



Sistema Toronto Academy

POLICIES AND PROCEDURES VERSION 2024-01

This document, version 2024-01, supersedes all existing Sistema Toronto Academy Policies. The Sistema Toronto Academy Board of Directors approved this document **MARCH 27, 2024** and it is in effect until further notice.



Table of Contents

Section 1 - Welcome	3
1.01 - ABOUT OUR ORGANISATION	3
1.02 - MISSION	4
1.03 VISION	4
1.04 VALUES	4
1.05 GUIDING PRINCIPLES	5
1.06 HISTORY OF THE ORGANISATION	6
1.07 FORCE OF POLICIES	6
1.08 OPEN DOOR	6
1.09 MUTUAL COMMITMENTS	8
Section 2 - Key Legislated Policies	8
2.01 ACCESSIBILITY	8
2.02 WORKPLACE ACCOMMODATION POLICY AND PROCESS	12
2.03 RETURN TO WORK PROCESS – NON-WORK RELATED DISABILITY	17
2.04 HUMAN RIGHTS COMMITMENT	19
2.05 PAY EQUITY	20
2.06 PROTECTION OF PERSONAL INFORMATION	22
2.07 SMOKE FREE WORKPLACE	23
Section 3 - Employment Standards Policies	25
3.01 HIRING	25
3.02 HOURS OF WORK AND OVERTIME	26
3.03 PROTECTED LEAVES	27
3.04 PUBLIC (STATUTORY) HOLIDAYS	37
3.05 TERMINATIONS	38
3.06 VACATIONS	41
3.07 DISCONNECTING FROM WORK	42
3.08 ELECTRONIC MONITORING	48
Section 4 - Key Health and Safety	51
4.01 CRISIS MANAGEMENT	51
4.02 DUTY OF PERSONS DIRECTING WORK	57
4.03 EMERGENCY PREPAREDNESS AND RESPONSE	58
4.04 HAZARD IDENTIFICATION	63
4.05 HEALTH AND SAFETY COMMITTEE	66
4.06 HEALTH AND SAFETY STATEMENT	69
4.07 RIGHT TO REFUSE UNSAFE WORK	69



Toronto

4.08 WORKPLACE ANTI-HARASSMENT	71
4.09 WORKPLACE ANTI-VIOLENCE	74
4.10 WORKPLACE HAZARDOUS MATERIALS INFORMATION SYSTEMS (WHMIS)	81
Section 5 - Conduct and Discipline Policies	83
5.01 ABSENTEEISM AND ATTENDANCE	83
5.02 CODE OF CONDUCT	84
5.02.01 CODE OF CONDUCT TO PROTECT CHILDREN	86
5.02.02 CRISIS RESPONSE	93
5.02.03 REPORTING AND DOCUMENTING COMPLAINTS: INAPPROPRIATE BEHAVIOUR	96
5.02.04 COMMUNICATION WITH EMPLOYEES/VOLUNTEERS	98
5.02.05 COMMUNICATIONS WITH PARENTS: POTENTIAL UNLAWFUL BEHAVIOUR	99
5.02.06 COMMUNICATIONS WITH PARENTS: INAPPROPRIATE BEHAVIOUR	99
5.03 EMERGENCY CONTACT INFORMATION	100
5.04 ETHICAL STANDARDS AND CODE OF CONDUCT FOR SISTEMA TORONTO ACADEMY TEACHERS	100
5.05 ETHICAL STANDARDS AND CODE OF CONDUCT FOR SISTEMA TORONTO ACADEMY VOLUNTEERS	104
5.06 CONFIDENTIAL ORGANISATION AND STAKEHOLDER INFORMATION	106
5.07 DRESS CODE AND HYGIENE	108
5.08 DRUGS AND ALCOHOL IN THE WORKPLACE	110
5.09 PERFORMANCE ASSESSMENT	113
5.10 PROGRESSIVE DISCIPLINE	114
5.11 SOCIAL MEDIA	118
5.12 USE OF TECHNOLOGY	119
5.13 WORKING FROM HOME	120
Section 6 - Appendices	123
6.01 ACKNOWLEDGMENT	123



Section 1 - Welcome

1.01 - ABOUT OUR ORGANISATION

We would like to welcome you to Sistema Toronto Academy (the , “Organisation”, “We”). It is our pleasure to welcome you to our team. Since the beginning of the organisation's activities, we have always attributed our success to the work and cooperation of our staff.

Whether you are a new employee or have been working for a few years at Sistema Toronto Academy, these Employee Policies and Procedures ("Policies") are intended to answer questions you may have about the organisation. It is intended to be a working tool that you can refer to when necessary to learn about, or remember, many aspects of your work environment.

Our mission and values, organisational structure, policies, procedures, and current practices are elements that shape the organisational culture of Sistema Toronto Academy.

Management can also provide you with information and guidance on how the organisation works. Please note that we reserve the right to revise, at any time, the nature and content of our policies, practices in line with its financial capabilities.

Please also note that the *Employment Standards Act* of Ontario will always take precedence over this document. Should you wish to make any suggestions and/or comments to improve the quality of your work environment and the diversity of services offered, we invite you to discuss them with management.

We are pleased to have you onboard, and we hope that your experience with our team will be a rewarding one. If you have any questions or recommendations regarding these Policies and Procedures, please do not hesitate to contact me or any member of the management team.

A handwritten signature in black ink, appearing to read 'Shawn Earle', is positioned above a horizontal line.

CEO, Shawn Earle



1.02 - MISSION

Sistema Toronto is an intensive social program transforming the lives of children through ensemble-based music.

1.03 VISION

Through the global language of music children grow to realise their full potential as engaged and responsible citizens.

1.04 VALUES

Teamwork

We believe that our development is based on the involvement of our staff and we encourage teamwork and collaboration between all staff members.

Respect

We are committed to respect in the workplace. It is important to treat our peers and stakeholders fairly, while being sensitive to the needs of each individual.

Innovation

To remain competitive, we strive to encourage new ideas by maintaining a continuous improvement program. We believe in human potential and ensure that we implement projects to improve our processes.

Recognition

To remain an employer of choice, we recognise our staff and continually seek to contribute to their job satisfaction. We focus on their training and on sharing their skills.

Health and Safety at Work

To remain a responsible employer, we ensure that each member of the team is committed to promoting and practising a safe approach to work in all circumstances. This approach is the best guarantee of continuous improvement in health and safety.



1.05 GUIDING PRINCIPLES

Sistema Toronto Academy believes that the use of professional management practices is crucial for Sistema Toronto to fulfill its potential. The highest standards of performance and dedication are expected from staff. To help staff meet these standards, Sistema Toronto Academy is committed to providing the maximum support possible within its resources.

The Need for Policy

Sistema Toronto Academy affirms that a comprehensive human resources policy allows for effective and flexible management of staff by establishing a professional and supportive environment where all can realise their potential, as part of the team and as individuals.

Roles and Responsibilities

Human resource policies create a constructive working relationship by clearly identifying and respecting all individual roles and responsibilities in the governing, managing and structure of Sistema Toronto Academy.

The Worth of the Individual

Sistema Toronto Academy regards ability, performance and technical skills as the crucial elements of job performance. Consequently, Sistema Toronto Academy is committed to providing all prospective and current staff members equal opportunities to achieve required job performance, regardless of race, creed, gender, sexual orientation, age, ethnic origin, religion, marital/family status, physical appearance, or disability.

Limitations

Sistema Toronto Academy's human resource policies apply to all staff, including permanent, contractors, and temporary.

It is the responsibility of the Chief Executive Officer and Chief Operating Officer to ensure policies are applied within the intent of the policy, consistently for all staff, and congruent with any other policy of Sistema Toronto Academy.

It is the responsibility of the Board of Directors of Sistema Toronto Academy to ensure policies are applied within the intent of the policy, consistently for all staff, and congruent with any other policy of Sistema Toronto Academy.

All aspects of Sistema Toronto Academy's human resource policies are to be in agreement with The Labour Standards Act, The Human Rights Act, Personal Information Protection and Electronic Documents Act, and other relevant provincial and federal legislation.

Sistema Toronto Academy's human resource policies are read in conjunction with relevant provincial and federal legislation, and are considered revised if and when relevant legislation is revised.



When the staff member affected is the Chief Executive Officer or Chief Operating Officer, the Board should be read in lieu, unless otherwise stated.

1.06 HISTORY OF THE ORGANISATION

To find out more about the organisation, we invite you to visit our website at www.sistema-toronto.ca.

1.07 FORCE OF POLICIES

At Sistema Toronto Academy, we strive to create a fair and efficient workplace where employees are safe and can thrive. The policies in this Handbook apply to all employees at Sistema Toronto Academy and are intended to provide a consistent set of guidelines to direct the behaviour of all members of our team. They are based on current legislation and best practices and, therefore, may need to be amended from time to time. If there are any discrepancies between the policies in this manual and current legislation, the legislation will take precedence. Employees are expected to be familiar with the contents of this manual and to refer to it as necessary to inform their actions and behaviour.

1.08 OPEN DOOR

Sistema Toronto Academy is committed to an open and accessible environment for employee communication, feedback, suggestions, and complaints. This communication may be provided by email, text, verbally, or otherwise (e.g., Slack, etc.).

We have instituted an open door policy to ensure that employees feel comfortable and safe bringing forward items that may need attention in the business. An open door policy also means that in the event that an employee is nervous to bring a concern forward to a specific person, they may bring it forward to another person in the organisation without fear of repercussions.

*Please note that in the event that a complaint involves any element relating to discrimination, violence, or harassment, the investigation procedures in those applicable policies (Anti-Violence Policy, Anti-Harassment Policy, Human Rights Policy, etc.)

Supervisor/Manager

Employees are encouraged to speak first to their immediate supervisor/manager regarding suggestions for improvements, changes to processes, etc., as their supervisor/manager would be the closest to be able to see how changes could be implemented. In the event that an employee is uncomfortable speaking to their direct supervisor/manager, they may speak to any other member of management they feel comfortable with.

Meeting Time



Employees are encouraged to request a time to speak with their chosen communicator, bearing in mind key operational responsibilities and deadlines. As much as possible, employee requests will take precedence over other issues, although there may be times when it is not possible to grant the time immediately.

Remedies

Employees should be considering what an ideal state would mean for them when bringing forward a complaint.

Follow-Up

During the meeting, the supervisor/manager to whom you are speaking will provide you with a date for follow-up of the concern you brought forward (as needed). For matters of urgency, they will try to resolve it as soon as possible. For matters of process that require input from additional stakeholders, this may take additional time. Regardless, if an employee is not provided with a follow-up date, they should request one.

Violence, Harassment, Discrimination, and Investigation

Once in the meeting, employees should feel free to pass along what is concerning them, but must be aware that any complaints relating to discrimination, harassment, or violence, must be pursued further. Reporting any of the above, whether the employee is the subject of or witness to, will trigger an investigation as soon as possible. While requests for confidentiality will be adhered to as much as possible, there are times, for investigative purposes, when an employee's identity must be divulged.

Matters Relating to Health and Safety

For any matters relating to an immediate and urgent safety issue, employees should speak with whomever is available immediately, be it their supervisor/manager (if available), a safety representative, or the authorities (9-1-1), rather than book in for a meeting. Safety is not a matter that can wait!

For non-urgent safety matters, employees are encouraged to email their supervisor or safety representative.

Speaking Up for Another Employee

While Sistema Toronto Academy understands there are times an employee may feel uncertain about sharing concerns and ask another person to do so on their behalf, employees are encouraged to speak up for themselves as much as possible.

Repercussions



Employees will not be subject to any repercussions for bringing forward their thoughts, ideas, or opinions for the business. However, if it is found that an employee contravened any other policies, such as Workplace Anti-Violence, Workplace Anti-Harassment, Human Rights Policy, the employee will be subject to the progressive discipline process, up to and including termination of employment.

1.09 MUTUAL COMMITMENTS

Sistema Toronto Academy firmly believes that a positive working environment will not only ensure maximum staff productivity, and therefore long-term employability, but also a friendly and stimulating working atmosphere. An attitude of listening and openness is required in all departments of the organisation. The management's door is always open to constructive exchanges and several means of communication are available to staff so that they can quickly and easily convey their message to the people concerned.

We are committed to providing a safe and healthy work environment for all our employees. In return, we ask for a commitment to Sistema Toronto Academy. All employees must comply with organisation policies and health and safety regulations.

Section 2 - Key Legislated Policies

2.01 ACCESSIBILITY

Sistema Toronto Academy is committed to upholding and exceeding Ontario's legislation intended to remove barriers to accessibility for persons with disabilities. This includes providing equal access to employment, information, goods, and services, and treating persons with disabilities with dignity and respect in a way that takes their disability into account.

DEFINITIONS

Definitions taken from the *Accessibility for Ontarians with Disabilities Act, S.O. 2005, C. 11* or *Ontario Human Rights Code*.

"Accessible formats" may include, but are not limited to, large print, recorded audio and electronic formats, braille, and other formats usable by persons with disabilities.

"Barrier" means anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability, including a physical barrier, an architectural barrier, an information or communications barrier, an attitudinal barrier, a technological barrier, a policy, or a practice; ("obstacle").

"Disability" is defined broadly by the *Ontario Human Rights Code* as:



1. "any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impediment, deafness or hearing impairment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,
2. a condition of mental impairment or a developmental disability,
3. a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
4. a mental disorder, or
5. an injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*."

POLICY

Sistema Toronto Academy will make every reasonable effort to meet the requirements of the *Accessibility for Ontarians with Disabilities Act (AODA), 2005*, including all applicable elements of the *Integrated Accessibility Standards*.

1. Information and Communication
2. Employment
3. Customer Service
4. Design of Public Spaces
5. Transportation

Sistema Toronto Academy will provide training to all employees, volunteers, and independent contractors to ensure they are familiar with our policies, practices, and procedures for communicating with and providing services to persons with disabilities.

Information and Communication

Sistema Toronto Academy will make its information accessible to people with disabilities by creating materials and supports in accessible formats.

Sistema Toronto Academy will deliver alternate formats of information to stakeholders, upon request. If a particular material cannot be converted into an accessible format that meets the needs of the person requesting it, Sistema Toronto Academy will provide details of why it cannot be converted and provide a summary of the information or communication in another way that is suitable to the person requesting it.

This extends to any emergency procedures or safety information prepared by Sistema Toronto Academy.

Employment



Sistema Toronto Academy welcomes and encourages employment applications from people with disabilities and will do its part to make hiring and employee support practices more accessible by providing accommodation during all stages of recruitment, hiring, and employment.

If a job applicant requests accommodation, Sistema Toronto Academy will consult with the applicant and provide suitable accommodation that takes the person's accessibility needs into account.

When making offers of employment, Sistema Toronto Academy will notify the successful applicant of its policies for accommodating employees with disabilities.

New employees will be reminded about the organisation's job accommodation policies as soon as possible upon being hired and notified when any future changes are made to policies. Policy information will include available employment accommodations that will be provided for job related matters such as performance management, career development, emergency response plans, and return to work information.

Sistema Toronto Academy will consult with an employee who requests employment accommodations, to provide or arrange for the provision of accessible formats and communication supports that take the employee's needs into account when providing information that is needed to perform the employee's job, and information that is generally available to employees in the workplace.

Service to Communities

Sistema Toronto Academy will provide service to communities in a manner that removes barriers for people with disabilities according to the following key principles of the AODA:

- Services will be provided in a manner that respects the dignity and independence of persons with disabilities.
- Service to people with disabilities will be integrated with others, unless an alternate way of providing the service or facility is required by the person with the disability.
- Persons with disabilities will be given equal opportunity to use and benefit from the services, or facilities an organisation or business has to offer.
- We will communicate with people with disabilities in a way that takes the individual's disability into account.

Assistive Devices, and Service Animals, Service Dogs or Guide Dogs

Persons with disabilities who use an assistive device will be permitted to use their own device to access the services of Sistema Toronto Academy.

If a person with a disability is accompanied by a guide dog or other service animal, Sistema Toronto Academy shall ensure that the person is permitted to enter the premises with the animal and to keep the animal with them, unless the animal is otherwise excluded by law from the premises.



Support Workers

If a person with a disability is accompanied by a support person, Sistema Toronto Academy will ensure that both persons are permitted to enter the premises together and that the person with a disability is not prevented from having access to the support person while on the premises.

Sistema Toronto Academy will ensure that notice is given in advance if admission fees will be charged to support workers for accessing the services in their role as support person, including how much the fee will be.

Service Interruptions

If there is a temporary disruption in any of our services either in whole or in part, Sistema Toronto Academy will provide notice of the disruption to the public via as many channels as possible, in accessible formats, where available. We will physically post notices where the disruption is taking place as well as through any other channels that are appropriate such as email, phone, text, social media, or on our website.

Notice of the disruption will include the reason for the disruption, its anticipated duration and a description of alternative facilities or services, if any, that are available.

Process for Receiving Feedback

Sistema Toronto Academy will accept feedback about the way in which it provides services to persons with disabilities in person, by phone or email, or in another way that is suitable to a person with a disability.

When a complaint is received about the way we provide goods, services, or facilities to persons with disabilities, Sistema Toronto Academy will let the person who submitted the feedback know about the actions the organisation will take to resolve the issue.

Feedback will be provided to the COO or CEO at andres.tucciclarke@sistema-toronto.ca or shawn.earle@sistema-toronto.ca . 416-545-0200

Training

Sistema Toronto Academy will ensure that all employees and applicable third parties who interact with students/families are provided with accessibility training.

The training will address:

- The purpose of the Accessibility for Ontarians with Disabilities Act, 2005;
- The requirements of the Accessibility Standards for Customer Service;
- Information about organisation policies and procedures (including this policy);
- Best practice on how to communicate with persons with various types of disabilities;



- Best practice on how to interact with people with disabilities who use assistive devices, require the assistance of a service animal or a support person.

Sistema Toronto Academy will retain a record of all individuals who have completed the required training.

Notice of Availability of Documents and Alternative Formats

Sistema Toronto Academy will post notice of the availability of this policy, other documents prescribed by the Standard and the availability of alternative formats upon request. This information will be provided on the Organisation's website.

Transportation

Sistema Toronto Academy does not provide conventional or specialized commercial transportation services to passengers and is not required to adhere to the Transportation Standard.

Further information about Accessibility is available through the Employment Standards Act, Ontario.

2.02 WORKPLACE ACCOMMODATION POLICY AND PROCESS

Sistema Toronto Academy is committed to providing an accessible working environment for all employees. Sistema Toronto Academy will support and facilitate the accommodation of employees with disabilities so that they are able to safely access all the opportunities that Sistema Toronto Academy offers, subject only to the limits of undue hardship.

Sistema Toronto Academy recognises the importance of inclusion by design and barrier removal in the integration of employees with disabilities. Sistema Toronto Academy will work to eliminate or minimize the adverse effects of all forms of barriers in accordance with its obligations under the Human Rights Code ("the Code"), and the Accessibility for Ontarians with Disabilities Act, 2005 ("the AODA").

PURPOSE

Subject to the foregoing, the purpose of this policy is to guide process and decision-making for individual employee disability-related accommodations at Sistema Toronto Academy. Moreover, this policy outlines the process for which accommodation requests will be received, approved, and facilitated.

This document is available in alternate accessible formats on request.

DEFINITIONS

Disability: is defined by the *Human Rights Code* as follows:



(a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impediment, deafness or hearing impairment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,

(b) a condition of mental impairment or a developmental disability,

(c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,

(d) a mental disorder, or

(e) an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997.

Reasonable Accommodation: for the purpose of this procedure, is an individualized process which, to the point of undue hardship, involves the removal or alleviation of barriers that prevent an otherwise capable individual from participating equally in the workplace because of a disability. For the purpose of this document, “reasonable accommodation” and “accommodation” are used interchangeably.

Undue Hardship: The point at which, having regard to all of the relevant circumstances, providing an employee with accommodation is outweighed by financial and/or institutional costs, the impact on other employees, health and safety considerations, and/or other relevant factors involved in providing the accommodation.

