

Respect in the Workplace

Toronto Pan Am Sports Centre Inc. recognizes the dignity and worth of every employee, and to that end believes in providing and maintaining a work environment in which all employees are free from workplace violence, harassment, and discrimination. This policy applies to all employees and covers all forms of violence, harassment, and all forms of discrimination prohibited under human rights legislation.

Definitions

“Workplace” means any place where business or work-related activities are conducted. It includes, but is not limited to, the physical work premises, remote work locations (home offices), work-related social functions (social events, golf games, etc.), work assignments outside Toronto Pan Am Sports Centre Inc.’s office, work-related travel, and work-related conferences or training sessions.

“Violence” means:

- a) The exercise of physical force by a person against a worker, in the workplace, that causes or could cause physical injury to the worker;
- b) An attempt to exercise physical force against a worker, in the workplace, that could cause physical injury to the worker;
- c) A statement or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in the workplace, that could cause physical injury to the worker.

Please note that this definition of violence also includes acts or threats of domestic violence against an employee that may create a risk of danger to the employee or others in the workplace.

“Discrimination” means the differential treatment of an individual on the basis of race, sex, colour, ancestry, place of origin, ethnic origin, same-sex partnership status, sexual orientation, age, disability, citizenship, family status or marital status, creed, gender identity or gender expression, or any other factor that is legislatively protected (“Prohibited Grounds”).

“Harassment” means engaging in a course of vexatious comments or conduct that is known, or ought reasonably be known, to be unwelcome. It may include unwelcome, unwanted, offensive, or objectionable conduct that may have the effect of creating an intimidating, hostile or offensive work environment; interfering with an individual’s work performance; adversely affecting an individual’s employment relationship; and/or denying an individual’s dignity and respect. Harassment may result from one incident or a series of incidents. It may be directed at specific individuals or groups.

Examples of harassment and discriminatory conduct include, but are not limited to:

- a) Humiliating an employee in front of co-workers;
- b) Subjecting an individual to unwelcome remarks or jokes;
- c) Consistent subjection of an individual to practical jokes or ridicule;
- d) The making of any work-related decision (including matters of hiring, promoting, compensating, work assignments, evaluations, training or job security) not on the basis of merit, but on the basis of any of the Prohibited Grounds;
- e) Comments which are intended, or that ought reasonably be known, to promote stereotyping on any of the Prohibited Grounds;

- f) Jokes or comments which draw attention, for example, to a person's disability, age, ethnic, racial, or religious background or affiliation or which draw attention to a person's gender or sexual orientation with the effect of undermining such person's role in a professional or business environment or that by their nature are known or ought reasonably be known to be embarrassing or offensive; and
- g) Derogatory remarks, verbal abuse or threats directed towards members of one gender or regarding one's sexual orientation or with respect to a person's or group's ethnic, racial, or religious background or affiliation.

Harassment includes "**Sexual Harassment**" which 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.

Types of unwelcome conduct of a sexual nature that may constitute **Sexual Harassment** include but are not limited to:

- a) Propositions of physical intimacy;
- b) Bragging about sexual prowess;
- c) Leering or inappropriate staring;
- d) Sexually degrading words or displays of suggestive pictures;
- e) Inquiries or comments about a person's sex life or sexual behaviour; and
- f) Sexual jokes or stories causing embarrassment or offence, that are told or carried out after the person telling the story or joke has been advised that they are embarrassing or offensive or that by their very nature are known or ought reasonably be known to be embarrassing or offensive.

Policy Statement

All employees in the workplace have a right to work in an environment free from violence, harassment, and discrimination. In order to accomplish the Organization's goal of promoting a violence, harassment, and discrimination-free environment, the Organization hereby establishes the following guidelines:

- a) The Organization will not tolerate violent, harassing, or discriminatory behaviour from employees, non-employees (i.e. contractors, consultants, co-op students, agency employees, interns and volunteers), clients, visitors, guests, or any others that attend at the workplace; and
- b) Every employee, non-employee (i.e. contractors, consultants, co-op students, agency employees, interns and volunteers), client or visitor conducting affairs at the Organization's workplace shall be made aware of this policy, and the Organization shall make every attempt to communicate its commitment to a violence, harassment and discrimination free workplace.

