



Sarnia Police Services Board Policy

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Subject: Equal Opportunity; Discrimination and Workplace Harassment Prevention	Effective Date:
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Approved By: Board Chair	Signature:

A Legislative/ Regulatory Requirements

Police Services Act (PSA), section 1, paragraphs 5 & 6, state that police services shall be provided throughout Ontario in accordance with certain principles, including “the need for sensitivity to the pluralistic, multiracial and multicultural character of Ontario society”, and “the need to ensure that police forces are representative of the communities they serve.”

PSA subsection 47(1) states that “if an employee of a municipal police force becomes mentally or physically disabled and as a result is incapable of performing the essential duties of the position, the board shall accommodate his or her needs in accordance with the *Ontario Human Rights Code*.”

Ontario Human Rights Code, subsection 24(2) states that employers are required to provide accommodation unless to provide accommodation would cause undue hardship to the employer, considering the costs, outside sources of funding, if any, and health and safety requirements, if any.

Ontario Human Rights Code, subsection 5(1) states, “Every person has a right to equal treatment with respect to employment without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, family status or disability.” *Ontario Human Rights Code*, clause 7(3)(a) states, “Every person has a right to be free from a sexual solicitation or advance made by a person in a position to confer, grant or deny a benefit or advancement to the person where the person making the solicitation or advance knows or ought reasonably to know that it is unwelcomed.”

Occupational Health and Safety Act (OHSA): Definitions and Legislation

Under section 1 of the *OHSA*, a workplace is defined as “any land, premises, location or thing at, upon, in or near which a worker works.”

Section 1 of the *OHSA* defines workplace harassment 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.”

Employers are expected to comply with the requirements of the *OHSA*. Some of the key employer obligations under the *OHSA* with respect to workplace harassment are to:

- Prepare and review a policy with respect to workplace harassment;
- Develop and maintain a program to implement the policy with respect to workplace harassment; and
- Provide appropriate information and instruction to workers on the contents of the workplace harassment policy and program.

Employers are required to meet obligations set out in the *OHSA* as related to workplace harassment. Employers are also required to meet other legislative obligations related to equal opportunity, including but not limited to, the *Accessibility for Ontarians with Disabilities Act, 2005* and the *Ontario Human Rights Code*.

B Policy Statement

1. The objective of equal opportunity in the workplace, and discrimination and harassment prevention, is to ensure that the best qualified and motivated persons are selected for employment, promotion, preferred assignments and career enhancement through lateral transfer.
2. This objective is to be achieved by ensuring that no discriminatory barriers exist in the workplace, that no discriminatory or harassing practices or behaviours exist in the workplace, and that the human rights of employees and potential employees are upheld and respected both in rule and in practice.
3. Furthermore, where discriminatory or harassing acts or behaviours do manifest, they must be effectively investigated and appropriately addressed.

C Board Policy

1. It is the policy of the Sarnia Police Services Board with respect to equal opportunity; discrimination and workplace harassment prevention that the Chief of Police will:

- (a) Establish procedures on equal opportunity that are consistent with the principles of the *PSA* and the *Ontario Human Rights Code*, including recruitment, selection, career development and promotion;
- (b) Prepare procedures with respect to workplace harassment and develop and maintain a program to implement the policy, in accordance with the *OHSA*;
- (c) Establish procedures on responding to and preventing discrimination and harassment in the workplace, including stereotyping;
- (d) Ensure that no sexist, racist or other offensive or derogatory material is displayed in the workplace;
- (e) Establish procedures on employment accommodation in accordance with the *Ontario Human Rights Code* and section 47 of the *PSA*;
- (f) Implement an employee performance appraisal system that includes key commitments related to diversity and human rights; and
- (g) Ensure that all officers receive training on diversity and human rights.