

Maintaining of a Bully-Free Workplace

Sample Policy¹

¹ This sample policy is adapted from the policy of the Ministry Of Community and Social Services and Ministry Of Children and Youth Services. OPSEU members, staff and the Ministries collaborated in the creation of this policy.

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Introduction

Insert name of workplace is committed to creating and maintaining a workplace environment which fosters mutual respect, integrity and professional conduct.

In keeping with this commitment, policies and procedures for all employees have been established, related to the issue of bullying in the workplace.

The purpose of this document is:

- To provide information and education which highlights that bullying and psychological harassment is prohibited within our workplace
- To identify the rights and responsibilities in relation to this policy
- To establish measures to prevent and stop bullying and psychological harassment in the workplace
- To provide confidential, impartial, fair and effective procedures for responding to concerns of bullying and psychological harassment
- To provide effective responses to complaints, and appropriate consequences where findings of bullying or inappropriate conduct have occurred.

Insert name of employer will not tolerate bullying in the workplace and will make every reasonable effort to prevent and eliminate conduct which falls within the scope of this policy.

SECTION A: Standard and Definitions

Application and Scope

All insert name of workplace employees and any other persons conducting business on the premises are covered by this policy. Employees are defined as all classified and unclassified staff. Other persons include contractors, consultants, students, as well as those on educational and/or developmental placements.

This policy applies to all activities which take place on insert name of employer premises, or which are connected to the workplace and during any employment-related duties or activities, including conferences, training sessions, travel and social functions.

Guiding Principles

As an employer, the insert name of employer does not condone and will not tolerate any form of bullying or psychological harassment in the workplace, and is committed to:

- Maintenance of a healthy and safe workplace for all employees
- Education and prevention-oriented practices
- Addressing bullying behaviour as soon as possible
- Effective problem-solving processes to address employee concerns, whether related to individual or group behaviour

All aspects of prevention and problem-solving processes will be fair, timely, confidential, professional, impartial, consistently applied and will aim to preserve the dignity, self-respect and rights of all parties.

Responses to bullying behaviour will aim to correct identified behaviour and to prevent further occurrences or violations of this policy. This policy will be enforced in accordance with the principles of progressive discipline.

Defining Workplace Bullying and Psychological Harassment

Workplace bullying and psychological harassment is defined as unwanted conduct, comments, actions or gestures that affect an employee's dignity, psychological or physical health and well-being. Bullying and psychological harassment may result from the actions of one individual towards another, or from the behaviour of a group.

Bullying and psychological harassment are often characterized through insulting, hurtful, hostile, vindictive, cruel or malicious behaviours which undermine, disrupt or negatively impact

another's ability to do his or her job and results in a harmful work environment for the employee(s).

Bullying and psychological harassment can take many forms and may occur when the behaviour or conduct:

- would reasonably tend to cause offense, discomfort, humiliation or embarrassment to another person or group;
- has the purpose or effect of interfering with a person's work performance;
- creates an intimidating, threatening, hostile or offensive work environment

Examples:

Although there can be no exhaustive list, examples of behaviour and impact that may signify bullying or psychological harassment include, but are not limited to:

Behaviours	Impact
<ul style="list-style-type: none"> ● insulting or derogatory remarks, gestures or actions ● rude, vulgar language or gestures ● malicious rumours, gossip or negative innuendo ● verbal aggression and/or verbal abuse ● shouting, yelling ● swearing, name-calling ● glaring or staring ● outbursts or displays of anger directed at others ● targeting an individual through persistent, unwarranted criticism ● public ridicule ● verbal, written or physical threats and intimidation ● mobbing and/or swarming ● misuse of power or authority ● isolation and/or exclusion from work-related activities 	<ul style="list-style-type: none"> ● undermines ● humiliates ● offends ● embarrasses ● intimidates ● threatens ● frightens ● de-motivates ● demoralizes <p>Can cause:</p> <ul style="list-style-type: none"> ● depression ● anxiety ● emotional distress ● physical distress ● low morale ● inability to perform work tasks ● absenteeism ● loss of productivity ● turnover

Bullying may be the result of deliberate intention or not. It is important to recognize that it is the impact of the behaviour on others, not the intent, which determines whether or not bullying has occurred.

Generally, a “course of conduct” or pattern of behaviour is required for a finding of bullying to be made. However, depending upon the severity and impact of the behaviour, a single significant incident may constitute bullying, if it is found to be sufficiently offensive, threatening or intimidating.

To determine whether or not bullying has occurred, each situation must be examined reasonably and objectively, based on its specific facts.

