

Name of Procedure: <b>London Transit Commission Human Rights and Diversity Policy (Anti-Harassment, Anti-Sexual Harassment and Anti-Discrimination) &amp; Mutual Respect in the Workplace Policy</b>	Review/Revise Date: 2025/26
Approved by: General Manager	
Primary Responsibility: Director of Human Resources	Date of Issue:

**London Transit Commission  
Human Rights and Diversity Policy (Anti-Harassment, Anti-Sexual Harassment and Anti-Discrimination Policy)**

The Ontario Human Rights Code and the Occupational Health and Safety Act (OHSA) prohibit harassment and discriminatory practices for all people in Ontario. The Ontario Human Rights Code specifically prohibits harassment and discrimination on the basis of the prohibited grounds enumerated in the Code.

Prohibited Grounds under the Ontario Human Rights Code are as follows: race, ancestry, place of origin, colour, ethnic origin, citizenship, creed (religion, including atheism), sex (includes pregnancy and breastfeeding), sexual orientation, gender identity, gender expression, age, marital status (includes married, single, widowed, divorced, separated, or living in a conjugal relationship whether in a same-sex or opposite-sex relationship), family status, disability (includes mental, physical, developmental or learning disabilities), record of offences (in the context of employment), and association or relationship with a person identified by one of the listed grounds.

The OHSA specifically prohibits workplace harassment and workplace sexual harassment. Both statutes apply to the London Transit Commission (LTC) as a municipal employer operating under provincial jurisdiction.

The LTC, as an employer and service provider, complies with, supports, and adheres to the Ontario Human Rights Code and the Occupational Health and Safety Act, including the principle that every person is free and equal in dignity and rights and is entitled to a workplace and service free from harassment, sexual harassment, and discrimination. The LTC will not knowingly participate in or tolerate any harassment, discrimination, or reprisal against any of its employees, representatives, or customers.

The LTC continues to foster an inclusive and supportive workplace, recognizing that a diverse workforce draws upon and respects the unique characteristics, capabilities, and experiences of each employee, and that a diverse and inclusive workforce benefits individuals, the LTC, and the community it serves.

LTC is committed not only to preventing harassment, discrimination, and breaches of mutual respect but also to actively building a workplace where every employee feels safe, valued, and supported. A psychologically safe workplace is one where employees can raise concerns, share ideas, and be themselves without fear of reprisal or judgment. All employees are expected to contribute to this kind of environment through inclusive, respectful conduct in their day-to-day interactions. This commitment is supported by LTC's Mental Health and Wellbeing Policy, which promotes psychological health, reduces stigma, and encourages early intervention and mutual support. Together, these policies form part of a broader framework for a healthy, respectful, and inclusive workplace at LTC.

**Definitions**

The following definitions are intended to assist in understanding the terms in the application of this Policy. All definitions will be interpreted and applied in accordance with applicable legislation, including the Ontario Human Rights Code and the Occupational Health and Safety Act.

**Complainant**

The individual who brings a complaint against another individual for harassment or discrimination under this Policy.

**Respondent**

The individual against whom a complaint is brought concerning allegations that the individual has breached this Policy.

**Supervisor**

The individual who is in charge of the workplace or has authority over the employee making the complaint.

**Harassment**

Engaging in a course of vexatious comment or conduct against an employee in a workplace that is known or ought reasonably to be known to be unwelcome. Harassment can occur through a single serious incident or a pattern of conduct. It includes, but is not limited to, offensive, hurtful, upsetting, or embarrassing comments or conduct. Harassment may occur in person or through electronic or virtual means, including email, text, social media, or other information and communications technology. The fact that a person does not explicitly object to harassing behaviour, or appears to be going along with it, does not mean the behaviour is welcomed, consented to, or is not harassing. It is conduct and/or behaviour which could create an intimidating, demeaning, or hostile working environment.

Harassment can be:

- Code Based: based on one or more of the prohibited grounds listed in the Ontario Human Rights Code, dealt with under this Human Rights and Diversity Policy; or
- Personal: directed at an individual(s) but not based on any prohibited ground, dealt with under the Mutual Respect in the Workplace Policy.

To help clarify which Policy applies:

- If the conduct is connected to a protected ground under the Ontario Human Rights Code, such as a person's race, disability, sex, gender identity, sexual orientation, religion, or age, it is Code-based harassment and is addressed under the Human Rights and Diversity Policy.
- If the conduct is directed at an individual personally but is not connected to a protected ground, it is addressed under the Mutual Respect in the Workplace Policy. This includes bullying, repeated targeting of an individual, intimidating or demeaning behaviour, and other conduct that undermines the work environment, even where it is not related to a protected ground. This type of conduct is no less serious and will be addressed accordingly.
- Where there is an initial question as to which Policy applies, the WIS will make that determination.

