

Anti-Harassment, Bullying and Violence Policy

Final Draft - Counsel Revisions

The Junction BIA | 2026 Governance Review

PURPOSE

The Junction BIA is committed to providing a safe, respectful, inclusive and professional environment free from workplace harassment, workplace sexual harassment, discrimination, bullying, threats, retaliation and workplace violence. This policy is intended to operate as the BIA's workplace harassment and workplace violence policy and program to the extent required by the Ontario Occupational Health and Safety Act (OHSA), while also establishing broader standards for BIA-related activities.

Everyone participating in BIA work or activities is expected to contribute to a safe and respectful environment and to cooperate with reasonable measures taken to prevent and address inappropriate conduct.

1. SCOPE

This policy applies to Board members, employees, committee members, volunteers, contractors, vendors, BIA members, guests and other participants in BIA-related activities. Statutory OHSA rights and duties apply to workers and workplaces as defined by the OHSA; the BIA may apply broader behavioural standards to other persons and settings connected to BIA activities.

The policy applies to conduct in the office, at Board or committee meetings, events, festivals, business functions, work-related travel, telephone calls, email, messaging platforms, social media, virtual meetings and other BIA-related environments where the conduct has a real and substantial connection to BIA work or activities.

2. POLICY STATEMENT

Harassment, discrimination, bullying, workplace sexual harassment, threats, retaliation and workplace violence are prohibited. The Board and staff will encourage good-faith reporting, respond to concerns appropriately, cooperate with reviews or investigations and take reasonable corrective or preventive action where warranted.

The workplace harassment and workplace violence policies shall be prepared, maintained, posted or made electronically accessible where required by the OHSA, and reviewed as often as necessary but at least annually.

3. DEFINITIONS

Workplace Harassment:

Workplace harassment has the meaning given by the OHSA and includes 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, including workplace sexual harassment. Reasonable action taken by an employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.

Workplace Sexual Harassment:

Workplace sexual harassment includes 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, and sexual solicitation or advance by a person in a position to confer, grant or deny a benefit or advancement where the person knows or ought reasonably to know the solicitation or advance is unwelcome.

Bullying:

Bullying includes repeated unreasonable behaviour that humiliates, intimidates, undermines or threatens another person. Reasonable performance management, operational direction, disagreement or corrective feedback delivered appropriately is not bullying.

Workplace Violence:

Workplace violence has the meaning given by the OHSA and includes the exercise or attempted exercise of physical force against a worker in a workplace that causes or could cause physical injury, and 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.

Discrimination and Human Rights Harassment:

Discrimination and harassment contrary to the Ontario Human Rights Code include adverse treatment or harassment based on a prohibited ground under the Code, including race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences where applicable, marital status, family status and disability, and any other ground protected by law.

Incivility, disagreement, criticism or an isolated discourteous comment may breach the Code of Conduct or another workplace standard without necessarily meeting the legal definition of workplace harassment or discrimination. Such concerns may still be addressed under the appropriate BIA policy.

4. EXAMPLES OF PROHIBITED CONDUCT

Examples include threats, intimidation, coercion, stalking or aggressive behaviour; personal insults, degrading remarks, discriminatory jokes, slurs or exclusionary conduct; unwanted sexual attention, comments, images, messages or physical contact; sharing sexually explicit or violent material; repeated hostile, humiliating or abusive communications; retaliation; and encouraging or supporting prohibited conduct.

5. IMMEDIATE SAFETY AND INTERIM MEASURES

Any person facing an immediate threat or emergency should summon immediate assistance appropriate to the circumstances, including calling 911 where necessary and following any site- or event-specific emergency procedure.

The Executive Director, Chair or other authorized person may take reasonable interim measures to protect safety, preserve evidence, maintain operations or prevent further contact while a concern is reviewed. Interim measures are precautionary and are not findings of wrongdoing.

6. REPORTING A CONCERN

Concerns should be reported as soon as reasonably possible and should include available details, dates, witnesses, documents or communications.

Concerns involving an employee or contractor should normally be reported to the Executive Director. Concerns involving the Executive Director should be reported to the Chair. Concerns involving a Board member should normally be reported to the Chair. Concerns involving the Chair should be reported to the Vice-Chair.

Where the normal recipient is the alleged harasser, has a conflict, is unavailable or is directly involved, a worker may report workplace harassment to another member of the Board Executive or to an independent person designated by the Board. The BIA shall maintain an alternative reporting route that satisfies the OHSA requirement for reporting to a person other than the employer or supervisor where the employer or supervisor is the alleged harasser.

Nothing in this policy prevents a person from reporting to police, the Ministry of Labour, Immigration, Training and Skills Development, the Human Rights Tribunal of Ontario, the City Integrity Commissioner, a union if applicable, or another authority where the person has a legal right to do so.

7. INFORMAL RESOLUTION

Where appropriate and safe, informal resolution may include clarification, facilitated discussion, mediation, coaching, separation of parties or agreed behavioural expectations. A complainant is not required to confront the respondent. Informal resolution is not required where the concern is serious, involves violence or sexual harassment, involves retaliation, or where a power imbalance or other circumstance makes informal resolution inappropriate.