Distinguishing Bullying from other behaviours

It is recognized that there may be some circumstances where an employee experiences stress or discomfort in the workplace, which is not related to bullying or inappropriate behaviours.

Unless there is evidence that demonstrates a pattern of humiliating, offensive, or intimidating behaviour, as described previously, or there is evidence of one incident having severe impact, such situations may not constitute a basis for complaint under this policy.

For example, bullying would not include:

- the normal exercise of supervisory responsibilities, including performance reviews, direction, counseling and disciplinary action where necessary, provided they are conducted in a respectful, professional manner, in accordance with (insert name of workplace) policies and procedures.
- social interactions, jokes and bantering, which are mutually acceptable, provided the interactions are respectful and there is no negative impact for others in the work environment.
- disagreements, misunderstandings, miscommunication and/or conflict situations, provided the behaviour of the individuals involved remains professional and respectful

Behaviours which appear to harass or discriminate based on prohibited grounds, as defined by the Ontario Human Rights Code, would be subject to the provisions of the (*insert name of any relevant employer policies*) and the OPSEU Harassment and Discrimination Policy, where the behaviours occur between OPSEU members.

Where the above examples may not demonstrate a breach of this policy, it remains important to ensure that appropriate measures are still taken to address any issues of concern, in keeping with the guiding principles of this document.

Employees' Rights, Roles and Responsibilities

Each and every employee of the organization is expected to support the implementation of this policy by:

- conducting themselves in a manner which demonstrates professional conduct, mutual respect for others and which honours diversity in the workplace.
- participating fully and in good faith, in any resolution process or formal complaint and investigation process where they have been identified as having potentially relevant information
- reporting any incidents which may be in violation of this policy
- respecting the rights to personal dignity, privacy and confidentiality pertaining to this policy

Management Roles and Responsibilities

While every employee is responsible for maintaining and contributing to an environment that is free from bullying, those in positions of authority over staff carry more responsibility than other employees within our organization. Management personnel have additional obligation to make every reasonable effort to establish and maintain a workplace free of bullying and psychological harassment.

Related to this policy, their responsibilities include:

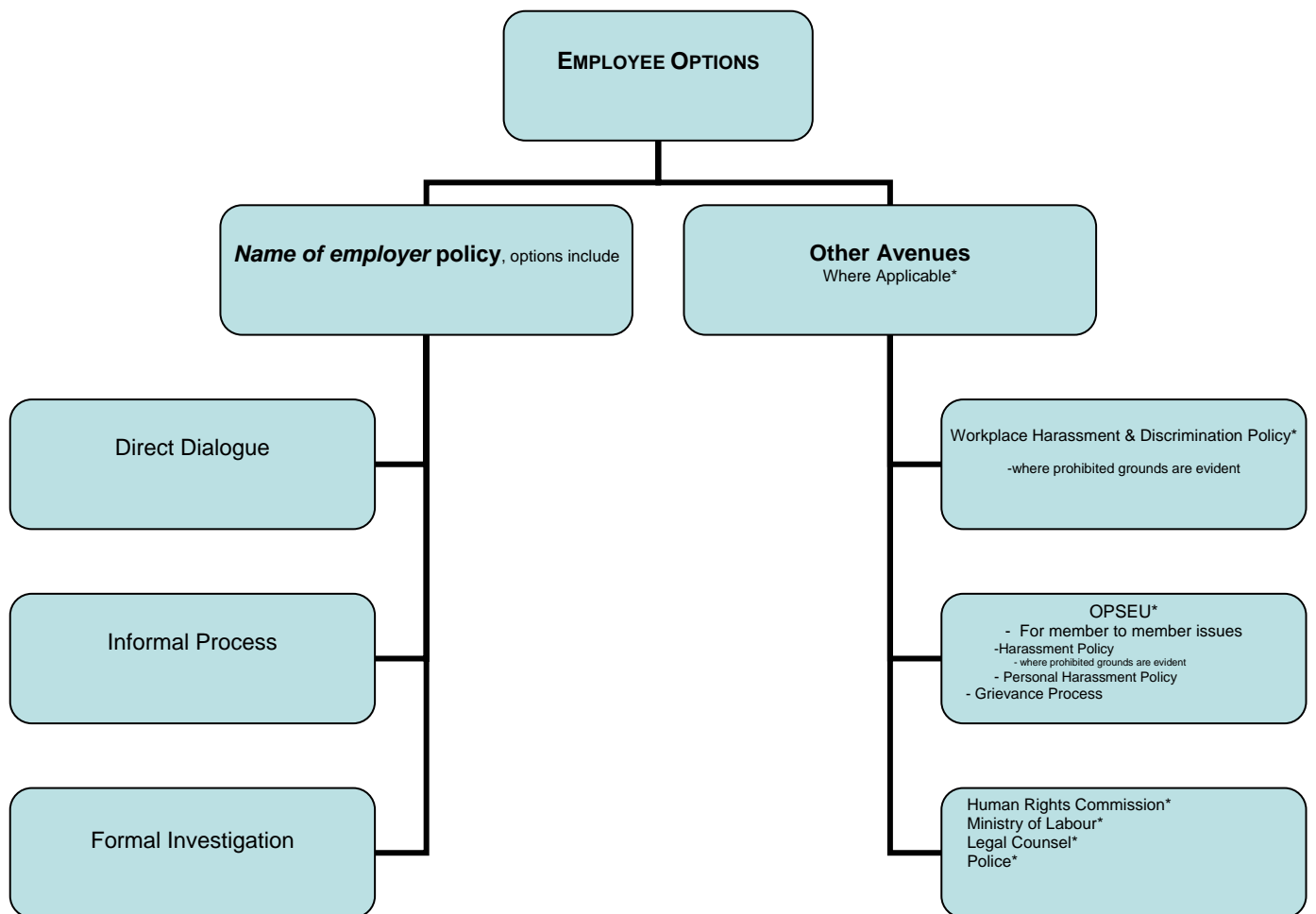
- acting as a role model for professional and respectful conduct
- ensuring employees have full access to information regarding employer policies and standards
- intervening immediately when inappropriate conduct has been brought to their attention or has been observed
- notifying police when there are reasonable grounds to believe that a violation of the Criminal Code has occurred
- respecting the rights of all parties to a fair, equitable and confidential process for responding to complaints
- support to all those who participate in a problem-solving process
- enforcement of corrective and/or disciplinary measures, where applicable

