

Exhibition Place

Policy Name	Policy Type
Disability Management Policy and Procedure	Employee
Original Date	Revision Date
November 1, 2023	

Policy Statement

This policy and procedure are designed to facilitate a clear process for disability management. A healthy workplace supports greater productivity, a more engaged workforce, and better results for Exhibition Place.

Successful disability management depends on the engagement of all stakeholders. Exhibition Place is committed to creating an environment that supports employees' well-being, wellness, and productivity.

Exhibition Place is committed to providing temporary modified work assignments (when medically supported) to employees who cannot perform their full regular duties for which they are employed because of illness, injury, or other disability as defined under the Ontario Human Rights Code. To ensure the dignity of the person, the work will be meaningful, productive, and rehabilitative for the employee and add value to the operations. Exhibition Place is also committed to providing permanent work assignments to employees with permanent medical restrictions based on objective medical findings, as substantiated by qualified and accepted healthcare practitioners, and when suitable job vacancies consistent with an employee's skills, abilities, and qualifications become available.

Application

There is a duty to accommodate a person in their pre-disability job wherever possible. Human Rights case law recognizes that employers have a duty to consider temporary and permanent accommodation plans. All union and non-union employees are partners in this process and shall participate collaboratively with management in the disability management process by providing the required medical information, restrictions, and limitations to assist with managing non-occupational and occupational limitations and restrictions.

Exhibition Place will provide employees with accommodation, early return to work, and reintegration following an injury and/or illness to the point of undue hardship.

Definitions

Occupational Injury or Illness

An injury or illness occurs when an employee performs work duties.

Non-Occupational Illness or Injury

An injury or illness that occurs outside of the workplace.

Short-Term Disability Plan

A Short-Term Disability Plan (STD) is a self-insured plan. Employees must provide an updated Non-Occupational Functional Abilities Form (FAF) and information, when

accommodation is required or can be offered, from the treating physician or health care provider before approval of short-term disability benefits commences in circumstances where the absences are greater than two (2) weeks (10 scheduled workdays).

Disability Management

A planned and clearly defined process consistently applied across all employee groups for managing occupational and non-occupational illness, injury, and disability. It is designed to facilitate rehabilitation and occupational reintegration in accordance with the Board's Collective Agreements, Terms and Conditions of Employment, Long-Term Disability Benefit Plans, the Ontario Human Rights Code, the *Occupational Health and Safety Act*, and the *Workplace Safety and Insurance Act*. This process will work through a collaborative and cooperative team approach involving the employee, the department/division head, the union representative, Human Resources, the Occupational Health & Safety Consultant, the Employee & Labour Relations Consultant, the Exhibition Place Occupational Therapist, and where requested by the employee, the employee's Health Care and Treatment Professional, and the WSIB/Disability Claims Management Officer. This duty includes diligently investigating positions and proposing job options within the employee's functional limitations and restrictions.

Return to Work

Exhibition Place is committed to supporting the early and safe return-to-work. When an employee has been absent for an extended period, a doctor's note confirming that no further accommodation is required, and the employee can perform to pre-injury status. No further documentation is required if an employee does not require accommodation and a return-to-work date has been provided. If an accommodation is required when the employee is ready to return to work, the employee provides People, Equity & Corporate Services (Human Resources) with documentation from their Attending Physician or Health Care Provider regarding their return-to-work limitations and restrictions.

Human Resources will review the limitations and restrictions with the Manager to ensure an Accommodation Plan can be developed for the employee's return to work. The employee, employee's supervisor, Human Resources, Employee & Labour Relations, and Union Representative may hold a return to work meeting to ensure agreement with the Return-to-Work Accommodation Plan.

These facilitated meetings provide a framework for discussion and agreement between the employee and the manager regarding the next steps necessary to ensure a safe, healthy, and sustainable return to work.

If an employee cannot fulfil the essential duties of the pre-disability job, despite Exhibition Place's effort to accommodate, short of undue hardship, Exhibition Place, through HR, will canvass alternative work possibilities. Ultimately, the employee with a disability must be able to perform a useful and productive job for Exhibition Place up to undue hardship.

Accommodation Plan

An Accommodation Plan can be temporary or permanent based on the medical limitations and restrictions of the employee. The term may mean different work or work that does not

necessarily involve similar skills, responsibilities, or compensation. The Accommodation Plan may result in temporary alternative work that may be an appropriate accommodation either in a return-to-work context or where a disability renders an employee temporarily unable to accomplish the pre-disability job. Temporary alternative work can be an appropriate accommodation to assist a person where the nature of the disability and its limitations are temporary or episodic.

Occupational and Non-Occupational Functional Abilities Form (FAF)

An FAF for early and safe return to work is designed to help employees and Exhibition Place meet their return-to-work obligations. The FAF is used to facilitate return-to-work discussions between Exhibition Place and the injured or ill employee.

Confidentiality and Privacy

Continues to be of utmost importance internally and externally with all medical information.

Exhibition Place can only collect an employee's personal information if it relates directly to the operation and the job function assessment. Exhibition Place must collect this personal information directly from the employee whenever possible unless you authorize otherwise.

Roles and Responsibilities

Occupational Health & Safety Consultant

The Occupational Health & Safety Consultant (OHSC) represents Exhibition Place as the main point of contact for occupational illness and injury that has been reported to *The Workplace Safety and Insurance Board* and manages all aspects, including but not limited to submitting claims, appealing claims, liaising with the Claims Manager/adjudicator and keep HR updated on all claims.

Human Resources

Human Resources (HR) shall manage all Short-Term Disability & Long-Term Disability claims. When an illness or injury occurs outside the workplace, they will approve and manage the Short-Term Disability Management process. Request for doctors' notes, additional information from the attending physician or health care provider, request and review Non-Occupational Functional Abilities Form, liaising with the employee, managing requested time in ADP, attend accommodation meetings, and offer accommodation based on limitation to the point of undue hardship. HR is the primary adjudicator for all STD claims and accommodation plans.

Employee & Labour Relations Consultant

The Employee & Labour Relations Consultant (ELRC) will support Divisions and Occupational Health & Safety for the proactive management and early return-to-work of injured or ill unionized employees. Early communication between employees, management, and union representatives ensures that employees are connected to the workplace and that privacy protection is at the forefront.

ELRC will take an active role and be a resource to deal with matters in a timely way, ensuring all possible solutions are examined, obtaining expert advice where necessary, and developing formal accommodation plans.

Employees

Employees are expected to inform their supervisor of any workplace injury or illness. They are also responsible for informing their supervisor of any work absenteeism. Further, employees are expected to abide by all policies and procedures regarding absenteeism. They will cooperate in obtaining necessary information, including doctor's notes, and medical limitations and restrictions. Employees are legally obligated to participate in discussions about solutions and Accommodation Plan development. Finally, an employee seeking accommodation will work with the employer and union (if applicable) on an ongoing basis to manage their accommodation process.

Union

In section 8.3.2.2 under the Ontario Human Rights Commission Policy on ableism and discrimination based on disability, employers and unions must cooperate in accommodating employees returning to work. Accommodation is a fundamental and integral part of the right to equal treatment in a return to work context. Unions are also responsible for sharing responsibility with the employer to promote accommodation and take an active part in the accommodation process.