OBJECTIVES

Sistema Toronto Academy is committed to:

- Ensuring compliance with all applicable legislation and Sistema Toronto Academy policies;
- Ensuring that all requests for accommodation are considered on a case-by-case basis in order to determine accommodation requirements;
- Ensuring that all safety measures are taken into consideration when determining appropriate accommodation;
- Establishing an efficient and timely accommodation process that is consistent with the requisite principles outlined in Human Rights jurisprudence; and
- Outlining the process for submitting a request for accommodation, verifying and accepting the need for accommodation, and facilitating the accommodation.

GENERAL PRINCIPLES

- In individual cases, accommodation is a process which seeks to find the means to ameliorate those restrictions/limitations caused by the individual’s disability that preclude the individual



from either meeting the requisite qualifications or from carrying out the essential requirements of a position. This process will take into account the following guiding principles:

- o The search for accommodation in any individual case is a process that takes into account the unique needs of the individual being accommodated.
 - o In the accommodation process, workplace parties will be expected to work together cooperatively in a respectful manner, to share information, and to avail themselves of potential accommodation solutions.
 - o Pursuant to the previous point, the individual must cooperate in the process by providing information, including medical reports, that clearly outline the restrictions/limitations/needs that result from the disability. As well, the individual must work with Sistema Toronto Academy to find an appropriate accommodation.
- Every effort should be made to provide reasonable accommodations. The accommodation selected will be an accommodation that aims to reduce the impact of the disability at work, most respects the individual's dignity, and does not give rise to undue hardship.
 - The accommodation process will incorporate measures to respect and protect the confidentiality of employee personal or medical information.
 - A written Accommodation Plan shall be developed to detail the roles and responsibilities of the parties and to facilitate accountability and regular monitoring.
 - Accommodations shall be developed on an individualized basis, shall aim to remove barriers and ensure equality, and shall incorporate all appropriate measures to ensure the safety of the individual requesting the accommodation and all others.
 - It is the obligation and desire of Sistema Toronto Academy to provide appropriate accommodation up to the point of undue hardship, which includes health and safety considerations.

CONFIDENTIALITY OF INFORMATION

- Requests for accommodation may involve the disclosure of private or highly sensitive information. Persons requesting accommodation shall be asked only for information required to support the accommodation request, and to respond appropriately to the request.
- Information related to an individual's disability and accommodation requests shall be kept in a separate location from the individual's regular personnel file.
- Personal information concerning an employee's disability shall not be disclosed without the prior written consent of the individual or, where the disclosure is necessary to obtain an effective accommodation, without advising the individual to whom the information will be disclosed and must be managed in a manner that is consistent with the Personal Information Protection and Electronic Documents Act.
- Only relevant stakeholders will be involved in the development of an employee's accommodation plan.
- Where the accommodation process requires the disclosure of confidential information to a third party (such as an external resource group), the third party and any person or department delegated by that third party shall be required to ensure that confidentiality is protected, that the information obtained is kept in a secure location, and is used solely for the purpose for which the disclosure was required.



ACCOMMODATION PROCESS

Workplace accommodations can range from simple and straightforward cases, to lengthy and complex ones. The steps in this procedure outline the general process by which Sistema Toronto Academy addresses accommodation for employees with disabilities in the workplace. It must be recognised that the Human Rights Tribunal of Ontario has emphasized that following a proper process in every case is of critical importance and that failure to do so may be seen as a violation of the *Human Rights Code*. The principles of dignity, individualization, inclusion, and full participation are to be applied throughout the entire accommodation process. All parties share in the responsibility to engage in meaningful dialogue and to work together respectfully towards accommodation solutions.

REQUESTS FOR ACCOMMODATION

A need for accommodation for reasons of disability may be identified in a number of ways, including the following:

- An employee may identify the need by notifying their manager that due to a disability, they cannot perform the essential duties of their job and are requesting an individual accommodation plan.
- For an employee returning to work after an illness or injury, the return to work process involves a review to determine whether there are any disabilities and/or required accommodations prior to the employee returning to the workplace, and they are covered by the RTW Policy.
- The need for accommodation may be identified by a manager, health care provider or another party, in which case the employee will be made aware of the accommodation process.

Accommodation requests are to be made in writing to the employee's manager. If requested, the employee may provide their accommodation request in an alternate format that takes into account their accommodation needs.

In the event that an accommodation request is denied, the employee will be provided with written documentation of the reasons for the denial. These reasons will also be provided in alternate format upon request.

The denial of an accommodation request may be appealed, in writing, to Senior Management if not involved in the original decision or designate. A final decision will be reached as soon as reasonably possible, based on a review of the accommodation request, the written documentation of the reasons for the denial, and any further information provided by or obtained from all parties regarding the request.

MEDICAL DOCUMENTATION

- A request for accommodation must be supported by appropriate medical documentation.



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- Medical documentation must confirm that the employee has a disability that interferes in their ability to do their job or otherwise participate fully in the workplace, outline the specific restrictions and limitations that need to be accommodated, and the duration of the accommodation.
- Pursuant to the previous point, the employee will be provided with a Functional Abilities Form, (FAF) which the employee will be instructed to have completed by their treating health care practitioner.
- It is recognised that there may be some obvious cases where medical documentation would not be required; Human Resources can assist with this determination.
- Additional medical documentation may be required with complex medical cases, cases involving a permanent disability, or cases requiring clarification about the employee's disability or restrictions.
- In such situations, Sistema Toronto Academy will provide the employee with the employer's written request for further information from the employee's doctor, medical specialist, or other healthcare provider.
- Where such requests result in insufficient information to determine appropriate accommodation measures, Sistema Toronto Academy may require the employee to undergo an independent medical examination.
- The employee will be requested to sign a consent document to permit enquiries and release of information to Sistema Toronto Academy. The costs associated with obtaining additional medical documentation will be covered by Sistema Toronto Academy.
- Sistema Toronto Academy will review the information in the medical documents received, and will only communicate non-confidential information (e.g. functional abilities, limitations or restrictions, prognosis, anticipated duration of accommodation) to the employee's manager.
- No confidential information (e.g. diagnosis, treatment plan, name/specialty of the health care provider) will be shared without the prior written consent of the employee, excepting only where the information needs to be shared with a supervisor or others in order to achieve the accommodation.

ACCOMMODATION PROCESS

- The employee shall notify their manager of the request for an individual accommodation plan.
- The employee or manager may contact Human Resources for assistance in the development of the accommodation plan. Human Resources will provide information, support and assistance as needed throughout the accommodation process.
- Once the request is received, the employee will be required to provide appropriate medical documentation, as noted above.
- The medical documentation will be reviewed to ensure that the information provided is adequate and will request additional medical information if needed. The manager will be informed about the employee's restrictions, limitations, and accommodation needs.
- The manager, in consultation with the employee, will make every reasonable effort to identify appropriate accommodation measures that will enable the employee to fulfill the essential duties of their job.



Note: *Sistema Toronto Academy is not required to create a new position for the employee; the accommodation process is intended to assist the employee in performing their current position. However, in some cases, the employee may be assigned a temporary position pending resolution of their disability to the point where they are able to return to their position, with or without accommodation.*

- The manager will also determine whether the employee requires individualized workplace emergency response information and/or an individual Workplace Emergency Response Information plan as a result of the disability.
- All possible reasonable accommodation measures must be canvassed. Those accommodation measures selected to be included in the accommodation plan must be the measures that most respect the dignity of the individual while achieving the aim of providing the individual with equal opportunity, provided that no accommodation measures are selected which create undue hardship.
- Where a concern arises that either no measure for accommodation is available or all possible accommodation measures would give rise to an undue hardship, Human Resources or Senior Management, as applicable, must be involved in any subsequent decisions regarding the accommodation process.
- Once the accommodation measures have been determined, the manager will prepare a written accommodation plan outlining the nature of the accommodation and the measures agreed upon.
- The manager will sign the plan document, and the employee will be given an opportunity to sign the plan. A copy of the final plan will be forwarded to all parties involved. A copy will be kept alongside the employee's personnel file.
- The manager, with cooperation from the employee, is responsible for ensuring that the measures outlined in the accommodation plan are implemented.

MONITORING AND REVIEW

- The manager must conduct ongoing monitoring and reassessment of the accommodation plan during the period of accommodation.
- Sistema Toronto Academy may request updated medical information on a periodic basis to support ongoing accommodations.
- If the accommodation is no longer appropriate, the employee and the manager will work together to gather relevant information and reassess the employee's needs in order for the employer to find the best accommodation measure.
- The employee or manager can contact Sistema Toronto Academy senior management to assist in reviewing or revising the accommodation plan if the restrictions and limitations have changed or if updated medical documentation is received.

2.03 RETURN TO WORK PROCESS – NON-WORK RELATED DISABILITY

At Sistema Toronto Academy, we are committed to supporting employees who have been absent from work due to a non-work-related disability and who require an accommodation in order to return to



work. Therefore, the following return to work (RTW) process has been put into place to facilitate an employee's safe and timely return to work. At Sistema Toronto the CEO and COO are the return to work designates.

STEP 1: INITIATE THE RETURN-TO-WORK PROCESS

- The employee reports their need for a disability leave to their supervisor or to human resources (as applicable)
- Information is sent to the RTW designate

STEP 2: MAKE AND MAINTAIN CONTACT WITH THE EMPLOYEE ON LEAVE

RTW coordinator or designate

- Maintains regular contact with the employee, with the employee's consent
- Provides the employee with RTW information
- Helps resolve any problems with treatment, if asked to by the employee
- Monitors the employee's progress until they are fit for work

Employee

- Receives and follows the appropriate medical treatment
- Updates the RTW designate about their progress
- Gives the healthcare provider the RTW information

Manager

- Ensures work practices are safe for returning employee
- Assists RTW designate with identifying accommodations
- Assists RTW designate with analyzing the demands of each job task

Healthcare provider

- Provides appropriate and effective treatment to the employee
- Provides required information on the employee's functional abilities, if requested

STEP 3: DEVELOP A RETURN-TO-WORK PLAN

- The employee, the RTW designate, and the healthcare provider (if needed) collaborate to develop a formal RTW plan, which is included in the employee's individual accommodation plan, if applicable:
- if the employee has *no residual functional limitations*, they return to their regular position with no accommodation required



Toronto

- if the employee has *temporary functional limitations*, they return to a temporary modified work environment with accommodation, or to an alternative transitional position, if available or possible
- if the employee has *lasting functional limitations*, they return to work with permanent accommodations or is permanently reassigned to another position, if available or possible

STEP 4: MONITOR AND EVALUATE THE RETURN-TO-WORK PROCESS

- The employee, supervisor, and RTW designate monitor and review the RTW process regularly until it has been completed
- If the employee encounters challenges, the RTW plan is modified to overcome these challenges

2.04 HUMAN RIGHTS COMMITMENT

Sistema Toronto Academy is committed to upholding the human rights of all employees. Specifically, Sistema Toronto Academy will ensure that every employee has a right to equal treatment under the protected grounds and aspects of employment established by the *Ontario Human Rights Code*:

- Age
- Ancestry, colour, race
- Citizenship
- Ethnic origin
- Place of origin
- Creed
- Disability
- Family status
- Marital status (including single status)
- Gender identity, gender expression
- Record of offences (in employment only)
- Sex (including pregnancy and breastfeeding)
- Sexual orientation

POLICY

Sistema Toronto Academy will not discriminate against any of its employees under any of the protected grounds outlined above.

Furthermore, Sistema Toronto Academy will ensure equal treatment for its employees, including, but not necessarily limited to, the following processes:

- Job applications
- Recruitment
- Training



Toronto

- Transfers
- Promotions
- Apprenticeship terms
- Dismissal
- Layoff

Sistema Toronto Academy will ensure that this right to equal treatment is upheld in the areas of rate of pay, overtime, hours of work, holidays, benefits, shift work, discipline, and performance evaluations.

Duty to Accommodate

Sistema Toronto Academy has a duty to accommodate employees to eliminate negative treatment based on the prohibited grounds of discrimination. Sistema Toronto Academy will accommodate to the point of undue hardship which can only be considered when adjustments to a policy or practice would incur financial cost, necessitate outside funding, or create risks to the health or safety of a person.

Filing a Complaint

Sistema Toronto Academy acknowledges that an employee who believes their rights have been violated may speak directly to a Human Rights Officer at the Human Right Tribunal or file a complaint with the Ontario Human Rights Tribunal. Sistema Toronto Academy will not retaliate against any employee who has filed a complaint with the Tribunal or had someone file a complaint on their behalf.

2.05 PAY EQUITY

The purpose of this policy is to demonstrate Sistema Toronto Academy's dedication to Pay Equity, or providing equal pay for equal work, as legislated under the *Employment Standards Act, 2000* (ESA) and the *Pay Equity Act* (Ontario). Employee pay rates will be based on the following criteria: skill, effort, responsibility, and working conditions.

DEFINITIONS

As per Ontario.ca or *The Pay Equity Act*:

Equal work means the employees perform substantially the same kind of work in the same establishment, the work requires substantially the same skill, effort and responsibility and is performed under similar working conditions. Each of these conditions must be met for equal pay for equal work to be required.

Substantially the same kind of work means the work does not have to be exactly the same. What matters is the actual work performed by the employees, not the stated conditions of their job offer or their job description.



Skill means the amount of knowledge, physical skill or motor skills needed to perform a job. This includes:

- education, like post-secondary degrees and diplomas
- training, like apprenticeships
- experience, like the number of years required to master a skill or gain expertise
- manual dexterity, like hand-eye coordination

Effort is the physical or mental effort regularly needed to perform a job.

POLICY

Sistema Toronto Academy believes in providing all people with equal pay for work of equal value and is committed to using objective factors of skill, effort, responsibility, and working conditions when compensating employees. Further, we will ensure a comparison method is utilized when assigning compensation to ensure gender neutral pay.

Sistema Toronto Academy will not pay one employee at a rate of pay less than another employee on the basis of sex when:

- they perform substantially the same kind of work in the same establishment
- their work requires substantially the same skill, effort, and responsibility
- their work is performed under similar working conditions

Sistema Toronto Academy will not lower employees' rates of pay to create equal pay for equal work.

Employer's Responsibilities

Sistema Toronto Academy will:

- Establish and maintain compensation practices that provide for pay equity
- Examine and evaluate its job positions using fair and equitable standards as outlined in the *Employment Standards Act* and *Pay Equity Act*
- Utilize the male/female job-to-job comparison method outlined in the Pay Equity Act to ensure gender neutral pay

Exceptions

Where employees of different sexes are doing equal work, they can be paid different rates of pay if the difference is due to:

- a seniority system
- a merit system
- a system that measures earnings by production quantity or quality



Employees who perform equal work can also be paid different rates of pay if the difference is based on any other factor other than sex.

Reprisals

Sistema Toronto Academy will not punish an employee in any way for asking other employees about their rates of pay to find out if an employer is providing equal pay for equal work or for disclosing their own rate of pay to another employee for the purpose of determining or assisting that employee in determining whether they are receiving equal pay for equal work.

Filing a Claim

In the event an employee believes that the organisation is not complying with the equal pay for equal work provisions, the employee may file a claim with the Ministry of Labour.

2.06 PROTECTION OF PERSONAL INFORMATION

Sistema Toronto Academy is committed to upholding the privacy of private and identifiable information. While Sistema Toronto Academy is not subject to the protection obligations outlined in the *Personal Information Protection and Electronic Documents Act* (PIPEDA), this policy is based upon PIPEDA's 10 Fair Information Principles and is intended to ensure the safety of employee, student/family personal information.

DEFINITIONS

As defined by PIPEDA, personal information includes: any factual or subjective information, recorded or not, about an identifiable individual. This includes information in any form, such as:

- Age, name, ID numbers, income, ethnic origin, or blood type, address
- Opinions, evaluations, comments, social status, or disciplinary actions
- Employee files, credit records, loan records, medical records, existence of a dispute between a community member and employee, intentions (for example, to acquire goods or services, or change jobs).

POLICY

Sistema Toronto Academy will ensure that any private employee information that is collected adheres to the principles outlined below:

1. **Accountability:** Sistema Toronto Academy is responsible for all employee personal information under its control and will ensure its accountability to the 10 Fair Information Principles.
2. **Identifying purposes:** Sistema Toronto Academy will always identify to employees why their personal information is being collected.



Toronto

3. **Consent:** Employee consent is required for the collection, use, or disclosure of employee information, as appropriate.
4. **Limiting collection:** Sistema Toronto Academy will only collect the personal employee information that is required for the administration of pay, benefits, and other human resource activities. This information will always be collected in fair and legal ways.
5. **Limiting use, disclosure, and retention:** Unless required by law, all private employee information collected by Sistema Toronto Academy will only be used for the purposes for which it was collected. Private employee information will only be retained as necessary to serve the purposes for which it was collected.
6. **Accuracy:** Sistema Toronto Academy will maintain personal employee information as accurate, complete, and as up to date as possible. Sistema Toronto Academy may request periodic updates from its employees to ensure that the information on file is accurate.
7. **Safeguards:** Sistema Toronto Academy will protect any personal employee information it has collected, either by locked filing cabinets, encrypted drives, or any other means necessary to ensure the privacy of the information.
8. **Openness:** Sistema Toronto Academy will disclose its purposes for the collection of employee information and will have this information available upon request from employees.
9. **Individual access:** Employees of Sistema Toronto Academy have the right to view what personal employee information has been retained. Further, employees may challenge the accuracy of this information and make modifications to the information, as necessary.
10. **Challenging compliance:** Should an employee bring forward a way that Sistema Toronto Academy could improve the safety of personal employee information, they may bring it forward to the COO.

2.07 SMOKE FREE WORKPLACE

Extensive health research has shown that smoking or inhaling second-hand smoke has an adverse effect on health and wellness. Sistema Toronto Academy is committed to upholding the law and promoting a safe and healthy workplace for all employees and visitors by prohibiting smoking and vaping in enclosed workspaces.

DEFINITIONS

The following definitions have been taken from Ontario.ca or the *Smoke-Free Ontario Act*.

Enclosed workplace means any part of a building, structure, or vehicle with a roof that an employee works in or visits, even during off-hours. This includes hotel rooms and vehicles used for business purposes.

Electronic cigarettes means a vaporizer or inhalant-type device, whether called an electronic cigarette or any other name, that contains a power source and heating element designed to heat a substance and produce a vapour intended to be inhaled by the user of the device directly through the mouth, whether or not the vapour contains nicotine.



Smoking means smoking (inhaling and exhaling) or holding lighted tobacco or cannabis (medical or recreational).

Vaping means inhaling or exhaling vapour from an electronic cigarette (e-cigarette) or holding an activated e-cigarette, whether or not the vapour contains nicotine.

POLICY

Sistema Toronto Academy is a smoke-free workplace.

No smoking or vaping is permitted on organisation premises by employees, contractors, or visitors at any time, except within any designated smoking areas. Smoking or vaping are also prohibited in any other enclosed workplace such as hotel rooms or vehicles being used for organisation business.

In accordance with the *Smoke Free Ontario Act (SFOA)*, Sistema Toronto Academy will:

- Post the required smoke free signage at each entrance and exit of the enclosed workplace, place, or area in appropriate locations and in sufficient numbers to ensure that employees and the public are aware that smoking and the use of electronic cigarettes is prohibited in the enclosed workplace, place, or area.
- Ensure that no ashtrays or similar equipment remain in the enclosed workplace or place or area, other than a vehicle in which the manufacturer has installed an ashtray.

If a designated smoking area has been created, it will be clearly marked with signage. This is the only place employees, visitors or contractors may smoke or vape, provided they do so in a safe manner, with all extinguishable and smoking products materials disposed of properly in the appropriate trash receptacle.

There is no obligation of the organisation to provide smoking breaks outside of designated break times.

This policy is intended for the workplace only. While Sistema Toronto Academy supports employees in living a healthy lifestyle, it will not penalize employees for smoking or vaping in their personal life.

Non-Compliance

Employees who do not comply with the guidelines of the *Smoke Free Ontario Act (SFOA)*, as set out in this policy, will be subject to disciplinary action, including possible suspension or even termination of employment.



Section 3 - Employment Standards Policies

3.01 HIRING

The purpose of this policy is to outline the processes Sistema Toronto Academy will follow to ensure our hiring practices are fair, consistent, equitable and in line with all applicable legislation such as the *Ontario Human Rights Code*, the *Accessibility for Ontarians with Disabilities Act*, and the *Employment Standards Act*.