Section B Procedures

Employee Options:

If you believe you are experiencing bullying behaviour, it is important to understand your options and seek resolution to your concerns. The following sections will describe available avenues related to bullying.

Employees are encouraged to review their options and pursue the course of action which they consider most appropriate and/or which they believe will be most effective in their situation. In reviewing options, it should be noted that avenues other than this conduct may apply, as indicated below.*



To assist dialogue and clarification of the facts in each situation, employees are encouraged to document the details regarding unwanted behaviour. As soon as possible, make a record of the details of each incident, including the time, dates, names of those who were present, if any, and circumstances surrounding the incident. Record also if you have spoken directly to the individual about the unwanted behaviour, details of the dialogue and the individual's response.

Specific information related to the unwanted conduct is helpful to each of the resolution processes.

In considering options, or to obtain additional information you may:

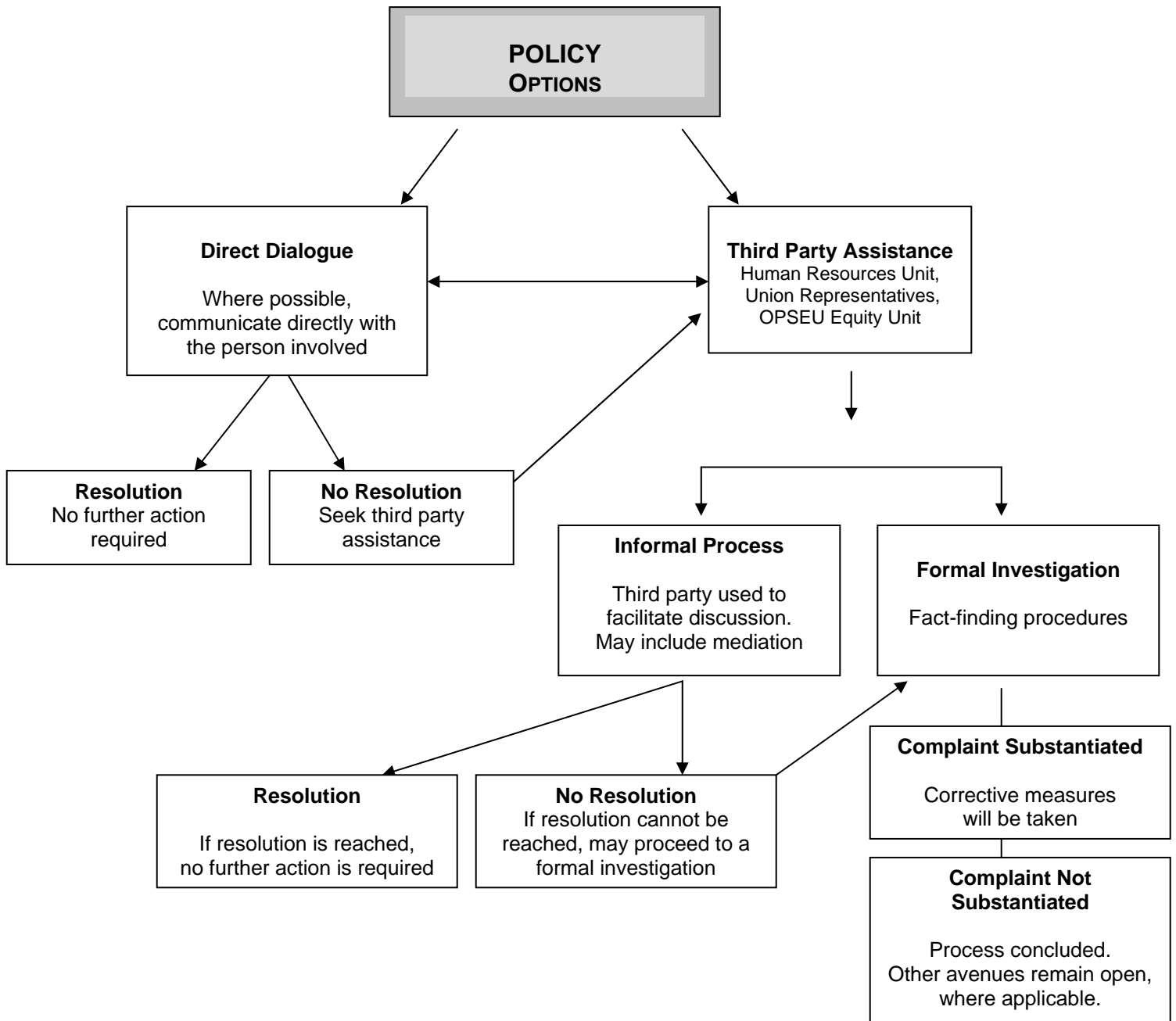
- speak directly with your manager
- contact the Human Resources Unit, which is available to all employees for confidential information and guidance with regard to the *(insert name of employer)* policy
- contact a union steward or the OPSEU Equity Unit, which is available for each of its members, to provide information, guidance, advocacy and support

The Employee Assistance Program is also available, for confidential support and counseling – insert this clause only where applicable.

While seeking resolution, employees are asked to respect confidentiality and dignity for all those involved. In the workplace, discussion of concerns should be limited to those directly involved in the situation and/or to those who may be assisting in the resolution process.

Policy Resolution Processes:

Under this policy, employees have different processes that can be utilized in order to address their concerns. The following chart will outline the options for employees. Each process and potential outcomes are then described in the sections which follow.



Direct Dialogue

