

Human Rights and Anti-Harassment / Discrimination Policy

Creating an Inclusive and Equitable Workplace

*The* [*Human Rights and Anti- Harassment /Discrimination Policy*](https://wx.toronto.ca/intra/hr/policies.nsf/a8170e9c63677876852577d7004f8/c8c007fd9cd24c6585257d4e00653676?OpenDocument) supports the creation of a work environment free from harassment and discrimination.

The policy protects everyone’s right to equal treatment with respect to employment, services, facilities, occupation of accommodation and contracts without discrimination. The policy also requires that complaints be treated as confidential and prohibits reprisal.

Under the policy, discrimination and harassment are prohibited on the following grounds:

Race Sexual Orientation Gender identity

Ancestry Age Gender expression

Place of Origin \*Record of Offences Sex (including pregnancy and breast feeding)

Colour Marital Status Political Affiliation

Ethnic Origin Family Status \* Membership in a union or staff association

Citizenship Disability \*\* Receipt of public assistance

Creed Level of Literacy

*\* Only in Employment*

*\*\* Only in Accommodation*

The policy also covers (non-Code) Workplace Harassment, meaning repeated inappropriate conduct or comments which are unwelcome but not related to any prohibited ground identified in the *Ontario Human Rights Code*. Under the *Occupational Health and Safety Act,* workplace harassment also includes Workplace Sexual Harassment, which is harassment based on sex, sexual orientation, gender identity and gender expression

Workplace harassment should not be confused with the appropriate exercise and delegation of authority, operational directives, other reasonable actions taken by management or conflict between co-workers.

**WHO DOES THE POLICY APPLY TO?**

The policy applies to all Toronto Public Service staff, Accountability Officers and their staff, elected officials and their staff, contractors, consultants and volunteers who are retained by the City.

While every employee has a right to protection from discrimination and harassment, every employee also has a responsibility to ensure their behaviour is not discriminatory or harassing.

Members of the public, visitors to City facilities, or individuals conducting business with the City are expected to adhere to the policy, including refraining from harassment of staff, elected officials and persons acting on behalf of the City.

**EXAMPLES OF BEHAVIOURS THAT MAY BE DISCRIMINATORY OR HARASSING**

* Comments about an individual’s physical attributes, mannerisms, or characteristics
* Unwelcome physical contact
* Suggestive or offensive remarks or innuendoes based on the listed grounds
* Verbal abuse, threats, taunting, gestures or embarrassing/awkward practical jokes
* Display of offensive pictures, graffiti, or other materials
* Refusal to accommodate an employee with a disability
* Refusing to converse or work with an employee because of a listed ground(s)
* Denial of a promotion, job transfer, receipt of benefits, overtime, hours of work, etc. based on a listed ground(s)

**WHAT TO DO?**

If you feel you have experienced or witnessed harassment and/or discrimination you should contact any of the following people or organizations to address your concerns:

1. the harasser, if appropriate
2. a manager or supervisor who does not directly report to the harasser
3. union/association representative
4. Human Rights Office
5. Human Rights Legal Support Centre
6. Human Rights Tribunal of Ontario

Staff can also contact our **Employee Assistance Program** (**EAP**) for support, confidential counseling and referrals to other community support agencies or services.

**Confidentiality**

Discrimination and harassment are very sensitive issues that all staff are required to keep as confidential as possible. There are however some exceptions to confidentiality. Please review the policy and Complaints Procedure or ask for more details.

**Discipline**

All employees, including management, who breach the policy can be disciplined, up to and including discharge.

**HUMAN RIGHTS OFFICE**

The Human Rights Office can provide all Toronto Public Service members and service recipients with information about the policy and provide confidential advice about your rights and complaint resolution options.

The Human Rights Office also provides the following services directly to divisions to address issues locally:

1. advice and policy Information
2. mediation and conciliation
3. complaint investigation support
4. education

Human Rights Office staff do not act on behalf of any party with a complaint and where necessary, will independently investigate City employment and service provision harassment/discrimination complaints.

If you have a complaint that you are unable to resolve, if you are a witness to or become aware of an incident of harassment or if you want information about the policy and/or your rights, please contact the:

**HUMAN RIGHTS OFFICE AT:**

PHONE 416-392-8383

TTY 416-397-7332

FAX 416-696-4174

EMAIL humanrights@toronto.ca

[Internal web page](http://insideto.toronto.ca/edhr/human_rights.htm):

http://insideto.toronto.ca/edhr/human\_rights.htm

[External web page](http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=526ae03bb8d1e310VgnVCM10000071d60f89RCRD&vgnextfmt=default):

http://www.toronto.ca/humanrightsoffice

Staff can clarify your rights and obligations under the policy and make appropriate referrals.

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