



EQUAL OPPORTUNITY, DISCRIMINATION AND WORKPLACE HARASSMENT PREVENTION*

*Workplace Harassment Prevention is addressed in Board Policy PRP-AI-003 Violence Harassment in the Workplace

AS-AI-003

Effective Date: 2011/09/23

Amended: 2012/10/17

Reviewed: 2015/09/25

Policy Statement

It is the policy of the Regional Municipality of Peel Police Services Board that the requirements set out in this document shall form part of the Board Policies and the Chief of Police is hereby directed to comply with these requirements in the administration and operation of the Peel Regional Police.

The Regional Municipality of Peel Police Services Board is committed to providing a work environment which encourages mutual respect and preserves personal dignity. It affirms that all members have the right to work in an environment that is free from discrimination and harassment.

- a) The Board observes and upholds the *Ontario Human Rights Code*, subsection 5(1) which states:

“Every person has a right to equal treatment with respect to employment without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability. Every person who is an employee has a right to freedom from harassment in the workplace by the employer or agent of the employer or by another employee because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability. (Section 5)”, and shall ensure reasonable measures are instituted and maintained so no member is subject to discrimination, including harassment;

- b) The Board states that all members, and any individuals representing the police service either on a paid or voluntary basis, are responsible for respecting the dignity and rights of their colleagues and co-workers, and for upholding the provisions which guarantee those rights pursuant to the *Ontario Human Rights Code*; and
- c) The Board states it shall not tolerate or condone conduct which can be construed as unlawful discrimination, including harassment pursuant to the *Ontario Human Rights Code*, and directs that an internal complaint procedure be established, as provided for by the *Code*, to ensure appropriate and expeditious resolution of a complaint where possible.

1. Specific Definitions

Disability – As defined by the *Ontario Human Rights Code* means:

- a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impediment, deafness or hearing

- impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device;
- b) a condition of mental impairment or a developmental disability;
 - c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
 - d) a mental disorder; or
 - e) an injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*.

Discrimination – The *Ontario Human Rights Code* states that every person has a right to equal treatment in employment without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed (religious beliefs), sex (includes pregnancy), sexual orientation, gender identity, gender expression, age (18 to 65), marital status, family status, record of offences, and disability (physical and mental disabilities, etc).

Equal opportunity – means subject to all requirements, qualifications and considerations that are not a prohibited ground of discrimination; and is consistent with the principles of the *Police Services Act (PSA)* including “*the need for sensitivity to the pluralistic, multicultural and multiracial character of Ontario’s society*”, and “*the need to ensure police services are representative of the communities they serve.*”

Harassment – as defined in the Ontario Human Rights Code, “Engaging in a course of vexatious comment or conduct against a worker in the workplace that is known or ought reasonably be known to be unwelcome”.

Workplace – as defined in the *Occupational Health and Safety Act*, means “Any land, premises, location or thing at, upon, in or near which a worker works.” In addition, all locations where business or social activities of the police service are conducted, including external training facilities, other locations where members may be assigned during periods of secondment and can also include incidents that happen away from work.

2. Policy Requirements

It is the policy of the Board that the Chief of Police shall:

- a) Ensure complete compliance with legislative and constitutional requirements, and recognized legal principles;
- b) Ensure that members act with full respect for human dignity and according to professional standards of skill, integrity and accountability;
- c) Establish procedures on equal opportunity that are consistent with the principles of the *Police Services Act* and the *Ontario Human Rights Code*, including recruitment, selection, career development and promotion;
- d) Establish procedures on responding to and preventing discrimination and harassment in the workplace, including stereotyping;
- e) Ensure that no sexist, racist or other offensive or derogatory material is displayed in the workplace;
- f) Establish procedures on employment accommodation in accordance with the *Ontario Human Rights Code* and section 47 of the *Police Services Act*;
- g) Ensure that all members receive training on diversity and human rights;
- h) Ensure an employee performance appraisal system is implemented;
- i) Ensures uniform and civilian recruitment and selection and promotional processes are valid, equitable and appropriately administered in accordance with the applicable

provisions of governing legislation and the Uniform and Civilian and Senior Officers Collective Agreements.

3. Measurement Methods

The Chief of Police shall conduct ongoing statistical analysis, qualitative and quantitative review of all equal opportunity, workplace discrimination and harassment practices to ensure compliance with this policy, police service directives and legislative requirements.

4. Reporting

The Chief of Police shall:

- i. On an annual basis, provide the Board with an statistical report on the Equal Opportunity Plan Results;
- ii. On an annual basis, provide the Board with an In Camera report on the analysis of grievance activity during the preceding calendar year which includes the status of grievances, resolutions (outcomes), and identifies any observable trends;
- iii. ******On an annual basis, provide the Board with an In Camera report on the analysis of human rights applications filed by members of the service with the Human Rights Tribunal of Ontario which includes the status of the applications, resolutions and identifies any observable trends; and

*(**This report is outlined in Board policy PRP-AI-005 Human Rights Complaints Management and Disposition; the reporting requirement in this policy can be incorporated into the Human Rights Complaints Management and Disposition report.)*

- iv. Report to the Board on an exception basis. This applies to those circumstances where a situation involving equal opportunity, workplace discrimination and/or harassment practices has resulted in an “exceptional” circumstance, or a circumstance which may be detrimental to the police service; and/or has resulted in significant issues of potential liability to the Board and the police service.

5. Authority/Legislative Reference

Police Services Act, Sections 1 & 47

Ontario Human Rights Code

Occupational Health and Safety Act (OHSA) through Bill 168

Board Minute: #69/11

Board Minute: #60/15

Replaces: Race Relations - Adopted 1993/04/16 *(pages II-AA-4 – II-AA-10)*

Human Rights Complaints – Adopted 1996/02/23 *(pages II-N-4-II-AA-5)*

Employment Equity – Adopted 1191/03/15 *(pages II-J-1)*

6. Linkage to Appropriate Police Service Procedure/Directive/PSB Policies

Peel Regional Police Recruitment and Selection Manual

Performance Appraisal and Developmental Planning Manual

Uniform, Civilian, and Senior Officers’ Collective Agreements

I-A-205 (F) Workplace Discrimination and Harassment

PRP- AI-013 Violence and Harassment in the Workplace

PRP-AI-005 Human Rights Applications Management and Disposition