Directors, Managers, and Supervisors

All management staff with supervisory authority will:

- accept requests for accommodation in good faith
- notify HR when an employee's absence is greater than two weeks
- work with the employee, HR, OHSC, ELRC, and/or the Union
- work with the Exhibition Place Occupational Therapist to provide information from a job demands assessment
- Participate and support in the return-to-work and accommodation plans, and request only information required to make the accommodation
- take an active role in ensuring that possible solutions are examined
- maintain the confidentiality of persons with disabilities
- deal with accommodation requests promptly and comply with all related policies and procedures in accommodating the employee

Third-Party Occupational Therapist

If an employee's file is referred to the Third-Party Occupational Therapist (OT), the Exhibition Place OT will meet with the employee to discuss the process and provide the employee with the necessary approval forms. In discussions with the employee, the OT will seek to understand more about the absence, job requirements, and the workplace environment. This information will be reviewed to assess the employee's limitations and restrictions and assist with an appropriate return-to-work Accommodation Plan. The Exhibition Place OT may be involved in assessing medical documentation and, with the employee's consent, speak with the employee's Health Care Provider in supporting the Disability Management Process.

Procedures

Occupational Illness or Injury

1. The Employee notifies/reports the accident/incident to their manager/supervisor immediately.
2. The manager/supervisor completes a Form B - Supervisor Accident/Incident Investigation Report and advises the OHSC.
3. If the employee seeks medical services or there is lost time, the Manager/Supervisor completes Form 7 within 72 hours and begins the claims process.
4. Form 7 is reviewed by the OHSC and submitted to the *Workplace Safety and Insurance Board (WSIB)*.
5. Once the claim is established, the OHSC will receive a claim number. A WSIB Functional Abilities Form is reviewed, and based on the limitations/restrictions, the OHSC coordinates accommodation with the employee's supervisor. Accommodation Plans are developed with HR, the manager/supervisor, ELR Consultant (Union Staff), and the employee.
6. OHSC will liaise with the WSIB when a claim is approved or denied.
7. If the WSIB claim is approved, the OHSC will inform HR and ELRC (if the employee is unionized), and the Employee's Supervisor of the decision.
8. The employee's supervisor will prepare a Personal Change Form (PCF) if the employee is unionized. HR will update ADP leave status and, where applicable, update OMERS.
9. The WSIB decisions may be appealed through the OHSC.
10. If an employee accepts the Accommodation Plan, the OHSC, ELRC, and HR will meet on a regular basis to review and update limitations and restrictions.
11. The OHSC will work with the employee's supervisor to facilitate the Return-to-Work Plan and manage the process for all WSIB approved claims.
12. If a WSIB claim is denied, the OHSC shall update HR and copy the ELRC (if the employee is unionized). The written confirmation provided by WSIB will be uploaded to the employee's file.
13. HR will review and request further medical information, if necessary, to assess eligibility for STD benefits if eligible.

Non-Occupational Illness or Injury

1. A doctor's note is not required for absences of less than three (3) days; for such leaves, the employee can submit a leave request in ADP for the supervisors' approval.
2. For absences from ten to twenty (10-20) scheduled workdays, a doctor's note and an FAF are required when there is no definite return to work date or specified limitations or restrictions in the original doctor's note. The employee is responsible for any costs associated with completing the required documents.
3. HR will review the information provided prior to approving an STD claim payment.

4. A meeting will be scheduled with the employee, the employee's supervisor, and HR to review the employee's limitations and restrictions to ascertain if an Early Return-to-Work Program and an Accommodation Plan are applicable.
5. The resulting claims will be managed in ADP by HR.
6. Each doctor's note can only cover a maximum of 4 weeks and must be received 48 hours before the previous assessment expiry date to qualify for benefit continuation.
7. The doctor's note or FAF must include the nature of the disability without the diagnosis, a list of limitations or restrictions, and a prognosis.
8. If sufficient information is not provided or the review requires further clarification, HR may request the employee's consent to contact the attending physician or health care provider for further medical. When Exhibition Place requires specific information, Exhibition Place will pay up to \$60.00 for the completion of all forms.
9. Exhibition Place may seek the services of an OT to review the medical file with the employee's attending physician or health care provider and the employee and provide Exhibition Place with recommendations.
10. If an employee does not provide sufficient information to support their claim, STD benefits may be denied, or Exhibition Place will require consent by the employee for an independent medical evaluation.
11. Through its investigation, if an employee's STD claim is due to any occupational injury or illness, STD benefits will cease, the Manager/Supervisor will complete the Form 7, and the case will be referred to OHSC to review and submit a WSIB claim.
12. Until the WSIB decides on the claim, STD benefit payments will remain on hold.
13. If the WSIB denies the claim, the OHSC will provide the written decision, and the claim will be reviewed again for STD benefits eligibility.
14. HR continues to be the primary adjudicator for all STD claims.

Salary Increase Process while on Leave

Annual increases implemented during an employee's sick leave (STD) are pro-rated to exclude the absence period if more than ninety (90) days. Employees on sick leave may still receive their performance appraisal when they return.

Long-Term Disability Process

HR will provide the necessary application form for the long-term disability (LTD) benefit four (4) weeks prior to an employee's STD sick leave end date.

The LTD insurance benefit is provided through Manulife Life, based on the medical evidence provided with the LTD application. LTD benefits are calculated on your last salary upon which the LTD premium was paid. If Manulife approves the LTD application, employees receive 75 percent of the prescribed pre-LTD net salary.

HR will also advise OMERS regarding the LTD Claim. An employee may qualify for a disability waiver. An employee must be disabled as defined by the OMERS Plan. If an employee qualifies, the disability waiver begins on the first day of the fifth month after you

become disabled. The disability waiver benefit continues until an employee is no longer totally disabled.