If you believe that you are being subjected to a form of bullying or inappropriate behaviour, wherever possible, ask for the behaviour to stop. In many cases, when the other person becomes aware that their conduct is unwelcome, or is having a negative impact, he/she will stop the unwanted behaviour.

Speak to the person calmly and professionally. Describe the unwanted behaviour in specific, factual statements and ask for the unwelcome behaviour to stop.

If you feel unable to speak with the person directly, consider expressing your concerns confidentially to them in writing, ensuring that your communication is written professionally and respectfully. To help you prepare for communication with the other person, you may want to seek assistance from a third party, such as your manager, HR advisor or union representative.

If you do not feel able to approach an individual with your concern, or if your efforts to communicate are unsuccessful, there are additional options available under this Policy, which are detailed in the following sections.

Employees may choose to:

- Begin by seeking additional information and assistance from a third party
- Begin with an informal resolution process. This may be a preferred means to address issues and receive assistance in a direct, timely and expedient manner.
 - If the matter is resolved, no further action is required.
 - If not satisfactorily resolved, the matter may proceed to a formal complaint and investigation process.
- Elect to go directly to a formal complaint and investigation process, if believed that the situation requires this level of intervention.

Third Party Assistance:

An employee may speak in confidence to a third party, to assist in preparing for direct dialogue, and/or to review options, if direct dialogue is not possible, or has not been successful.

Third party resources include, but are not limited to:

- Management personnel
- Human Resources Unit
- OPSEU
 - Local Executive Committee
 - Local Union Steward
 - Local Staff Representative
 - Local Union President
 - Provincial HR, Women's, Young Workers' Committee Representative
 - Equity Officer – Head office of OPSEU

As a first step, where an employee is only seeking information, discussions will be treated as confidential and the employee is not required to identify individuals who may be involved.

