



**OSSTF D17 TBU
Anti-Harassment Principles
And Complaint Resolution Procedures Document**



APPROVED: TBU ANNUAL MEETING MAY 2023

District 17 – Simcoe TBU Anti-Harassment Principles and Complaint Resolution Procedures

A. Principles of Respectful Workplace and Federation Environments

A member of OSSTF District 17 – Simcoe Teachers’ Bargaining Unit (TBU) has the right to a workplace and union environment free from harassment and bullying.

Harassment and/or discrimination are not joking matters. They have a destructive effect on the workplace environment, individual wellbeing, and union solidarity. Such actions are not only destructive, they can be illegal.

Inadvertent, hidden and systemic harassment and/or discrimination must be identified and addressed. The roots of systemic harassment and discrimination include but are not limited to racism, sexism, homophobia and transphobia. OSSTF D17 – Simcoe TBU does not condone harassment and/or discrimination on the basis of age, national or ethnic origin, colour, religion, sex, gender identity, sexual orientation, race, socio-economic status or mental or physical disability.

Harassment and/or 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.

Acts of harassment and/or discrimination are always degrading, unwelcome and coercive. They are always unacceptable.

As members of OSSTF D17 – Simcoe TBU, 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 D17 – Simcoe TBU members, we must speak out against this conduct and stand together to protect human rights. We must take action.

OSSTF D17 – Simcoe TBU 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 locally sponsored OSSTF D17 – Simcoe TBU events and meetings.

Any member who feels targeted by harassment and/or discrimination must be able to speak up and know their concerns will be responded to immediately in accordance with OSSTF D17 – Simcoe TBU Bylaws and the Resolution and Complaint Process as found in the OSSTF D17 – Simcoe TBU Policies and Procedures.

What is Harassment?

Harassment and discrimination can take many forms and may be verbal 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. These actions may relate to, but are not restricted to, an individual's race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, age, record of offences, religion, marital status, socio-economic status, family status, or mental or physical disability.

What is not Harassment?

Vigorous professional debate or disagreement during federation discussions or during meetings, in and of itself, does not constitute harassment. Similarly, firm advice given by federation officers/representatives does not constitute harassment nor do innate personal attributes in and of themselves, such as a naturally loud voice, physical appearance, or substantial physical size.

B. Complaint Resolution Procedures

Step 1

The member, or an advocate acting on behalf of the member, verbally or in writing, should make known to the individual that their conduct/behaviour constitutes harassment or discrimination and is unwelcome. The member, or advocate, should request that the offensive behaviour(s) cease.

Step 2

If the member (or advocate) is not comfortable approaching the individual or if there is a recurrence of such behaviour(s) following a resolution at Step 1, the member should approach a designated Anti-Harassment Officer at the activity and ask the officer to act on their behalf. If no Anti-Harassment Officer has been designated, the member should approach the OSSTF representative in charge of the event or activity (i.e., the presiding officer), and request the complaint be addressed.

Step 3

The designated Anti-Harassment Officer (or appropriate designate), upon request of the complainant, will investigate the complaint promptly and confidentially, including separately interviewing the parties and any witnesses, with a view to resolving the problem informally and having any offensive behaviour(s) stop.

Resolutions at this stage may include (but are not limited to): dismissal of the complaint as vexatious, frivolous, or not meeting the definition of harassment, a verbal apology, a warning from the presiding federation officer, or relocation of the respondent within the venue. If, in the judgment of the designated Anti-Harassment Officer and/or presiding federation officer, the offending member should leave the activity or event, such a request will be made, and appropriate steps taken to ensure compliance.

Step 4

If the complaint cannot be resolved informally, the designated Anti-Harassment Officer will ensure that the federation event or activity can proceed without further harassment. The complainant will be asked to put the complaint and all relevant information in writing on the Anti-Harassment Complaint Form (FORM A). If the complainant chooses to provide such a written complaint, it will be submitted to the TBU President for action. In the event that the Bargaining Unit President is involved in the complaint, the complaint may be submitted to either Vice-President or a TBU Officer for action.