DEFINITIONS

Probationary Period means the specified period of time after a musician or staff member is hired to a permanent position during which performance is assessed.

POLICY

Sistema Toronto Academy is committed to the principles of equality and diversity in the workplace. We will endeavour to hire the best candidate for the position based on their qualifications and merit in terms of knowledge, skills, and experience. Sistema Toronto Academy will not discriminate against job applicants on any of the grounds protected by human rights legislation during any phases of the recruitment, screening and hiring process.

We welcome applications from persons with disabilities and will provide accommodations during all stages of the hiring process, upon request. This statement will be added to any job postings and all applicants will be reminded of this policy: 1) when they are invited to an interview, and 2) within any job offer provided. All hiring managers of Sistema Toronto Academy will treat all job applicants with dignity and respect.

At no time during the interview process will any questions be asked that touch on any prohibited areas outlined in the *Human Rights Code* (such as age, ancestry, colour, race, citizenship, ethnic origin, place of origin, creed, disability, sex/pregnancy, family status, marital status, sexual orientation, gender identity, gender expression, and record of offences).

Reference checks may be completed for a candidate that is considered for hiring prior to making an offer of employment, to validate credentials and the accuracy of information provided by the candidate during the recruitment and screening process.



Any offer of employment will outline the terms and conditions of employment, including any further steps that the applicant must agree to complete to be eligible for employment (example: successful police records check).

Offers of employment will contain a probationary period of at least three months, so that both the employer and employee can trial the fit between the employee and the position, without any negative consequences.

Once the offer of employment is signed by the employee and any additional agreed terms have been met, the new employee may begin work at the agreed upon date. New employees will receive orientation and training about key policies and safety issues that pertain to their position or that are required by law.

Sistema Toronto Academy will ensure any personal information collected during any stage of the recruitment and hiring process is retained in an appropriate manner and remains confidential.

3.02 HOURS OF WORK AND OVERTIME

Sistema Toronto Academy is committed to ensuring that all employees are compensated, at minimum, as per the standards outlined in the *Ontario Employment Standards Act (ESA)*.

DEFINITIONS

Overtime is defined as any hours worked above 44 in one work week.

POLICY

At Sistema Toronto Academy, a work week consists of 40 hours for full time employees. Hours for part time employees will vary and should be reported by the employee to the COO or their designate bi-weekly or in accordance with instructions from management.

Sistema Toronto Academy employees will at times be requested to work hours above their usual hours of work. For the purposes of this policy, hours worked beyond an employee's usual number of hours but below the overtime threshold of 44 hours weekly will be paid in straight time.

Any hours worked beyond the Ontario ESA threshold of 44 hours will be paid at a rate of time and one half the employee's usual rate of pay.

All overtime hours must be authorized by a supervisor/manager in advance of being worked. In the event of an emergency, the hours may be worked but a manager/supervisor must be informed as soon as possible. Failure to adhere to these guidelines will result in progressive discipline.

Managers and Supervisors



Note that at Sistema Toronto Academy, managers and supervisors who perform managerial tasks for at least 50% of their time are not entitled to overtime pay, specifically if they perform other tasks only on an irregular or exceptional basis.

Time in Lieu

Sistema Toronto Academy may at times request that employees participate in a time in lieu/banked time off program. This is subject to employee agreement and will be noted either electronically or in writing if it is agreed-upon. For time banked above an employee's regular hours, up until the overtime threshold, time will be banked as straight time. For any hours worked above the overtime threshold of 44 hours, these hours will be banked as time and one half.

Banked time must be taken within three months of the week in which it was earned. On occasion, Sistema Toronto Academy may request that an employee takes this time at a later date. With the employee's agreement, this time away may be taken within 12 months of when the time was earned.

In the event that an employee is separated from Sistema Toronto Academy, either voluntarily or involuntarily, and before they have been able to schedule and take their banked lieu time, the employee will receive all banked but unused lieu time as compensatory time on their final pay cheque.

3.03 PROTECTED LEAVES

Sistema Toronto Academy recognises that qualified employees have the right to take job protected leave without any negative consequences to their employment. As such, Sistema Toronto Academy is committed to adhering to the guidelines established by the Ontario *Employment Standards Act* (ESA) with respect to any job-protected leaves.

The protected leaves outlined below are minimums set out by the Ontario *Employment Standards Act* (ESA), Sistema Toronto Academy, at its sole discretion, may extend these unpaid leaves beyond the stated minimums.

POLICY

The purpose of this policy is to outline the job-protected leaves employees have a right to take under the ESA so that:

- Employees know their rights; and
- Sistema Toronto Academy manages employee leave in a fair and consistent manner.

Sistema Toronto Academy will adhere to all regulations covered under the ESA.

Employee Rights During a Leave



Employees have the right to continue to participate in the organisation benefits plans during their job-protected leave of absence. This includes programs such as: pension plan, life insurance, extended health care, and dental. If an employee wishes to opt out of their participation in these organisation-provided benefits, they must provide their request via written notice.

Sistema Toronto Academy will continue to pay its portion of the employee benefits contribution to an employee's benefit plan, unless the employee has provided written notice, they'd like to opt out during the leave period.

Employees will continue to accrue seniority while on a job-protected leave.

Sharing Leave Time

The total amount of leave taken by one or more employees under the ESA in respect of the same family member, child, or event is the entire amount of the leave; the leave is not doubled. Employees who are sharing the leave can be on leave at the same time, or at different times; the ESA does not provide restrictions for this. The sharing requirement applies whether the employees work for the same employer.

1. Pregnancy Leave

Pregnant employees have the right of taking a pregnancy leave constituting up to 17 unpaid weeks off work provided they have worked at Sistema Toronto Academy for a period of at least 13 weeks leading to the due date. The earliest the leave can begin is 17 weeks before the employee's due date and the latest one can begin is the baby's due date (or actual date of birth if that arrives sooner).

If an employee is still pregnant after the 17 weeks of leave, they may continue on until the birth and then commence their parental leave. Employees are entitled to return early from their leave if they desire to do so; however, they may not split up their leave and use up the unused part later.

Miscarriages and Stillbirths

Pregnancy leave is not an entitlement when an employee has a miscarriage or stillbirth more than 17 weeks prior to their due date. If an employee has a miscarriage or stillbirth within the 17 weeks prior, they continue to be eligible for parental leave and it commences on the date of the miscarriage or stillbirth if it hadn't started yet.

Pregnancy leave for an employee who had a stillbirth or miscarriage ends either 17 weeks after the leave started or 12 weeks after the miscarriage or stillbirth (whichever is later).

Sistema Toronto Academy employees embarking on pregnancy leave are required to provide at least two weeks' written notice prior to the start of their leave. Medical information may be requested. Where an emergency forces the leave to start early, pregnant employees must provide the notice no later than two weeks after the leave started. In certain cases, employees may be entitled to the use of sick time prior to the start of the pregnancy leave.



This two-week notice requirement also applies if an employee needs to change the date of their pregnancy leave.

An employee may also change the date that their pregnancy leave ends, provided they provide a written notice at least four weeks in advance of the new date. If an employee does not provide Sistema Toronto Academy with a return-to-work date, a leave of 17 weeks will be assumed and the employee will be expected to resume work after that time.

Employees who choose not to return from pregnancy leave are required to provide at least four weeks' written notice.

2. Parental Leave

New parents are entitled to take parental leave of up to 61 or 63 weeks of unpaid time free from work. Parents may refer to a birth parent, an adoptive parent, or a person in a relationship with a parent of a child who plans on treating the child as their own. To be eligible, employees must have been hired by Sistema Toronto Academy at least 13 weeks prior to starting their parental leave.

Birth mothers who have taken pregnancy leave are entitled to up to 61 weeks of unpaid leave. In the case of a birth mother who did not take pregnancy leave and any other new parents, they are entitled to up to 63 weeks of unpaid parental leave.

Parental leave for a pregnant employee may begin as soon as the pregnancy leave ends unless the baby has not come into their care. In this event, an employee may return to work between the pregnancy and parental leaves and then start parental leave within 78 weeks of the birth (or the date the baby first left the hospital to come home). For any other employees, parental leave must be started no later than 78 weeks after the date of the baby's birth or the date the child came into their care, custody, and/or control. Note: the parental leave must be started in the 78 weeks but is not required to be completed then. Employees may return early from leave but may not re-embark on the leave to use up any remaining time.

Employees must provide at least two weeks' written notice before the start of a parental leave and four weeks' written notice if they desire to return to work before their leave entitlement has been used up. If an emergency occurs and the parental leave needs to begin immediately, employees are required to provide their notice of the leave at least two weeks after starting the leave.

Sistema Toronto Academy will not penalize any employee because the employee is or will be taking either pregnancy or parental leave. Employees who take a pregnancy or parental leave are entitled to return to either their same position or a comparable one, if Sistema Toronto Academy has eliminated their previous one.

3. Sick Leave



Employees have the right to take up to 3 days unpaid sick leave each calendar year because of personal illness, injury, or medical emergency.. This entitlement begins once an employee has worked for Sistema Toronto Academy for at least two consecutive weeks. Employees may not take sick leave for cosmetic surgery or medically unnecessary procedures. Employees should consult their contract for specifics on paid sick day allowances.

These sick leave days may not be carried over into another calendar year if they are not used. If an employee's hire date is partway through the year, they are still entitled to the three days. As per the ESA, reasonable medical documentation may be requested. This will only include the duration of the absence, that date of the employee's medical appointment, and whether the employee was examined in-person.

Employment agreements may grant additional sick day or personal day allowances and will take precedence over this policy.

4. Bereavement Leave

Employees are entitled to up to 2 days of unpaid leave in the event of the death of a family member.

As per the ESA, family member refers to:

- A spouse (married or unmarried, of the same or opposite genders);
- Parent, stepparent, foster parent, child, stepchild, foster child, grandparent, step-grandparent, grandchild or step-grandchild of the employee, or the employee's spouse;
- Spouse of the employee's child;
- Brother or sister of the employee; or
- Relative of the employee who is dependent on the employee for care or assistance.

This entitlement starts once an employee has been employed with Sistema Toronto Academy for a period of at least 2 weeks. It can be taken on the date of the death, or later for a funeral or to settle the estate. Bereavement leave entitlement resets every calendar year and the days may not be carried over. The entitlement to the two days remains the same, regardless of whether an employee of Sistema Toronto Academy is hired partway through the year.

Sistema Toronto Academy may request reasonable documentation of the need for the leave such as a death certificate, a funeral home notice, etc.

5. Family Responsibility Leave

Employees are entitled to take up to 3 days of unpaid leave each calendar year because of an illness, injury, medical emergency, or other urgent health matters relating to specific relatives. This applies to Sistema Toronto Academy employees if their hire date is at least two weeks prior to taking the leave.

As per the ESA, the term "family members" refers to:



- Spouse (includes both married and unmarried couples, of any gender identity);
- Parent, stepparent, foster parent, child, stepchild, foster child, grandparent, step-grandparent, grandchild, or step-grandchild of the employee or the employee's spouse;
- Spouse of the employee's child;
- Brother or sister of the employee; or
- Relative of the employee who is dependent on the employee for care or assistance.

Employees may take the leave whether the illness is a planned event (such as surgery that is medically necessary), or an unplanned emergency, such as an urgent matter. Urgent matters could include an unforeseen need for childcare, as an example.

Notice of family responsibility leave may occur before the leave if it is planned, or as soon as it happens if unplanned. This notice can be made orally; it does not have to be in writing. Family responsibility leave entitlement resets every calendar year and the days may not be carried over. The entitlement to the three days remains the same, regardless of whether an employee of Sistema Toronto Academy is hired partway through the year.

Sistema Toronto Academy may request reasonable evidence of the need for the leave. This will not include medical notes or medical information from the doctor of the family member.

6. Family Caregiver Leave

Employees of Sistema Toronto Academy are entitled to an unpaid leave of up to 8 weeks per calendar year, per specified family member, to provide support or care in the event a medical practitioner certifies that they have a serious medical condition. As per the ESA, medical practitioners could include a physician, registered nurse, psychologist, psychiatrist, or nurse practitioner. Sistema Toronto Academy employees are entitled to this leave, regardless of the length of their term of employment.

Under the ESA, "family members" refers to:

- The employee's spouse (includes both married and unmarried couples, of any gender identity);
- A parent, stepparent, or foster parent of the employee or the employee's spouse;
- A child, stepchild, or foster child of the employee or the employee's spouse;
- A grandparent or step-grandparent of the employee or the employee's spouse;
- A grandchild or step-grandchild of the employee or the employee's spouse;
- A spouse of a child of the employee;
- A brother or sister of the employee; or
- A relative of the employee who is dependent on the employee for care or assistance.

Employees of Sistema Toronto Academy do not need to produce the medical certificate prior to starting the leave but need to provide the certificate at some point during the leave. This certificate needs to include the name of the individual and that the individual has a serious medical condition but does not need to include medical specifics. Written notice is required for the family caregiver leave of absence but may be produced during the leave if the leave was not planned.



Family caregiver leave may last for up to 8 weeks; however, the weeks may be taken either consecutively or separately. If an employee takes part of a week, this counts as a full week of the entitlement. Employees are required to provide written notice each time they are taking a week of leave.

7. Family Medical Leave

Employees of Sistema Toronto Academy are entitled to family medical leave (consisting of unpaid leave for a period of up to 28 weeks in a 52-week period) to provide care or support to family members who have a significant risk of death occurring within a period of 26 weeks. This leave is different from family caregiver leave because an employee is only eligible for family medical leave if the family member who has a serious medical condition has a significant risk of death occurring within a period of 26 weeks. These leaves are also separate from the critical illness leave (outlined later in this policy).

Sistema Toronto Academy employees are entitled to this leave, regardless of their length of service, for the care and support (e.g., emotional support or providing care) of the following family members (as per the ESA):

- The employee's spouse (includes both married and unmarried couples, of any gender identity));
- A parent, stepparent, or foster parent of the employee or the employee's spouse;
- A child, stepchild, or foster child of the employee or the employee's spouse;
- A sibling, step-sibling of the employee;
- A grandparent or step-grandparent of the employee or of the employee's spouse;
- A grandchild or step-grandchild of the employee or of the employee's spouse;
- A sibling-in-law, step-sibling-in-law of the employee;
- A son-in-law or daughter-in-law of the employee or of the employee's spouse;
- An uncle or aunt of the employee or of the employee's spouse;
- A nephew or niece of the employee or of the employee's spouse;
- The spouse of the employee's grandchild, uncle, aunt, nephew, or niece; or
- A person who considers the employee to be like a family member (full details in the ESA).

Employees are not required to take all 28 weeks consecutively and may separate their weeks. However, if an employee takes part of a week, this will count as a full week of leave. If the family member does not pass away within the 26 weeks outlined in the original certificate, employees may continue on leave until 28 weeks have passed without needing to provide another medical certificate.

As per the ESA, there are three important periods of time relating to family medical leave:

- The 26-week period specified in the medical certificate within which the family member has a significant risk of death;
- The 52-week period that starts on the first day of the week in which the 26-week period specified in the medical certificate begins; and
- The 28 weeks of family medical leave.



The latest day an employee can remain on leave is:

- The last day of the week in which the family member dies;
- The last day of the week in which the 52-week period expires (a Saturday as per the ESA); or
- The last day of the 28 weeks of family medical leave.

It must be whichever is earlier.

Sistema Toronto Academy employees are required to provide written notice of the need for a family medical leave of absence. If the leave is required unexpectedly, employees may provide notice as soon as possible after having started the leave. Employees must provide notice for each week of the leave if they are taking them separately.

8. Critical Illness Leave

Sistema Toronto Academy employees are entitled to up to 37 weeks in a 52-week period of unpaid leave in the event they have a critically ill minor child or 17 weeks in the event of a critically ill adult family member (the term family member includes the same list as that of family medical leave). This leave may be taken to support or provide care for a minor child (includes a child, stepchild, foster child, or child who is under legal guardianship and is under 18 years of age). The term adult refers to a person over 18 years of age. Employees with at least six months of service with Sistema Toronto Academy are entitled to this leave.

Employees are required to provide a medical certificate from a qualified medical practitioner which sets out who requires care and support and establishes the period of time that the care and support may be required. The certificate does not have to be produced prior to embarking on the leave but must be produced at some point during the leave. Employees must also provide written notice of their intent to take the leave and a written plan indicating the specific weeks either in advance of the leave or as soon as possible after starting it. Changes may be made to the plan under special circumstances outlined in the ESA.

If a medical certificate issued by a qualified health practitioner sets out a period during which the person requires care or support of a family member that is less than 37 weeks (for a minor child) or less than 17 weeks (for an adult), the employee is entitled to take a leave only for the period set out in the certificate. An employee's leave may be extended if the original certificate did not use up all of the leave, but another medical certificate must be issued.

Employees may take the weeks separately, or consecutively. If an employee only takes part of a week, this does not qualify as a full week of leave unless the employee takes another day in the same week; these both qualify as only one week.

In the event of the death of the person for whom the employee is providing care, the leave ends at the end of the week in which the person passes away.



9. Child Death Leave

An employee of Sistema Toronto Academy who experiences the death of a child is entitled to an unpaid leave of absence for a period of up to 104 weeks. Eligibility for this leave begins after an employee has at least six months of service with Sistema Toronto Academy. "Child" refers to a child, a stepchild, a child under the legal guardianship of the employee, or a foster child less than 18 years of age. This leave must be taken within the 105-week period that started when the child passed away and only as a single period of leave (it may not be broken up).

A written notice and a plan for taking the leave must be provided to Sistema Toronto Academy as soon as possible either prior to beginning the leave or once the leave has started. As necessary, Sistema Toronto Academy may require reasonable evidence of the need for the leave.

10. Crime-Related Child Death or Disappearance Leave

Employees who have been employed with Sistema Toronto Academy for a minimum of six months and who experience the crime-related death or disappearance of a child are entitled to up to 104 weeks of unpaid leave. The crime does not have to be proven, but probable. If an employee was a party to the crime, they are not entitled to the leave. "Child" refers to a child, stepchild, or foster child who is under 18 years of age.

This leave must be taken within the 105-week period that started when the child disappeared and must be taken all at once (it may not be broken up). If there is a change in circumstance that occurs during the leave and it is no longer probable that it is the result of a crime, the employee's entitlement to the leave ends. If the child is found alive during the leave, an employee is entitled to remain on leave for 14 days following the discovery of the child. If a child is found dead, the employee then has a separate entitlement to the child death leave.

A written notice and a plan for taking the leave must be provided to Sistema Toronto Academy as soon as possible either prior to beginning the leave or once the leave has started. The plan may be amended under special circumstances. As necessary, Sistema Toronto Academy may require reasonable evidence of the need for the leave.

11. Domestic or Sexual Violence Leave

Employees of Sistema Toronto Academy who have at least 13 weeks of service are entitled to this leave in the event an employee or an employee's child has experienced or been threatened with sexual or domestic violence. This may be taken for up to 10 days and/or 15 weeks in a calendar year of protected leave. "Child" refers to a child, stepchild, child under legal guardianship, or foster child who is under 18 years of age. The employee's first 5 days of leave will be paid, and the remainder of the leave is unpaid.

The leave may be taken for any of the following:



- To seek medical attention for the employee or the child of the employee because of a physical or psychological injury or disability caused by the domestic or sexual violence;
- To access services from a victim services organisation for the employee or the child of the employee;
- To have psychological or other professional counselling for the employee or the child of the employee;
- To move temporarily or permanently; or
- To seek legal or law enforcement assistance, including making a police report or getting ready for or participating in a family court, civil or criminal trial related to or resulting from the domestic or sexual violence.

Employees are not entitled to the leave if they committed the violence.

The entitlement to the 10 days resets every calendar year, regardless of the month in which an employee began employment with Sistema Toronto Academy. These days may not be carried over if unused and an employee does not have to take all the days off in the same period. An employee may choose to take part days but in terms of the leave, these are counted as full days.

This entitlement can be extended if an employee needs to take up to 15 weeks of domestic or sexual violence leave for the same reasons as those above. These weeks can be taken separately, or all at once. If an employee only uses part of a week, it does count as a full week of leave.