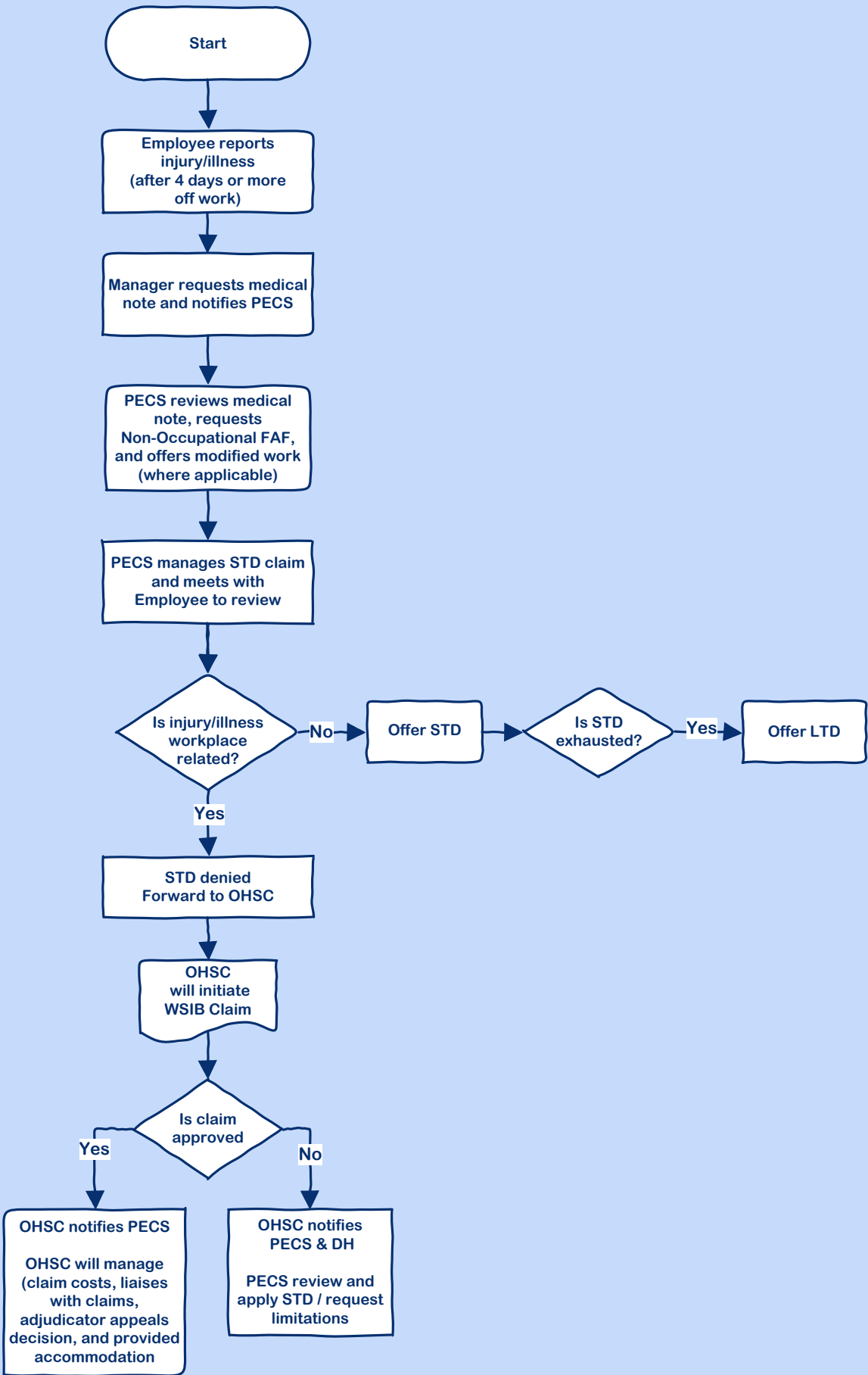
Manulife will request medical information on a regular basis from the attending physician or health care provider and provide an update to Exhibition Place. They may also facilitate a Return-To-Work and Accommodation Plan.

Disability Management Process

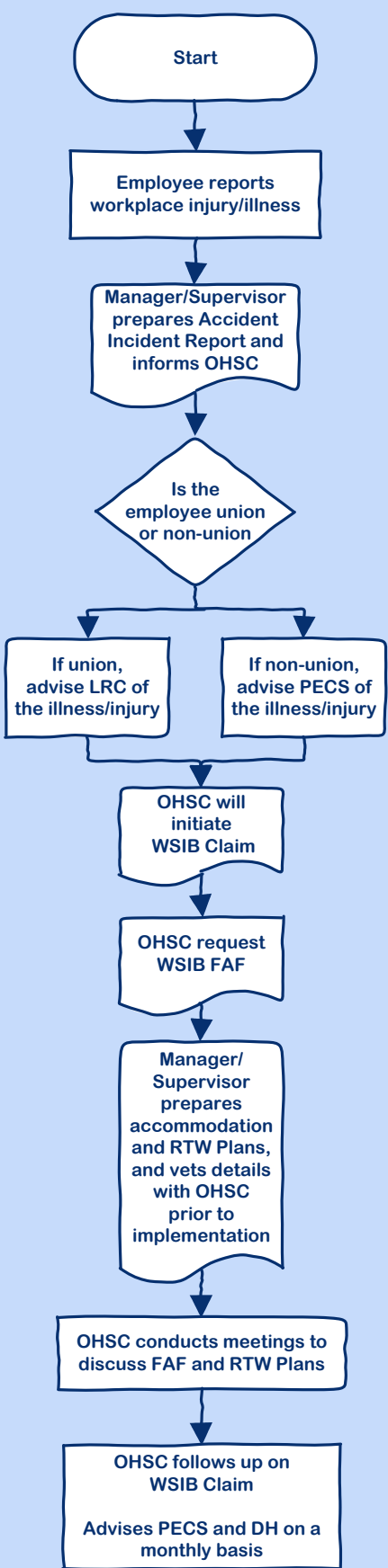
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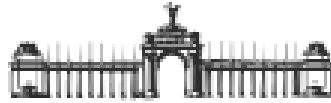
DH – Department Head
FAF – Functional Abilities Form
LRC – Labour Relations Consultant
LTD – Long Term Disability
OHSC – Occupational Health and Safety Consultant
PECS – People, Equity & Corporate Services
RTW – Return to Work
STD – Short Term Disability
WSIB – Workplace Safety and Insurance Board

Non-occupational injury/illness



Work-related injury/illness





Exhibition Place

RESPECT POLICY & CONFLICT RESOLUTION PROCESS

Exhibition Place's Approach to Respect,
Incivility, Harassment, and Discrimination

The following documents resulted from a collaborative process undertaken in 2023, where many voices were solicited to help shape, draft, and refine our approach. Why? Because this is about you and your experiences here at Exhibition Place. And you matter.

One of our most potent features as staff members is the power to contribute.

Thank you to all those involved in this collaboration. Shaping a culture of inclusivity and respect relies upon all of us.

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1. PURPOSE (*Why this matters*)

Exhibition Place is committed to a culture of respect, dignity, and civility in the workplace that is free of harassment and discrimination. Diversity in our workplace means accepting and including all employees, which will acknowledge the individual strengths and benefits they bring.

Incivility and disrespect are barriers to creating an environment where people can be and become their best selves. Specifically, it impacts effective communication, teamwork, coaching, performance, and professional growth. The impacts are real, measurable, and affect individuals, teams and our organization with reduced morale, increased absenteeism, and diminished productivity. When left unaddressed, it can escalate to harassment and/or discrimination, and those impacts are magnified.

Through this Policy and companion Conflict Resolution Process, Exhibition Place leverages the expectations of the *Ontario Human Rights Code* and the *Ontario Occupational Health and Safety Act* to support and nurture an environment that ensures our values are the lived experiences of our people and our stakeholders.

2. APPLICATION (*Who this includes*)

This Policy applies to all our stakeholders (board members, all employees, suppliers, contractors, vendors, tenants, clients, and others who interact with Exhibition Place).

The Scope of this Policy covers activities that are both work-related and can also extend to non-work-related activities (that impacts the reputation and/or professional relationships of stakeholders). See the “Definitions” section for details on “the workplace”. Further, it is important to understand that activities on corporate and/or personal social media can invoke the [Social Media Policy and Procedure – March 2023.pdf](#).

3. COMMITMENT TO CONFLICT RESOLUTION (*How it will help*)

We consider a conflict, once identified, to be an opportunity to listen intently and lead with compassion. Through breaking down barriers, we empower our people to speak up promptly and respectfully so we can find solutions together.

The accompanying Process (Part B) establishes the processes to address and resolve conflict quickly. Early conflict resolution requires stakeholders not only to understand but also to feel supported and empowered to speak up without fear of retaliation or other barriers that impede people from seeking support.

Through our conflict resolution process, we aim to show why and how to align our collective practices and behaviours to our values.

4. KEY PRINCIPLES (*What’s important to say upfront*)

I. Organizational Values

Our values drive how we do business and the experiences we want to give all those working or interacting with Exhibition Place. This Policy is a resource and tool to help us achieve our goals and standards for collaboration, inclusivity, innovation, accountability, and integrity.