Employees must recognize however, that without specific information, third parties may be limited in their ability to assist beyond the provision of general information and there may be insufficient grounds for the insert name of employer to effectively intervene.

It is also important to recognize that within any of the processes outlined within this policy, where sufficient information has been provided to indicate bullying or psychological harassment in the workplace, or where it appears an employee may be at risk, even if the employee does not wish to proceed further, the insert name of employer may have a legal obligation to pursue the matter further, through additional enquiry or investigation, in order to protect employees.

The Informal Resolution Process

Within an informal resolution process, an employee may contact a third party resource of their choice, as listed below, to discuss the details of incidents or concerns, review the details of this policy and select problem-solving avenues.

For a list of third parties, see page 10.

A third party resource may facilitate problem-solving, through individual or joint discussions with the involved parties. The informal process may include mediation, where appropriate.

Within an informal process, efforts will focus on:

- reaching a mutually agreeable solution for all parties
- ensuring that all involved parties understand and accept their responsibilities for maintaining appropriate, professional behaviour in the workplace
- ensuring that any inappropriate or bullying conduct has ended

An external resource may be utilized as a facilitator or mediator during an informal process, if warranted. It would be the responsibility of the insert name of employer to determine where use of an external resource was required.

The informal process will be completed within 30 working days of the employee contacting the third party, unless there are extenuating circumstances.

If the matter is resolved through an informal process, no further action is required. If resolution has not been reached through this avenue, the employee may elect to file a formal complaint, but is under no obligation to do so.

No formal written records are completed at this stage, although each person involved should keep documentation of discussions, outcomes and actions taken, if any.

Where a third party has been involved in facilitating problem-solving efforts, the third party will prepare a written summation of the process and agreements reached. A copy of this summation will be provided to each participant in the process for their records.

During all informal processes, confidentiality will be maintained to the fullest extent possible, subject to requirements of law. Participants are expected to respect the privacy and

confidentiality of all discussions, both during the informal process and afterwards. Only those who must be informed of the details will be involved.

The Formal Complaint and Investigation Process

If informal routes of resolution are either unsuitable or unsuccessful, a formal investigation of the complaint may be conducted.

▪ To Initiate a Formal Complaint:

To initiate a formal complaint and investigation process, the employee must provide a written complaint to the insert name of appropriate employer representative, or designate. In the event that the allegation(s) may involve the name of direct manager, the complaint would be submitted in writing directly to the insert name of the manager above the direct manager.

The letter of complaint should include the name of alleged perpetrator(s); allegations of bullying citing specific incidents including dates, times, places; description of any efforts previously undertaken to resolve the concerns, where applicable and the results. The alleged perpetrators are considered respondent(s) to the complaint.

Upon receipt of the complaint, the insert name of employer rep, or designate, may conduct a preliminary information gathering and assessment, to determine if the matter falls under the scope of this policy and to determine if a formal investigation is the appropriate avenue to address the complaint.

In keeping with this policy, for matters under its scope, a thorough fact-finding investigation will be conducted in a timely and unbiased manner. Time frames for each step of the investigation process are included in the following sections. A summation of the potential time line for a formal investigation is also included in the Appendix.

• When a Formal Investigation May Not Proceed:

The insert name of employer rep, or designate, may decide not to proceed with an investigation process:

- a) If there is no indication that the allegations would fall under the scope of this policy, i.e. allegations are not related in any manner to conduct that may be considered bullying, as outlined within the definitions; or
- b) If a significant delay has occurred between the alleged event(s) and the filing of a complaint, which would reasonably preclude the feasibility of a sound investigation process, and/or of appropriate restorative or corrective measures.

For the purpose of this policy, in the absence of an appropriate reason, a delay in excess of 6 months would be considered significant.

Where deemed appropriate to the circumstances of a formal complaint, the insert name of the employer may utilize mediation, if the complainant and respondent are both willing to engage in a mediation process, in order to reach settlement of the complaint.

If agreement has been reached through mediation, a resolution agreement shall be submitted in writing to the insert name of the employer rep., or designate, within 15 working days of the mediation being completed. The resolution agreement is to be signed by each of the parties involved in the mediation. Each party will also retain a copy of the agreement.

▪ **The Formal Investigation Process:**

Upon receipt of a letter of complaint, the Regional Director, or designate, will inform the person(s) named in the complaint of the allegations within 5 working days, or as soon as practicable, if circumstances prevent notification within the 5 day period. The person(s) named in the complaint will be considered as the respondent(s).

The respondent(s) shall have the opportunity to file a written response to the complaint, which must be filed with the Regional Director within 10 working days of being informed, unless this time frame has been extended by management, based on extenuating circumstances.