Note: Employees of Sistema Toronto Academy will be paid for the first five days whether they take the ten days or they take leave from their 15-week entitlement.

Employees are required to provide notice, either ahead of the leave or as soon as possible after they have started the leave (this notice may be provided orally), for either length of leave. In addition, employees are not required to take the ten days leave before starting on their 15-week entitlement. Employees may be requested to provide reasonable evidence of the need for the leave.

12. Unpaid Infectious Disease Emergency Leave

Employees of Sistema Toronto Academy have the right to this leave in the event they are not able to perform their duties because of COVID-19. The only disease for which unpaid infectious disease emergency leave may be taken at this time is COVID-19. Although the ESA was amended to include unpaid infectious disease emergency leave on March 19, 2020, the leave entitlements for COVID-19 are retroactive to January 25, 2020 and have no end date. Employees are entitled to take this unpaid leave so long as the conditions set out below are met.

Employees of Sistema Toronto Academy are required to provide notice that they will be starting the leave or provide notice as soon as possible if they are already on leave. This notice does not have to be in writing; it may be provided orally.

There is no specified limit to the number of days an employee can be on unpaid infectious disease emergency leave and unpaid infectious disease emergency leave absences do not have to be taken



consecutively. Employees can take the leave in part days, full days, or periods of more than one day. Employees may also return after a part day if the time off was taken in relation to the reasons outlined in the ESA. The employee will be entitled to their regular rate of pay for any hours worked. Note that Sistema Toronto Academy may request reasonable evidence of the need for the leave from employees.

Current employees should review their employment agreement for more detailed instructions and possible compensation when unable to work due to COVID-19 or other infectious diseases.

13. Organ Donor Leave

An employee of Sistema Toronto Academy who has been employed with the organisation for at least 13 weeks is entitled to unpaid organ donor leave if they are undergoing surgery to donate all or part of certain organs to a person. As necessary, organ donor leave may be extended past the original 13 weeks to an additional 13 weeks.

Under the ESA, “organ” refers to a kidney, liver, lung, pancreas, or small bowel. This leave generally begins on the date of the surgery unless another date is specified by the certificate. The leave may be extended for employees if a qualified medical practitioner asserts that the employee requires more time away from work. The maximum length of time for organ donor leave is 26 weeks.

An employee is required to provide at least 2 weeks written notice of the need for the original leave and if there is a need to extend the leave. An employee may also return early from leave provided they have 2 weeks written notice that they intend to do so. Sistema Toronto Academy reserves the right to request a medical certificate attesting to the need for the leave and this must be provided as soon as possible after it is requested.

14. Reservist Leave

A reservist employee who has worked for the organisation for at least 3 consecutive months and who is deployed to an operation is entitled to unpaid leave for the time that is necessary for them to be a part of the operation. The ESA sets out that an operation may include providing assistance in dealing with an emergency or its aftermath (including search and rescue operations, recovery from national disasters such as flood relief, military aid following ice storms, and aircraft crash recovery).

Employees can also take this leave if participating in Canadian Armed Forces military skills training.

Employees are required to provide written notice of the beginning and end date of their leave and will be reinstated to their same position upon returning from leave. In the event that their position has been eliminated, Sistema Toronto Academy will reinstate them to a comparable position. As needed, Sistema Toronto Academy reserves the right to postpone an employee’s reinstatement for 2 weeks, or 1 pay period, as needed.

15. Jury Duty Leave

Sistema Toronto Academy will provide paid job-protected time away from work as necessary for



employees to participate in jury duty. Employees may be requested to provide evidence of the need for them to participate in jury duty.

16. Voting Leave

Eligible employees are entitled to take 3 hours off to vote during work hours during federal, provincial, and municipal elections and by-elections. The leave will be applicable where an employee's hours of work prevent them from having 3 consecutive hours to vote. The hours will be paid. Note that voting is open for 12 hours.

3.04 PUBLIC (STATUTORY) HOLIDAYS

Sistema Toronto Academy is committed to upholding the employment rights as established by the Ontario Employment Standards Act, 2000. Specifically, we will ensure that it adheres to the provisions established for public holidays in Ontario.

1. New Year's Day
2. Family Day
3. Good Friday
4. Victoria Day
5. Canada Day
6. Civic Day
7. Labour Day
8. Thanksgiving Day
9. Christmas Day
10. Boxing Day (December 26)

At the discretion of senior management Sistema Toronto Academy may close its office for two weeks during the winter school break, and designate other non-work days.

POLICY

Sistema Toronto Academy will ensure that qualified employees who are entitled to taking these days off from work will be paid the appropriate public holiday pay.

As needed, Sistema Toronto Academy may request that employees work on the day of the public holiday. To compensate for this an employee may choose one of the following:

- Be paid their regular wages on the public holiday and then receive another day off in lieu of which they will be paid public holiday pay.
- Be paid their public holiday pay, in addition to time and one half their regular rate of pay. In this case, the employees would not be entitled to another day off.



In either case, employees must agree electronically or in writing to work on the public holiday. A substitute holiday day must be scheduled for a day that is no later than three months following the earned public holiday. If a substitute holiday needs to be delayed beyond three months, employees of Sistema Toronto Academy can agree electronically or in writing to delaying the day, but it must be allotted to the employee in the 12 months following the initial public holiday.

If an employee's employment with the organisation concludes prior to the day they scheduled the substitute holiday day, Sistema Toronto Academy will ensure that the employee's public holiday pay entitlement is included in their final wages.

Calculating Public Holiday Pay

Public holiday pay is calculated as the total amount of regular wages earned plus the vacation pay payable in the four work weeks preceding the work week in which the public holiday falls, divided by 20. In the event that the employee was on vacation entitlement, the vacation pay will also count towards the total. Note: As employees of Sistema Toronto Academy are entitled to be paid their vacation pay before they take a vacation or before the pay day for the period in which the public holiday is, vacation pay will be included in the calculations.

- All part time employees of Sistema Toronto Academy are paid their vacation pay on every pay cheque, the calculation will be at least four percent (or six percent, depending on the length of service of the employee).

Qualifying for Public Holiday Pay

Employees of Sistema Toronto Academy will qualify for public holiday pay unless they:

- Fail (without reasonable cause), to work all of their last regularly scheduled day of work prior to the public holiday or all of their first regularly scheduled day of work following the public holiday, OR
- They fail without reasonable cause to work their entire shift on the day of the public holiday if required to work.

Sistema Toronto Academy may request specifics concerning an employee's absence on their last and/or first regularly scheduled shift(s) around the public holiday to determine whether the employee is entitled to the pay in spite of their absence. Generally, reasonable cause can be shown when an event beyond an employee's control occurs and results in their absence. Employees are responsible for establishing their reasonable cause to assure their public holiday pay.

3.05 TERMINATIONS

The purpose of this policy is to ensure employee terminations are handled in a fair and consistent manner, according to legislated employment practices.



DEFINITIONS

Termination means a situation in which the employment relationship comes to an end due to a variety of reasons such as resignation or the employer ending the employment relationship.

Involuntary Termination means the employee's departure at the hands of the employer.

Voluntary Termination or resignation means the decision is made by the employee to leave the job.

Termination for cause means an employee is terminated without notice when they are "guilty of wilful misconduct, disobedience, or wilful neglect of duty that is not trivial and has not been condoned by the employer".

Temporary layoff means an employer cuts back or stops the employee's work without ending his or her employment. According to the ESA, an employee is considered to be temporarily laid off when the employee has earned less than half of what he or she would ordinarily earn (or earns on average) in a week.

Probationary Period means the specified period of time after a musician or staff member is hired to a permanent position during which performance is assessed.

POLICY

Sistema Toronto Academy will follow the rules set out in *The Employment Standards Act* (ESA) and the terms set out in an employee's contract when it comes to ending the employment relationship.

All terminations, no matter the cause, will be handled respectfully and in a confidential manner.

Voluntary Termination

In the case of Voluntary Termination or resignation, Sistema Toronto Academy requests that employees provide a minimum of two weeks' notice to the employer, in writing, or as stated in their employment agreement.

Involuntary Termination

In the case of involuntary termination not for cause, the employee will be provided with written notice of termination which meets the criteria set out within the *Employment Standards Act*, at minimum:

Period of Employment	Notice Required
Less than 1 year	1 Week



1 year but less than 3 years	2 Weeks
3 years but less than 4 years	3 Weeks
4 years but less than 5 years	4 Weeks
5 years but less than 6 years	5 Weeks
6 years but less than 7 years	6 Weeks
7 years but less than 8 years	7 Weeks
8 years or more	8 Weeks

The employee will either work for the remainder of the time provided by the notice period (working notice) or be provided with termination pay (pay in lieu of notice) for the duration of the notice period.

Employees will be entitled to their full regular pay during the notice period and will continue to accrue vacation pay during this time. Any benefits will remain in place for the duration of the notice period.

Employees may also be entitled to severance pay based on their years of service, as defined under the *Employment Standards Act*. The Human Resources Manager shall determine whether severance pay should be applied.

Employees who are terminated for just cause are not entitled to notice, pay in lieu of notice, or severance pay.

Temporary Lay-off

Sistema Toronto Academy will refer to and adhere to the *Employment Standards Act* in the event a temporary layoff is required for any reason. The organisation is not required to provide written notice of the layoff.

If an employee is laid off for a period longer than a temporary layoff as set out in the ESA (generally 13 weeks in any period of 20 consecutive weeks), the organisation understands the employee may be considered terminated according to the ESA, and will provide any termination pay to the employee, as required.

Final Pay and ROE

Upon termination, whether voluntary or involuntary, for cause or not-for-cause, the organisation will:

- Provide any monies owing including any outstanding vacation pay, on the final pay after the notice period



- Issue a Record of Employment (ROE) within 5 calendar days after the end of the pay period in which an employee’s interruption of earnings occurs so that eligible employees may apply for Employment Insurance (EI)

Return of Employer Property

Whether the termination is voluntary or involuntary, the employee must return all organisation property including such items as keys or computer devices. All intellectual property, or information, products or content created for the employer will remain the property of the employer.

3.06 VACATIONS

Sistema Toronto Academy understands the importance of taking time away from work to relax and recharge. It is committed to providing vacation time and pay in accordance with the *Ontario Employment Standards Act (ESA)*, at minimum. If an employee’s employment contract provides a greater benefit, the employment contract shall take precedence.

POLICY

Vacation time and vacation pay at Sistema Toronto Academy are provided according to the following chart:

	YEARS OF SERVICE	
	Less Than 5 Years	5 or More Years
Minimum Vacation Time	Two weeks (10 days)	Three weeks (15 days)
Minimum Vacation Pay	4% gross wages	6% gross wages

As per the ESA, vacation pay must be at least four percent of the gross wages (excluding any vacation pay) earned in the 12-month vacation entitlement year or stub period (where that applies) for employees with less than five years of employment, and at least six per cent of the gross wages thereafter.

Vacation time must be taken within the 12-month vacation entitlement year. However, new employees are not entitled to use more than one quarter of their vacation time within their 3-month probation period.

An employee who does not complete either the full vacation entitlement year or the stub period (if any) does not qualify for vacation time under the ESA. However, employees earn vacation pay as they



earn wages. Therefore, if an employee works even just one hour, they are still entitled to at least four per cent (or six per cent, depending on length of employment) of the hour's wages as vacation pay.

Vacation Time

At Sistema Toronto Academy, the vacation entitlement year begins in September and ends in August. Vacation time may not be carried over into the following year, and vacation will not be paid out except for the case of termination, see below. Sistema Toronto Academy reserves the right to schedule employee vacations if the time needs to be used prior to the year's end. While the organisation will make every effort to consider an employee's desired vacation time away, there may be occasions when employees will not receive their desired time. In accordance with the ESA, Sistema Toronto Academy will not schedule any vacation time for less than one week at a time.

Public/Statutory Holidays and Sick Days

Should a public/statutory holiday fall within an employee's vacation time, they are entitled to an extra day away following their scheduled vacation. Sick days taken during a vacation do not qualify the employee to another day off with pay following their scheduled vacation.

Vacation Pay

Sistema Toronto Academy employees are paid their vacation pay at the appropriate rate on each pay cheque. A vacation pay agreement form may be requested.

Vacation Requests

Employees are requested to please speak with their manager/supervisor at least one week prior to requested vacation. Vacation requests will be granted based on organisation schedule and capacity. Sistema Toronto Academy reserves the right to schedule vacation for employees to ensure the smooth operation of the business and that all vacation time is used prior to the end of the year.

Sistema Toronto Academy also provides paid religious days to employees unless to do so would cause undo hardship to the Organisation. Requests to the manager/supervisor must be made at least 1 week in advance.

Termination of Employment

If employment is terminated prior to an employee taking their vacation time, it will be paid out to them on their final pay cheque along with any other owed amounts.

3.07 DISCONNECTING FROM WORK



Sistema Toronto Academy is committed to taking every precaution reasonable in the circumstances for the protection of the health and safety of workers, as required by the *Occupational Health and Safety Act*.

Sistema Toronto Academy is also committed to providing a supportive workplace that promotes and supports stress-reduction and mental health. Additionally, Sistema Toronto Academy is committed to ensuring that its employees are able to maintain an appropriate work/life balance and fulfill their family responsibilities.

As an organisation of more than 25 employees as of January 1 (note: part time and casual employees, as well as employees at different organisation locations are counted in this total), Sistema Toronto Academy has the following policy in place regarding an employee's right to disconnect from work.

SCOPE

This policy applies to all employees of Sistema Toronto Academy who are covered by the *Employment Standards Act*, whether their primary location of work is in the workplace, at home, on the road, or a combination of any or all of the above.

In this policy, Section One applies to non-exempt employees and Section Two applies to exempt employees.

In the event of any future changes to this policy, the date of the changes made will be included in this section.

EMPLOYEE COUNT

Employees to be counted include "anyone who meets the definition of "employee", including: homeworkers, probationary employees, some trainees, officers of a corporation who perform work or supply services for wages, employees on definite term or specific task contracts of any length, employees who are on lay-off, so long as the employment relationship has not been terminated and/or severed, employees who are on a leave of absence, employees who are on strike or who are locked-out, and employees who are exempt from the application of part(s) of the ESA."

Note: in the event that Sistema Toronto Academy does not have 25 employees as of January 1, but grows to 25 employees during the year, the organisation will put this policy in place by the following March 1.

Should Sistema Toronto Academy's total employee count decrease to fewer than 25 employees, the policy will remain in place until the following January 1, at which point if the employee is still below 25, a written policy is not required.

DEFINITIONS



As defined in the *Working for Workers Act*, “Disconnecting from Work” means not engaging in work-related communications, including emails, telephone calls, video calls or the sending or reviewing of other messages, so as to be free from the performance of work.

POLICY

Providing Copies of this Policy to Employees

Sistema Toronto Academy will provide this written policy to all employees within 30 days of its effective date.

If any changes are made to this policy, employees will be provided with the updated policy within 30 days of any amendments.

In the case of newly hired employees, Sistema Toronto Academy will provide a copy of this policy to them within 30 days of their date of hire.

The policy may be provided either:

- As a printed copy, or
- An attachment to an email, or
- A link to a document online

If an employee is not able to access the document online or cannot print the document, they may request a printed copy from Sistema Toronto Academy.

Employment Standards Time Away from Work

The *Employment Standards Act, 2000*, (ESA) specifies that employees are not to perform work during the following times:

- Outside of their hours of work and eating periods
- During vacation with pay
- During public holidays (unless the employee has agreed to work on the day of a public holiday in accordance with the ESA)
- The rules in Ontario Regulation 285/01 that establish when work is “deemed” to be performed

Mental Health in the Workplace

Sistema Toronto Academy is vitally concerned with the health and wellbeing of our employees’ health, both physical and mental. The organisation strongly encourages our employees, especially those who are participating in remote work arrangements to adapt and maintain a good work/life balance.

Sistema Toronto Academy wishes to encourage employees to come forward if they are experiencing any health issues, especially issues related to mental well-being. If an employee feels comfortable



doing so, they should talk to their manager/management team and/or take steps to seek professional help.

SECTION ONE: CONNECTION AND DISCONNECTION EXPECTATIONS – NON-EXEMPT EMPLOYEES

Email

Employees are expected to follow the below guidelines regarding the use of Sistema Toronto Academy's email systems. These guidelines also apply if an employee needs to use their personal email in the event of an emergency or an unforeseen circumstance.

Employees are expected to respond to emails during their designated working hours only. Sistema Toronto Academy does not have an expectation that employees will respond to emails during their off-work time and employees will not be penalized in any way for responding to emails only during their working time.

To ensure that these guidelines are not compromised, Sistema Toronto Academy employees are asked to inform their manager/supervisors by any standard means when they will not be working during Sistema Toronto Academy's core hours of Monday-Friday 10am-6pm.

It is understood that part-time employees have flexible hours and will manage their disconnection from work as appropriate and bring forward any concerns to their manager/supervisor if necessary.

In the event that an employee is unable to respond to emails in a timely manner, they are expected to speak with their supervisor to discuss their workload and set updated expectations.

Out of Office

Employees are expected to update their out-of-office automatic emails so that the most up-to-date information will be communicated to those who are emailing them when they are away from the office for an extended period of time (vacation/office closure).

Phone (Personal and Business)

Employees are expected to follow the below guidelines regarding the use of phones for the completion of their job duties.

Employees are expected to respond to phone calls or text messages during their designated working hours only. Sistema Toronto Academy does not have an expectation that employees will respond to phone calls or text messages during their off-work time and employees will not be penalized in any way for responding to phone calls and text messages during their working time only.



In the event that an employee is unable to respond to voicemails in a timely manner, they are expected to speak with their supervisor to discuss their workload and set updated expectations.

Out of Office

Employees with organisation issued phones are expected to update their voicemail when they are away from the office for an extended period of time (vacation/office closure) so that the most up-to-date information will be communicated to those who are calling.

Personal Cell Phones

Sistema Toronto Academy recognises that personal cell phones can be valuable tools for our employees.

Employees do not need to answer or reply to work related communication on their personal cellular phone during their off-work hours until they are within their working hours the following business day.

Employees are encouraged to turn off cell phone notifications when they're away from the office.

Other Communication Channels

Employees may use various other means of communication for work such as Slack, GoogleChat, Social Media platforms, Zoom etc. Employees are only expected to respond to work related messages on these platforms during their designated working hours. Sistema Toronto Academy does not have an expectation that employees will respond to messages, comments, meeting invitations etc. during their off-work time and employees will not be penalized in any way for only replying to them during their working time.

SECTION TWO: CONNECTION AND DISCONNECTION EXPECTATIONS – EXEMPT EMPLOYEES

The following guidelines apply to exempt employees under the definitions established by the ESA, including supervisors and managers.

Email

Managers are expected to respond to emergency emails during their off-duty time. Sistema Toronto Academy has an expectation that managers will respond **ONLY** to emergency emails during their off-work time.

To ensure that these guidelines are not compromised, Sistema Toronto Academy managers are asked to inform senior management by any standard means when they will not be working during Sistema Toronto Academy's core hours of Monday-Friday 10am-6pm.



In the event that an employee is unable to respond to emails in a timely manner, they are expected to speak with their supervisor to discuss their workload and set updated expectations.

Out of Office

Managers are expected to update their out-of-office automatic emails so that the most up-to-date information will be communicated to those who are emailing them when they are away from the office for an extended period of time (vacation/office closure).

Phone (Personal and Business)

Managers are expected to follow the below guidelines regarding the use of phones for the completion of their job duties.

Managers are expected to respond to emergency phone calls and texts during their off-duty time. Sistema Toronto Academy has an expectation that managers will respond to **ONLY** emergency calls and texts during their off-work time.

In the event that an employee is unable to respond to voicemails in a timely manner, they are expected to speak with their supervisor to discuss their workload and set updated expectations.

Out of Office

Managers with organisation issued phones are expected to update their voicemail when they are away from the office for an extended period of time (vacation/office closure) so that the most up-to-date information will be communicated to those who are calling.

Personal Cell Phones

Sistema Toronto Academy recognises that personal cell phones can be valuable tools for our managers.

Managers do not need to answer to communication on their personal cellular phone during their off-work hours or reply until they are within their working hours the following business day, unless it is an emergency call (eg. Regarding Student Safety).