II. Legislative Obligations and Additional Protected Grounds

The *Ontario Human Rights Code (OHRC)* and the *Occupational Health and Safety Act (OHSA)* are laws that aim to address systemic mistreatment and set an expectation of the employer's responsibilities. Reference to these laws is found throughout the Policy and Process as they create the legislative expectations of a workplace being free from discrimination and harassment.

Specifically, the *Ontario Human Rights Code* addresses the demographics that have been historically marginalized in the categories of:

- 1) employment (including job applications),
- 2) services and facilities,
- 3) accommodations, and
- 4) contracts.

Further, the *OHRC* specifically protects individuals or groups based on a number of prohibited grounds (i.e., race, sex, disability). The *OHRC* has primacy over all other Ontario laws and contracts.

The *OHSA* applies only to workplaces. It establishes that "harassment," "sexual harassment," and "violence" are hazards and create expectations of employer engagement and oversight.

Both laws protect against reprisal.

In addition, as an agency of the City of Toronto, Exhibition Place also provides protection in the categories of:

- 1) level of literacy,
- 2) political affiliation; and
- 3) membership in a union or staff association (as applicable to employment).

III. Intent vs. Impact

When assessing an incident or pattern of conduct/behaviour that could be a breach of this Policy, it is necessary to determine what likely happened. However, the intent behind the conduct/behaviour is irrelevant in determining whether a breach occurred (i.e., the finding of incivility, harassment, or discrimination). The focus is whether the behaviour or conduct had an adverse impact on others.

It is important to note that unintentional behaviour where there is remorse can provide more non-punitive options for resolution as compared to intentional behaviour where harm was the motive.

5. ROLES & RESPONSIBILITIES (*Our shared accountabilities*)

Exhibition Place understands the importance of clarity in the roles and responsibilities of all stakeholders. Below is an outline of the essential expectations, provided in the following order:

- I. All Stakeholders (including Board, all employees, visitors, contractors, tenants, clients, etc.)

- II. Board of Governors
- III. CEO/Executive Level/Directors
- IV. People, Equity, and Corporate Services (PEC) / Human Resources Services
- V. All roles with supervisory authority

I. All Stakeholders (including Board, all employees, visitors, contractors, tenants, clients, etc.)

- a. be aware of the expectations of behaviour as created by this Policy;
- b. seek to understand if clarity of rights and responsibilities is required;
- c. model respectful behaviour and not engage in behaviour that would constitute a breach of this Policy;
- d. immediately seek assistance (management/human resources/union) if experiencing and/or witnessing behaviours that may be breaches of this Policy;
- e. fully participate in processes to resolve issues and action plans;
- f. maintain strict confidentiality related to incidents/complaints and resolution processes (i.e., investigations); and
- g. refrain from any acts of reprisal.

II. Board of Governors

- a. The conduct of the Board is governed by the Code of Conduct for Members of Local Boards (Restricted Definition) City of Toronto. This includes expectations that align with the following Policy, specifically sections:

XII. CONDUCT RESPECTING STAFF

Members shall be respectful of the role of staff of the local board and, if applicable, staff of the City, to provide advice based on political neutrality and objectivity, and without undue influence from any individual member or faction of the local board. Accordingly, no member shall maliciously or falsely injure the professional or ethical reputation, or the prospects or practice of staff, and all members shall show respect for the professional capacities of staff.

XIV. DISCREDITABLE CONDUCT

All members of local boards have a duty to treat members of the public, one another, and staff appropriately and without abuse, bullying or intimidation, and to ensure that their work environment is free from discrimination and harassment. The *OHRC* applies and if applicable, the City's Human Rights and Anti-harassment Policy and the Hate Activity Policy.

Further, members of the Board are asked to:

- a. provide leadership in creating and maintaining a culture of respect and civility through modelling positive behaviours and holding all other stakeholders accountable for their respective expectations;
- b. provide support to senior leaders with respect to their efforts to create and maintain a respect-based workplace culture; and
- c. carefully review and consider data provided by Human Resources regarding incidents/complaints of incivility, harassment, and discrimination, and accompanying recommendations, if/when provided.

III. CEO/Executive Level/Directors

- a. model respectful behaviour, set and enforce standards of appropriate workplace conduct;
- b. provide leadership in creating and maintaining a culture of respect and civility through modelling positive behaviours and holding all other stakeholders accountable for their respective expectations;

- c. actively promote and connect the expectations of this Policy with overall strategic priorities;
- d. ensure those with leadership responsibilities are provided with the tools, professional development, and skills development to fulfil their expectations; and
- e. ensure a consistent approach to conflict resolution through the implementation of established processes.

IV. People, Equity, and Corporate Services (PEC) - Human Resources

- a. model respectful behaviour, set and enforce standards of appropriate workplace conduct;
- b. create, oversee, implement, communicate, and advise on policies, processes, and related resources to help guide the organization with PEC, creating and maintaining a culture of respect and the prevention of incivility/harassment/discrimination;
- c. support education and professional development opportunities for all members to help ensure their respective roles and responsibilities can be fulfilled in a consistent and objective manner;
- d. provide unbiased advice and support to those with supervisory authority and staff;
- e. advise and assist those with supervisory authority to ensure approaches to addressing incivility/harassment/discrimination are consistent with this Policy and established processes;
- f. offer and provide mediation and/or coaching at appropriate stages;
- g. undertake investigations when necessary;
- h. retain and provide oversight to external consultants and/or investigators when deemed necessary and ensure consultants and/or investigators follow the expected investigation processes and practices;
- i. share appropriate details of investigation results with the parties to the complaint;
- j. work with those with supervisory staff to determine, where necessary, appropriate corrective actions to address policy breaches and ensure appropriate follow-through on remedial actions;
- k. review this Policy at least annually in consultation with the Joint Health and Safety Committee;
- l. ensure the current version of this Policy and Process is posted in all work locations; and
- m. prepare and provide periodic reports and statistics regarding the use of the Policy to be reviewed by senior leadership and/or the Board as requested or required by law.

V. All Roles with Supervisory Authority

- a. model respectful behaviour, set and enforce standards of appropriate workplace conduct;
- b. have a thorough knowledge of the Policy and Process;
- c. seek opportunities to regularly communicate and provide staff with education (informal and formal) regarding respect, civility, harassment, and discrimination;
- d. actively address incivility to help prevent escalation to incidents or complaints of harassment and discrimination;
- e. immediately seek guidance and/or assistance from Human Resources when assessing the application of this Policy to incidents/complaints to determine a course of action and ensure a consistent approach;
- f. address complaints/incidents of harassment/discrimination/reprisal involving anyone who is required to abide by this Policy;
- g. if assuming an investigation role, follow protocols as established in the Conflict Resolution Process (Part B);
- h. cooperate with investigations being conducted by Human Resources or external investigators;

- i. where the Policy has been breached, actively oversee action plan to ensure inappropriate behaviours have ceased and resolution achieved and maintained; and
- j. contact Human Resources if the Ministry of Labour is onsite for an inspection relating to allegations of workplace harassment.

6. GLOSSARY OF TERMS (*Shared language to help us*)

A shared understanding of the language used in the Policy or related terms is essential. Below are the key definitions related to our legislative obligations and policy commitments.

We have intentionally expanded the offerings of definitions to include key terminology related to broader language regarding human rights, equity, diversity, and inclusion. Please also see the link to the Ontario Human Rights Commission Glossary of Terms in the Additional Resource section.

