

9. Bylaw 9 Anti-Harassment and Anti-Bullying Policy

9.1 The district shall have an Anti-Harassment and Anti-Bullying Policy and Procedure to be followed at all OSSTF workplaces and functions.

9.2 OSSTF District 11 Anti-Harassment and Anti-Bullying Policy

- 9.2.1 A member of OSSTF has the right to a workplace and union environment free from harassment and bullying.
- 9.2.2 Harassment and discrimination are not joking matters. They have a destructive effect on the workplace environment, individual well-being, and union solidarity. Such actions are not only destructive, they can be illegal.
- 9.2.3 Harassment and discrimination can take many forms and may be verbal, physical or psychological. They can involve a wide range of actions including comments, gestures or looks, pictures, messages, touching, or more aggressive actions. These acts may be indirect or overt; they may be isolated or repeated.
- 9.2.4 However, acts of harassment and discrimination are always degrading, unwelcome and coercive: They are always unacceptable.
- 9.2.5 As members of OSSTF, our goal must be to protect human rights, to promote mutual respect and trust, and to foster inclusion. We cannot condone or tolerate intimidating, demeaning, hostile and aggressive behaviour against another member. We cannot condone these Behaviours when we witness them. As OSSTF members, we must speak out against this conduct and stand together to protect human rights. We must take action.
- 9.2.6 OSSTF is committed to strengthening member solidarity, and in addition to representing members' interests in the workplace, takes seriously its own responsibility to ensure that members are treated with respect and dignity at all sponsored OSSTF events and meetings.
- 9.2.7 Any member who feels targeted by harassment or discrimination must be able to speak up and know their concerns will be responded to immediately in accordance with District 11 OSSTF Policies and Bylaws and the Resolution and Complaint Procedure, as approved by the District Annual Meeting 2021.

9.3 Anti-Harassment and Anti-Bullying Resolution and Complaint Procedure

- 9.3.1 A member who believes they have been the target of harassment or discrimination at an OSSTF meeting or event is encouraged to take immediate action to ensure this behaviour is stopped.
- 9.3.2 As a first step, the member should make it clear to the perpetrator that they find the behaviour offensive, and ask that it be stopped. This can be done personally, either in writing or verbally, or with the assistance of a third party.
- 9.3.3 If the behaviour recurs or persists, or if the member does not feel safe in approaching the perpetrator directly, they should speak with the designated Anti-Harassment officer(s) and ask them to act. If no officer has been designated, the member should speak with the person(s) in charge and ask that someone be appointed.
- 9.3.4 The designated Anti-Harassment officer(s) will investigate the complaint promptly, including separately interviewing the parties involved and any witnesses, with a view to resolving the problem informally. During this process, the designated Anti-Harassment

- officer(s), with the approval of the District President, may remove the respondent temporarily from the meeting if circumstances warrant.
- 9.3.5 The investigation shall be handled confidentially; however, all complaints will be reported by the designated Anti-Harassment officer(s) to the District President.
- 9.3.5.1 If the president is named in the harassment complaint as a respondent or as a witness, an FSO, selected by the Vice-President will fulfill the duties of the president as outlined above.
- 9.3.6 If the complaint cannot be resolved informally, the complainant will be asked to put the complaint and all relevant information in writing. If the complainant chooses to provide such a written complaint, it will be submitted to the Anti-Harassment Officer for action and it shall be the joint responsibility of the District President and the Anti-Harassment officer in charge to conduct an investigation, determine if the behaviour falls under the definition of harassment, and decide on appropriate remedial action. The parties involved will receive a written report stating the findings and any action taken.
- 9.3.7 Resolutions may include but are not limited to apologies, mediation, warnings, temporarily limiting access, or removal exclusion from the meeting or event. If a decision is made to remove or exclude that member, and where this member is representing a bargaining unit or district, a confidential letter outlining the reasons for this decision will be sent to the president of the appropriate body.
- 9.3.8 The District Executive on the request of a member may review decisions.
- 9.3.9 The District President shall keep a confidential file of all records and reports related to the investigation of written complaints for a period of five years.
- 9.3.10 None of the above restricts a member's right to file a complaint with the Ontario Human Rights Commission or make a complaint to police.

9.4 Anti-Harassment and Anti-Bullying Appeals Procedure

- 9.4.1 Members of District 11 affected by a decision resulting from a complaint under the District's Anti-Harassment and Anti-Bullying Procedure may appeal this decision using the following procedure:
- 9.4.1.1 Within five days of the decision, the affected member (herein called the Appellant) shall submit a request in writing to the District Executive for an Appeal Hearing.
- 9.4.1.2 Within two days of receiving the request, the District Executive shall appoint three members to the District Anti-Harassment and Anti-Bullying Appeals Committee to consider the appeal.
- 9.4.1.3 Within three days, the District Anti-Harassment and Anti-Bullying Appeals Committee shall meet to consider the appeal.
- 9.4.1.4 The District Anti-Harassment and Anti-Bullying Appeals Committee shall review the complaint, the investigation process and findings, and the decision.
- 9.4.1.5 Following the review, the Committee shall either confirm or modify the decision.
- 9.4.1.6 The decision of the District Anti-Harassment and Anti-Bullying Appeals Committee shall be consistent with the District's Anti-Harassment and Anti-Bullying Policy and Procedures.
- 9.4.1.7 The District Anti-Harassment and Anti-Bullying Appeals Committee shall report the decision on the Appeal to the District Executive within five (5) days after the meeting at which the Appeal is considered.

- 9.4.1.8 Within two days of receiving the decision of the District Anti-Harassment and Anti-Bullying Appeals Committee, the District Executive/President shall communicate the decision to the Appellant in writing.
- 9.4.1.9 The decision of the District Anti-Harassment and Anti-Bullying Appeals Committee shall be considered final and not subject to any appeal.