Managers are encouraged to turn off cell phone notifications when they're away from the office.

Other Communication Channels

Managers may use various other means of communication for work such as Slack, GoogleChat, Social Media platforms, Zoom etc. Managers are only expected to respond to emergency work related messages on these platforms during their off-hours. Sistema Toronto Academy does not have an expectation that managers will respond to non-emergency messages, comments, meeting invitations etc. during their off-work time and managers will not be penalized in any way for only replying to them during their working time.



Responsibilities

Employees are expected to:

- Follow the guidelines outlined within this policy, such as notifying management and using applicable technologies to notify internal and external parties when they are off duty
 - Otherwise be working during the times set out in their employment contract, taking breaks as outlined in their employment contract and/or their core policies
- Not pressure fellow employees for taking the down time afforded to them by law
- Speak to their supervisor/manager if they have any concerns about their mental health and their right to disconnect from work

Supervisors/managers are expected to:

- Respect an employee's off-duty time and not expect that an employee will respond to a request on their off-duty hours
- Avoid communicating with employees during their communicated off time
- Compensate employees for any work completed outside of their on-duty hours, as outlined by the hours of work legislation in Ontario's *Employment Standards Act*
- Provide support as needed to employees who come forward with concerns regarding their mental health and right to disconnect

Complaints

Employees who have concerns about disconnecting during their time away from work should first speak with their supervisor/manager to resolve the issue. In the event the issue is not able to be resolved at this level, employees are directed to bring the issue forward to the COO or CEO.

Updates to this Policy

This policy may be updated or amended based on direction from the Government of Ontario.

Retention

Sistema Toronto Academy will ensure that copies of this policy, including any subsequent revisions, are retained for a period of three years after the policy ceases to be in effect.

3.08 ELECTRONIC MONITORING

Sistema Toronto Academy is committed to abiding by all its obligations under Ontario's Employment Standards Act, 2000 (ESA), specifically those which apply to electronic monitoring. As such, Sistema Toronto Academy is committed to informing its employees about the presence (if any) of electronic



monitoring software or equipment either in the workplace or contained on any of the organisation's servers or programs.

This policy is based on [Bill 88: Working for Workers Act, 2022](#) and is subject to change as per any new information provided by the Government of Ontario.

This policy is intended to specify:

- A description of how and in what circumstances Sistema Toronto Academy may electronically monitor employees,
- The purposes for which Sistema Toronto Academy may use the information obtained through electronic monitoring, and
- The date the policy was prepared and the date any changes were made to the policy.

This policy offers standards to ensure the following:

- Employee safety and security;
- That the organisation operates efficiently; and
- That appropriate data is collected to make informed business decisions, as needed.

SCOPE

As an organisation of more than 25 employees as of January 1 2022 (note: part time and casual employees, as well as employees at different organisation locations are counted in this total), Sistema Toronto Academy is required to have this policy in place regarding electronic monitoring.

This policy applies to all employees of Sistema Toronto Academy who are covered by the *Employment Standards Act*, whether their primary location of work is in the workplace, at home, on the road, or a combination of any or all of the above.

CHANGES TO THIS POLICY

Any changes to this policy will be noted in this section, along with the date(s) that changes were made.

POLICY

ESA Requirements

The ESA requirements do not:

- establish a right for employees not to be electronically monitored by their employer; or
- create any new privacy rights for employees.

However, the ESA requires transparency about whether employees are electronically monitored. Nothing in the ESA limits the use of information obtained through electronic monitoring.



Providing Copies of this Policy to Employees

- Sistema Toronto Academy will provide this written policy to all employees within 30 days of its effective date.
- If any changes are made to this policy, employees will be provided with the updated policy within 30 days of any changes.
- In the case of newly hired employees, Sistema Toronto Academy will provide a copy of this policy to them within 30 days of their date of hire.

The policy may be provided either:

- As a printed copy, or
- An attachment to an email, or
- A link to a document online

If an employee is not able to access the document online or cannot print the document, they may request a printed copy from their supervisor/manager.

Electronic Monitoring in Place

Sistema Toronto Academy has the following electronic monitoring in place in the workplace:

- Email account access
 - E.g., if necessary, Senior management may access Sistema Toronto Academy email accounts to review emails sent or received. .

Purpose of Monitoring

Sistema Toronto Academy uses email access to:

- Gain information in case of emergency, after an employee has left the organisation, or in any situation where management feels email review is necessary for the wellbeing of the Organisation.

Reasons for Accessing the Electronic Records for Monitoring Equipment

Sistema Toronto Academy will access the records for this equipment in the following circumstances:

- If senior management is not able to consult with the employee about the requested information or in any situation where management feels email review is necessary for the wellbeing of the Organisation.

Retention of this Policy

Sistema Toronto Academy will ensure that copies of this policy, including any subsequent revisions, are retained for a period of three years after the policy ceases to be in effect.

Questions or Complaints



Any questions or complaints regarding this policy should be directed to the CEO or COO.

Section 4 - Key Health and Safety

4.01 CRISIS MANAGEMENT

Each Sistema Toronto Academy staff member, teacher, and volunteer who has direct contact with the students is required to read the contents of this policy.

DEFINITIONS

For the purpose of this emergency procedures guideline, the following definitions will apply:

Anaphylaxis: is a severe systemic allergic reaction which can be fatal, resulting in circulatory collapse or shock.

Bullying: a form of repeated, persistent and aggressive behaviour that is directed at an individual or individuals that is intended to cause (or should be known to cause) fear and distress and/or harm to another person's body, feelings, self-esteem, or reputation. Bullying occurs in the context where there is a real or perceived power imbalance.

Disruptive Behaviour: conduct that interferes with or obstructs teaching, learning or work in the context of an Sistema Toronto Academy program or class, by action, threat, written material or by any means whatsoever, disrupting or obstructing any Sistema Toronto Academy activities or the right of another person to carry on his/her legitimate activities, or to speak or to associate with others. Sistema Toronto Academy activities include, but are not limited to, instructing group and individual lessons, ensemble, orchestra, concerts, outreach workshops, community meetings, programming research, community outreach and community sharing events such as art/music exhibitions, performances, and receptions.

Disturbing Behaviour: conduct which constitutes an unreasonable behaviour and is of an intimidating or interfering nature or compromises the well-being of Sistema Toronto Academy's teaching, learning or working environment.

Explosive Substance: includes anything used to create an explosive or is capable of causing an explosion.

Extortion: the use of threats, or violence or threats of violence to induce any person to do anything or cause anything to be done.

Firearm: any barreled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing serious bodily injury or death to a person.



Harassment: means engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome.

Hate Material: includes literature, leaflets, posters, graffiti, distributed (or sent by electronic means) to incite violence or hatred against an identifiable group or member of such a group and/or their property. The incitement of hatred or bias-motivated incidents against an identifiable group may include persons distinguished by their race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation or other similar factor.

Imminent Danger: a condition, conduct or circumstance where there is a reason to believe that it represents an immediate threat to the health and safety of one or more persons involved in an Sistema Toronto Academy activity.

Intimidation: engaging in actions that include, but are not limited to, stalking or behaviour intended to frighten, coerce, or induce duress.

Outreach Site: a location or space used for the facilitation of Sistema Toronto Academy outreach activities, including, but not limited to, schools, community centres, Toronto Community Housing buildings, apartment buildings, public libraries, hospitals and community parks.

Physical Assault: the intentional application of force, directly or indirectly, to any degree at all, to a person without the person's consent.

Physical Assault Causing Bodily Harm: physical assault is the intentional application of force, directly or indirectly, in any degree at all, to a person without that person's consent. Bodily harm refers to any hurt or injury that is more than merely transient or trifling in nature which interferes with the health or comfort of the person, and includes, but is not limited to, injuries that receive medical attention.

Serious Injury: any cut that requires stitches or any broken or fractured bone should be considered a serious injury. Serious injury could also include multiple minor injuries.

Robbery: a robbery occurs where a person uses violence or threats of violence to steal money or property from a victim.

Sexual Assault: is any unwanted sexual act. It can include anything from unwanted sexual touching, to rape and sexual exploitation. Sometimes a sexual assault injures the victim, or is life-threatening.

Threat: is the expression of intent to cause physical or mental harm. Such an expression constitutes a threat without regard to whether the threat is made on a present, conditional or future basis. In determining whether the conduct constitutes a threat, including whether the action caused a reasonable apprehension of harm, Sistema Toronto Academy will consider the totality of the circumstances.



Threat of Harm: a knowing and willful statement or course of conduct that would cause a reasonable person to believe that he or she is under threat of death or serious bodily injury. A course of conduct is a series of acts over a period of time, however short, that evidences a continuity of purpose, such as following or stalking an individual to / from work / home, telephone calls correspondence or contact through any venue.

Weapon: means anything used, designed to be used, or intended for use in causing injury or death to any person; or for the purpose of threatening or intimidating any person.

POLICY

It is the aim of Sistema Toronto to provide a safe program environment for all participants.

Health and Safety Information

It is the responsibility of the school staff, Sistema Toronto Academy teacher and/or volunteer, with support from Sistema Toronto Academy, to provide a safe program environment for children and youth participants.

On occasion, Sistema Toronto Academy will require teachers, staff and/or volunteers to participate in Health and Safety Workshops that will focus on issues of health and safety within the program.

Reporting Emergencies or Serious Situations

All Sistema Toronto Academy teachers, staff and volunteers must immediately report emergencies or serious situations involving Sistema Toronto Academy staff and programs, and/or their students, to Sistema Toronto Academy by contacting the Sistema Toronto Academy Chief Executive Officer or Chief Operating Officer, if on site, or calling 416-545-0200.

Teacher/Staff/Volunteer Orientation

All new Sistema Toronto Academy teachers, staff and volunteers will be given a package, which will include this document, as well as their contracts and/or agreements.

Know your facility

Getting to know your facility is one of the most important tasks you should take prior to and during your program. This is for your safety and the participants.

- Understand emergency procedure for the facility
- Locate emergency response plan
- Locate washrooms, water fountains etc.
- Locate emergency exits
- Locate telephones and light switches
- Know how to contact facility custodian
- Locate first aid kits



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- Locate fire extinguishers
- Locate fire alarms
- Check fire alarm procedures
- Check emergency exits
- Locate storage and equipment rooms.

Major Occurrences

Major Medical or Physical occurrences require contacting the Emergency Medical Services, Police or Fire Units.

When a serious crisis occurs, the teacher, staff member, and/or volunteer on site will:

- ensure the safety of others and themselves at the site
- notify the Sistema Toronto Centre Director and onsite support personnel immediately
- call **911** (if situation is a Major Occurrence – to determine this see below)
- notify the Chief Executive Officer and/or Sistema Toronto Academy office immediately at 416-545-0200

Medical

Major Occurrences that require EMS (Emergency Medical Services 911) include, but are not limited to:

- severe allergic reaction including anaphylaxis
- severe illness (physical or mental)
- accidental injuries causing broken bones or cuts deep enough to require stitches

Anaphylaxis

TDSB Operational Procedure PR563 details the management of anaphylaxis in schools in accordance with Section 2. of *Sabrina's Law*.

Ensuring the safety of students with anaphylaxis in a school setting depends on the cooperation of the entire school community. To minimize risk of exposure, and to ensure rapid response to an emergency, parents, students and school personnel must all understand and fulfill their responsibilities.

School principals and school staff should;

- a) provide for the presentation of information on allergies and anaphylaxis through school assemblies and parent information;
- b) allow for information on anaphylaxis to be presented throughout the curriculum;
- c) ensure all staff including teachers, cafeteria staff, lunchroom supervisors, other staff and volunteers are aware of students with anaphylaxis and are included in anaphylaxis training;
- d) promote staff, student and parent collaboration to help prevent anaphylaxis;
- e) promote hygienic practices associated with hands, surfaces, toys, instruments, equipment sharing and food; and



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- f) be aware that no person should be expected, during a reaction, to be fully responsible for self-administration of an epinephrine auto-injector.

All teachers should review the individual plans provided by the school authorities for any at risk students in their assigned classroom.

Physical

Major Occurrences that require emergency response personnel (police and /or fire units 911) include, but are not limited to:

- fire
- sexual assault and physical assault causing bodily harm
- robbery
- extortion
- criminal harassment
- weapons offences
- explosive substance
- hate motivated incidents
- threats of serious physical injury
- incidents that involve violence or the imminent threat to the safety and security of child and youth participants of Sistema Toronto Programs, teachers and/or volunteers or Sistema Toronto staff

Behavioural

All Sistema Toronto Academy staff members, teachers, and volunteers have an obligation to immediately notify Sistema Toronto Academy Centre Directors and Chief Operating Officer if they become aware of a disruptive or disturbing behaviour or a threat of harm such as, but not limited to:

- oral, written or non-verbal threats or intimidation, explicit or subtle
- acts of violence
- fascination with weaponry
- disrupting or obstructing the activities of others
- expression of plan to hurt self/others
- expressed distrust, especially with those in authority
- frequent and unusual interpersonal conflicts
- displays of unwarranted anger
- violence towards inanimate objects
- sabotaging projects, art materials, equipment or workshop space
- holding a grudge against a specific person; verbalizing a hope that something negative will happen to him/her
- activity consistent with stalking
- targeted and persistent hate or rage
- use of electronic or print communications in a threatening or disturbing manner
- harassment, bullying, robbery or extortion



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- conduct that threatens or endangers the health or safety of any person, including threat of harm to another person
- knowingly (which includes when one should reasonably have known) creating a condition that endangers the health, safety or well-being of any person
- coercing, enticing or inciting a person to commit an act that is humiliating or demeaning to that person or to others
- distribution of hate material and/or hate-motivated violence
- any physical assault, including physical assault causing bodily harm or sexual assault
- misappropriation, damage, unauthorized possession, defacement and/or destruction of any outreach site, or the property of others
- storage, possession or use of firearms, explosive substance, or other weapons, bio-hazardous, volatile or poisonous materials
- possession and/or use of a weapon, including a firearm, to cause or threaten bodily harm

Minor Occurrences

Minor Occurrences generally involve situations that can be effectively handled by staff persons on site with simple first aid and do not normally require emergency medical services. Minor occurrences would include, but not be limited to:

- a bleeding nose
- minor cuts and scrapes
- strains
- migraine headaches

When a minor incident occurs, the teacher, staff member, and/or volunteer on site will:

- Inform the Sistema Toronto Academy Centre Director and other onsite staff of the situation.
- Provide immediate and appropriate care to the affected individual(s)
- Report it immediately to the Sistema Toronto Academy Chief Executive Officer or Chief Operating Officer

Reminders

- Use protective gloves when administering first aid – located in all first aid kits.
- Conscious and bleeding - apply RED (Rest and Reassure, Elevate injury, Direct pressure),
- Conscious and broken bone – apply RICE (Rest and Reassure, Immobilize injury, Cold Compress, Elevate)
- Seek appropriate medical care, where required.
- Remember that the possibility exists that a Minor Medical Emergency can escalate to a Major Medical Emergency.
- For all minor injuries (both children and adults) complete a *Minor Injury/Incident Report* outlining all details of the incident and call Sistema Toronto.
- Supervisor and site staff will contact parent/caregiver if student is a minor (under 18 years old) and inform them of the incident and will. If the student is 18 years or older ask for permission to contact his or her parent/caregiver.



- Sistema Toronto staff will remain in contact with the injured party to offer continued support. ,

Note: Staff members, teachers, and volunteers are not permitted to administer any type of medications whether prescription or non-prescription, (except for auto injectors such as EpiPen® or Twinject)– If the child is unable to self-inject, you may assist in the administering of the auto injector, as required.

4.02 DUTY OF PERSONS DIRECTING WORK

Sistema Toronto Academy recognises its obligation to keep its employees safe from harm. It further understands that people who supervise or direct the work of others have a legal duty to keep those workers safe from harm. Sistema Toronto Academy will educate and train all persons directing work to ensure they understand their obligations under the law to protect fellow workers.

SCOPE

As per the Canadian Centre for Occupational Health and Safety (CCOHS), the provisions of section 217.1 of the *Criminal Code of Canada* affect all organisations and individuals who direct the work of others, anywhere in Canada.

DEFINITIONS

“Person directing work” means anyone who undertakes, or has the authority, to direct how another person does work or performs a task according to section 217.1 of the *Criminal Code of Canada*. It not only applies to persons with a title of supervisor or manager, but anyone acting in that capacity, even temporarily.

POLICY

Sistema Toronto Academy understands that the *Criminal Code of Canada* has been amended and people who direct the work of others have a legal duty to take reasonable steps to ensure the safety of workers and the public. This means they can be held criminally responsible for failing to take reasonable steps to prevent bodily harm to the person whose work they are directing, or any other person, arising from that work or task.

Employer Responsibilities

Sistema Toronto Academy will take every precaution reasonable in the circumstances for the protection of workers from illness and injury. This includes:

- Keeping a safe and well-maintained workplace
- Providing information and training about the hazards the workplace, proper safety equipment, and competent supervision



Further, Sistema Toronto Academy will uphold all rights all employees have under the *Occupational Health and Safety Act (OHSA)*:

1. The right to know about hazards in their work and get information, supervision, and instruction to protect their health and safety on the job.
2. The right to participate in identifying and solving workplace health and safety problems.
3. The right to refuse work that they believe is dangerous to their health and safety or that of any other worker in the workplace.

Supervisor Responsibilities

The *Occupational Health and Safety Act (OHSA)* sets out certain specific duties for workplace supervisors. A supervisor must:

- Ensure that workers work in the manner and with the protective devices, measures and procedures required
- Ensure that any equipment, protective device, or clothing required by the employer is used or worn by the worker
- Advise a worker of any potential or actual health or safety dangers known by the supervisor
- Take every precaution reasonable in the circumstances for the protection of workers

Employee Responsibilities

Employees must comply with their duties under the OHSA to:

- Work in compliance with the Act and regulations
- Use or wear any equipment, protective devices or clothing required by the employer
- Report to the employer or supervisor any known missing or defective equipment or protective device that may endanger the worker or another worker
- Report any hazard or contravention of the Act or regulations to the employer or supervisor

4.03 EMERGENCY PREPAREDNESS AND RESPONSE

Sistema Toronto Academy is committed to ensuring the health and safety of all employees and any visitors to its workplace. As such, Sistema Toronto Academy has developed the following policy to guide its employees and managers in the event of emergency situations. Preparing for emergencies is a critical part of our health and safety commitment.

DEFINITIONS

An “emergency” is a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by



the forces of nature, a disease or other health risk, an accident, or an act whether intentional or otherwise (*Emergency Management and Civil Protection Act, R.S.O., 1990*).

Some common types of emergencies include:

- Fires or explosions;
- Medical emergencies;
- Severe weather and earthquakes;
- Major power failures;
- Hazardous material spills; and
- Infectious diseases, specifically COVID-19.

Emergencies may also include school specific scenarios, including:

- Fire Alarm
- Hold and Secure
- Lockdown

POLICY

In order to ensure that in the event of an emergency, all of Sistema Toronto Academy's employees are prepared for their roles and responsibilities, the following plans must be followed. These emergency plans are necessary to:

- Keep employees, visitors, and first responders free from any further injuries;
- Succeed in managing life-threatening situations;
- As much as possible, minimizing any damage to equipment, machinery, tools, and any part of the environment; and
- Ensuring a return to work as safely as possible.

In the event of any workplace injuries of any kind, Sistema Toronto Academy will follow the appropriate reporting requirements, as per the OHSA.

Accessibility Considerations

As per the *Accessibility for Ontarians with Disabilities Act (AODA)*, Sistema Toronto Academy will ensure that individualized response plans are created for any employees who identify that they will need assistance during an emergency due to a permanent or temporary disability. These responsibilities include:

- Providing individualized emergency response information to the employee;
- With the employee's consent, sharing this information with the person(s) who will be designated to aid them during an emergency;
- Reviewing the information contained in an employee's emergency response plan when:
 - The employee changes work locations (e.g., to a different floor or office);
 - The employee's overall accommodation needs are being reviewed; and



- o Sistema Toronto Academy's general emergency response policies are being reviewed.

