



TORONTO STANDARD CONDOMINIUM CORPORATION NO. 2706

(THE “CORPORATION”)

WORKPLACE VIOLENCE, HARASSMENT AND DISCRIMINATION POLICY

1. POLICY

The Corporation is committed to providing a safe and healthy workplace that is free from discrimination, harassment, violence or threats of violence and in which all individuals are treated with respect and dignity. The Corporation recognizes that discrimination, harassment, and violence or threats of violence are health and safety issues and will take reasonable steps to prevent discrimination, harassment, and violence and to protect employees at the workplace.

2. PURPOSE OF THIS WORKPLACE VIOLENCE, HARASSMENT AND DISCRIMINATION POLICY

This policy is intended to:

- (a) create and foster a work environment free from violence, threats of violence, harassment, and discrimination;
- (b) provide definitions of workplace violence and harassment;
- (c) establish and detail the responsibilities of all persons in the Corporation to maintain a workplace free of violence and harassment;
- (d) ensure that incidents of harassment and violence are reported to the Property Manager and/or the Board of Directors of the Corporation (the “**Board**”); and
- (e) ensure that complaints of harassment, violence or threat of violence will be investigated in a fair, timely and equitable manner by the Corporation.

3. SCOPE AND APPLICATION OF THIS POLICY

This policy applies to all employees (regardless of their position), contractors, owners, residents, visitors, delivery persons, volunteers, and any other person attending the Condominium Property (as defined below). For the purposes of this policy, workplace includes all places where the Corporation’s business occurs and includes:

- (a) the Corporation’s common elements, including the building and surrounding perimeter, parking garages, sidewalks, and driveways (the “**Condominium Property**”);
- (b) the condominium units; and
- (c) all Corporation functions and recreational or social events, whether taking place on the Condominium Property or elsewhere.

4. DEFINITIONS

(a) ***Prohibited Grounds of Discrimination***

The Corporation is committed to providing a respectful environment that is free from discrimination. The Corporation prohibits discrimination on the basis of the protected grounds under the Ontario *Human Rights Code* including race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sexual orientation, gender identity, gender expression, age, record of offences (for which a pardon has been granted), marital status, family status or disability (the “**Prohibited Grounds**”).

(b) ***Workplace Violence***

The Corporation is committed to preventing workplace violence. “Workplace violence” is defined by the Ontario *Occupational Health and Safety Act* (hereinafter, “*OHS*”) as follows:

- (i) the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker,
- (ii) an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker,
- (iii) a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

Examples of workplace violence includes, but is not limited to:

- (i) physical acts of violence including hitting, shoving, kicking, punching, slapping, or sexual assault, or any attempt or threat to attempt such acts;
- (ii) the attempted use of physical force or threat of physical force against or by an employee or other person working for the Corporation that could cause physical injury;
- (iii) any threatening behaviour such as shaking fists, throwing objects or physical confrontation or intimidation (such as crowding or cornering an individual);
- (iv) an action or statement (or series of actions or statements) reasonably believed to be a threat of physical harm or a threat to the safety or security of the workplace;
- (v) stalking;
- (vi) threatening to use an object as a weapon; and
- (vii) unless otherwise authorized by law, bringing a weapon of any kind to the Corporation’s workplace or possessing a weapon of any kind while carrying out the Corporation’s business, or threatening to bring a weapon to the Corporation’s workplace.

(c) ***Threats of Domestic Violence***

Where required by law, when the Corporation is or becomes aware of a domestic situation that would likely expose an employee or contractor to physical injury in the workplace, the Corporation will take every precaution reasonable in the circumstances for the protection of an employee who is likely exposed to physical injury. Additionally, the Corporation should be advised by anyone with knowledge of a domestic abuse concern regarding an employee. While some disclosure of personal information could be necessary in such a situation, disclosure will be limited to what is reasonably necessary to protect the employee from physical injury.

An employee who has received a restraining or other protection order preventing contact or restraining access by another individual to the employee should immediately inform the Corporation of the order, its contents and terms, and the identity of the individual being restrained or restricted.

(d) ***Workplace Harassment***

The Corporation is committed to preventing workplace harassment. "Workplace harassment" is defined by the *OHSA* as engaging in a course of vexatious comment or conduct against a worker that is known or ought reasonably to be known to be unwelcome. "Workplace harassment" also includes "workplace sexual harassment" as defined below.

Harassment includes behaviour that is likely to undermine the dignity or self-esteem of an individual, or creates an intimidating, humiliating, hostile or offensive environment. It includes any discriminatory behavior that is related to any Prohibited Grounds. Harassment includes behaviour that is known, or ought reasonably to be known, to be unwelcome.

