- i. any unwelcome sexual advances (oral, written or physical);
  - ii. requests for sexual favours;
  - iii. unwelcome sexual or gender related comments, innuendoes, remarks, jokes or taunts;
  - iv. unnecessary physical contact such as patting, touching, pinching or hitting;
  - v. displays of sexually degrading, offensive or derogatory material such as graffiti or pictures;
  - vi. physical or sexual assault;
  - vii. propositions of physical intimacy;
  - viii. bragging about sexual prowess;
  - ix. leering or inappropriate staring;

- x. inquiries or comments about a person's sex life or sexual behaviour; and/or sexual jokes or stories causing embarrassment or offence, that are told or carried out after the person telling the story or joke has been advised that they are embarrassing or offensive or that by their very nature are known or ought reasonably to be known to be embarrassing or offensive.

#### **4. Application of Policy**

This policy applies to all employees of Toronto Standard Condominium Corporation No. 1723 and employees of companies that provide services to Toronto Standard Condominium Corporation No. 1723, visitors, guests, current and prospective unit owners and residents. This policy covers all forms of discrimination or harassment prohibited under the *Human Rights Code* and the *Occupational Health and Safety Act*. This policy applies not only during working time, but to and during any activities on or off the premises of Toronto Standard Condominium Corporation No. 1723 that could reasonably be associated with the workplace including work related social events.

#### **5. Workplace Discrimination and Harassment Prevention Program**

In order to implement this Workplace Discrimination and Harassment Prevention Policy, Toronto Standard Condominium Corporation No. 1723 has developed the following Workplace Discrimination and Harassment Prevention Program. That Program, as more fully set out in the Program documents:

- a) includes measures and procedures for workers to report incidents of workplace discrimination or harassment;
- b) sets out how Toronto Standard Condominium Corporation No. 1723 will investigate and deal with incidents and complaints of workplace discrimination and harassment; and
- c) sets out the information, instruction and training that will be provided to all the workers of Toronto Standard Condominium Corporation No. 1723 with respect to this policy and the supporting Workplace Discrimination and Harassment Prevention Program.

#### **6. Responsibility**

All workers are responsible for ensuring that discrimination and harassment are not tolerated in the workplace. All workers when they become aware of any allegations or complaints of workplace discrimination or harassment are requested to promptly report those allegations or complaints to a manager, a supervisor, or other person as may be appropriate. The management team, board members of self-managed corporations and supervisors are responsible for providing a work environment that is free from workplace discrimination and harassment. This responsibility includes actively promoting a positive, harassment and discrimination free, work environment.

#### **7. Investigations of Discrimination or Harassment**

All complaints, reports or allegations, formal and informal, of workplace discrimination and harassment will be investigated in accordance with the Workplace Discrimination and Harassment Prevention Program of Toronto Standard Condominium Corporation No. 1723.

### **C. GENERAL**

#### **8. Consequences**

Toronto Standard Condominium Corporation No. 1723, if the violator is an employee of the Corporation, has the sole responsibility and authority to determine the appropriate disciplinary action, if any, for a violation of the Workplace Violence Prevention Policy and/or the Workplace Discrimination and Harassment Prevention Policy. Disciplinary action for violations of these policies will take into consideration the nature and impact of the violation, and may include discipline from a

verbal or written reprimand to termination of employment without notice or compensation. If the violator works for one of the Corporation's suppliers, Toronto Standard Condominium Corporation No. 1723 may require the supplier to take disciplinary action satisfactory to the Corporation before permitting the violator to provide further services to Toronto Standard Condominium Corporation No. 1723 on behalf of the supplier or may require the supplier to provide its goods/services via another employee or both. If the violator is a resident, guest or visitor, Toronto Standard Condominium Corporation No. 1723 may pursue any and all legal remedies necessary to protect workers from further harm, which may include the involvement of police, a cease and desist order and/or a restraining order. If any work is required to be performed by Toronto Standard Condominium Corporation No. 1723 in a unit where a violator resides, Toronto Standard Condominium Corporation No. 1723 may prohibit such violator from being present in the unit while such work or repairs is being completed.

Deliberate false accusations of workplace violence, discrimination or harassment are of an equally serious nature and will also result in disciplinary action up to and including termination of employment without notice or compensation. An unproven allegation of violence, discrimination or harassment does not mean that violence, harassment or discrimination did not occur or that there was a deliberate false allegation. It may simply mean that there was insufficient evidence to proceed or that even though the complainant may have genuinely believed that there was violence, discrimination or harassment, the investigation has not borne out the complaint.

#### **9. Reprisals**

Retaliation or reprisals are prohibited against any individual who has complained of workplace violence, discrimination or harassment under these policies, or has provided information regarding such a complaint. Any such retaliation or reprisal is subject to disciplinary action, up to and including termination of employment without notice or compensation. If a complaint is made against one of the Toronto Standard Condominium Corporation No. 1723's suppliers and the supplier retaliates against the complainant, Toronto Standard Condominium Corporation No. 1723 may require the supplier to take disciplinary action satisfactory to the Corporation before permitting the violator to provide further services to Toronto Standard Condominium Corporation No. 1723 on behalf of the supplier, or may require that goods/services are provided through a different employee or both. Alleged retaliation or reprisals are subject to the same complaint procedures and penalties as complaints of discrimination and harassment.

#### **10. Confidentiality**

Toronto Standard Condominium Corporation No. 1723 recognizes that individuals may find it difficult to come forward with a complaint under this policy because of concerns of confidentiality. Therefore, all complaints concerning workplace violence or discrimination or harassment, as well as the names of parties involved, shall, to the degree possible, be treated as confidential. However, the Corporation's obligations, including the obligation to conduct an investigation into the alleged complaint may require limited disclosure. At the conclusion of each complaint process, all related documentation will be maintained for safe-keeping in a confidential manner in the management office or with the President of the Corporation's board of directors if the corporation is self-managed.

#### **11. Complaints Against Third Parties**

Toronto Standard Condominium Corporation No. 1723 recognizes that a worker may be subject to workplace violence, discrimination or harassment by co-workers, employees of other companies that provide services to Toronto Standard Condominium Corporation No. 1723, current and prospective unit owners and residents, visitors, guests and by others who conduct business with Toronto Standard Condominium Corporation No. 1723. A worker who believes that he or she has been

subjected to discrimination or harassment by a person who does not work for Toronto Standard Condominium Corporation No. 1723 may seek the advice of the management team or board members of self-managed corporations who will take whatever action is practicable and appropriate in the circumstances. The Corporation's board of directors intends to pass this policy as a rule of Toronto Standard Condominium Corporation No. 1723, so that breaches of the policy by unit owners/tenants/visitors/guests shall be dealt with as a breach of the Corporation's rules.

**12. Commitment**

Toronto Standard Condominium Corporation No. 1723 pledges to investigate and deal with all incidents and complaints of workplace violence, discrimination and/or harassment in a fair and timely manner, respecting the privacy of all concerned as much as possible.