### **Workplace Sexual Harassment**

As defined under the OHSA, workplace sexual harassment means:

- Engaging in a course of vexatious comment or conduct against an employee (referred to as a "worker" under the OHSA) in a workplace, including virtually through the use of information and communications technology, 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
- 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 employee, and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

### **Poisoned Work Environment**

A hostile, humiliating, or uncomfortable workplace created by comments or conduct (including comments or conduct that are condoned or allowed to continue when brought to the attention of management) that intimidate, demean, or ridicule a person or group. The comments or conduct need not be directed at a specific person and may be from any person regardless of position or status. A single comment or action, if sufficiently serious, may create a poisoned work environment.

### **Reprisal**

Any act of retaliation or revenge against a person for:

- Raising a concern or making a complaint under one of these Policies (whether on their own behalf or on behalf of another);
- Participating or cooperating in an investigation or other complaint resolution process under one of these Policies; or
- Associating with or assisting a person identified in (a) or (b) above.

Reprisals by employees or management are expressly prohibited. Any substantiated reprisal will be addressed through corrective action, which may include disciplinary action.

### **Workplace**

Includes all LTC facilities and worksites, including vehicles and any other locations where employees conduct the business of LTC, as well as any location where an employee performs telework or remote work, including a private residence. The workplace also includes virtual and online environments where employees interact in the course of their work, including through email, text, social media, or other information and communications technology. Harassment and discrimination that occur outside the workplace or outside of hours of work but are related to the work environment are also considered workplace harassment for the purposes of this Policy.

## **London Transit Commission Mutual Respect in the Workplace Policy**

The London Transit Commission (LTC) recognizes that a workplace that provides an atmosphere of mutual respect among employees, customers of the services, and other parties with whom LTC and its employees come into contact in the course of business, contributes to the ultimate success of the organization. Mutual Respect is defined as interacting in a professional, courteous, civil, dignified, fair, and equitable manner, treating one another as individuals with consideration and esteem.

For clarity, the Mutual Respect in the Workplace Policy covers conduct that does not meet the threshold of Code-based harassment but is nonetheless harmful to individuals and the workplace. This includes, but is not limited to, bullying, persistent belittling or demeaning behaviour, intimidation, and other conduct that undermines an employee's dignity or well-being, regardless of whether it is connected to a protected ground. Such conduct will be taken seriously and addressed through this Policy and its related procedures, up to and including disciplinary action.

Breaches of mutual respect, except those that constitute harassment or discrimination under the Human Rights and Diversity Policy, must be dealt with under the terms of this Policy and its related procedure. Breaches of mutual respect are no less important to address, as they may create an intimidating, humiliating, hostile, or offensive environment and, if not addressed, may lead to workplace violence. Accordingly:

- All employees are expected to conduct themselves in a manner that reflects mutual respect, both of one another as employees, of customers of the services, and of others the LTC and its employees come into contact with in the course of business/work; and
- All customers of the services and others in contact with the LTC and its employees in the course of business/work are, in turn, expected to be respectful of employees of the LTC and of other customers of the service.

The definitions of Complainant, Respondent, Supervisor, Harassment, Poisoned Work Environment, Reprisal, and Workplace set out above apply equally to this Mutual Respect in the Workplace Policy.

#### **Human Rights Tribunal of Ontario**

Nothing in these Policies limits an employee's right to file a direct application with the Human Rights Tribunal of Ontario (HRTO) under the Ontario Human Rights Code, or to contact the Ontario Human Rights Commission for information and assistance. Employees are advised that time limits apply to applications filed with the HRTO. Employees wishing to pursue that avenue are encouraged to seek independent legal advice or contact the Human Rights Legal Support Centre at 1-866-625-5179 (toll-free).

#### **Legislative Compliance**

These Policies will be interpreted in accordance with the Ontario Human Rights Code, the Occupational Health and Safety Act, the Accessibility for Ontarians with Disabilities Act (AODA), and all other applicable provincial legislation. LTC recognizes that human rights legislation and related case law continue to evolve, and these Policies will be reviewed and updated accordingly.

#### **Training & Development**

All employees will receive training on these Policies and the related Complaint Procedures during onboarding and will receive refresher training at a minimum every four years, or sooner where warranted by a significant incident, legislative change, or at the direction of the Senior Management Team.

These Policies are posted at the Highbury Avenue Facility, the Ticket Office, and the Wonderland Facility, and are made readily available to all employees and parties external to London Transit. They are also included in the "Overview Information – Policies and Procedures" section of the Employee Handbook.

The General Manager will ensure that users of London Transit's services are aware of these Policies and how to access the Complaint Procedures through Customer Service.

Finance and Purchasing will ensure that all contractors and suppliers interacting with London Transit employees are aware of these Policies and related Complaint Procedures.

#### **Review**

These Policies are reviewed as necessary and at least annually, in consultation with LTC's Joint Health and Safety Committees and LTC's legal counsel. Reviews will also be triggered by changes in applicable legislation, significant incidents, or organizational changes impacting roles, responsibilities, or procedures.