



# Workplace Discrimination, Violence & Harassment Training

## GOAL

To gain an increased understanding of:

- What constitutes harassment, discrimination and workplace violence
- Sexual harassment in the workplace
- Costs of workplace harassment
- Overview of Bill 168 and it's background
- Border Town pro Wrestling's (BTPW) policy and procedures for resolving harassment complaints and reporting incidents of workplace violence
- Roles of Management, Employees and Locker Room Leaders Council in addressing harassment and violence in the workplace

## BTPW's Objective

To have a workplace free of harassment and discrimination of any kind.

To have a workplace free of violence.

All BTPW employees should treat others fairly and with dignity and respect.



# **Workplace Discrimination, Violence & Harassment Policy (W.D.V.H.P)**

## **1.0 SEXUAL HARASSMENT**

Sexual Harassment - Human Rights Code:

In the Ontario Human Right Code, sexual harassment is "engaging in a course of vexatious comment or conduct that is known or ought to be known to be unwelcom." In some cases, one incident could be serious enough to be sexual harassment.

Sexual harassment - Occupational Health & Safety Act:

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."
2. "Making a sexual solicitation or advance where the person making the 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."

## **2.0 WORKPLACE HARASSMENT**

Engaging in a course of provoking comments or conduct against a worker in a workplace that is known, or ought reasonably to be known, as unwelcome.

Workplace Harassment:

BTPW believes in providing and maintaining a work environment in which all employess are free from workplace and/or sexual harassment and discrimination.

For the purpose of the Manual, 'workplace' refers to any place where business or work-related activities are conducted including, but not limited to, office, lunch meeting, social functions, (e.g. appearances, meet and greet) or work-related travel (e.g. representing BTPW at another show), interviews/podcast, social media, etc.

Under Ontario's Occupational Health and Safety Act (Bill 168), workplace harassment is defined as:

- 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.
- Some types of behaviours that may be workplace harassment include:
  - Bullying
  - Teasing
  - Intimidating or offensive jokes or innuendos
  - Displaying or circulating offensive pictures or materials
  - Offensive or intimidating phone calls.

When possible, employees are encouraged to address the issue directly to the individual concerned. In this situation, the employee should maintain a record of the discussion including the date, time details of the misconduct, any witness to the misconduct and follow-up that is conducted.

If an employee is not comfortable in addressing the situation on his/her own, he/she should promptly report any issues, concerns, etc. pertaining to the witnessing of the personal subsection to any form of workplace/sexual harassment and/or discrimination to any Locker Room leader or any member of the Management Staff.

Initially, management staff will attempt to resolve the issue informally by addressing the issue with the individuals concerned. If such attempts are unsuccessful, the employee who initiated the initial report will be asked to provide a copy of the completed written report. In the case, the management staff will undertake a more formal investigation of the incident speaking to all individuals outlined in the report (complainant, respondent, and any witnesses).

The formal investigation will be completed within (20) business days of the incident. The investigating manager will complete a written report of his/her findings. This report will be provided to head office and Locker Room Leader and/or Designate.

Matters of this nature will be held in strict confidence between the parties involved and will be subject to further disciplinary action, if warranted.

Disciplinary action could result in a verbal or written reprimand, suspension (without pay) or termination (with or without notice). Any written reports which corroborate evidence that an employee was involved in wrongdoing (workplace/sexual harassment or discrimination) will be maintained in the employee's file.

An employee who deliberately make a false accusation is also subject to the above-noted disciplinary action.

It should be noted that an unproven allegation does not mean that harassment and/or discrimination did not occur, it means there was insufficient evidence to proceed with disciplinary action.

## **2.1 WORKPLACE HARASSMENT**

Harassment should not be confused with legitimate, reasonable **management** actions that are part of the normal work function

Harassment does not include:

- Direction or workers
- Measures to correct performance deficiencies, such as placing someone on a performance improvement plan
- Imposing discipline for workplace infractions
- Requesting medical documents in support of a return to work

It also does not include normal workplace conflict that may occur between individuals or difference of opinion between co-workers.