Retaliation or reprisals are prohibited against any individual who has complained under this policy, or has provided information regarding a complaint. Any retaliation or reprisals are subject to immediate corrective action, up to and including termination for cause in accordance with the applicable provincial minimum employment standards legislation. Alleged retaliation or

reprisals are subject to the same complaint procedures and penalties as complaints of violence, discrimination, and harassment.

Toronto Pan Am Sports Centre Inc. recognizes that individuals may find it difficult to come forward with a complaint under this policy because of concerns of confidentiality. Therefore, all complaints concerning workplace violence, harassment, or discrimination, as well as the names of parties involved, shall be treated as confidential to the furthest extent possible in law. Despite this fact, employees must be aware that when filing a complaint, the accused necessarily may become aware of the identity of the complainant.

As it pertains to violence, where the Organization believes there to be imminent danger to an employee, it may divulge such confidential information as is reasonably necessary. No record of the complaint will be maintained on the personnel file of the complainant. At the conclusion of each complaint process, all related documentation will be maintained for safe keeping in a confidential manner by Human Resources in the related "Respect in The Workplace" file.

Responsibilities

Each and every employee is responsible for creating and maintaining a violence, harassment, and discrimination-free workplace. All employees are requested to report promptly when they become aware of alleged actions or complaints of violence, discrimination, or harassment. This includes a responsibility for employees to report any alleged actions or complaints of domestic violence that occur outside the workplace and that may create a risk of danger to themselves or others in the workplace. Supervisors are responsible for providing a workplace that is free from violence, harassment, and discrimination. This responsibility includes actively promoting a positive work environment and intervening when problems occur.

Complaint Procedure

Step 1 - Self-Help

Employees are encouraged to attempt to resolve their concerns by direct communication with the person(s) engaging in the unwelcome conduct. Where employees feel comfortable in doing so, communicate disapproval in clear terms to the person(s) whose conduct or comments are offensive. Keep a written record of the date, time, details of the conduct, and witnesses, if any.

Step 2 - Management Support and Intervention

Employees who are not comfortable with step one (1) and who believe they are victims of violence, discrimination or harassment, or become aware of situations where such conduct may be occurring, are encouraged to seek advice from and report these matters to their supervisor or their designate.

Step 3 - Formal Complaint

If informal attempts at resolving the issue are not appropriate, or proving to be ineffective, a formal complaint may be filed. To file a formal complaint:

- i. Provide a letter of complaint that contains a brief account of the offensive incident (i.e., when it occurred, the persons involved, names of witnesses, if any). The letter shall also include the remedy sought and be signed and dated by the person complaining;
- ii. File the complaint with your supervisor or a member of the senior management team or their designate; and
- iii. Cooperate with those responsible for investigating the complaint.

Formal complaints shall be investigated. The investigation process shall involve interviews of the complainant, the respondent, and any witnesses named by either. Depending on the circumstances, the Organization reserves the right in its sole and exclusive discretion to suspend

the respondent with or without pay during the course of the investigation. Generally, within fifteen (15) business days of the incident or notice thereof, the individual responsible for the investigation shall investigate the incident and may prepare a written report of the investigation findings. The complainant and the respondent (if they are an employee of the Organization) shall be informed in writing of the results of a harassment investigation and of corrective action that has been taken or will be taken as a result of the investigation.

Disciplinary action for violations of this policy will take into consideration the nature and impact of the violations, and may include a verbal or written reprimand, a suspension (paid or unpaid), or termination of employment for cause in accordance with the applicable provincial minimum employment standards legislation as determined by the Organization. Similarly, deliberate false accusations are of equally serious nature and will also result in disciplinary action up to and including termination of employment for cause. Note, however, that an unproven allegation does not mean that the conduct did not occur or that there was a deliberate false allegation. It may simply mean that there was an insufficient evidentiary basis to proceed.

For greater clarity, if the alleged respondent is a member of the senior management team, you should file your formal complaint with your supervisor or another member of the senior management team. Further, any respondent(s), regardless of their position within the Organization, will be excluded from administering and managing the investigation and resolution process (save and except for their involvement as a respondent).

Complaints Against Third Parties

Toronto Pan Am Sports Centre Inc. recognizes that an employee may be subject to violence, harassment, or discrimination by clients or by others who conduct business with the Organization. An employee who believes that they have been subjected to such conduct by a person who does not work for the Organization may seek the advice of your supervisor or a member of the senior management team or their designate who will take whatever action is appropriate in the circumstances.



Robert Singleton
Managing Director
Toronto Pan Am Sports Centre Inc.

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