Should the respondent(s) provide a written response, the complainant(s) will be informed of the response within 5 working days of its receipt, or as soon as practicable, if circumstances prevent notification within the 5 day period.

An investigator will be assigned by the Regional Director, or designate, within 10 working days of management's decision that a complaint will be investigated, unless circumstances dictate otherwise.

The investigation must be completed and final report submitted to the Regional Director, or designate, within 60 working days of assigning the complaint to an investigator, unless there are extenuating circumstances. The investigator will also provide a written summation regarding their findings and conclusions to the complainant(s) and respondent(s) within the same time frame.

The complainant(s) and respondent(s) will have the right to reply to the findings of the investigation within 7 working days of receipt of the summary report. Written responses are to be submitted directly to the Regional Director, or designate. No actions will be taken by the Regional Director, or designate, within the 7 working days in which both parties have a right to reply.

Based on the factual findings and results of the investigation, and any additional information contained in written responses to the investigation summary report, the Regional Director, or designate, shall determine what actions are to be taken as a result of the findings.

A complainant does retain the right to withdraw their complaint, should he/she no longer wish to proceed with a formal investigation. Should a complainant decide to withdraw his/her complaint, he/she must notify the Regional Director, or designate, in writing. Insert name of employer may be required however, to continue its investigation, where there are indicators that bullying may have occurred.

▪ **Investigation Procedures:**

- The investigator will first conduct individual interviews with the complainant(s) and respondent(s) so that each person will have full opportunity to provide information

related to the allegations. If a respondent refuses to participate in the investigation, the formal fact-finding process will continue nonetheless.

- Any individuals who have been witness to events, or who may be able to provide information directly relevant to the investigation, will also be interviewed.
- Union members can elect to have a union representative of their choosing in attendance during investigation interviews
- Once all of the relevant information is gathered, the investigator will submit a confidential report to the Regional Director, or designate. As stated under the investigation process, the investigator will also provide a written summation regarding their findings and conclusions to the complainant(s) and respondent(s) within the same time frame.

Interim Measures

Where required to ensure the safety and well-being of the complainant(s) and/or respondent(s), the Insert name of employer may implement interim measures pending the investigation and disposition of a formal complaint.

Interim measures are not disciplinary and may take different forms, as applicable to the situation, including but not limited to:

- Interim conditions or restrictions upon work related activities, including restricting of contact and/or communication between involved parties
- Temporary re-assignment of duties or work-related activities
- Suspension of work related activities, with pay and without disciplinary penalty
- Interim security measures

Possible Outcomes of an Investigation

A formal investigation involves a thorough information gathering process, objective analysis, determination of fact and conclusions regarding the allegations made in the complaint.

The investigation may conclude with a finding of bullying; or it may conclude that there is an insufficient basis of information to support a finding of bullying, dependant upon the facts and analysis of information.

Where anyone is found responsible for workplace bullying, corrective measures will be taken. Corrective measures may include, but are not limited to:

- Counselling
- Education and training
- Formal written apology
- Warning
- Change of work assignment
- Disciplinary action, in accordance with this policy and the collective agreement, up to and including dismissal.

If, as a result of the findings, disciplinary action is taken, this shall be noted on the employee's

personnel file subject to any provisions in collective agreements, where applicable, or as required by law.

Time Frames for Filing a Complaint

In setting parameters for the complaint process, the *Insert name of employer* adopts the time frame that complaints should be filed within six months following an alleged occurrence.

The *Insert name of employer* may extend this time limit, however, under circumstances where there is an appropriate reason for the delay, where the delay was incurred in good faith and where no substantial prejudice will result to any person affected by the delay.

Confidentiality and Privacy

Confidentiality is beneficial to everyone involved, whether resolution is being sought through direct dialogue, informal resolution or a formal complaint process. It allows the parties to resolve issues in a private manner and protects them against unsubstantiated claims that might result in harmful gossip.

Every participant in this process is expected to maintain confidentiality throughout the process and thereafter. Only those who must be informed of the details will be involved, in order to effectively address the situation.

To protect the interests of all parties involved, all information must remain confidential, subject to the rules listed below, and except where sharing of information is otherwise required by law, collective agreement and/or with respect to a possible violation of the Criminal Code.

- Complainants, respondents and witnesses will have access to their own statements
- Respondents and complainants must have sufficient information about the allegations and response of the other parties to enable them to offer rebuttal.
- There must be no reference to a complaint under this policy in an employee's personnel file, unless disciplinary action was taken against the employee.