## **3.0 PREJUDICE & DISCRIMINATION**

A form of harassment. Any action or inaction that differentiates between individuals or individual as a member of a prohibited group under the Ontario Human Rights Code, and imposes a disadvantage or withholds an advantage on the basis of:

- citizenship
- race
- place of origin
- ethnic origin
- colour
- ancestry
- disability
- age
- creed

- sex/pregnancy
- family status
- marital status
- sexual orientation
- gender identity
- gender expression
- record of offence

**Prejudice:** an opinion or judgment based on irrelevant considerations or inadequate knowledge, especially an unfavourable opinion or judgement

**Stereotype:** an oversimplified, false or generalize portrayal of a group of people.

**Collusion:** group witnessing the event remains silent and in doing so, are telling the perpetrator b their inaction that what he/she is saying/doing is okay by them.

We collude because it is often easier than confronting; we want to conform, be accepted or we feel we don't have the skills to confront.

More people are guilty of colluding while the minority enact their prejudices and discriminate on a regular basis.

To ensure that we have a harassment-free workplace we have to "stop the collusion" and tell people to stop the offensive behaviour.

## 4.0 HOW PARTIES ARE AFFECTED

Harassment affects everyone not just the parties involved.

Workplace Harassment Costs:

### Costs to Employee

- Emotional Distress (e.g. fear, anxiety, guilt)
- Loss of Self-esteem
- Embarrassment
- Anger
- Illness (e.g. ulcers, headaches, stress-related symptoms)
- Exclusion From Groups

- Loss of Income (e.g. Increased absenteeism)
- Loss of Job
- Disrupts Career

#### Costs to Employer

- Poor Morale
- Low Productivity
- Absenteeism
- Staff Turnover
- Retraining
- Litigation
- Damaged Public Image
- Customer/Supplier Relationships
- Company Pride

#### Costs to Harasser

- Loss of Income
- Loss of Job
- Loss of Reputation
- Litigation
- Emotional Distress
- Exclusion from Group

#### Costs to Other Workers

- Stress
- Poor Work Performance
- Poor Moral in Team
- Turnover/Absenteeism in the Group

**How Do People Generally react to Workplace Harassment:**

- Avoid the co-worker
- Discuss with a friend
- Quit
- Use humour
- Deny harassment occurred
- Call in sick/No show
- Tell a Locker Room Leader
- Tell Management
- Confront the harasser

Why Don't People Report Workplace Harassment?:

- Afraid of retaliation - think they may get into trouble, be fired, be ridiculed by team members
- Embarrassed
- Don't think that people would believe them or dismiss it as not being serious
- Unsure or don't know that it is harassment
- Don't want to get the co-worker into trouble
- Think they should be able to handle it on their own
- Think the environment allows that type of behaviour (especially sensitive for new hires)

## **5.0 HOW TO REPORT WORKPLACE HARASSMENT**

Immediately contact any member of management

- Describe exactly what's happening

An investigation will be conducted

- Information will be disclosed to only those people with a need to know

A determination will be made on the merits of the complaint

- Appropriate action will be taken

**How to Report Workplace Harassment:**

An employee who feel subjected to workplace harassment, as well as any employee who observes or obtains knowledge of any such harassment, must immediately report the incident to management.

If reasonable to do so, you are encouraged to try to resolve the situation with the person who is alleged to have engaged in the harassment.

### **Initial Complaint Meeting**

You may be asked:

- Have you discussed this with a Locker room Leader?
- Who has been allegedly harassing?
- What happened?
- Where did it happen?
- When did it happen?
- Where there any witnesses?
- Who have you told about this?

## **6.0 VIOLENCE IN THE WORKPLACE - BILL 168**

- Amended Occupational Health & Safety Act
- Provides workers with additional protection from violence & harassment while at work
- Establishes a duty on the part of employers to provide safe & healthy work environment free from harassment and violence, including domestic violence

### **Background:**

- Almost 1 in 5 violent acts in Canada occur at work.
- In 2004, 24% of workplace violence incidents were sexual assaults.
- 93% of victims of sexual offences in Canada were female.

### **Workplace Violence:**

- the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
- an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker; or,

- a statement or behavior 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.