Sistema Toronto Academy will ensure that regardless of whether the disability is permanent (e.g., vision loss), or temporary (e.g., broken limb), employees are afforded the same level of accommodations required.

The following four major elements have been considered for this Emergency Preparedness and Response Policy:

1. Prevention (use of the policies and procedures to follow to avoid or minimize any emergencies);
2. Preparation (the actions and procedures to take to ensure that Sistema Toronto Academy and its employees are ready to effectively respond);
3. Response (the actions to be taken in the event of an emergency); and
4. Recovery (how employees and supervisors can return to normal business operations).

Planning Team

At Sistema Toronto Academy, a planning team will be established, consisting of the Centre Director from each Sistema Toronto Location in order that the emergency response planning includes all departments. Senior management will be involved with the planning and will ensure to support its implementation. The planning team is responsible for:

- Assessing any risks or hazards to the workplace;
- Developing specifics for the emergency response plan;
- Implementing the plan (including communicating and training the plan to employees);
- Testing the plan by holding drills on a regular basis; and
- Improving or modifying the plan as additional information becomes available.

The planning team will also ensure that it retains:

- Up-to-date emergency contact information for all employees, including supervisors;
- A schedule which outlines who will be on shift so that they may be checked off in the event of an evacuation; and
- A list of emergency names and contacts (e.g., poison control, etc.) that is kept at each Sistema Location.

Fire or Explosion Preparedness

At Sistema Toronto Academy locations, there are centralized alarm systems that will be triggered in the event of a fire.

In the event of a fire:

- Employees are to evacuate, following the below evacuation procedures;
- The fire must be reported, and the information must include:



- o Who is reporting the fire;
- o What has happened (to the best of the person's knowledge);
- o Where it has happened (Sistema Toronto Academy Location);
- o If there are any injuries; and
- o Whether there are others who may be in the path of the fire.

Evacuation Procedures

In the event the fire alarm sounds, or there is an emergency situation that requires evacuation, Sistema Toronto Academy employees must remain calm and proceed in an orderly fashion. Follow instructions based on your Sistema Centre, and follow guidelines as outlined by your Centre Director.

Employees are to proceed down the stairs – the elevator is never to be used in the event of an emergency – and through the designated door. In the event the designated door is blocked or unavailable, employees are to proceed to the secondary door. Once employees are out of the building, employees are to proceed to the designated meeting spot so that everyone can be counted. The Centre Director will have a copy of the schedule and attendance list to ensure that all employees and students are accounted for.

For all Sistema Toronto Programs taking place at TDSB or TCDSB locations, procedures outlined by the TDSB and/or TCDSB should be followed.

Medical Emergency Preparedness

In the event of an emergency, employees are reminded that the first aid kits are located at school offices, and the Sistema Office. In addition, the all Centre Directors are first aid trained.

If an employee comes across a medical emergency, they are directed to call for help (911) immediately. They also need to survey the area around the injured person to ensure that there aren't any hazards that could affect their own safety before moving towards the injured person.

If the employee is first aid trained, they should follow the instructions provided during their first aid training in assessing the person, the environment, and the need for additional support. If the situation requires it, be prepared to provide aid for life-threatening situations, including bleeding, loss of a pulse, or loss of breathing.

A reminder to employees that all emergency numbers can be accessed at each Sistema Centre.

Employees are to provide assistance to first responders as they arrive, including by noting anything that could help the injured party, and providing any information requested by the first responders.

After the medical emergency has passed, the employee will be requested to provide a statement outlining what occurred, which may help in preventing any further occurrences. The employee is to provide the statement to the COO or CEO.



Severe Weather and Earthquake Preparedness

As there may be different levels of preparedness required for severe/inclement weather or earthquakes, the following procedure is for immediate danger due to an earthquake, or storm. In the event of a “weather watch”, Sistema Toronto Academy will closely monitor the inclement weather situation, and immediately notify employees if emergency procedures need to be started. In the event of a “weather warning”, the below procedure should be followed. Sistema Toronto Academy will ensure that the following procedure is practiced at minimum once per year.

In the event of severe weather or an earthquake, employees are to:

- Proceed to the nearest “safe place.”
 - This safe place could consist of a desk, or sturdy table, or against an interior wall, provided that there aren’t any bookcases, cupboards, windows, or any other kind of furniture that could fall during an earthquake.
- Employees are to protect their eyes by keeping their heads down.
- As after-shocks could follow an earthquake, it is important for employees to wait in their safe place until the shaking stops, and then proceed with a personal inventory, making sure that they are not injured.
- Employees should look carefully for hazards such as fire, including damaged electrical lines, broken gas lines, etc.
- If an evacuation is necessary (and as directed by the emergency captain), employees are directed to always use the stairs, not the elevator.
- Once outside, employees should move away from buildings, trees, streetlights, and any overhead wires, covering their head as they move.

Major Power Outage Preparedness

At Sistema Toronto Academy, there are emergency lights in the event of a major power outage. During an outage, the Centre Director or most senior office staff will contact the building manager or school administration to verify whether the outage is widespread. Employees are to safely gather in the most well lit locations – there may be multiple, depending on the number of floors in the building).

Employees are to ensure that there aren’t any persons in the elevators, and that no one attempts to use the elevators. In the event of a medical emergency during an outage, Centre Directors, or most senior office staff will direct employees as needed in order to provide space for emergency services. 911 is only to be called if an emergency is life-threatening; emergency services will be overwhelmed in the event of a power outage.

As instructed, employees may be required to unplug their computers and other electrical appliances to guard against surges when the power returns. The doors to the refrigerators must be kept closed.

For all Sistema Toronto Programs taking place at TDSB or TCDSB locations, procedures outlined by the TDSB and/or TCDSB should be followed.



Hazardous Material Spill Preparedness

At Sistema Toronto Academy, all WHMIS procedures are followed to prevent any leaks, spills, or damage due to hazardous materials. However, as accidents may occur, Sistema Toronto Academy will follow the below steps to ensure the safety of all employees and visitors to the workplace.

When a spill occurs,

1. The first step is for employees to communicate that there is a spill to others in the area.
 - a. As required, the Centre Director or senior office staff member may commence evacuation procedures.
2. If evacuation procedures are not required, the next step will be to control the spill by closing the container, or righting what spilled over.
3. The next step is to contain the hazard by ensuring that it does not spill over into any other places (this could include spreading sand, kitty litter, etc.), to prevent any open paths for the liquid.
 - a. If the employee cleaning up the spill must leave the area for any reason, they are instructed to block off the area where the spill occurred with the use of caution tape or caution cones or any other method to prevent access.
4. The next step is to clean the spill and check for damages. If any cleaning materials come into contact with a hazardous substance, they should be disposed of immediately, unless they can be safely disinfected. Sistema Toronto Academy will follow all applicable WHMIS procedures and will never instruct employees to perform clean-up work that goes against the stated instructions on the SDS sheet. Employees are to verify which chemicals may be used to clean up spills, prior to their use.
 - a. In the event of damage to property, Sistema Toronto Academy will ensure that the area continues to be blocked off until the appropriate repairs can be made.

4.04 HAZARD IDENTIFICATION

Sistema Toronto Academy is committed to identifying, assessing, and removing or controlling any hazards it can in order to safeguard the health and safety of all of its employees. Sistema Toronto Academy will take appropriate action on any recommendations put forward by the health and safety committee to control or eliminate any known hazards. In addition to those recommendations, Sistema Toronto Academy will proactively identify hazards whenever possible in order to prevent them from becoming a danger to employees or to visitors to the workplace.

DEFINITIONS

A “hazard” is any practice, behaviour, substance, condition, or combination of these that can cause injury or illness to people, or damage to property. Source: Canadian Centre for Occupational Health and Safety (CCOHS).

“Musculoskeletal disorders” are a group of painful disorders of muscles, tendons, and nerves (CCOHS).



Hierarchy of controls:

1. Elimination or substitution;
2. Engineering controls (including substitution, isolation, or ventilation);
3. Administrative controls (including changes in job schedules or maintenance practices); and
4. Personal protective equipment (PPE) (Source: Ontario Ministry of Labour).

POLICY

Sistema Toronto Academy will ensure that its workplace is assessed for any of the following hazards. In the event that a hazard is identified that could cause injury to an employee, Sistema Toronto Academy will ensure to either eliminate the hazard at its source or identify another way to perform the work that would not result in injury. In the event that the hazard cannot be corrected or removed, the appropriate personal protective equipment (PPE) will be provided by Sistema Toronto Academy.

Possible Hazard Health Effects

If any hazards at Sistema Toronto Academy could result in any of the following adverse health effects, they shall be controlled as per the hierarchy of controls. These health effects could include:

- Disease
- Bodily injury
- Change in the way the body functions, grows, or develops
- Effects on a developing fetus
- Inheritable genetic effects
- Decrease in lifespan
- Change in mental condition
- Effects on a person's ability to accommodate additional stress (Source: CCOHS)

Workplace Hazards

The following list represents hazards that may exist at Sistema Toronto Academy. In the event that one of these hazards is present and poses a risk, Sistema Toronto Academy will work towards its elimination as is feasible in the workplace, following the steps of the hierarchy of controls.

Note that this list is not exhaustive of every hazard that could be present; Sistema Toronto Academy will reassess the workplace for additional hazards following a schedule of every year.

Biological Hazards

Biological hazards could involve any of the following:

- Bacteria



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- Viruses
- Insects
- Plants
- Birds
- Animals
- Humans
- Mould

As any of these biological hazards may result in negative health effects, including allergies and skin irritation, Sistema Toronto Academy will ensure to control any of these biological hazards at the source and provide PPE when it is not possible to completely eliminate the hazard through the hierarchy of controls.

Ergonomic Hazards

The assessment of ergonomic hazards relates directly to the employee and the job that they are doing (specifically the manner in which they are completing the duties of their job). Ergonomics refers to matching the job to the employee completing the work. Ergonomic hazards can include simple actions such as:

- Lifting
- Pushing
- Carrying
- Pulling
- Lighting
- Hearing
- Sitting
- Standing

When these actions are performed in a way that contorts the body in an unnatural way, or in a persistent way which puts strain on muscles or tendons, workplace injuries could result. Sistema Toronto Academy will perform periodic ergonomic checks to verify that employees are able to complete the actions required of their position without putting undue physical strain on themselves.

As needed, Sistema Toronto Academy will make appropriate modifications to the workplace, including providing tools to help protect employees from bodily harm.

Physical Hazards

Physical hazards are elements which could affect an employee's physical health and safety if they are outside of tolerable ranges or persistent to the point of being detrimental to health. Some physical hazards could include:

- Temperature (hot or cold)
- Indoor air quality, including scents



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- Noise levels (possible damage to hearing)
- Radiation (including through sunlight, UV lamps, etc.)

Sistema Toronto Academy will assess the workplace for any of these physical hazards and ensure that all levels are within the acceptable ranges to ensure the health and safety of employees, taking needed action to correct the hazard if it is not.

Safety Hazards

Safety hazards in Sistema Toronto Academy's workplace could consist of the tools required to perform job duties, as well as the prevention of basic slips, trips, and falls. Tools could refer to machinery, materials, transportation etc. These tools shall be assessed for safety on a regular schedule and repairs will be made to them once the need is known.

For the prevention of slips, trips, and falls, Sistema Toronto Academy will ensure that either non-slip mats or carpet are available where rain or snow may be tracked into the building and that all steps are a standard height with any changes in elevation clearly visible.

Chemical Hazards

Sistema Toronto Academy will follow the GHS-WHMIS 2015 regulations concerning any chemicals in the workplace and will ensure that SDS sheets are available for any chemicals present not in their original packaging. Further, all regulations concerning the appropriate labelling, transportation, and storage of chemicals will be followed.

Psychosocial Hazards

Hazards that may be present in the workplace could consist of more than physical hazards and/or danger to the body; hazards may exist that can adversely affect an employee's mental health. Sistema Toronto Academy has zero-tolerance for any bullying, violence, or harassment in the workplace. Further details can be found in the Anti-Harassment Policy.

Sistema Toronto Academy will also provide support for any employees under undue stress that is affecting their ability to complete their job duties. In some cases, this may involve a reassessment of priorities; in some cases, an elimination of conflicting job demands, etc.

Employee Responsibilities

Sistema Toronto Academy employees have the responsibility of notifying their health and safety committee, or their supervisor, of any known hazards in the workplace and then working together towards a solution.

4.05 HEALTH AND SAFETY COMMITTEE



Sistema Toronto Academy is committed to ensuring the health and safety of all its employees. In pursuit of that, Sistema Toronto Academy will abide by all provincially outlined legislation for the province of Ontario as established by the *Ontario Occupational Health and Safety Act*. Further, Sistema Toronto Academy recognises that as an employer, it has the greatest level of responsibility to ensure health and safety on its premises.

POLICY

As Sistema Toronto Academy's workforce exceeds 20 or more employees, a joint health and safety committee is required to ensure the health and safety of all individuals on the premises. The committee shall be composed of at least two members when the number of employees is between 20-50 and at least four members when there are more than 50 employees in the workplace.

At least half of the members on the health and safety committee will not exercise any managerial/leadership duties. The members of the committee shall be chosen by the rest of the employees. Any member of the management may be the representative for the Organisation. At Sistema Toronto Academy, the COO is the management representative.

The management representative and the employee representative chosen by the rest of the employees are the co-chairs of the committee. They will be certified and trained as per the *Ontario Occupational Health and Safety Act*. Their time spent in training will be considered work time and they will be compensated at their regular rate of pay. Sistema Toronto Academy is responsible for the costs incurred by the training program. In the event that one or both of the co-chairs leave Sistema Toronto Academy, they shall be replaced, and their replacement(s) trained as soon as reasonably possible.

The following are the powers of the committee under the *Occupational Health and Safety Act*:

1. Identify situations that may pose danger or a hazard to employees;
2. Provide recommendations to Sistema Toronto Academy on ways to improve safety in the workplace for employees;
3. Make recommendations regarding establishing, maintaining, and monitoring any health and safety measures, procedures, or programs to Sistema Toronto Academy;
4. Request and be provided information from Sistema Toronto Academy about:
 - a. Identifying potential or current hazards involving materials, processes, equipment, and
 - b. Examples of safe work practices and health and safety standards in either similar industries, or businesses that are known to Sistema Toronto Academy.
5. Be provided information by Sistema Toronto Academy about any tests regarding health and safety in the workplace (could be related to machinery, equipment, chemical or physical agent, material, or biological element, etc.);
6. Be present at and be consulted about any testing in the workplace, as necessary.

Co-chair Powers

In the event the committee does not reach a consensus, each co-chair has the power to provide written recommendations to Sistema Toronto Academy. These recommendations shall be responded



to within 21 days of their receipt. The response will include if the recommendation will be implemented, when Sistema Toronto Academy agrees with the recommendation, and reasons why the recommendation is not accepted.

Committee Meetings

The health and safety committee will meet every three months, at minimum. Minutes will be taken at each committee meeting and then retained in the event of an inspection or examination.

Members of the committee are entitled to at least an hour to attend the quarterly meetings as well as paid time in order to complete any work ahead of or following the meeting. Committee members will not be expected to complete this work on their own time and are considered to be working when they are completing health and safety duties.

Inspections

One of the members of the committee will be required to complete monthly health and safety inspections. The committee is required to establish a schedule for the completion of these inspections.

When possible, it should be the certified co-chair who completes the inspection, but the co-chair is not required to complete every inspection. Sistema Toronto Academy will ensure that the member completing the inspection has sufficient time to complete it. These inspections shall be kept on file. In the event that the member requires information and/or assistance in completing the inspection, they shall be provided with it.

If any hazards or dangers are noted during the inspection, the committee member must inform the committee of their findings and the committee must discuss this information as soon as reasonably possible.

In the Event of a Critical Injury or Death

If a critical injury or death occurs, a member will be required to investigate and inspect the place where the accident occurred (including if a machine, device, or thing was involved). Following the inspection, the member is required to present their written findings to the Chief Executive Officer and to the committee.

Sistema Toronto Academy must also provide a written report within 48 hours to the Ministry of Labour, Immigration, Training and Skills Development about the incident.

Posting Committee Members' Names

Sistema Toronto Academy will post the name of the members of the committee, as well as their work departments in an accessible location so that all employees are aware of who is on the committee.



4.06 HEALTH AND SAFETY STATEMENT

Sistema Toronto Academy places the health, safety and well-being of all workers and volunteers as its highest priority. We understand the organisation holds the highest responsibility for the safety of the workplace and will take all steps needed to provide a healthy and safe working environment.

Sistema Toronto Academy adheres to the requirements set out in the *Occupational Health and Safety Act*, at minimum. This includes promoting health, safety, and well-being awareness; providing information, training, and competent supervision to employees about specific work tasks; ensuring employee participation in H&S initiatives; and monitoring safety hazards on an ongoing basis.

However, managers, supervisors, employees, and volunteers are all accountable to work together to always uphold their own health and safety and that of others. Managers and supervisors must train their workers appropriately, make sure working conditions are safe, and monitor that employees are following safe work practices and procedures.

Employees and volunteers must do their part by implementing all safety training and practices of Sistema Toronto Academy; staying vigilant about their environment; and reporting any health or safety concerns to management or the health and safety committee right away. They are also encouraged to participate in health and safety initiatives, at any time.

We must all remain committed to keeping each other safe and healthy in every way possible. At Sistema Toronto Academy, we look forward to working together to do just that.

4.07 RIGHT TO REFUSE UNSAFE WORK

Sistema Toronto Academy understands all workers have a right to a safe and healthy working environment. The purpose of this policy is to outline:

- The right to refuse unsafe work under the *Occupational Health and Safety Act* (OHSA)
- The workers who have the right to refuse
- The procedure that must be followed in the event of a work refusal

SCOPE

This policy applies to all workers at Sistema Toronto Academy in Ontario. All workers have the right to refuse unsafe work except for workers such as: police officers, firefighters, workers employed in the operation of correctional institutions, and health care workers.

DEFINITIONS

“Worker representative” within this policy means one of the following: a joint health and safety committee member who represents the workers, a safety representative if there is no health and



safety committee, or another worker who has been chosen to represent a person who is refusing work.

POLICY

Sistema Toronto Academy respects the legal right of employees to refuse work they believe is unsafe and will take the appropriate actions set out by the *Occupational Health and Safety Act (OHSA)*.

Employees of Sistema Toronto Academy may refuse any work, workplace condition or equipment they believe might endanger their health and safety, or the health and safety of another person. This right to refuse extends to workers who believe they may be endangered by workplace violence. When an employee exercises their right to refuse unsafe work, the work refusal process set out by the *Occupational Health and Safety Act (OHSA)* must be followed explicitly. To initiate the work refusal, a worker must only state they feel unsafe and do not wish to proceed with a task or activity.

There will be no negative consequence for employees who exercise their right to refuse in good faith and who adhere to the processes set out by law and in this policy.

Sistema Toronto Academy will continue to pay the worker who is refusing to work at the regular rate during the work refusal process until a Ministry of Labour Inspector rules that it is safe to resume work. If the worker continues to refuse work beyond the point the work has been deemed safe, Sistema Toronto Academy is no longer required to provide pay and may begin disciplinary action.

WORK REFUSAL PROCESS

Under the law, the following procedure must be followed in the event of a work refusal.

Step 1

- The worker reports the refusal to their manager and then stays in a safe place. The worker may also notify the health and safety committee.
- The employer or supervisor investigates the issue with the worker and a safety representative or other chosen worker representative present.
 - If an acceptable resolution to the issue is put in place, the worker can go back to work
 - If no resolution is found, move on to Step 2

Step 2

- If the worker continues to feel unsafe, the worker should continue to refuse and stay in a safe place.
- The worker or employer (or someone representing either of them) should call the Ministry of Labour



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- A Ministry of Labour Inspector will investigate the issue in consultation with the worker, safety representative and supervisor or management representative
- Any required/ordered changes to improve safety will be made
- The refusing worker will go back to work

During Step 1, if the supervisor has investigated and found a resolution they believe is safe, but the worker continues to refuse, the supervisor can ask another worker to perform the task while waiting for a resolution under Step 2. However, the supervisor must let the second worker know:

- the task they are being asked to do has been refused by another worker
- why the task was refused, and
- that an investigation with the Ministry of Labour is in process

Sistema Toronto Academy understands the second worker may also refuse the work.

