



Workplace Discrimination Prevention Policy

Downtown Georgetown Business Improvement Area

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Legal name: Georgetown Central Business Improvement Area

WORKPLACE DISCRIMINATION PREVENTION POLICY OF THE DOWNTOWN GEORGETOWN BUSINESS IMPROVEMENT AREA

Objectives:

In accordance with the Ontario Human Rights Code, the DGBIA has a Workplace Discrimination Prevention Policy. The DGBIA is dedicated to protecting its employees, Board and committee members (henceforth known collectively for the purpose of this policy as “employees” and included in the term “staff”) from discrimination by co-workers, clients, customers, or members of the public.

The DGBIA also prohibits harassment in the workplace, including that which is based on a prohibited ground of discrimination under the Ontario Human Rights Code. For information about the DGBIA’s harassment prevention policy, including how complaints of harassment (including harassment based on a prohibited ground of discrimination under the Ontario *Human Rights Code*) will be dealt with by the DGBIA, please see **Workplace Violence and Harassment Prevention**.

It is the objective of the DGBIA to ensure that every employee is treated fairly in the workplace and to ensure an environment free of discrimination as defined by the Ontario Human Rights Code. The DGBIA will not condone or tolerate behaviour that denies individuals their dignity and respect, or is offensive, embarrassing or humiliating.

It is the duty of every supervisor to ensure that all employees are aware of this policy and that it is followed by all staff.

The DGBIA is very conscious of its duties, as well as the duties and rights of its staff in respect to discrimination as described in the Ontario Human Rights Code and seeks to abide by these duties at all times.

It is the purpose of this Policy to:

- Define actions which may be considered discrimination by their nature;
- Establish the process for reporting perceived discrimination;
- Establish the process for investigating reported discrimination; and
- Establish corrective measures to ensure any discrimination is eliminated from the workplace.

This Policy applies to all persons employed by the DGBIA including part-time, full-time, contract positions, elected officials, volunteers and citizen appointees.

Definitions:

Workplace

Workplace means all locations where business and/or social activities of the DGBIA are conducted, including DGBIA offices, premises and property (including company owned vehicles and personal vehicles when the vehicle is being used for DGBIA business) and any

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other site (including business travel) on which staff and citizen appointees are performing duties pursuant to their employment with or engagement by the DGBIA.

- includes the employee's home when unwelcome contact from co-workers are received there; and
- includes the employee's home when unwelcome contact from other persons, acquainted as a result of work related contact, are received there.

Unwelcome contact may include physical visits, telephone calls or contact via other electronic means.

Discrimination

The Ontario Human Rights Code states that every person has a right to equal treatment with respect to employment without discrimination based on: race, colour, ancestry, place of origin, ethnic origin, citizenship, creed, age, sex, gender identity, gender expression, record of offences, marital status, family status, disability, or sexual orientation.

Discrimination is differential or unequal treatment based upon the categories stated above.

Harassment

Harassment means a course of vexatious comments or actions that are known, or ought reasonably to be known, to be unwelcome. It can involve words or actions that are known or should be known to be offensive, embarrassing, humiliating, demeaning or unwelcome. Harassment can include such conduct as demands or threats, gestures, innuendos, remarks, jokes or slurs, displays of offensive material, and comments about a person's body, attire, habits, customs or mannerisms.

Harassment can occur based on any of the protected grounds of discrimination. However, harassment can also occur when not based on any protected grounds of discrimination. Both forms of harassment are prohibited and more information can be found in the DGBIA's Workplace Violence and Harassment Prevention Policy. Any complaint of harassment, including those based on a prohibited ground of discrimination, should be made and will be addressed in accordance with the procedures set out in the policy.

Poisoned environment

A poisoned environment is created by comments or conduct that contributes to a discriminatory work environment. The comments or conduct need not be directed at a specific person, and may be from any person, regardless of position or status. A single serious comment or action may create a poisoned environment.