Term	Definition
Allegation	An allegation is an unproven assertion or statement based on a person's perspective that the policy has been violated.
Applicant	An individual who has applied to job openings at Exhibition Place through the established and expected application process.
Complaint	A written or verbal report by an individual (complainant) alleging that they have experienced or witnessed conduct that would be a violation of this Policy. Depending on the nature of the complaint, management will determine the appropriate approach (i.e., coaching, mediation, staff meetings, investigation).
Complainant	The person alleging that discrimination or harassment occurred. There can be more than one complainant making the same or similar allegations.
Conflict	In the context of human interaction, it is the experience between two or more people where the interactions create, or result in, a difficult or challenging experience where at least one individual feel negatively (disrespected, not heard, undervalued, frustrated). Conflict is normal and to be expected, especially as it can be caused unintentionally. However, it is the skills and commitment to resolve that will ensure it does not escalate and cause greater harm.
Discrimination	Discrimination is any practice or behaviour, whether intentional or not, which has a negative impact on an individual or group protected in the <i>Ontario Human Rights Code</i> (e.g., disability, sex, race, sexual orientation, etc.) by excluding, denying benefits, or imposing burdens upon them. Discrimination may arise as a result of direct differential treatment, or it may result from the unequal effect of treating individuals and groups in the same way. Either way, if the effect on the individual is to withhold or limit full, equal, and meaningful access to goods, services, facilities, employment, housing accommodation or contracts available to other members of society and their membership in a prohibited ground was a factor, it is discrimination.

Term	Definition
Duty to Accommodate	The legal obligation to take steps to eliminate disadvantage caused by systemic, attitudinal, or physical barriers that unfairly exclude individuals or groups protected under the <i>Ontario Human Rights Code</i> . Failure to accommodate a person short of the objective standard of undue hardship is a form of discrimination. Please refer to the Exhibition Place – Accommodation Policy – November 1 2023.pdf .
Employee	For the purpose of this policy, the term employee includes all employees (non-union and union) at Exhibition Place.
Equal Treatment	Equal treatment is the treatment that brings about an equality of results, and that may, in some instances, require different treatment. For example, to give all employees equal treatment in entering a building, it may be necessary to provide a ramp for an employee who requires the use of a wheelchair.
Equity	Fairness, impartiality, even-handedness. A distinct process of recognizing differences within groups of individuals and using this understanding to achieve substantive equality in all aspects of a person's life. (Source: Ontario Human Rights Commission, Glossary of Terms.)
Gender Identity & Gender Expression	Gender Identity - is each person's internal and individual experiences of gender. It is their sense of being a woman, a man, both, neither, or anywhere along the gender spectrum. A person's gender may be the same as or different from their birth-assigned sex. Gender Expression - is how a person publicly presents their gender. This can include behaviour and outward appearance such as dress, hair, make-up, body language, and voice. A person's chosen name and pronoun are also common ways of expressing gender. Examples of harassment related to the grounds of sex, sexual orientation, gender expression, and/or gender identity include but are not limited to: • sexually suggestive or obscene remarks or gestures • use of homophobic or transphobic epithets, slurs, or jokes • insults, comments that ridicule, humiliate, or demean people because of their sex, sexual orientation, gender identity or expression • behaviour that polices and/or reinforces traditional heterosexual gender norms • intrusive comments, questions, or insults about a person's body, physical characteristics, gender-related medical processes, clothing, mannerisms, or other forms of gender expression • negative stereotypical comments about an individual's physical characteristics, mannerisms, and/or behaviours that reinforce traditional heterosexual gender norms

Term	Definition
	• circulation or posting of homophobic, transphobic, sexist, derogatory or offensive signs, caricatures, graffiti, pictures, jokes or cartoons, display of pin-up calendars, objectifying images, or other materials • leering (suggestive staring) at a person's body • unwelcome physical contact • having to work in a sexualized environment (bragging about sexual prowess or discussions about sexual activities) • exercising power over another person, making them feel unwelcome or putting them 'in their place' – regardless of whether the behaviour is motivated by sexual interest • spreading rumours about "outing" or threatening to "out" someone • refusing to refer to a person by their self-identified name and personal proper pronoun • other threats, unwelcome touching, violence, and physical assault
Incident	Incident is not legally defined, however, crucial to the obligations under the <i>Occupational Health and Safety Act</i>. Exhibition Place adopts the City of Toronto's definition: An incident is an event or occurrence in which discriminatory and/or harassing behaviour is exhibited in the workplace. An incident includes situations where an individual knows or ought to have reasonably known that the behaviour is contrary to this policy. An incident may not have to be raised to management directly by a complainant (e.g., an employee vents to a manager about being mistreated by another employee. Although the employee is not formally "complaining", there may be sufficient information to create an obligation on the manager to inquire and address the situation.)
Incivility	Incivility is not harassment and is not defined by law. However, it is the first level of conduct that impacts a respectful environment. It is subtle or overt deviant behaviour where intent can be ambiguous. It is characterized by rude, discourteous interactions that display a lack of regard for others. Examples of incivility include: • eye-rolling • skipping basic greetings • interrupting • dismissiveness • disrespectful sounds • interrupting • use of negative language • arriving late • taking credit for other people's work • belittling of opinions, experience, skills
Mediation	A confidential dispute resolution process, during which a neutral third party assists two or more parties to resolve conflict. It is a voluntary process where parties in dispute consent to meet with a trained mediator to determine

Term	Definition
	whether the dispute can be resolved in a mutually satisfactory manner. Mediation discussions between parties are treated as private and confidential to the full extent permitted by law.
Poisoned Work Environment	This is a form of indirect Code-based harassment/discrimination. It occurs when comments or actions ridicule or demean a person or group, creating real or perceived inequalities in the workplace. Pornography, pin-ups, offensive cartoons, insulting slurs or jokes, and malicious gossip (even when they are not directed towards a specific employee or group of employees) creating intolerable work conditions that have been found to “poison the work environment” for employees.
Prohibited Grounds	Refers to the list of grounds for which a person or group is protected under the <i>Ontario Human Rights Code</i>. The grounds include: • Race • Colour • Creed • Gender identity • Age • Marital status • Ancestry • Ethnic origin • Sex (including pregnancy) • Gender expression • Record of offences • Place of origin • Citizenship • Sexual orientation • Disability • Family status Under the legislation, case law and this Policy, there are protections where there is a perception that one of the prohibited grounds applies or where someone is treated differently because of an association or relationship with a person identified by one of the above grounds. Exhibition Place also provides protection on the grounds of: • Level of literacy • Political affiliation • Membership in a union or staff association (for employment)
Racial Discrimination	Harassment on the ground of race. It may also be associated on the grounds of colour, ancestry, where a person was born, a person’s religious belief, ethnic background, citizenship or even a person’s language. Racial harassment/discrimination can include: • racial slurs or jokes • ridicule, insults, or different treatment because of your racial identity • posting/e-mailing cartoons or pictures that degrade persons of a particular racial group • name-calling because of a person’s race, colour, citizenship, place of origin, ancestry, ethnicity, or creed

Term	Definition
Reasonable Person Test	This is an objective standard to measure whether a comment or conduct is discrimination or harassment. It considers what a reasonable person's reaction would have been under similar circumstances and in a similar environment. It considers the recipient's perspective and not stereotyped notions of acceptable behaviour. This standard is used to assess human rights complaints under this policy.
Respect	Respect is a word often used and rarely explored. There is no one objective term that will satisfy the depth of this concept. Exhibition Place utilizes the Respect Loop© as a tool to explore what respect means for each of us and evoke curiosity to know about our own needs and the needs of others in order for us to both give and receive respect in our environments with those we work and interact with.
Reprisal	Reprisal is illegal under both the <i>Ontario Human Rights Code</i> and the <i>Ontario Occupational Health and Safety Act</i>. As such, Exhibition Place strictly prohibits any retaliation, either direct or indirect, against an individual for: exercising their rights under this Policy, initiating a complaint in good faith, investigating a complaint, being a decision maker in a complaint, participating as a witness in an investigation, being a respondent to a complaint, having been associated with, or representing a complainant, witness, or respondent. If reprisal is substantiated, disciplinary action will be taken against the individual(s) who engaged in the reprisal. Appropriate discipline for a policy violation is not considered reprisal.
Respondent	The person who is alleged to be responsible for the discrimination or harassment. There can be more than one respondent in a human rights complaint.
Sexual Harassment	Sexual harassment is a form of discrimination based on the prohibited ground of sex under the Code. It is also prohibited under the <i>Occupational Health and Safety Act</i>. Workplace sexual harassment means engaging in a course of vexatious comment or conduct against a worker in the workplace because of sex/sexual orientation/gender identity/gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome. It also includes making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome. Examples of harassment related to the ground of sex, sexual orientation, gender expression and/or gender identity include but are not limited to: • sexually suggestive or obscene remarks or gestures • use of homophobic or transphobic epithets, slurs, or jokes

Term	Definition
	• insults, comments that ridicule, humiliate or demean people because of their sex, sexual orientation, gender identity or expression • behaviour that polices and/or reinforces traditional heterosexual gender norms • intrusive comments, questions or insults about a person's body, physical characteristics, gender-related medical procedures, clothing, mannerisms, or other forms of gender expression • negative stereotypical comments about an individual's physical characteristics or mannerisms and/or behaviours that reinforce traditional heterosexual gender norms • circulation or posting of homophobic, transphobic, sexist, derogatory, or offensive signs, caricatures, graffiti, pictures, jokes or cartoons, display of pin-up calendars, objectifying images or other materials • leering (suggestive staring) at a person's body • unwelcome physical contact • having to work in a sexualized environment (bragging about sexual prowess, or discussions about sexual activities) • exercising power over another person, making them feel unwelcome or putting them 'in their place' – regardless of whether the behaviour is motivated by sexual interest • spreading rumours about, "outing", or threatening to "out" someone • refusing to refer to a person by their self-identified name and personal proper pronoun • other threats, unwelcome touching, violence, and physical assault, and may also invoke the Workplace Violence Policy (formerly adopted as the Workplace Harassment and Workplace Violence Policy and renamed Workplace Violence Policy).
Sexual Orientation	Refers to the sex/gender of those to whom one is sexually and romantically attracted. Categories of sexual orientation typically have included attraction to members of one's own sex/gender, attraction to members of another sex/gender, and attraction to people of more than one sex/gender.
Witness	An individual who may be able to provide information about workplace comments/conduct that are alleged to have violated this policy. Witnesses are not entitled to investigation results or complaint details unless the disclosure is necessary for the purpose of investigating allegations.
Workplace	Includes all locations where business or social activities of Exhibition Place are conducted, including when employees are working from home and on the premise of other locations. This Policy may apply to incidents that happen away from work (e.g., inappropriate social media posts, phone calls, e-mails, or visits to an employee's home, incidents at luncheons, and after-work socials). Please refer to the Exhibition Place Social Media Policy and Procedure – March 2023.pdf .

Term	Definition
Workplace Harassment	Defined by the <i>Occupational Health and Safety Act</i> 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. Under this definition there is no requirement for a prohibited ground to be identified as required by the <i>Ontario Human Rights Code</i> (see: Key Principles and Code-Based Harassment for more information). Examples of workplace harassment include a pattern of: • frequent angry shouting/yelling or blow-ups • regular use of profanity and abusive language • verbal or e-mail threats (not including threats to exercise physical force, which are covered by the Workplace Violence Policy (formerly adopted as the Workplace Harassment and Workplace Violence Policy and renamed Workplace Violence Policy) • intimidating behaviours - slamming doors, throwing objects • targeting individual(s) in humiliating practical jokes • excluding, shunning, impeding work performance • spreading gossip, rumours, negative blogging, cyber-bullying • retaliation, bullying, sabotaging • unsubstantiated criticism, unreasonable demands • frequent insults and/or name-calling • public humiliation • communication that is demeaning, insulting, humiliating, mocking • intent to harm • a single, serious incident that has a lasting, harmful impact. Workplace harassment does not include: • incivility • legitimate performance/probation management • appropriate exercise and delegation of managerial authority • operational directives/direction of workers or the workplace • other reasonable action(s) taken by management • a disagreement or misunderstanding • conflict between co-workers • work-related change of location, co-workers, job assignment • appropriate discipline • rudeness unless it is extreme and repetitive • conditions in the workplace that generates stress (technological change, impending layoff, a new boss, friction with other employees, workload, etc.)

Term	Definition
	Key: This policy is not intended to interfere with constructive feedback regarding the performance or operational directives provided to employees with supervisory authority.
Workplace Violence	The <i>Ontario Occupational Health and Safety Act</i> defines workplace violence as: 1. the exercise of physical force by a person against a worker in a workplace that causes or could cause physical injury to the worker, 2. an attempt to exercise physical force against a worker in a workplace that could cause physical injury to the worker, 3. a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker in a workplace that could cause physical injury to the worker. Please review Exhibition Place's Workplace Violence Policy for information regarding rights and responsibilities (formerly adopted as the Workplace Harassment and Workplace Violence Policy and renamed Workplace Violence Policy).

7. EDUCATION & TRAINING (*How we build knowledge and skills*)

We will undertake the responsibility of ensuring this Policy and accompanying Process is known, understood, and respected.

A variety of training and education opportunities will be provided through various means and will evolve to meet the expectations of legislation and our identified learning and growth needs.

8. ADDITIONAL RESOURCES (*A chance to learn more*)

In addition to the education and training provided by Exhibition Place, our community of stakeholders are encouraged to seek additional information to build knowledge around everyone's rights and responsibilities. The following are a selection of available resources:

- Ontario Human Rights Commission (<http://www.ohrc.on.ca/en>)
- Ontario Human Rights Commission, Glossary of Terms (<http://www.ohrc.on.ca/en/teaching-human-rights-ontario-guide-ontario-schools/appendix-1-glossary-human-rights-terms>)
- Ontario Human Rights Tribunal (<http://www.sjto.gov.on.ca/hrto>)
- Ontario Human Rights Legal Resource Center (<http://www.hrlsc.on.ca/en/welcome>)
- Ministry of Labour: Understanding Workplace Harassment (www.labour.gov.on.ca)
- Ministry of Labour: Code of Practice (www.labour.gov.on.ca)

PART B | CONFLICT RESOLUTION PROCESS

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1. PURPOSE

When experiences are less than respectful, it can be difficult to know what to do or where to receive support.

The following Conflict Resolution Process (“Process”) provides an outline of the options to address and resolve conflicts that fall within the range of incivility, harassment, and discrimination. These options start with how to engage in conflict early and informally, and then the escalation of steps that are available, if necessary.