4.08 WORKPLACE ANTI-HARASSMENT

Sistema Toronto Academy is committed to ensuring a workplace free of harassment, bullying, and discrimination. In pursuit of this, Sistema Toronto Academy will not tolerate any harassment, bullying, or discrimination within the workplace. Sistema Toronto Academy is further committed to investigating any complaints regarding workplace harassment, bullying, and/or discrimination, using the method of progressive discipline, up to and including the point of termination of employment for the perpetrator(s).

Canada's Criminal Code specifically lays out matters such as violent acts, sexual assault, threats, and behaviours such as stalking. In the event of any of the above, Sistema Toronto Academy will immediately contact the police.

DEFINITIONS

Harassment is defined by the *Ontario Occupational Health and Safety Act* 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." This definition includes sexual harassment, personal harassment, psychological harassment, and bullying.

Workplace harassment does not include reasonable actions taken by an employer or supervisor relating to the management or direction of workers in the workplace.

Sexual Harassment under the Occupational Health and Safety Act is defined as: "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 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.”

Note that this Anti-Harassment Policy is administered in conjunction with Sistema Toronto Academy’s Human Rights Policy and includes freedom from discrimination under any of the grounds established by the *Ontario Human Rights Code*, including race, ancestry, place of origin, colour, ethnic origin, citizenship, creed (religion), sex (including pregnancy), sexual orientation, gender identity, gender expression, age (18 and over), marital status (including same sex partners), family status, disability, and record of offences.

Common harassing behaviours can include (but are not limited to):

- Rumour spreading;
- Jokes about sex;
- Email chains with jokes about specific individuals;
- Excluding individuals from work-related activities;
- Reviewing work unfairly or trivial fault-finding; and
- Belittling behaviour or comments.

Harassment can either occur over a period, or in a specific instance, depending on the specific situation.

POLICY

Sistema Toronto Academy encourages any of its employees who witness or who are victim to harassment, bullying, or discrimination to bring forward the information as soon as possible so that an investigation may immediately commence.

In pursuit of a harassment-free environment, Sistema Toronto Academy is committed to fully preventing and/or addressing any instances of harassment, including sexual harassment, by:

- Providing education and training to ensure that all employees understand their rights and responsibilities regarding harassment;
- Ensuring that supervisors understand how to respond to incidents of harassment, including how to collect information, how to act, how to deal with confidentiality, how to document, and how to keep records;
- Methodically monitoring or adjusting Sistema Toronto Academy’s systems for any barriers, including any barriers regarding any protected grounds laid out in *the Ontario Human Rights Code* and Sistema Toronto Academy’s Human Rights Policy;
- Reviewing their Anti-Harassment program with the Health and Safety Committee
- Providing a procedure for complaints (outlined below) that is fair, timely, and effective; and
- Ensuring to promote appropriate standards of conduct.

This policy also prohibits any person at Sistema Toronto Academy who is able to grant or deny a benefit to another employee from sexually soliciting or making advances on that person. This could include



co-worker to co-worker, or supervisors and managers to employees. Further, any reprisals for the rejection of these advances are not permitted.

Sistema Toronto Academy will also not permit the creation of a poisoned work environment, as created by comments or any forms of conduct that are known to be unwelcome. Sistema Toronto Academy will investigate all complaints to prevent this poisoned environment.

In addition, any employees who experience harassment while in the course of work for Sistema Toronto Academy have the right to file a complaint without any fear of reprisal. Sistema Toronto Academy will ensure that an investigation is conducted into any incidents or complaints of workplace harassment, as appropriate.

Employee and Supervisor Responsibilities

All Sistema Toronto Academy employees have the responsibility to adhere to the contents of this policy and refrain from enacting or condoning any form(s) of harassment. Further, all employees have the responsibility of fully cooperating in any investigations into complaints of harassment.

All Sistema Toronto Academy supervisors or managers have an additional responsibility of acting immediately upon either receiving a complaint of harassment or witnessing it themselves. Supervisors and managers are responsible for the creation and maintenance of a harassment-free workplace and must immediately investigate as soon as any forms of harassment become known in the workplace.

COMPLAINT PROCEDURE

At Sistema Toronto Academy, complaints regarding harassment, bullying, or discrimination may be brought forward to:

- COO, Andres Tucci Clarke at andres.tucciclarke@sistema-toronto.ca or CEO, Shawn Earle at shawn.earle@sistema-toronto.ca.
- An alternate report may be made to Chair of the Board of the Directors, Marcia Lewis Brown at board.chair@sistema-toronto.ca if both of the above are the alleged harassers.
- Immediately upon receipt of a complaint, an investigation will be started, and additional information and context will be sought. The investigation may include:
 - A review of the details of the incident;
 - Separate interview(s) with the parties involved and any witnesses;
 - Examination of any relevant documents, emails, notes, photographs, or video;
 - A decision about whether the complaint constitutes workplace harassment; and
 - The preparation of a report which summarizes the incident, the steps of the investigation, the evidence collected, and any findings
- Sistema Toronto Academy will take appropriate measures to ensure that employees and/or witnesses involved in filing the complaint are protected, as necessary. This may include temporary reassignments or shift changes. Sistema Toronto Academy will ensure that these changes do not penalize any employee who brought forward a complaint, or any witness to the complaint.



- Sistema Toronto Academy will not disclose any information regarding a complaint of harassment (including any identifying personal information of any of the individuals involved), unless the disclosure is necessary. The disclosure may become necessary for the purposes of investigating the complaint, taking disciplinary action, or as required by law.
- The employee who disclosed the complaint, as well as the alleged harasser (provided they are both employees of Sistema Toronto Academy), will be kept up to date on the investigation and will be notified of the results of the investigation and any subsequent actions to be taken.

Any reports resulting from an investigation into complaints of harassment, discrimination, or bullying are not considered to be Occupational Health and Safety reports and will not be shared with the safety committee.

Note: This policy will be in written form and posted in a conspicuous place at Sistema Toronto Academy. It will be reviewed as often as necessary, but at least annually.

4.09 WORKPLACE ANTI-VIOLENCE

This policy and program are intended to:

- a) Ensure that Sistema Toronto Academy maintains a work environment that is free from workplace violence.
- b) Establish measures and procedures to control the risk of workplace violence.
- c) Communicate the procedure for summoning immediate assistance in the event of an incident of workplace violence or where an incident is imminent.
- d) Establish a procedure for reporting incidents of workplace violence.
- e) Establish how reports of workplace violence will be dealt with and investigated by the organisation.

DEFINITIONS

“Workplace Violence” as defined by the *Ontario Occupational Health and Safety Act*, means:

1. The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
2. An attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker;
3. 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 to the worker.

“Workplace” refers to any land, premises, location, or thing at, upon, in or near which a worker works including the organisation's offices, off-site locations where work is performed, social events related to work or away from work but resulting from work (i.e., a threatening phone call to your home or other personal electronic contact from co-workers or stakeholders).



POLICY

Sistema Toronto Academy is committed to providing a healthy, safe, and supportive work environment for all employees that is free from workplace violence and will not tolerate any such incidents that are perpetuated by or against any Stakeholder including, but not limited to an employee, volunteer, student/family, board member, vendor, or visitor.

In pursuit of this commitment, Sistema Toronto Academy will take all reasonable steps to prevent workplace violence and will deal with incidents and complaints made in good faith, in a fair, consistent, and timely manner.

Employee Responsibilities

- Understand what constitutes workplace violence as defined in this policy and adhere to the organisation's zero tolerance requirement.
- Immediately report any incident of violence one is subject to or witnesses in accordance with the organisation's anti-violence program.
- Participate as required in internal and external investigations concerning incidents of workplace violence.
- Refrain from any retaliatory acts against any individual who has brought forward a complaint of violence.
- Attend and actively participate in training and education sessions regarding workplace violence.

Employer and Management Responsibilities

- Assess the risk of workplace violence and implement procedures, response plans and other controls to help minimize identified risks.
- Educate and train employees on this policy and program, response plans and other controls established to protect employee health and safety.
- Ensure a copy of this policy is available to all employees.
- Review the Workplace Anti-Violence Policy and Program annually or as often as necessary to properly protect employees from the risk of violence. This policy and program will be reviewed after any violent incident to determine if changes are necessary.
- Take appropriate action(s) upon receipt of a complaint of workplace violence or when aware that workplace violence is occurring.
- Impose appropriate disciplinary measures in response to substantiated claims of workplace violence.

All members of management who are aware, or who ought to reasonably be aware that incidents of workplace violence are occurring or are thought to be occurring are obligated to take appropriate action to stop the offending behaviours and actions, even in the absence of a formal complaint.

WORKPLACE ANTI-VIOLENCE PROGRAM



Reporting Incidents of Workplace Violence

- In the event you are directly affected by, or witness to an act of violence or a threat of violence in the workplace, it is imperative that the incident be reported immediately. Reports are to be made to your direct supervisor, his or her designate or other relevant party.
- For the health and safety of everyone, employees are encouraged to request an informal meeting with their supervisor/manager or their designate to discuss issues concerning or related to workplace violence.
- Employees should also notify their supervisor/manager or their designate if any restraining order affecting them is in effect or if they are aware of a non-work-related situation that could result in violence in the workplace including concerns regarding the potential for domestic violence to occur in the workplace.

If you are subject to workplace violence, you also have the option to pursue recourse through the Provincial Police or the Federal Criminal Code.

Summoning Immediate Assistance

- If you require immediate assistance following an act of violence, are being threatened, or consider yourself to be in imminent danger, contact the police/emergency services immediately by dialing “9-1-1” and follow department/facility emergency response procedures (where relevant).
- If you are unable to phone 9-1-1 right away, you should:
 - Yell for help.
 - If in a vehicle, honk the horn repeatedly, turn on hazard lights and lock all vehicle doors.
 - If possible, use the vehicle’s emergency alarm.
 - Immediately move to a safe location.
 - Contact a manager/supervisor.

Right to Refuse Unsafe Work Due to Workplace Violence

If you believe that you are being endangered by workplace violence, you have the right to refuse to perform the work you deem to be unsafe. If you are refusing to work because of workplace violence, you must immediately report the refusal to your supervisor/manager or their designate.

Once reported, an investigation into the refusal will commence. During the investigation, you must remain in a safe place that is as near to your work location as reasonably possible and must remain available to the investigator for the purpose of the investigation.

History of Violent Behaviour

Under the Ontario Occupational Health and Safety Act, the organisation may be required to provide information (including personal information) to its employees about a person with “a history of violent behaviour” if:



- a) The employee can reasonably be expected to encounter that person in the course of their work; and
- b) There is a potential risk of workplace violence because of exposure to the individual with a history of violent behavior.

Pursuant to this obligation, if the organisation is of the view that there is a risk of workplace violence such that an employee may be exposed to physical injury, information that is deemed reasonably necessary to protect employees from physical injury, including personal information and any known triggers of the individual's potentially violent behaviours will be communicated.

When disclosing personal information, the organisation will limit as much as possible the amount of personal information provided and will not release any medical information that is deemed protected.

Furthermore, the organisation will not disclose any information to individuals who are unlikely to encounter the person with a history of violence or to those who are not at risk of physical injury from that person.

Domestic Violence

In the event the organisation is aware that domestic violence could likely expose an employee to physical injury in the workplace, it will take every precaution reasonable in the circumstances for the protection of the affected employee(s). In such situations the organisation will work with the employee to create a personal support plan which will identify safety measures and procedures for the protection of the individual.

Violence Risk Assessment

Sistema Toronto Academy will conduct a risk assessment of the work environment to identify any issues related to potential violence that may impact the organisation and its employees and will institute measures to control those risks.

When conducting the risk assessment, Sistema Toronto Academy will take into consideration specific areas that may contribute to the risk of violence including:

- Working in a community-based setting
- Interaction with the public and/or working with unstable or possibly volatile stakeholders
- The exchange of money
- Working alone or in small numbers
- Working at night

As part of its assessment the organisation may review records and reports (incident reports, health and safety inspection reports, etc.). The results of the assessment will be provided to the Joint Health and Safety Committee where one exists.

Violence Investigation Procedure



The investigation process will be initiated upon receipt of a formal complaint from an employee or at the discretion of the employer where workplace violence is known or is suspected to be occurring.

The organisation will endeavor to complete investigations within 90 calendar days or less once the process has been initiated; unless extenuating circumstances warrant a longer investigation (for example where more than five witnesses must be interviewed or in the event a witness, Complainant or Respondent is unavailable due to illness).

Once initiated, the investigation procedure will generally adhere to the following steps/guidelines:

1. The organisation will appoint an internal or external investigator(s) to promptly conduct and document an investigation into the incident in which all facts are examined in a manner that is timely, fair, and impartial.
 - a. No person shall be appointed to the role of investigator where they have been named within a complaint.
 - b. Any allegations against the CEO will be investigated by a neutral third-party investigator.
2. The investigator(s) will review this policy, the submitted complaint and supporting documents, and will meet with the Complainant to gather additional details and information regarding the incident(s).
3. Individual(s) named in the complaint (known as Respondents) will be advised via written notification of the complaint that has been filed against them. The notification will inform the Respondent of the alleged offensive action(s)/behaviour(s) made against them.
4. The investigator will then meet with the Respondent to allow the individual to respond to the presented allegations and to gather facts and information.
5. Where warranted, the organisation may issue a paid administrative leave to the Respondent, Complainant and any other party deemed necessary until the investigation is completed.
6. Employees on paid administrative leave pending the results of the investigation must remain available to meet with the investigator and to return to work as requested.
7. The investigator may also individually meet with witnesses and any other individual deemed necessary to provide additional evidence or context/information pertinent to the investigation.
8. Once the investigator is satisfied with the amount of factual information collected from all parties, they will make a determination as to whether or not the allegation(s) are substantiated based on a balance of probabilities and where substantiated, make recommendations on any remedial action to be taken.
9. The investigator will provide an investigation report which must include a summary of the steps taken during the investigation, the complaint and allegations of the Complainant, the response from the Respondent(s), the evidence of any witnesses, any additional evidence gathered, findings of fact, the conclusion of the investigation and any recommendations made.
10. If the investigator deems a breach of the policy has occurred, the organisation will take necessary progressive discipline where deemed appropriate to do so.
11. If the results of the investigation do not substantiate that a breach of this policy has occurred, the allegations will be disregarded in any subsequent employment decision affecting the parties involved. This is the case except where there is repetition of the same allegation from



the same or different parties, and in that case, further investigation and progressive discipline may occur. However, if after investigating any complaint the organisation determines that the complaint is not genuine or that an employee has deliberately provided false information regarding the complaint, disciplinary action may be taken against the Complainant or the individual who gave the false information.

12. If the Complainant disagrees with the outcome of the investigation, they will have the option to pursue recourse through the applicable legislation (example: The *Human Rights Code* or the *Occupational Health and Safety Act*).
13. Sistema Toronto Academy will provide the Complainant and Respondent (where the Respondent is an employee) with a written outcome letter summarizing the investigation findings and any disciplinary action to be taken because of the investigation.
14. All parties involved in the investigation process, including the Complainants, Respondents, and witnesses are responsible for fully cooperating with the investigator(s) throughout the investigation process.

Prohibition Against Retaliation/Reprisal

Sistema Toronto Academy strictly prohibits any form of retaliation against an employee for filing a genuine complaint under this policy or for participating in the investigation process.

Specifically, no employee shall be demoted, dismissed, disciplined, or denied a promotion, advancement, or other opportunity because they have lodged a complaint in good faith or have participated in an investigation.

Disciplinary Action

Any employee who is found to have breached this policy by engaging in violence or a form of reprisal; who breaches confidentiality expectations; fails to cooperate with an investigation; makes a complaint in bad faith or supplies falsified information will be subject to appropriate disciplinary action.

Disciplinary action may range from training, counselling, written warning, suspension, work transfer and termination of employment, depending on individual circumstances. Additionally, the organisation may pursue criminal charges where warranted.

Confidentiality

Sistema Toronto Academy will ensure that information and documents regarding a complaint or incident will not be disclosed except to the extent necessary to protect workers, to investigate the complaint or incident, to take progressive discipline or as otherwise required by law.

All parties involved in a workplace violence complaint, including complainants, respondents, witnesses, managers, and support persons are expected to treat the matter and any information they become aware of as confidential. No party shall discuss the matter or associated details with other employees or witnesses. An employee may face disciplinary action if it is determined that they have failed to adhere to these confidentiality expectations.



All investigation notes and full reports will be retained in a separate file and are not to be saved in employee personnel files. Investigation outcome letters and disciplinary action will be saved in applicable employee files only when the complaint has been verified and is found to be in breach of this policy.

Record Keeping

Sistema Toronto Academy will securely retain records of all complaints or incidents of harassment including copies of:

- The complaint or details about the incident
- Records of the investigation including notes
- Witness statements, if taken
- The investigation report, if any
- Results of the investigation that were provided to the Complaint and Respondent
- Any progressive discipline taken to address the complaint or incident of workplace harassment

Reports of Violent Incidents - Workplace Expectations

The Organisation Shall:

- Promptly investigate all reported acts and incidents of violence.
- Consult with other parties (i.e., legal counsel, Health and Safety Consultants, Health and Safety Representatives, Employee Assistance Providers, Human Rights, and local Police Services) as deemed necessary to address, resolve and mitigate incidents.
- Take all reasonable measures to identify and eliminate risks and root causes resulting from the incident.
- Comply with Workplace Safety and Insurance Board (WSIB) and Occupational Health and Safety Act (OHSA) violent incident reporting obligations by:
 - Immediately notifying the Ministry of Labour, and the Joint Health and Safety Committee (JHSC) (where relevant) of any incident resulting in the death or critical injury of an employee and providing the Director of the Ministry of Labour with a written report detailing the circumstances of the incident within 48 hours of its occurrence.
 - Providing written notification to the JHSC within 4 days of any violent incident which leaves an employee disabled from performing their job duties or which requires medical attention.
 - Providing notification to the WSIB within 24 hours of any violent incident in which an employee sustains a lost-time injury past the day of the incident or an injury that requires health care.



4.10 WORKPLACE HAZARDOUS MATERIALS INFORMATION SYSTEMS (WHMIS)

Sistema Toronto Academy is committed to protecting the health and safety of its employees and will take all measures needed to safeguard its workers from the hazardous products that are found in the workplace. Sistema Toronto Academy will uphold its duties and responsibilities under WHMIS 2015 to correctly identify and label hazardous products and educate and train its employees.

DEFINITIONS

The following definitions were taken from the Canadian Centre for Occupational Health and Safety.

Globally Harmonized System of Classification and Labelling of Chemicals (GHS): an international system that defines and classifies the hazards of chemical products and communicates health and safety information on labels and SDSs in a standardized way.

Hazardous product: a product, mixture, material, or substance that meets the criteria to be classified in one or more of the hazard classes of the HPR.

Safety Data Sheet (SDS): a document that contains specified, required information about a hazardous product, including information related to the hazards associated with any use, handling, or storage of the hazardous product in a workplace.

WHMIS: WHMIS stands for Workplace Hazardous Materials Information System. WHMIS is Canada's national hazard communication system for hazardous products in the workplace. It applies to suppliers, importers, and distributors of hazardous products that are sold in or imported into Canada and intended for use, handling, or storage in Canadian workplaces, as well as to the employers and workers who use those products.

POLICY

Sistema Toronto Academy recognises the importance that identifying hazardous products in the workplace can have on keeping employees safe. As such, Sistema Toronto Academy will implement Ontario's WHMIS regulations as outlined in the *Occupational Health and Safety Act (OHSA)* and the *Workplace Hazardous Materials Information System Regulation (R.R.O. 1990, Regulation 860)*.

Sistema Toronto Academy will comply with the requirements of WHMIS 2015, the most up-to-date version of WHMIS in Canada, which has been updated to integrate the world-wide labelling standards of the GHS.