### **Disclosure:**

An Employer has a duty to provide personal information to workers regarding a person with a history of violent behaviour, where:

1. The worker is expected to encounter that person in the course of his or her work AND
2. The risk of workplace violence is likely to expose the worker to physical injury

### **Reporting Workplace Violence Incidents:**

BTPW is committed to investigate and, depending on severity of an offence, will take appropriate disciplinary action up to and including:

1. Termination of employment
2. Potential criminal prosecution

### **Reporting Workplace Violence Incidents**

if you witness, or are a victim of violence on the this workplace, please contact management or a Locker Room Leader immediately.

Each and every incident of violence in the workplace must be reported immediately.

Management will investigate the matter.

## **7.0 COMPLAINT PROCESS SUMMARY**

- Filing harassment or violence related complaints is a very serious matter
- BTPW will investigate
- Assistance will be provided by impartial third party and/or Legal as required
- Employee cannot report an incident and ask that it not be investigated
- All complaints will be kept confidential to the extent possible to conduct an effective investigation
- Investigations may involve interviews
- Written summary of the investigator's findings will be provided to both complainant and respondent.

### **Who to Contact**

### **Informal Complaint Process:**

- Ask the person to stop. Inform the person that the behaviour is unwelcome. An individual may or may not realize that such behaviour is offensive. If he/she refuses to co-operate, remind him/her that such behaviour is against Company practice.
- Speak with management or a member of Locker Room Leaders Council, if you do not feel comfortable talking directly with the person. You can ask management to speak with the alleged directly. If you are satisfied with the resolution after this occurs, in management person involved, in a memo to file with a copy to the employee file. Should further issues arise, a formal complaint would need to be filed.

### **Formal Complaint Process:**

- If the situation cannot be resolved informally, the matter must be reported to Chris Snieg. Chris will appoint an investigator, who may be internal or external, as appropriate to the situation.

## **8.0 RESPONSIBILITIES**

All BTPW employees are to review and understand the **W.D.V.H.P.** :

- Familiarize Yourself with behaviours that may constitute discrimination, harassment or violence
- Learn how to report incidents
- Understand how the company will investigate and deal with incidents or complaints
- Be aware of the consequences for engaging in prohibited behaviour
- Put in place your own personal action plan

### **Management Responsibilities:**

- Create a culture which promotes compliance, encourages employees to raise their policy questions and concerns and prohibits retribution
- Communicate to employees about Company's policy: discrimination and harassment are unacceptable.
- Lead by example, using their own behaviour as a model for all employees
- Respond promptly and thoroughly to any complaints of harassment -- maintain confidences and treat all sides fairly when investigating
- Gather feedback to evaluate and continually improve policy compliance

### **Responsibilities of ALL Employees:**

Shared duty to:

- Treat each other with dignity and respect
- Not engage in unwelcome behaviour that may be offensive to others
- Maintain a safe and professional working environment, free from workplace violence and harassment
- Promptly report any workplace harassment or violence in accordance with BTPW policy and procedures
- Cooperate in any BTPW investigation

**Responsibilities of Locker Room Leaders Council :**

- Lead by example, using their own behaviour as a model for all employees
- Create a culture which promotes and supports a safe work environment for all employees
- Assist with the development of the Company's W.D.V.H.P. program which includes written policies and procedures for: reporting an incident, investigating an incident, information privacy measures, and annual review of the Program.
- Asses the risks of workplace violence during workplace inspections/investigating and inform management of any findings

**Responsibilities of All:**

- Challenge others on racial/ethnic/sexually derogatory comments
- Speak up when someone is being disrespectful to another person or acting inappropriately
- Think about the impact of our words and actions before we speak or act
- Refuse to participate in jokes that put down any group, culture, sex or sexual orientation
- Refrain from repeating remarks or rumours that reinforce prejudice or bias
- Check out reality before repeating or believing rumours or assumptions about anyone
- Avoid using language that reinforces negative stereotypes
- Treat all harassment complaints seriously

## **9.0 CLOSING**

**BTPW's objective:**

To have a workplace free of harassment and discrimination of any kind.

To have a workplace free of violence.

All BTPW employees should treat others fairly and with dignity and respect.

June 23 2020