Exhibition Place understands people are worried about issues not being taken seriously, fear of not being believed, and potential reprisal. These are barriers to coming forward. The approach, process, and resources available aim to help break those barriers down as it is in the best interests of everyone to resolve conflicts as early as possible.



At anytime if you need information, advice, or consultation, please reach out to People, Equity, and Corporate Services (PEC) and/or someone with supervisory authority.

2. JURISDICTION

This Process can be triggered by incidents and/or complaints brought by those covered by this Policy. Disclosure may be written and/or verbal through the person(s) who have experienced and/or witnessed the situation(s) giving rise to concern.

Exhibition Place has a legal obligation to maintain a harassment and discrimination free workplace and will address complaints that are brought to the attention of anyone with supervisory authority, or when those with supervisory authority have sufficient information, **regardless of whether a complaint has been made.**

A complaint of discrimination or harassment under this Process does not limit or interfere with an individual’s ability to access other complaint avenues, including:

- application to the Human Rights Tribunal of Ontario,
- a complaint to the Ministry of Labour,
- an application to the Ontario Labour Relations Board,
- a civil suit or a criminal complaint, or
- a grievance pursuant to the terms of an applicable collective agreement.

Incivility is **not** considered workplace harassment nor covered by legislation. However, under this Policy, Exhibition Place has established a similar responsibility to address and resolve issues of incivility.

3. PRINCIPLES

The following key principles outline Exhibition Place’s commitment to creating a fair and credible process to encourage our staff and other stakeholders to come forward as early as possible.

I. Confidentiality

Confidentiality is central to creating a safe environment for individuals to come forward with their concerns. As such, suspected breaches of confidentiality may be investigated and, if substantiated, will result in disciplinary actions.

Therefore, all persons involved with an incivility/harassment/discrimination incident and/or complaint, including complainants, respondents, support persons, witnesses, those with supervisory authority, union/association representatives and investigators are expected to treat the matter as confidential.

This includes communicating with others within, or associated with, Exhibition Place or external sources that could intentionally or inadvertently share details. This expectation extends to any time before, during or after an investigation or resolution of a harassment/discrimination complaint. The expectations of confidentiality do not impede the ability for an involved party to speak to their union, health care providers, family or consult with legal representation (at their own expense).

Confidentiality is particularly key in formal investigations, and additional information is provided below under “Formal Options (Investigations).”

Under the *Ontario Occupational Health and Safety Act (OHSA)*, complaint details, investigations, and results/reports produced under this Policy are not considered to be occupational health and safety reports that are shared with joint health and safety committee. Therefore, to protect confidentiality, these documents are not to be shared with the joint health and safety committee.

Exhibition Place may need to disclose information where required by law.

II. Protection Against Reprisal

Fear of reprisal can be one of the greatest barriers to coming forward.

Reprisal is illegal under both the *Ontario Human Rights Code* and the *Ontario Occupational Health and Safety Act*. As such, Exhibition Place strictly prohibits any retaliation, either direct or indirect, against an individual for: exercising their rights under this Policy, initiating a complaint in good faith, investigating a complaint, being a decision maker in a complaint, participating as a witness in an investigation, being a respondent to a complaint, having been associated with, or representing a complainant, witness, or respondent. If reprisal is substantiated, disciplinary action will be taken against the individual(s) who engaged in the reprisal.

Appropriate discipline for a policy violation is not considered reprisal.

III. Reporting Options and Ongoing Support

If an employee feels they are experiencing behaviours that amount to incivility, harassment, or discrimination, they are encouraged to consult with anyone with supervisory authority and/or human resources. These staff all have a responsibility to assist in assessing and triaging concerns to utilize the appropriate process in the aim of resolution.

It can be difficult to make a complaint and to have a complaint made against you. For eligible employees (non-union), additional support/counselling is available through Family Services and Employee Assistance Program (FSEAP) / <https://www.fseap.ca> / Tel: 613-549-5561 / 1-888-409-4499.

If you are not eligible for FSEAP, please reach out to Employee and Labour Relations Consultant to consider potential options.

4. OPTIONS TO RESOLVE CONFLICT

Several options to resolve concerns of incivility, harassment, and discrimination are available to individuals protected under this Policy/Process. Informal approaches can foster early resolution and prevent escalation, particularly when concerns are raised promptly. However, formal approaches may be required where the allegations are of a serious nature and/or involve someone with supervisory authority.



Please use Exhibition Place's Disclosure Form to help navigate options or organize information.

I. Informal Options

a) Consider seeking support and addressing concerns directly.

If an employee/stakeholder is experiencing conduct that may amount to incivility/harassment or discrimination, they are empowered to consider ways to intervene early and seek resolution. Exhibition Place acknowledges that doing so requires a level of knowledge and confidence in our organization's commitments. **As such, seeking support when considering the options to engage to help facilitate resolution is encouraged.**

The triaging at this stage includes:

- if the employee feels equipped enough and if they can professionally, and in good faith, address the conduct or comments which have negatively impacted them directly with the person(s), involved and ask them to stop;
- employees (including those with supervisory authority) who are advised that their comments or conduct are unwanted and harmful are expected to cease such behaviour immediately and consider ways to repair the relationship (i.e., seek to understand, apologize);
- if the conduct does not stop, seek assistance from those with supervisory authority and/or human resources, and keep a written record of the date, times, and details of the conduct and your efforts to stop it.

There are occasions where addressing the person responsible for the conduct may not be appropriate, and individuals should seek the intervention of someone with supervisory authority and/or human resources (i.e., allegations against someone in a more senior position). Unionized employees may also consult with their representatives for additional support/guidance.



The *Ontario Health and Safety Act (OHSA)* requires an investigation be conducted into all employee complaints/incidents of non-Code workplace harassment, sexual harassment, gender identity harassment, gender expression harassment, and sexual orientation harassment. As such, informal options of resolution will not be deemed appropriate..

b) Intervention by Supervisory Authority/Human Resources

If an individual is unable to resolve the issue themselves or inappropriate behaviour continues after an informal intervention, the individual is encouraged to seek assistance from anyone with supervisory authority and/or human resources to intervene and help determine the appropriate process. Depending on the issues, the following informal processes may be available to assist in addressing the concerns and facilitating resolution:

- One-on-one meetings
- Facilitated meetings with involved individuals
- Team-based coaching
- Training/education



Where disclosure of alleged harassment and/or discrimination takes place with a employee/stakeholder with supervisory authority, they shall consult with Human Resources.

II. Formal Options

a) Mediation

Mediation may be appropriate in some circumstances, specifically where the alleged conduct would not amount to workplace harassment/workplace sexual harassment.

If mediation is recommended by Human Resources, participation in mediation is voluntary and each party to the mediation is entitled to have a “support person” (as defined in Step 5 below) attend the mediation. Where the mediator is of the opinion that the presence of the support person selected is inappropriate or may hinder the mediation process, the mediator will advise the relevant party who shall be entitled to select another support person provided that doing so does not hinder or unduly delay the mediation.

All mediation discussions will be held on a confidential, without prejudice basis and involve the use of breakout rooms, where necessary. Any settlement would have to be satisfactory to both parties and approved by Human Resources, where appropriate. Parties may be required to sign confidential Minutes of Settlement.

Mediation cannot be used as a substitute for an investigation into workplace harassment/sexual harassment incidents, and/or complaints. However, it may be a valuable tool as part of post-investigation resolution efforts.

b) Investigation

A formal workplace investigation may be required in the following circumstances:

- a. It is required by provincial legislation, specifically:
 - Allegations that could amount to workplace harassment (including sexual harassment) must be investigated as per the *Ontario Occupational Health and Safety Act*.
- b. Other options of informal resolution have been attempted and were unsuccessful.
- c. The issues are of a serious or/and systemic nature.