How to Respond If Allegations of Bullying are Made Against You

If allegations are made against you, listen to the concerns of the other party. If your behaviour is inappropriate, cease the unwelcome behaviour and offer an apology to the person(s) affected by your conduct.

If you believe that the allegations are unfounded, discuss the matter with your manager, Human Resources Advisor or union representative, as may be appropriate to the situation. Review the this policy, including your rights within the process, and discuss your options in responding to the situation.

If a third party facilitator or investigator is involved, provide them with information that is factual and specific regarding your response to the allegations. It is helpful to document your version of alleged incidents, detailing the names of the individual(s) involved, when and where incidents may have occurred, noting any witnesses, if applicable.

Knowing that such situations are stressful for all those involved, do not discuss the matter with others at work, including those who may have witnessed events. Maintain a confidential and professional approach to the situation.

You may also wish to contact the Employee Assistance Program, for individual support and/or counseling.

Remember that allegations may not be substantiated. *Insert name of employer* is committed to ensuring that each party has full opportunity to present their side and that the rights and dignity of all parties are respected in the process.

Other Considerations:

Protection from Reprisals or Retaliation

Retaliation or reprisals against anyone involved in a resolution process through this policy will not be tolerated. Any actions of retaliation or reprisal may result in disciplinary action.

Protection from reprisal covers both complainants and witnesses who have participated in the policy process. Also protected from reprisal are third party resources, representatives, investigators and management responsible for decision-making functions within this process, acting in accordance with this policy.

What Happens if Someone Fabricates a Complaint?

Because of the serious nature of a complaint, false accusations or abuse of this policy will not be tolerated. Where a formal investigation concludes that a complaint was knowingly frivolous or malicious and was filed in bad faith, disciplinary action will result, up to and including dismissal of employment from *Insert name of employer*.

Additional Options

Insert name of employer is committed to addressing and eliminating bullying in the workplace. However, employees always maintain the right to pursue any other available remedies which may include, where applicable, the police, Ministry of Labour, and/or seek the advice of his/her own legal counsel.

Where inappropriate or unwelcome conduct may be related to prohibited grounds, as defined by the Ontario *Human Rights Code*, employees may utilize the processes under the provisions of the OPS Workplace Discrimination and Harassment Policy (WDHP). (link to policy)

Members of the bargaining unit may also have the right to file a grievance under the collective agreement, where applicable, or to utilize the processes outlined by the OPSEU Harassment and Discrimination Policy or Personal Harassment Policy. (links to policy)

Appendix

Glossary of Terms:

Bullying: behaviour in the form of repeated and hostile or unwanted conduct, comments, actions or gestures that affect an employee's dignity or psychological or physical health and well-being; often characterized through insulting, hurtful, vindictive, cruel, or malicious behaviours which undermine, disrupt or negatively impact another's ability to do his or her job and results in a harmful work environment for the employee

Complainant: a person who brings forward a complaint or requests assistance under this policy

Discrimination: as defined by the Ontario *Human Rights Code*, any distinction, exclusion or preference of a person based on one or more of the prohibited grounds, which impairs or impedes the person's right to equal treatment with respect to employment, except where such distinctions are justified by law; can be described as the act of treating a person unequally by imposing unequal burdens or denying benefits, rather than treating a person fairly on the basis of individual merit

Employee Assistance Provider (EAP): an external resource contracted by the employer to provide confidential, professional counselling services for its employees

Employer: legal business entity and/or organization providing payment in return for work or services rendered; generally, those who perform management or supervisory duties are considered part of the "directing mind" of the organization, and for the purposes of this policy, are known as representatives of the employer and persons of authority

Personal/Psychological Harassment: Unwanted conduct, comments, actions or gestures that affect an employee's dignity, psychological or physical health and well-being. Bullying and psychological harassment may result from the actions of one individual towards another, or from the behaviour of a group. (Please refer to page three for a fuller description). Note that this language is used to distinguish this form of harassment from Code-based Harassment as set out below.

Harassment: as defined by the Ontario *Human Rights Code*, a course of vexatious comment or conduct, based on one or more of the prohibited grounds, that is known or ought reasonably to be known to be unwelcome; unwanted or unwelcome behaviour, verbal or non-verbal, which is hurtful, malicious, offensive or intimidating

Investigation: an objective fact-finding process of determining the specifics of a complaint, in order to determine whether or not this policy has been violated.

Investigator: a designated third party professional responsible for conducting the fact-finding process, in response to a formal complaint.

The investigator must have sound knowledge of workplace legislation, internal policies and demonstrated experience in conducting a fact-finding process. Selection of an investigator must ensure an independent and objective assessment of the facts. The investigator remains a neutral party throughout the investigation process, and does not act as a representative for the employer, employee(s), witnesses or union.

Mediation: a structured process by which a neutral third party assists participants in reaching a mutually acceptable solution

Poisoned Work Environment: a workplace that is found to be hostile or unwelcoming, based on insulting, offensive, intimidating or degrading comments/ actions which have occurred, linked to one or more of the prohibited grounds. When comments or conduct of this kind have been found to permeate the workplace, and can be said to be a “term and condition of their work”, this is known as a “poisoned environment.”

A poisoned work environment cannot, however, be based only on subjective views. There must be objective facts to demonstrate that the comments or conduct result in unequal or unfair terms and conditions for an individual and/or group of workers. (Ontario Human Rights Commission, 1999)

Prohibited Grounds: as set out in the *Ontario Human Rights Code*, specific groups or classifications to be protected from discrimination and harassment, which are race, ancestry, place of origin, color, ethnic origin, citizenship, creed, sex (including pregnancy), sexual orientation, age, record of offences, marital status, family status, same-sex partnership status or disability

Respondent: a person whose conduct is in question, or a person against whom a complaint has been made

Substantiated: where sufficient evidence has been found to support the allegations made in a complaint and a breach of policy has been determined

Third Party Resource: an individual offering assistance through an informal resolution process.

A third party resource must be knowledgeable regarding this anti-bullying and psychological harassment policy. He/she must be able to provide information, and explain options available for dealing with workplace issues which may fall under the scope of this policy, ensuring respect for confidentiality and rights of all parties.

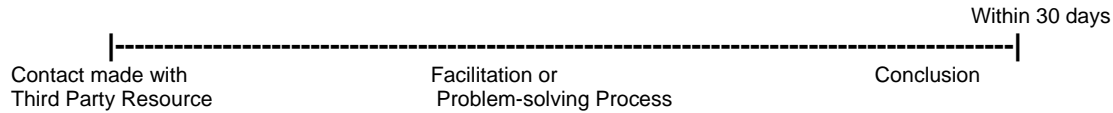
Time: for the purpose of this policy, a day refers to a working day

Time Line: the following outlines general time frames for resolution processes, subject to extenuating circumstances

Toxic Work Environment: a workplace that is found to be hostile or unwelcoming, based on insulting, offensive, intimidating or degrading comments/ actions which have occurred and which is *NOT* linked to one or more of the prohibited grounds. When comments or conduct of this kind have been found to permeate the workplace, and can be said to become a “term and condition of their work”, this is known as a “toxic work environment.” Please note that arbitrators tend to use the words “toxic” and “poisoned” interchangeably. However, in an attempt to be

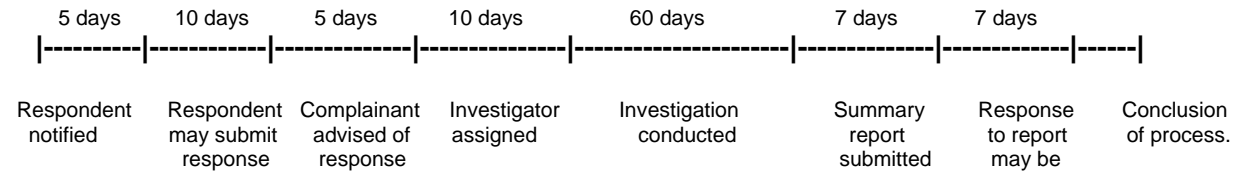
clear about the differences between Code-based and non-Code based harassment, we are introducing the separation in the language in the hopes that this distinction might be helpful.

Informal Process



Formal Investigation Process

- Steps to be completed within specified number of days following receipt of complaint, unless extenuating circumstances exist. Formal investigation process to be concluded within 120 days.



Contact Information:

Within this document, references are made to primary contact points within the resolution processes. The following provides contact information, current as of xxxxxxxx.

- Hamilton/Niagara Regional Director** xxx-xxx-xxxx
- Hamilton/Niagara Manager** refer to government directory
- Hamilton/Niagara Human Resources Unit** xxx-xxx-xxxx
- Hamilton/Niagara WHDP Advisor** xxx-xxx-xxxx
 - HR will provide a local list of advisor names and numbers
- OPSEU**
 - Local Executive Committee
 - Local Union Steward
 - Provincial HR Committee
 - Equity or Human Rights Officers at OPSEU 416-443-8888 ext. 8790
- MERC**
 -
- AMAPCEO** xxx-xxx-xxxx
 - ask to speak to a Dispute Resolution Office
- Employee Assistance Program (EAP)** 1-800-268-5211