"Workplace sexual harassment" is defined by the *OHSA* as follows:

- (i) engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
- (ii) making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

Examples of behavior constituting workplace harassment includes, but is not limited to:

- (i) demeaning, degrading, embarrassing or humiliating words or comment, whether made verbally, electronically, or in writing;
- (ii) taunting;
- (iii) singling out a person by making demeaning or degrading remarks or jokes;
- (iv) displaying demeaning, derogatory or offensive pictures, material or gestures;
- (v) public shaming;

- (vi) yelling or shouting at a person;
- (vii) pestering employees of the Corporation;
- (viii) bullying;
- (ix) cyber-bullying;
- (x) advances that are unwelcome or ought reasonably to be known to be unwelcome, including requests for sexual favours or other verbal or physical conduct of a sexual nature;
- (xi) unwelcome comments or inquiries about a person's romantic relationships or sex life;
- (xii) unwelcome sexual flirtations, advances, or propositions;
- (xiii) unwanted touching;
- (xiv) using the submission to or refusal to accept prohibited conduct as a basis for any employment decision including, but not limited to, matters of promotion, career progression, the type of work given, salary/wage increases, job security and benefits, and
- (xv) verbal abuse or threats that do not involve the threat of violence.

"Cyber-bullying" refers to bullying that occurs through the use of a computer, cell phone, smartphone, tablet, or other device that transmits electronic information, regardless of whether the device is owned by or located at the Corporation's premises or connected to the Corporation's network.

The following conduct DOES NOT constitute workplace harassment under this policy:

- (i) the normal and reasonable exercise of supervisory and management rights and responsibilities including, but not limited to, job assignments, working hours, performance reviews, work evaluations, disciplinary action and other conduct that does not interfere with a climate of understanding and respect for the dignity and worth of the Corporation's employees;
- (ii) differences of opinion;
- (iii) minor disagreements between an employee and another person; and
- (iv) isolated incidents of rudeness.

5. ZERO TOLERANCE

The Corporation values its employees and commits to taking whatever steps are reasonable to protect employees from workplace violence and harassment. The Corporation will not tolerate incidents of workplace violence or harassment perpetrated against or by any employee, contractor, visitor or any other person at the Condominium Property or involved in the Corporation's business.

Every person on the Condominium Property is responsible for acting in compliance with this policy.

With respect to acts of workplace violence or harassment as defined in this policy, the Corporation may, where appropriate:

- (a) remove the perpetrator by security or by involving the police;
- (b) discipline any employee, up to and including dismissal, and/or report the conduct to the police;
- (c) terminate the contract of any contractor or service provider and/or report the conduct to the police;
- (d) sanction any unit owner or resident as permitted by the Condominium Act and/or the rules of the Corporation and/or report the conduct to the police; and
- (e) report the conduct of any other person to such person as deemed appropriate in the circumstances, and/or to the police.

All physical assaults or threats of violence involving an employee or occurring on the Condominium Property will be reported to police. All other incidents or threats of workplace violence will be reported to police as appropriate in the circumstances.

6. RESPONSIBILITIES AND OBLIGATIONS

It is the responsibility of:

(a) *The Corporation*

- (i) to take reasonable preventative measures to discourage and prevent workplace violence and harassment on the Condominium Property and prevent retaliation;
- (ii) to ensure that workplace violence assessments are conducted as needed;
- (iii) to develop procedures to address the workplace violence risks identified in any violence assessment;
- (iv) to ensure that all employees are trained in this policy;
- (v) to post this policy in a conspicuous place in the workplace;
- (vi) to ensure that this policy is communicated to contractors and other persons who attend at the Condominium Property;
- (vii) to ensure the process for reporting, responding to and investigating incidents of workplace violence and harassment is communicated, maintained and followed; and
- (viii) to ensure that this policy is reviewed at least annually.

(b) ***Property Manager***

- (i) to understand and abide by the requirements of this policy;
- (ii) to communicate and review this policy with the employees they supervise or manage;
- (iii) to verify that all contractors and others who attend at the Condominium Property are aware of this policy;
- (iv) to adequately train employees in procedures that address workplace violence and harassment;
- (v) to encourage employees to report complaints or incidents of workplace violence and harassment;
- (vi) to respond to all complaints or incidents of workplace violence and harassment in a professional manner appropriate for the circumstances of the complaint or incident and in accordance with this policy; and
- (vii) to promptly report all complaints or incidents of workplace violence and harassment they receive or witness to the Board.

(c) ***Employees***

- (i) to comply with this policy at all times;
- (ii) to immediately notify their supervisor or other designated person of any incident of workplace violence or harassment, whether the employee is the victim or not;
- (iii) to participate in training regarding this policy and any other Corporation procedures related to workplace violence and harassment; and
- (iv) to fully cooperate in any investigation of complaints or incidents of workplace violence and harassment or breaches of this policy.

(d) ***Unit Owners, Tenants and Occupants***

- (i) to comply with this policy at all times;
- (ii) to immediately notify the Property Manager or the Board of any incident of workplace violence or harassment involving an employee or contractor of the Corporation; and
- (iii) to fully cooperate in any investigation of complaints or incidents of workplace violence and harassment or breaches of this policy.

7. REPORTING WORKPLACE VIOLENCE, HARASSMENT AND REPRISAL

The Corporation may commence an investigation into any circumstances which it believes may constitute a violation of this policy, notwithstanding that a complaint has not been made by an employee, contractor or other person.

(a) ***Time Limit for a Complaint***

Subject to the requirements of the *OHS*A, a workplace violence or harassment complaint will not be investigated or otherwise dealt with under this policy, if the complaint was not made:

- (i) within six months after the incident to which the complaint relates; or
- (ii) if there was a series of incidents, within six months after the last incident in the series.

Notwithstanding this policy, where applicable, an employee retains his or her right to file a complaint with the Ontario Human Rights Tribunal or other adjudicative body. This policy is not intended to discourage or prevent an employee from exercising any other legal rights pursuant to any other law. However, this policy does not limit or fetter the Corporation's right to respond to same if required.

(b) ***Self Help***

Where an employee, contractor or other person (hereinafter, the "**complainant**") believes they have been subjected to harassment, he or she may, where comfortable doing so, advise the alleged perpetrator that the behaviour is unwelcome and should stop. In such circumstances, no report is made to the Property Manager, Board or supervisor.

The complainant should record the date of this discussion with the alleged perpetrator. Following the discussion, if the behaviour complained about does not stop or should different harassing behaviour start, the complainant should maintain a detailed record of any subsequent harassing behaviour. This record should include the date, time and place of any subsequent incident, along with a description of the involved behaviour and the names of any potential witnesses.

(c) ***Reporting Violations of this Policy***

(i) **Reporting**

- (A) any person who believes that he or she has been subjected to behaviour that violates this policy must immediately report the incident to the Property Manager or the Board, or in the case of an employee to their supervisor or other designated person, for investigation;
- (B) any person subjected to workplace violence or harassment should, where appropriate, go to a safe location at the workplace to report the incident. In the event of an emergency, the person should contact the police or emergency services before reporting the incident to the Property Manager, the Board, or their supervisor;
- (C) all complaints and incidents are to be recorded in writing by the reporting person and the person receiving the report. The date, time, location, alleged perpetrator, potential witnesses and nature of the incident should be documented;

- (D) if an incident of workplace violence involves a person who is not an employee or contractor of the Corporation, the Corporation will report the incident to such person as deemed appropriate in the circumstances.

(ii) **Investigation**

- (A) all complaints or incidents of workplace violence, harassment or reprisal, as defined below, will be promptly investigated by the Corporation. The type of investigation will vary depending on the circumstances, and the Company will determine the type of investigation that is appropriate in the circumstances. The investigation will be conducted in a fair, impartial, and timely manner. The Corporation will endeavour to keep the complaint and the results of the investigation confidential to the extent practicable and as allowable at law;
- (B) the investigation, whether internal or external, will at a minimum include:
 - (1) a documented interview with the complainant and/or victim;
 - (2) a documented interview with the alleged perpetrator(s);
 - (3) a documented interview with any witnesses with relevant information to provide; and
 - (4) any other step the investigator(s) deems necessary to fully and fairly investigate the complaint or incident;
- (C) at the conclusion of the investigation into an incident or complaint, the investigator will prepare a written report of the findings of fact that, after evaluating existing policies, procedures, physical premises and devices, and employee training, includes any suggestions to prevent a recurrence or corrective action to be taken, if applicable; and
- (D) the results of the investigation and the investigator's report will be communicated to the required parties pursuant to the requirements of the *OHSA*.

(d) **No Retaliation**

Discrimination, workplace violence, and harassment pursuant to this policy are serious matters. This policy prohibits retaliation against employees or others who have made good faith complaints or provided information regarding a complaint or incident of discrimination, violence or harassment. Employees or others who engage in retaliation or threats of retaliation may be disciplined up to and including dismissal from employment, the termination of contract, or sanction as permitted by the Condominium Act and/or the rules of the Corporation.

Reprisal includes:

- (b) any act of retaliation that occurs because a person has complained of or provided information about an incident of harassment;

- (c) intentionally pressuring a person to ignore or not report an incident of harassment; and
- (d) intentionally pressuring a person to lie or provide less than full cooperation with an investigation of a complaint or incident of harassment.

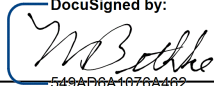
Any person who makes a false complaint or otherwise abuses this policy, will be subject to a formal investigation, and may be subject to discipline or sanction, as the case may be, appropriate for the circumstances. Such discipline or sanction is not a reprisal or breach of this policy.

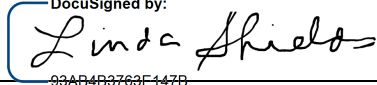
8. POLICY REVIEW

This policy will be reviewed at least annually or as otherwise determined by the Board from time to time.

[Signed or approved] by:

TORONTO STANDARD CONDOMINIUM
CORPORATION NO. 2706

DocuSigned by:

Per: _____
Name: Michael Bethke
Title: President

DocuSigned by:

Per: _____
Name: Linda Shields
Title: Treasurer