If someone with supervisory authority receives a complaint or becomes aware of circumstances that ought to be investigated, they are expected to **immediately consult** with Human Resources to determine the appropriate process and allocation of responsibility (i.e., designated “investigator”).

To determine whether the allegations require or warrant an investigation, details may be obtained through the submission of the written complaint and/or as documented by the person to whom disclosure is being made by the person(s) coming forward. Follow-up may be required to obtain sufficient details to make this assessment.

Where possible, internal Human Resources personnel will fulfil the investigation roles. However, there may be occasions where it is appropriate for an external consultant/investigator to be retained. All those responsible for investigations are expected to be unbiased, objective, and ensure the expected process is followed in a consistent manner.

Confidentiality is crucial in investigations, which includes:

- During an investigation, identifying information about any individual should not be disclosed unless the disclosure is necessary for the purpose of investigating, taking corrective action, or is otherwise required by law.
- All those involved in the investigation are not to advise anyone in the workplace or otherwise connected to the workplace, and/or service provision about the investigation, or have any involvement in the investigation and/or the contents of an investigation interview and/or report.
- All those involved in the investigation are not to ask individuals if they have participated in an investigation process or discuss any details about any investigation interviews.

Once it is determined a workplace investigation is required/warranted, it will follow a series of steps as generally outlined below.

Step	Details
Step 1	Obtain full details of the incident/complaint from the person(s) bringing the allegations forward (“complainant(s)”) and who those allegations are against (“respondent(s)”).
Step 2	Determine the scope of the investigation based on the applicable laws (specifically <i>the Ontario Human Rights Code</i> and the <i>Ontario Occupational Health and Safety Act</i>) and Policy.
Step 3	Communicate to the parties (complainant(s) and respondent(s)) the scope of the investigation and share the general investigation process and their rights/responsibilities during an investigation.

Step 4	Determine/implement any interim measure, such as a leave of absence or temporary transfer). Human Resources will make such determinations.
Step 5	Collect information through: 1) conducting confidential, one-on-one interviews with the parties and witnesses (if any), and 2) obtaining/reviewing documentation. Interviews may be conducted in-person and/or online, when appropriate. All interviewees may bring a support person (this may be a union representative, colleague, family member, employee/stakeholder) as deemed appropriate by the investigator. (This does not extend to bringing a lawyer as a support person.) The role is to be present during interviews and provide support through observing the interview and taking notes, if needed. It is not to intervene or answer on behalf of the person being interviewed.
Step 6	Based on the information collected, determine: • the likely facts, and • whether those facts amount to a breach of Policy expectations based on a balance of probabilities (i.e., if the allegations are substantiated, partially substantiated, not substantiated)
Step 7	Based on the investigation outcomes, determination of the appropriate resolution through consultation with HR, Executive Leadership, and/or legal as required. Recommendations from external investigators may be included in the investigation scope.
Step 8	Once the report has been accepted by the CEO and the People, Equity, and Corporate Services (PEC), Human Resources will share the outcome of the investigation and appropriate details of the corrective action verbally and in writing to the parties within 10 days of completing the investigation.
Step 9	Ensure those responsible for the administration of the corrective action and/or additional resolution decisions (i.e., post-investigation resolution plan) have commenced expected efforts with an agreed timeline for completion.
Step 10	Ensure all investigation documents are stored electronically/centrally. Only the results letter will become part of an employee's file. Close investigation file.



The Ministry of Labour's Code of Practice indicated investigations should be completed within 90 days. This is applicable to investigations related to workplace harassment/workplace sexual harassment.

III. Addition Information Related to Resolving Conflicts

a) Refusal to Investigate

Exhibition Place may refuse to investigate where the complaint is frivolous, vexatious, or an abuse of process has occurred. These terms are defined as:

Anonymous Complaints	Complaints with insufficient details may not trigger an investigation under this Policy. Please note this may be the case for submissions through our anonymous reporting hotline. However, other efforts may be available to address concerns where feasible.
Frivolous	A complaint that contains allegations that, even if true, are not a breach of this Policy.
Vexatious	When the complaint has been the subject of a decision by an alternate complaint process that considered the same allegations, a reasonable offer to remedy was rejected and/or the complaint was filed to annoy, embarrass, or harass the respondent.
Abuse of Process	When an adequate remedy already exists or the complaint is engaging in improper action (fraud, deception, intentional misrepresentation) or is motivated to file out of malice or vindictiveness.

In some circumstances of a finding of frivolous, vexatious, and/or abuse of process may result in disciplinary measures.

Further, allegations of incivility **will not** be investigated unless other informal options have been attempted and unsuccessful, and it is deemed the only remaining process that can assist.

b) Complaints/Incidents Involving the Board

Complaints or incidents involving the Board should be provided to the CEO. The CEO will seek advice/guidance from legal counsel to determine the best steps and will adhere to the expectations of Code of Conduct for Members of Local Boards (Restricted Definition) City of Toronto.

c) Complaints/Incidents Involving the CEO

Complaints or incidents involving the CEO will be directed to the Chair of the Board. The Chair of the Board may seek advice/guidance from legal counsel to determine the best steps.

d) Complaints/Incidents Involving PEC and/or Human Resources

Complaints or incidents involving PEC and/or Human Resources should be directed to the CEO. The CEO will seek advice/guidance from legal counsel to determine the best steps.

e) Complaints/Incidents Involving Clients and Tenants

Complaints or incidents involving Clients and Tenants should be directed to the Executive Leadership. The Executive Leadership will seek advice/guidance from legal counsel to determine the best steps.

5. OUTCOMES OF POLICY BREACHES

It is important that all stakeholders understand that both intentional and unintentional comments and/or conduct can lead to a breach of this Policy.

Thus, the objective of any resolution is to change behaviour, eliminate harassment, discrimination, or reprisal, and ensure a culture of respect. There are often opportunities for individuals to learn and grow from these experiences.

When there are no breaches of the Policy found, there are still opportunities to repair relationships and seek to understand the conditions that created the conflict which can include the individuals involved, or organizational systems or practices. As such, there is no disciplinary action taken when individuals come forward in good faith.

For breaches by employees, resolution can be non-punitive, such as apologies, educational initiatives, coaching and counseling, or resolution may result in disciplinary action, including suspensions or terminations. It is the responsibility of the Human Resources to determine the appropriate resolution.

For breaches by non-employees (i.e., contractors/vendors/tenants/customers, etc.) remedial actions can include restrictions on accessing premises, or impact to current or future business opportunities or ending a contractual relationship.

6. TIME LIMITS

Exhibition Place strongly encourages and supports stakeholders coming forward as soon as possible. However, the time limit for the bringing a complaint under this Policy is one year from the date of the last incident of alleged incivility, discrimination, or harassment. There can be extenuating circumstances where this timeline is extended. This approach is consistent with the time limits for filing applications with the Ontario Human Rights Tribunal.

7. ADDITIONAL RESOURCES

Exhibition Place actively utilizes the “**Respect Loop®**”. This resource helps guide discussions on maintaining respect, navigates the options for resolving conflict, and acknowledges our shared responsibilities to ensure our values are the lived experiences for our employees and all other stakeholders.

RESPECT IS...

RESPECT LOOP™