Supervisor

Any person in a position of authority.

Physical and Sexual Assault

As defined by the Criminal Code.

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Supervisor`s Involvement

A supervisor responding to an informal complaint should consult the Board Chair, Executive, Board, Town of Halton Hills Manager of Human Resources and/or advisors before handling an issue.

Accommodation

Where an employee faces a barrier to performing their job duties based on a protected ground, the DGBIA will work with the employee to determine their needs and to assess how reasonable accommodation may be provided in accordance to relevant legislation.

If an employee requires workplace accommodation related to a protected ground, the employee should first speak with their supervisor about the requested accommodation, and if necessary, the employee may address the requested accommodation with the Executive or Board.

An employee may be asked to provide supporting documentation related to such a request. Each request will be considered by the DGBIA on a case by case basis and in consultation with the employee making the request. Accommodation requests made under the Accessibility for Ontarians with Disability Act, 2005 will follow the DGBIA's Individual Accommodation procedure.

Complaint Procedure:

General

In order to file a complaint, an employee must feel that he/she has been the victim of an act of discrimination as described in this Policy.

As mentioned, if an employee's complaint relates to alleged harassment, including harassment based on a ground of discrimination listed in this policy, a complaint should be brought forward and addressed in accordance with the policy and program on violence and harassment found in the Workplace Violence and Harassment Prevention Policy.

An employee wishing to file a complaint under this policy should contact the Executive or Board.

When contacted by an employee wishing to file a complaint, the Supervisor shall document the details of the complaint and after consulting with the Board Chair, advise the complainant:

- a) the alleged conduct does not fall within the jurisdiction of the policy and may be pursued in another manner or forum,
- b) the alleged conduct falls within the jurisdiction of the policy and will be investigated.

When the alleged discrimination conduct involves physical or sexual assault or the threat of such violence, the DGBIA will immediately take any necessary action to protect the worker in

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accordance with the DGBIA's Workplace Violence and Harassment Prevention Policy, and this may include immediately contacting law enforcement.

Investigation of Complaints

When a complaint is received, the Supervisor will review the allegations with the Board Chair or Executive and commence an investigation into the complaint.

An investigation may be conducted by a third party external investigator at the DGBIA's discretion based on the nature of the complaint and any other relevant considerations.

At a time deemed appropriate within the context of the investigation, the Supervisor will:

- a) inform the alleged offender of the complaint and provide them with a copy of the complaint; and
- b) advise both parties that the complaint is under investigation.

Investigations will conclude that:

- a) the allegation is substantiated; or
- b) the allegation is unsubstantiated.

Where a complaint is substantiated, appropriate action will be taken by the DGBIA to address the discrimination that is found to have occurred. This may include taking disciplinary action against an individual who is found to have acted in violation of this policy, up to and including termination of employment for just cause.

If it is determined that a complaint has been brought forward in bad faith, the individual who brought such complaint forward may be subject to discipline, up to and including termination of employment for just cause.

Third Party Complaints

An employee who has reason to believe a co-worker is the subject of discrimination can initiate a complaint with the Supervisor first, unless he/she is the subject of the complaint, in which the case the Executive should be consulted.

The Supervisor will contact the alleged victim to assess their views of the incident(s).

Where the alleged victim indicates that there is a valid basis for the complaint, the Supervisor will proceed with the complaint procedure.

Where the alleged victim indicates there is no valid basis for the complaint, the Supervisor shall remind them of this Policy and their rights under the Policy and the Human Rights Code. Whether any further action is taken will depend on the circumstances.

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No Reprisal

Any reprisal against an individual who seeks to enforce their rights under this policy or raises a complaint of discrimination is strictly prohibited. Engaging in a reprisal against a person who raises a complaint of discrimination in good faith may lead to discipline, up to and including termination of employment for just cause.

Revision History:

- Approved: November 12, 2019
- Next scheduled review: February, 2022