The TBU President, or designate, will appoint a member with Anti-Harassment training to conduct an investigation. The appointed Anti-Harassment Officer will interview the complainant (FORM B), interview the respondent (FORM C), and any appropriate witnesses (FORM D). The investigation will determine if the behaviour falls under the definition of harassment, and decide on appropriate remedial action consistent with the OSSTF/FEESO Constitution (FORM E). The parties involved will receive a written report stating the findings and any action taken.

The complainant may request a local Bargaining Unit Executive member to assist in filing the written complaint, during the interview, or appeal. The respondent may request a separate local Bargaining Unit Executive member to assist in preparing a rebuttal, responding to complaint, or appeal.

Decisions made by the investigating appointed Anti-Harassment Officer shall be consistent with the Bargaining Unit's Anti-Harassment Principles and Complaint Resolution Procedures document and may be reviewed by the Bargaining Unit Executive at the request of the member.

The Bargaining Unit shall keep a confidential file of all records and reports related to the investigation of written complaints for a period of five years.

None of the above restricts a member's right to file a complaint with the Ontario Human Rights Commission or to make a complaint to police.

C. Anti-Harassment Appeals Procedure

Members of D17 – Simcoe TBU affected by a decision resulting from a complaint under the Bargaining Unit Anti-Harassment Policy and Procedures may appeal this decision using the following procedure:

Step 1

Within 20 days of the decision, the affected member (herein called the Appellant) may submit a request in writing to the Bargaining Unit President for an Appeal Hearing. In the event that the Bargaining Unit President is involved in the complaint, the appeal may be submitted to either Vice-President or a TBU Officer for action.

Step 2

Within 20 days of receiving the request, the Bargaining Unit President, or designate, shall call a meeting of an Appeals Committee as per TBU Constitution to consider the appeal.

Step 3

The Appeals Committee shall review the complaint, the investigation process and findings, and the decision.

Step 4

Following the review, the Appeals Committee shall either confirm or modify the decision. The decision of the Appeals Committee shall be consistent with the Bargaining Unit's Anti-Harassment Principles and Complaint Resolution Procedures document.

Step 5

Within five (5) days of the meeting of the Appeals Committee, the committee shall report the decision on the Appeal to the Appellant and Bargaining Unit Executive in writing.

Step 6

The decision of the Appeals Committee shall be considered final and not subject to any appeal within the Bargaining Unit.

FORM A: OSSTF D17 TBU – Simcoe Anti-Harassment Formal Complaint

Details for member who has allegedly experienced harassment:

Your Name: _____

Branch: _____

Personal email: _____

Phone number: _____

Permission to leave voice mail on phone (please circle): YES NO

Names and branches of alleged harasser(s), if available

Details of the complaint of harassment.

Please describe in as much detail as possible the bullying and harassment incident(s), including: (a) the names of the parties involved; (b) any witnesses to the incident(s); (c) the location, date and time of the incident(s); (d) details about the incident(s) (behaviour and/or words used); (e) any additional details. (Attach additional pages if required)

List of relevant documents/evidence:

Attach any supporting documents, such as emails, handwritten notes, or photographs. Physical evidence, such as vandalized personal belongings, can also be submitted. If you are not able to attach documents and they are relevant to your complaint, please list the documents below. If someone else has relevant documents, please note that below. (Attach additional pages if required)

Signature: _____

Date: _____

FORM B: OSSTF D17 TBU – Simcoe Anti-Harassment Investigation - COMPLAINANT

Anti-Harassment Officer:

Complainant Details

Name:

Branch:

Contact Info:

Interview with Complainant

Date: _____

Method: Phone
 In-person
 Other: _____

Location: _____

Summary of Complaint (attach more if necessary):

List of Documents/Evidence Provided or Potential Witnesses:

Initial Investigation Outcome:

If the situation(s) as alleged was/were true does this qualify as harassment:

YES

NO

Rationale:

Date the Complainant Been Informed:

By Phone:

By Email:

**Anti-Harassment Officer
Signature:**

Date:
