

Respect in the Workplace and Workplace Violence Policy

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Purpose

The Independent Electricity System Operator (IESO) is committed to ensuring your health and safety, and to providing a respectful work environment that is free from violence and harassment. We recognize that co-operation and commitment from all of our employees and management, as well as from our visitors, consultants, customers, suppliers, and contractors, is essential to maintaining a healthy, safe, and respectful work environment.

This Policy¹ describes the IESO's responsibility, in co-operation with its employees, to:

- a. Take every reasonable precaution in the circumstances to protect the health and safety of its employees.
- b. Establish and maintain a respectful work environment, free from violence and the threat of violence, harassment (including sexual harassment), and discrimination.
- c. Comply with all applicable legislative² obligations.

Scope

This Policy applies to the following:

- a. All IESO employees, regardless of position, including temporary employees.
- b. All visitors, including consultants, customers, suppliers, and contractors.
- c. Any other parties with whom an employee comes into contact when carrying out job-related duties.

¹ Terms that are defined in the *Glossary* of this Policy are capitalized where they appear throughout the body of the document.

² For specific details, refer to the *Ontario Human Rights Code, R.S.O. 1990, c. H.19.*, the *Ontario Occupational Health and Safety Amendment Act (OHSA) - Violence and Harassment in the Workplace, 2009, S.O. 2009, c. 23 as amended*, and *Ontario Bill 132, Sexual Violence and Harassment Action Plan Act (Supporting Survivors and Challenging Sexual Violence and Harassment), 2016, S.O. 2016, c.2.*

Health and Safety

1. This Policy applies to the Workplace³, where safety is a shared responsibility of IESO management and you.
2. The IESO's Joint Health and Safety Committee holds regular meetings, conducts regular Workplace inspections, and makes written recommendations to the IESO for the improvement of the health and safety of Workers.

Discrimination, Harassment, and Violence in the Workplace

3. The IESO is committed to providing a respectful work environment that is free from discrimination, harassment, violence, or threat of violence in the Workplace.
4. The IESO prohibits discrimination on the basis of race, ancestry, place of origin, colour, ethnic or national origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences (for which an unrevoked pardon or a record suspension has been granted under the *Canada Criminal Records Act*, or an offence in respect of any provincial enactment), disability, marital or family status, or any other characteristic protected by law.
5. The IESO prohibits all forms of unlawful harassment, including, but not limited to, sexual harassment. The law does not permit, nor will the IESO tolerate, harassing or violent behaviour against any employee of the IESO by other employees, customers, contractors, or visitors to the Workplace. Likewise, the IESO will not tolerate harassing or violent behaviour against customers, contractors, or visitors by any employee of the IESO.
6. The IESO takes all reasonable steps to identify risks and prevent harassment and/or violent acts and threats of violence in the Workplace that affect the personal safety and well-being of employees, visitors, customers, suppliers, contractors, and members of the public who may access the Workplace. The IESO will take appropriate action to protect all persons from the effects of violent behaviour and threats of violence in the Workplace.

³ For specific details, refer to the *Glossary* at the end of this document.

Workplace Harassment

7. Workplace Harassment means either of the following:
 - 7.1. 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.
 - 7.2. Workplace Sexual Harassment (as defined in item 10).
8. Workplace Harassment includes unwelcome verbal, electronic, visual, or physical contact that denigrates or shows hostility towards an individual because of any characteristic prohibited by law, and which has the purpose or effect of violating the recipient's dignity, or creating an intimidating, hostile, or humiliating work environment for the recipient.
9. Workplace Harassment includes conduct which is known, or ought to reasonably be known, to be unwelcome.

Examples of behaviour that is inappropriate include, but are not limited to:

- 9.1. Displaying or disseminating images, cartoons, or jokes that include derogatory content about religion, national origin, or other protected grounds.
 - 9.2. Bullying.
 - 9.3. Singling out a person or making comments that are insulting based on age, sexual orientation, or other protected characteristic.
10. Workplace Sexual Harassment is also strictly prohibited. Workplace Sexual Harassment means either of the following:
 - 10.1. 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.
 - 10.2. 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.
 11. Workplace Harassment does not, however, include properly discharged supervisory and management responsibilities, including disciplinary action, management of performance, and other conduct that does not interfere with a climate of understanding and respect for your dignity and worth.

Workplace Violence

12. Workplace Violence includes:
 - 12.1. The exercise of physical force by a person against a Worker in a Workplace that causes, or could cause, physical injury to the Worker.
 - 12.2. An attempt to exercise physical force against a Worker in a Workplace that could cause physical injury to the Worker.
 - 12.3. A statement or behaviour that a Worker could reasonably 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 include, but are not limited to:

- 12.4. Any assault or physical attack, which includes fighting, punching, slapping, hitting, pushing, shoving, kicking, or any threat or attempt at such acts.
- 12.5. The use of a weapon, or threatened use of any object as a weapon.
- 12.6. Any threatening behaviour, such as shaking fists, throwing objects, physical confrontation, or intimidation (e.g., crowding or cornering an individual).
- 12.7. Stalking.
- 12.8. Verbal or written threats.

Threats of Domestic Violence

13. The IESO will take every precaution reasonable in the circumstances, where required by law, for your protection if you are likely to be exposed to physical injury when the IESO is, or becomes aware of, a domestic abuse concern that would likely expose you (or a contractor) to physical injury in the Workplace.
14. You should advise the IESO if you have knowledge of a domestic abuse concern regarding an employee. While some disclosure of personal information may be necessary in such a situation, disclosure will be limited to what is reasonably necessary to protect the employee or contractor from physical injury.
15. You should immediately inform the IESO of any restraining order, its contents and terms, and the identity of the individual being restrained if you have received a protection order preventing contact from, or restraining access by, another individual.
16. Circumstances may require the IESO to disclose personal information about a person (including a current employee) who has committed, or may commit, an act of Workplace Violence where another Worker is at risk of Workplace Violence. The disclosure of personal information will be limited to that which is necessary to protect a Worker from personal injury.

Reporting Obligations

17. You should immediately report the matter to your manager and/or Human Resources if you believe that you have been subjected to behaviour that violates this Policy. If your manager is the alleged offender, you must report the matter to your department's Director or the Director of Human Resources.
18. Supervisors or managers who are involved in any of the situations listed below need to report the incident to Human Resources immediately.
 - 18.1. Witnessing discrimination or harassment.
 - 18.2. Receiving a report of discrimination or harassment.
 - 18.3. Otherwise becoming aware of discrimination or harassment
 - 18.4. Becoming aware of a threat of violence in the Workplace, or involving an employee.
 - 18.5. Receiving a complaint regarding such events.
19. The IESO may take disciplinary action as a result of inaction on the part of any individual to whom a complaint has been made.
20. All employees are equally responsible for notifying their manager and/or Human Resources of any actual or potential threats, verbal or physical, that they have witnessed, received, or have been told that another person has witnessed or received. This includes threats by employees, as well as threats by customers or members of the public.

Response

21. You need to take action when a violent incident occurs to minimize its impact. You should respond to incidents of violence by summoning immediate security and healthcare assistance. Such assistance should include, but is not limited to (depending on the nature of the incident):
 - 21.1. Contacting supervisors or managers.
 - 21.2. Contacting Physical Security and/or off-site security, as applicable.
 - 21.3. Contacting emergency services, police, and/or health services directly, or through 911.

You need to contact medical assistance immediately in the event of a potential or actual injury. You may also be required to contact the Ministry or Labour or other governmental body.

22. You should provide the following information when you report and/or witness an incident:
 - 22.1. Date(s), time(s), and location(s) of the incident(s).
 - 22.2. Description of the incident(s).
 - 22.3. Name(s) of anyone present during each incident.
 - 22.4. Name(s) of anyone with whom the individual may have discussed the event.

Investigation

23. The IESO will promptly and impartially carry out an investigation, appropriate in the circumstances, of every report of harassment, discrimination, violence, or threat of violence. The IESO will keep information about the complaint, the investigation, and the results of the investigation (including information about the individuals involved) confidential and will not disclose such information unless disclosure is necessary for the purpose of the investigation or taking corrective action with respect to the complaint, or as otherwise required by law.
24. The IESO will determine the party authorized to investigate and/or resolve the complaint.
25. The IESO may take formal disciplinary action against any person, up to and including termination of employment, where it is determined that a person has made a complaint in bad faith, or with the intent to harm another person/employee, and/or has misrepresented facts. Conduct based on mistakes or misunderstandings does not constitute malicious conduct.

Reprisal

26. The IESO strictly prohibits and will not tolerate reprisals against any employee, including a manager, who reports an act of Workplace discrimination, harassment, or violence. Similarly, there will be no reprisal against any employee, including a manager, who participates in a Workplace investigation of discrimination, harassment, threats, or acts of violence.
27. You need to report all reprisals immediately to your manager and/or Human Resources.

Compliance Plan

The following activities have been implemented to help you be compliant with this Policy:

28. IESO management:
 - 28.1. Directs the creation of policies and procedures designed to prevent Workplace discrimination, harassment, and violence.
 - 28.2. Examines this Policy annually to ensure that it meets all objectives.
 - 28.3. Ensures that all employees are made aware of the importance of preventing discrimination, harassment, or violence, and of the procedures for managing complaints made pursuant to this Policy.
 - 28.4. Assesses the risk of Workplace Violence to Workers, minimizes those risks where necessary or reasonably possible, and informs any affected employee of such risk or potential risk.
 - 28.5. Takes every precaution reasonable in the circumstances for the protection of the Worker where they are aware, or ought reasonably to be aware, of a domestic violence situation that would likely expose a Worker to physical injury.
 - 28.6. Appoints investigators when appropriate to do so.
 - 28.7. Takes corrective action when a complaint of discrimination, Workplace Harassment, or violence is found to have been substantiated.
29. The Human Resources Department:
 - 29.1. Makes all employees aware of the importance of preventing harassment or violence, and of the procedures for managing complaints made pursuant to this Policy.
 - 29.2. Assists the IESO in meeting its applicable legislative obligations relating to Workplace Violence and Workplace Harassment.
 - 29.3. Provides advice and support to persons who are subjected to discrimination, harassment, reprisals, or violence.
30. You need to:
 - 30.1. Behave in a professional, respectful manner and avoid any behaviour that could constitute discrimination, harassment, reprisals, or violence.
 - 30.2. Report to your manager and/or Human Resources any discrimination, harassment, reprisals, or violence (including domestic violence) of which you are aware.
 - 30.3. Bring to the attention of your manager and/or Human Resources information about any individual at the IESO who presents any form of elevated risk.

- 30.4. Co-operate with the process for handling complaints when required.
- 30.5. Be forthright and honest in the course of any Workplace investigation.

Enforcement

31. The IESO may take disciplinary action, up to and including termination of employment for just cause, for any violation of this Policy.
32. You can also report a violation of this Policy via the following channels (in addition to reporting to a manager and/or Human Resources):
 - 32.1. <https://www.grantthorntontcare.ca>
 - 32.2. 1-855-424-CARE (2273) (toll free)
 - 32.3. useCARE@ca.gt.com

Glossary

33. A **Policy** describes accountabilities and responsibilities. While accountabilities cannot be delegated, responsibilities may be delegated by the person who is accountable.
34. The term **Worker** refers to a person who performs work, or supplies services, for the IESO in exchange for monetary compensation, and includes employees and independent contractors.

Independent contractors are advised of their obligations via contract and procurement agreements.
35. A **Workplace** includes, but is not limited to, the actual work site (i.e., it may also include work-related social functions, work-related assignments, conferences, training sessions, and other work-related events).
36. **Workplace Harassment** means: (a) 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; or (b) Workplace Sexual Harassment.
37. **Workplace Sexual Harassment** means: (a) 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 (b) 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.

Document Control

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Document Change History

Issue	Reason for Issue	Date
1.0	Initial release of new policy document.	October 28, 2015
2.0	Updated and approved by Legal Services to comply with Ontario Bill 132.	September 8, 2016

References

Document Title	Document ID

Related Documents

Document Title	Document ID
Governing Document Policy	IESO_PLCY_0001
Human Resources Policy	IESO_PLCY_0011