8. REVIEW AND INVESTIGATION

The BIA will respond to concerns in a timely, fair and proportionate manner. Where an incident or complaint constitutes or may constitute workplace harassment involving a worker, the BIA shall ensure that an investigation appropriate in the circumstances is conducted as required by the OHSA.

The BIA will determine the appropriate process, which may include an internal or external investigator who is sufficiently impartial and qualified for the circumstances. Referral to another body does not relieve the BIA of any investigation duty that continues to apply under the OHSA.

The respondent shall be informed of the substance of the allegations and given a reasonable opportunity to respond. Relevant witnesses and records may be reviewed. The investigator or decision-maker shall make findings or recommendations appropriate to the process.

Where required by the OHSA, the worker who allegedly experienced workplace harassment and the alleged harasser, if also a worker of the BIA, shall be informed in writing of the results of the investigation and of any corrective action that has been taken or will be taken as a result of the investigation, subject to applicable privacy requirements.

9. CONFIDENTIALITY AND PRIVACY

Information concerning a concern or complaint, including identifying information, shall not be disclosed except where disclosure is reasonably necessary to investigate, take corrective action, protect safety, obtain legal or professional advice, administer this policy, or comply with law or City requirements.

Participants shall maintain confidentiality and shall not interfere with a review or investigation. Complete confidentiality cannot be guaranteed where disclosure is required for procedural fairness, safety or law.

10. NO RETALIATION

No person shall retaliate or threaten retaliation against someone who raises a concern in good faith, seeks assistance, provides information, participates in a review or investigation, or exercises a legal right. Retaliation is a separate breach of this policy and may result in corrective action.

11. BAD-FAITH OR KNOWINGLY FALSE COMPLAINTS

A complaint that is not substantiated, cannot be proven, is mistaken or contains immaterial inaccuracies is not, by itself, false or made in bad faith. Knowingly fabricating a material allegation or evidence, or knowingly abusing the complaint process in bad faith, may result in corrective action.

12. WORKPLACE VIOLENCE PROGRAM

The BIA shall assess the risks of workplace violence that may arise from the nature of the workplace, the type of work or the conditions of work, taking into account circumstances common to similar workplaces and circumstances specific to the BIA. The BIA shall communicate the results of the assessment as required by the OHSA and reassess the risks as often as necessary to ensure the workplace violence policy and program continue to protect workers.

The BIA shall maintain measures and procedures to control identified risks likely to expose a worker to physical injury, procedures for workers to report incidents of workplace violence, procedures for summoning immediate assistance, and procedures for investigating and dealing with incidents or complaints of workplace violence.

Risk controls may include, as appropriate, event or site security measures, staffing and buddy systems, safe work or closing procedures, communication devices, emergency contacts, restricted access, incident escalation procedures and other measures proportionate to identified risks.

13. DOMESTIC VIOLENCE

If the BIA becomes aware, or ought reasonably to be aware, that domestic violence that would likely expose a worker to physical injury may occur in the workplace, the BIA shall take every precaution reasonable in the circumstances for the protection of the worker.

14. INFORMATION ABOUT A PERSON WITH A HISTORY OF VIOLENT BEHAVIOUR

Where required by the OHSA, the BIA and supervisors shall provide a worker with information, including personal information, related to a risk of workplace violence from a person with a history of violent behaviour where the worker can be expected to encounter that person in the course of work and the risk is likely to expose the worker to physical injury. No more personal information shall be disclosed than is reasonably necessary to protect the worker from physical injury.

15. CORRECTIVE AND REMEDIAL ACTION

Where a concern is substantiated, action shall be proportionate to the seriousness, frequency, impact and circumstances and may include clarification, apology or corrective communication; counselling, education, coaching, mediation or training; behavioural expectations, reassignment or separation of parties; discipline up to and including termination of employment or contract where lawful; referral to the Integrity Commissioner, City Council, police, legal counsel or another authority; or other lawful remedial action.

The Board does not have authority to terminate BIA membership. Any action affecting a Board member's appointment, statutory participation or City Code of Conduct obligations must comply with applicable law and City authority.

16. INFORMATION, INSTRUCTION, RECORDS AND ANNUAL REVIEW

The BIA shall provide workers with information and instruction appropriate to the worker on the workplace violence policy and program and shall provide information and instruction on the workplace harassment policy and program as required by the OHSA.

The workplace harassment program shall be developed and maintained in consultation with the joint health and safety committee or health and safety representative, if any, as required by the OHSA.

Records shall be maintained securely and in accordance with applicable legal, privacy, employment and City requirements.

The workplace violence and workplace harassment policies shall be reviewed as often as necessary and at least annually. The workplace harassment program shall also be reviewed as often as necessary and at least annually. Workplace violence risks shall be reassessed as often as necessary. The broader policy may additionally be reviewed when legislation, City requirements, organizational circumstances or experience warrant an update.

BOARD MOTION

Moved by _____, seconded by _____, that the Board of Management of The Junction BIA approve the 2026 Anti-Harassment, Bullying and Violence Policy and related workplace harassment and workplace violence program elements, replacing previous internal policies on the same subject, subject to applicable law and City requirements.

Date: _____, 2026

Carried / Defeated

Chair

Vice-Chair

Secretary

Treasurer