



Hamilton

**Creating and Maintaining a Respectful &
Supportive Workplace**

Volunteer Advisory Committee Orientation

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Human Rights and Diversity

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Learning Outcomes

By the end of this session, you will:

- Know the City's expectations of acceptable, respectful behaviour in the workplace
- Understand that there are policies and procedures in place to address harassment & discrimination issues
- Review the AODA Customer Service Standard

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Corporate Policies

- Harassment & Discrimination Prevention Policy (includes Sexual Harassment)
- Personal Harassment Prevention Policy
- Harassment & Discrimination Resolution Procedures

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The Ontario Human Rights Code Protects Against 17 Grounds of Discrimination

Race <ul style="list-style-type: none">• Race is the one construct that we are all assigned	Creed <ul style="list-style-type: none">• Includes religion	Receipt of Public Assistance <ul style="list-style-type: none">• Govt. financial assistance	Sex <ul style="list-style-type: none">• Includes pregnancy	Disability <ul style="list-style-type: none">• Visible and invisible
Citizenship <ul style="list-style-type: none">• Refers to citizenship status	Marital Status <ul style="list-style-type: none">• Same sex marriage	Place of Origin <ul style="list-style-type: none">• Place of birth	Ancestry <ul style="list-style-type: none">• Line of descent	Family Status <ul style="list-style-type: none">• Single/elderly parents• Parent/child
Record of Offences <ul style="list-style-type: none">• Pardoned – some exceptions	Sexual Orientation	Ethnic Origin <ul style="list-style-type: none">• All of us have an ethnicity	Color <ul style="list-style-type: none">• Skin color	Age <ul style="list-style-type: none">• Birth date
Gender Identity <ul style="list-style-type: none">• is each person's internal and individual experience of gender. It is their sense of being a woman, a man, both, neither, or anywhere along the gender spectrum.		Gender Expression <ul style="list-style-type: none">• is how a person publicly presents their gender.		



What is Harassment?

- One or a series of “vexatious” comments or conduct that is known, or ought reasonably to be known to be unwelcome or unwanted
- Vexatious means without cause or excuse, distressing, provocative etc.
- Can be offensive, intimidating, hostile or inappropriate, based on the prohibited grounds
- Can create a poisoned work environment

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Examples of Harassment

- Racial, ethnic, religious, or gender-based slurs
- Unwelcome remarks, jokes, taunts related to any of the prohibited grounds
- Inappropriate comments regarding someone's sexual orientation, gender identity or gender expression
- Displays of racist or offensive material (i.e. graffiti)
- Behaviour or language which reinforces stereotypes
- Negative comments or conduct towards someone because of their pregnancy or disability
- Accessing, displaying, transmitting or storing (on City's computer network) material in violation of federal/provincial law or City by-law, or harassment prevention policies

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What is Discrimination?

- Differential treatment of an individual or group of individuals which is based on a prohibited ground
- Can have an adverse impact on an individual or group of individuals
- May be intentional or unintentional



10 Common Forms of Discrimination

Discrimination happens in many ways. The Ontario Human Rights Commission identifies at least ten types of discrimination that can happen:

1. Direct/Individual: A discriminatory action from one person to another.
2. Association: A discriminatory action against a person because of their relationship with a person who is a member of a Code-protected group.
3. Indirect/Constructive: Non-discriminatory actions have a discriminatory effect, even though the actions are not discriminatory.
4. Reprisal: Punishment of a person because they have tried to enforce their Code-based rights.
5. Poisoned Environment: An environment that has become hostile and unwelcoming as a result of discriminatory behaviours.

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10 Common Forms of Discrimination

6. Competing Rights: Circumstances where two or more grounds of discrimination are in conflict with each other.
7. Systemic/Institutional: “Patterns of behaviour, policies that are part of the structures of an organization, and which create disadvantage for [marginalized] persons.” (Ontario Human Rights Commission)
8. Racial Profiling: “Racial profiling is making assumptions about an individual because they belong to a specific racial group.” (Ontario Human Rights Commission)
9. Subtle: Discrimination that may not be obvious and that may occur through hints, inferences and gestures.
10. Harassment: Unwanted behaviours that are known or ought reasonably be known to be unwanted.

Personal Harassment

- Defined in the Occupational Health and Safety Act - Engaging in a course of vexatious comment or conduct against a worker, in a workplace, that is known or ought reasonably to be known to be unwelcome
- A pattern of inappropriate behaviour that does not violate the prohibited grounds in the OHRC, but is covered under OHSA
- Can make a person feel uncomfortable, embarrassed, offended or intimidated and can be offensive



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Examples of Personal Harassment

- Ongoing condescending comments, repeated offensive gestures or comments
- Spreading malicious rumours, gossip, or innuendo.
- Excluding or isolating someone socially
- Undermining or deliberately impeding a person's work
- Constantly changing work guidelines
- Withholding necessary information or purposefully giving the wrong information.
- Yelling or using profanity.
- Criticising a person persistently or constantly.
- Belittling a person's opinions.
- Blocking applications for training, leave or promotion.
- Tampering with a person's personal belongings or work equipment.

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Resolution Procedures

- Complainants and Respondents have the right to confidential, unbiased advice from the Human Rights Specialist
- Only the Human Rights Specialist can formally investigate complaints
- If you are aware of a potential complaint, contact the Human Rights Specialist immediately

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COMPLAINTS MADE TO HUMAN RIGHTS SPECIALIST

Attempts at resolution may include:

1. Informal Resolution
2. Alternative Dispute Resolution
3. Investigation

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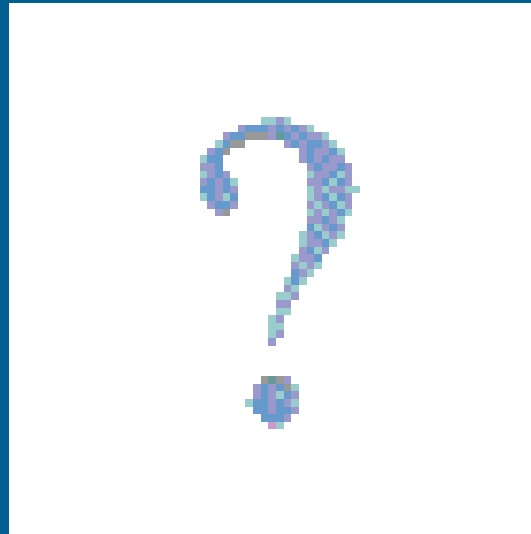


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You should also know...

- Compliance (everyone is covered!)
- Reprisals
- Defining the workplace
- Trivial or Frivolous Complaints
- **CONFIDENTIALITY**

QUESTIONS?



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