Employer Responsibilities

Sistema Toronto Academy recognises it has certain responsibilities under WHMIS 2015 and will comply with its duties by:



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- Providing education and training to all employees who may come into contact with a hazardous product about: WHMIS legislation, how to read labels and safety data sheets, and how different types of hazardous products could affect them negatively.
- Making sure the containers of hazardous products found in the workplace are correctly identified and labeled, using the latest standards
- Ensuring up-to-date Safety Data Sheets (SDSs) are available for workers to find and read

Further, Sistema Toronto Academy will ensure:

- It is aware of the hazardous products in the workplace, how they are used and where they are located or stored
- Keep accurate records about the hazardous products located in the workplace
- Develop procedures for:
 - the safe use, handling, storage, and disposal of hazardous products,
 - how to protect workers (such as utilize personal protective equipment or create specific safety plans where necessary), and
 - what to do in an emergency

Employee Responsibilities

Employees of Sistema Toronto Academy also have responsibilities under WHMIS 2015. Specifically, employees must:

- Complete WHMIS training and education if assigned by the employer
- Follow the instructions and safe work procedures as outlined to protect self and others
- Be familiar with the hazardous products they may come into contact with
- Only use products that have a label *and* that they have received training on
- Understand SDS information and know where SDS sheets are located
- Ask for help if needed and report any concerns to the appropriate member of staff immediately



Section 5 - Conduct and Discipline Policies

5.01 ABSENTEEISM AND ATTENDANCE

Sistema Toronto Academy is committed to ensuring that all its employees are appropriately compensated for their hours of work. This Attendance and Absenteeism policy outlines our expectations for employees with regards to their time and attendance.

POLICY

Sistema Toronto Academy employees have the responsibility of attending work at their scheduled time or providing as much notice as possible in the event they are unable to arrive for the start of their shift. Part-time employees are to call the direct onsite supervisor and COO if they will not be present, while full time employees must notify the CEO. If employees need to leave their shift early, they must provide as much notice as possible to their supervisor.

Prolonged Absences

If an employee requires an absence for a prolonged period of time, Sistema Toronto Academy may request additional information from an employee's medical provider regarding the projected length of their absence. Sistema Toronto Academy will not request confidential medical information, including any diagnosis, etc., from the medical provider.

Job Abandonment

Should an employee miss three (3) consecutive days of work, without reasonable justification and without proper notification to the employer, the employee may be subject to disciplinary action. Upon missing three (3) days of work, conditions as above, the employer will send the employee a registered letter stating the expectation that the employee contact the employer immediately with acceptable justification for their absence; documentation may be required. A deadline to contact the employer, and provide acceptable justification and/or documentation, will be provided (typically 3 business days). Should the employee not contact the employer, and provide acceptable justification and/or documentation, the employee will be terminated, for cause, on the grounds of job abandonment.

Should the employee provide reasonable justification and/or documentation within the prescribed time period, the employer may still discipline the employee accordingly for failure to communicate their absence via the call-in procedure outlined in the Sistema Toronto Academy's *Absenteeism and Attendance* policy.

Absenteeism

Absenteeism refers to a deliberate pattern of absences or late-arrivals that need to be corrected in order to ensure that Sistema Toronto Academy is able to adequately staff its premises and achieve its



organisational goals. Employee absences without reasonable cause affect the organisation's ability to achieve those goals. Repeated absences or tardiness considered as absenteeism refer to absences or tardiness because of:

- Sleeping in late
- Having personal social plans when scheduled for work
- Leaving early every Friday without reasonable cause
- Arriving late every Monday morning without reasonable cause
- Failing to catch a regularly scheduled method of public transportation such as a bus
- Extending a weekend without approval (e.g., not attending work on a Monday or a Friday for unjustified reasons)

This is not a comprehensive list. Employees are expected to attend work unless an emergency arises or they are ill and cannot present themselves.

Disciplinary Steps

In the case of an excessive number of absences, late shift arrivals, shifts left early, or if a pattern of absenteeism presents itself, Sistema Toronto Academy will first meet with the employee to determine whether there is a workable solution to the attendance exceptions. Employees have a responsibility to do their part to work towards a solution and abide by the terms of the attendance agreement. If the attendance exceptions continue without reasonable cause and/or notice, Sistema Toronto Academy will institute the progressive discipline process following these three steps:

1. Verbal warning
2. Written warning(s)
3. Disciplinary Meeting
3. Termination of the employment relationship

Steps 1-3 will be documented and copies will be provided to the employee to read and understand during the disciplinary meeting. For further guidelines on the progressive discipline process, Sistema Toronto Academy will refer to the Progressive Discipline Policy.

5.02 CODE OF CONDUCT

Sistema Toronto Academy believes in honesty, integrity and respect and requires all employees working on behalf of the organisation to uphold these values. The purpose of this policy is to outline the organisation's expectations when it comes to the behaviour and conduct of its employees.

POLICY

Sistema Toronto Academy is committed to doing business in a respectful and ethical manner. Employees of Sistema Toronto Academy are expected to behave in a professional and courteous manner toward the organisation, fellow employees, students, donors, and the public at all times.



This means employees will adhere to the following guidelines for working with integrity:

- Report for work on time and put their best effort forward each day
- Assist stakeholders and fellow colleagues to the best of their ability
- Take responsibility for their choices and actions
- Treat others with dignity and respect
- Represent the organisation and its stakeholders or affiliates in a positive manner
- Keep confidential information private
- Use organisation resources and property as intended
- Ask for clarification and guidance when unsure about an action or decision
- Commit to ongoing respect towards students and families
 - conduct the relationship with students and families in a professional manner;
 - familiarize him/herself with all provided and stated procedures, protocols and practices related to preserving the safety of the children at all times within the Sistema Toronto program. Safety of the students is the highest priority and includes but is not limited to all measures and practices taken to enhance, support and preserve the life, mental, emotional and physical health, and bodily integrity of our students;
 - respect the personal integrity and privacy of students unless the law requires disclosure;
 - clearly communicate the expectations of the program;
 - encourage, guide and develop the social as well as the musical potential of each student;
 - treat each student with the same dignity and respect, without discrimination of any kind;
 - promote recognition and acceptance of, and sensitivity toward, ethno-cultural diversity are expectations of and within the Sistema Toronto community;
 - help students work to their full potential and develop their self-worth;
 - maintain consistent standards of behaviour for all students;
 - demonstrate care and commitment to academic excellence and a safe teaching and learning environment.

Sistema Toronto Academy will not tolerate:

- Discrimination, harassment, bullying or violence of any kind
- Illegal or criminal behaviour including but not limited to stealing, damaging property, or possessing illegal substances or items
- Any type of lewd behaviour or unethical conduct
- Showing up for work under the influence of any substance that impairs judgement or hinders safety, whether that substance is legal or not
- Insubordination
- Competing with the organisation or using organisation information or intellectual property for personal gain



- Intentionally behaving in any untrustworthy manner such as misrepresenting the organisation or its products, services, or prices to stakeholders or to the public whether in person or via social media channels

Sistema Toronto Academy will provide education and training to ensure employees understand their obligations and responsibilities when it comes to respectful behaviour.

Employees who do not comply with the expectations set out in this code of conduct will be dealt with through progressive discipline, that may include termination of employment.

5.02.01 CODE OF CONDUCT TO PROTECT CHILDREN

Code of Conduct to protect Children. Under Policy P01, all teachers and members of the Sistema Toronto Academy community are expected to be adhere to the following guidelines:

Treating Children with Dignity and Maintaining Boundaries

- All employees/volunteers are responsible for treating all children with respect and dignity, and for maintaining appropriate boundaries.
- Employees/volunteers must monitor their own behaviour towards children, and be aware of the behaviour of their colleagues, to ensure that behaviour is appropriate and respectful, and will be perceived as such by others.
- If at any time an employee/volunteer is in doubt about the appropriateness of their own behaviour or the behaviour of others, they should discuss it with their supervisor. Refer to Reporting Requirements for further guidance.

Things to Consider:

Before engaging in any behaviour or activity with a child, and when considering how your behaviour or the activity may be perceived by the child and by others, the employee/volunteer should consider whether:

- The activity you are engaging in with a child is known to, and approved by, your supervisor and/or the parents of the child.
- All interactions with a child should be transparent.
- The activity or behaviour the employee/volunteer is engaging in would raise concerns in the mind of a reasonable observer as to its appropriateness.
- The activity or behaviour is directly and objectively tied to the employee/volunteer's job function.
- The organisation may be detrimentally affected by the activity or behaviour.
- The activity or behaviour may be reasonably regarded as posing a risk to the child.
- The activity or behaviour may contribute to a child's discomfort.
- The activity or behaviour may appear inappropriate to the organisation, the child's family, or the public.



In addition, employee/volunteer should always consider the child's reaction to any activities, conversations, behaviour, or other interactions, and avoid criticizing, embarrassing, shaming, blaming, or humiliating a child. Do not place inappropriate expectations on a child. The employee/volunteer should use their instincts as a guide.

- Consider: "Whose needs are being met by the activity or behaviour?" The purpose of an activity or behaviour should always be to meet the child's needs, not the adult's needs.

Tip: If the child seems uncomfortable with the activity or behaviour, that is a good indication that the activity and/or behaviour is unwelcome and should stop. You need to reassess the activity or behaviour and consult with your supervisor before continuing.

General Rules of Behaviour

Employees/volunteers of our organisation shall:

- Treat all children with respect and dignity.
- Establish, respect and maintain appropriate boundaries with all children involved in activities or programs delivered by the organisation.
- Always adhere to the organisation's policies and procedures in dealing with children.
- Treat all disclosures, allegations or suspicions of sexual or other unlawful or inappropriate behaviour involving a child seriously – an employee/volunteer must report all disclosures, allegations or suspicions of inappropriate or unlawful behaviour as set forth in this Code of Conduct to Protect Children.

Employees/volunteers of the organisation must not:

- Engage in any sort of physical contact with a child that may make the child, or a reasonable observer, feel uncomfortable, or that may be seen by a reasonable observer to be violating reasonable boundaries.
- Engage in any communication with a child within or outside of work that may make the child uncomfortable or that may be seen by a reasonable observer to be violating reasonable boundaries.
- Engage in any behaviour that goes against (or appears to go against) the organisation's mandate, policies or Code of Conduct to Protect Children, regardless of whether they are serving the organisation at that moment
- Conduct their own investigation into allegations or suspicions of inappropriate behaviour – it is an employee/volunteer's duty to report the matter to his/her supervisor or child welfare, not to investigate.

Ranges of Inappropriate Behaviour

It is important for all employees/volunteers to understand that behaviours, as they relate to the safety and protection of children, fall into a continuum.

On one end of the continuum are those behaviours that are unlawful. Unlawful behaviours are those that are criminal or that breach child welfare or related legislation, and include such things as child



abuse, sexual assault, sexual interference, invitation to sexual touching, sexual exploitation, procurement, luring, child pornography offences, corrupting morals, indecent acts, voyeurism, etc. Unlawful behaviours need to be reported to the child welfare agency and/or law enforcement for investigation.

This Code provides you with information about how to submit such a report.

At the other end of the continuum are those behaviours that are inappropriate but are of such a nature that it is believed they can be addressed and corrected through additional training, supervision, and monitoring. Inappropriate behaviour could range from one-time behaviours to multiple instances and could include behaviour that is repeated even after it has been brought to the attention of the employee. It includes such things as telling inappropriate jokes to or in earshot of a child, confiding in a child with personal stories and having unauthorized contact with a child outside of work duties. Inappropriate behaviour needs to be brought to the attention of management so it can be followed up formally and internally.

The organisation will determine if the behaviour is inappropriate and how it will be addressed. In the middle of the continuum are those behaviours that may either be unlawful or inappropriate, depending on the overall circumstances. Or it may be behaviour that is initially seen as behaviour that could be corrected through additional training, supervision and monitoring, but upon following up and learning more information, it is determined the behaviour is more serious and warrants a formal investigation.

For example, one instance of grooming behaviour may initially be seen as inappropriate, but of such a nature that it can be dealt with internally. However, upon following up on the behaviour and learning more about the overall circumstances and any prior inappropriate behaviour, the behaviour may be elevated to something that warrants a report to the child welfare agency. **Consider the following hypothetical example:**

A report is submitted internally about an employee/volunteer exchanging unauthorized emails with a child outside of his/her work duties. The initial information indicates that the emails are of a general nature. After the organisation follows up, it learns that some of the emails were sexual in nature, and it learns that the employee/volunteer has exhibited other inappropriate behaviour that had not been reported previously. Each instance of inappropriate behaviour, if considered separately and without context of the other behaviours, might be characterized as something in the nature of “poor judgment” that is capable of correction. However, once all behaviours are considered in context with each other, it may be sufficient to warrant a report being made to the child welfare agency, law enforcement or the licensing body for the individual.

For the protection of children in our care, all instances of inappropriate behaviour will be followed up on. Behaviours of concern will be reported to the child welfare agency, law enforcement or the licensing body for the individual for further investigation whenever we deem such action to be warranted.

What Constitutes Inappropriate Behaviour



Inappropriate behaviour will not be tolerated, especially as it relates to the well-being of the children involved in activities or programs delivered by the organisation.

Inappropriate behaviour falls on a continuum, as noted in the section above headed “Ranges of Behaviour.”

Behaviour considered inappropriate is that which may be seen by a reasonable observer to be violating reasonable boundaries, and includes, but is not limited to, the following:

1. Communication that goes beyond the employee/volunteer’s responsibilities with the child and/or does not occur within the context of their duties and responsibilities.

For example:

- Making personal phone calls to a child and/or one or more members of the child’s family
- Having personal electronic or cell phone exchanges with a child and/or one or more members of the child’s family (email, text message, instant message, online chats, social networking (including “friending”), etc.), regardless of who initiated the exchange
- Writing personal letters to a child or one or more members of the child’s family
- Excessive communication (online or offline) with a child or the child’s family

You must report all communication with a child or his/her family that occurs outside the workplace. This enables the organisation to ensure any such communication is appropriate and within reasonable boundaries, and will help to identify any problematic situations.

2. Spending time with a child or the child’s family outside of designated work times and activities, especially if this is not known to your supervisor and the child’s parents. You must report to your supervisor all contact with a child or the child’s family outside of designated work times and activities BEFORE the contact occurs.
3. Favouring one or more children to the exclusion of others (for example, paying a lot of attention to, giving or sending personalized gifts*, or allowing privileges that are excessive, unwarranted or inappropriate).

*Note: It is not inappropriate behaviour to give a contextually appropriate thank-you card, birthday card, seasonal card, or other nominal gift to the child, where such a gesture would be considered reasonable under the circumstances, provided that all gestures taken together are not excessive in number and that such exchanges are carried out within a work context, in the presence of other adults and with the full knowledge and consent of the organisation.

4. Using a personal cell phone, camera or video to take pictures of a child, or allowing any other person to do so, as well as uploading or copying any pictures you may have taken of a child to the Internet or any personal storage device. Pictures taken in a work related setting, with prior written consent from the parent/guardian, and in circumstances in which the parent/ guardian and your supervisor approved that pictures can be taken may be permissible provided the organisation has approved the activity in advance and has put procedures in place to ensure



the pictures will be stored in a location only accessible to those with a need to access and removed when no longer required for the purpose for which they were taken.

5. Offering or providing rides to a child in your personal vehicle, or in the organisation's vehicle, except when your supervisor is aware of and has approved it and express parental consent has been granted, or in emergency situations. You must report all rides you give to a child, whether in your own vehicle or in the organisation vehicle, to your supervisor.

In addition to the foregoing, the following behaviour is considered serious and may trigger a report to child welfare in addition to any other internal disciplinary procedures including termination with or without cause:

6. Telling sexual jokes to a child or making comments to a child that are in any way suggestive, explicit or personal.
7. Showing a child material that is sexual in nature, including signs, cartoons, graphic novels, calendars, literature, photographs, and screensavers, displaying or keeping such material in a location where it is reasonably possible that a child may see it, or making such material available to a child
8. Physically or emotionally harming a child
9. Intimidating or threatening a child
10. Making fun of a child

Whether or not a particular behavior or action constitutes inappropriate behaviour will be a matter determined by the organisation having regard to all of the circumstances, including past behaviour, and allegations or suspicions related to such behaviour.

Reporting Requirements

All employees and volunteers must report unlawful behaviour to police/child welfare and inappropriate behaviour or incidents to their supervisor. This requirement applies not only to behaviour or incidents that you personally witness, but also to those that you hear about.

Adults often worry that they may be overreacting and misreading a situation, and this may cause them to minimize concerning behaviour they witness or hear about. There is also a fear of damaging a working relationship by raising a concern about a work colleague. It can be hard to believe that someone you work with or someone you met through your work duties could harm a child, and it can be tempting to downplay a transgression in the hopes it will not be repeated.

Failure to report the aforementioned concerns may lead to disciplinary measures including termination with or without cause:

Keep in mind that the focus always must be on the behaviour, not the person.

A person's character or their position in the organisation has nothing to do with whether that person's behaviour is appropriate or inappropriate in a given situation. It cannot be about whether you are



“right” or “wrong,” it must be about doing the best you can to identify behaviour of concern so it can be dealt with appropriately.

Specific Categories of Reporting Incidents

Categories of incidents that need to be addressed by staff/volunteer under this Code of Conduct to Protect Children include the following:

1. Reports of unlawful behaviour from a child involving an employee/volunteer of the organisation or a Third Party. Disclosures or allegations of unlawful behaviour reported to an employee by a child regarding either:
 - a. another employee /volunteer of the organisation; or
 - b. someone other than an employee/volunteer of the organisation (e.g. parent, teacher, babysitter, coach);

must be reported to child welfare and/or police in accordance with the Reporting and Documenting Complaints Policy re: Potentially Unlawful Behaviour.

2. Unlawful Behaviour Witnessed by an employee/volunteer of the organisation. Any incident of alleged unlawful behaviour either:
 - a. witnessed by an employee/volunteer regarding another employee/volunteer of the organisation; or
 - b. witnessed by an employee/volunteer regarding someone other than an employee/volunteer of the organisation (e.g. parent);

must be reported to child welfare and/or police in accordance with the Reporting and Documenting Complaints Policy re: Unlawful Behaviour. NOTE: If you do not know the identity of the child, take steps to find out who the child is– depending on the situation, steps may need to be taken to protect that child from additional harm, the child may need to make a statement to police, etc.

Note: If you are a witness to abuse in progress, it is expected that in addition to reporting what you see, you will also do what you reasonably can to stop or disrupt the interaction. The steps may vary according to what you are witnessing and what personal safety considerations may exist for you and/or the child being abused. If you do not feel you can intervene safely, you should immediately get additional help, whether by calling the police, involving other employees, etc.

3. Inappropriate Behaviour Involving a Centre Employee/Volunteer. Inappropriate behaviour that is either:
 - a. reported to the employee/volunteer by a child or third party regarding another employee/volunteer of the organisation; or
 - b. witnessed by the employee/volunteer and involving another employee/volunteer;

must be reported to the organisation in accordance with the Reporting and Documenting Complaints Policy re: Inappropriate Behaviour. In addition to reporting, if you witness the inappropriate behaviour



you should take steps that can safely be taken to stop or disrupt the interaction, as outlined in #2 above.

4. Inappropriate Behaviour Involving Third Parties. Inappropriate behaviour that is either:
 - a. reported to the employee/volunteer by a child or third party regarding a third party; or
 - b. witnessed by the employee/volunteer and involving a third party;

must be reported to the organisation in accordance with the Reporting and Documenting Complaints Policy re: Inappropriate Behaviour. In addition to reporting, if you witness the inappropriate behaviour you should take steps that can safely be taken to stop or disrupt the interaction, as outlined in #2 above.

IMPORTANT NOTE: If you are not sure whether the issue you have witnessed or heard about involves unlawful behaviour, or inappropriate behaviour, discuss the issue with your supervisor who will guide you through the process.

Remember: You have an independent duty to report all unlawful behaviour directly to child welfare.

Consequences of Failing to Adhere to this Code of Conduct to Protect Children

Depending on the circumstances, failure to adhere to the Code of Conduct to Protect Children by an employee/volunteer may result in:

- follow-up by the organisation to (1) gather information about what happened and (2) determine what, if any, disciplinary action is required; and/or
- a report to child welfare or law enforcement (or both).

Consequences, disciplinary or corrective actions will be as determined by the CEO and will be based on the nature and severity of the incident, as well as information learned during follow-up, and any past behaviour of concern.

If, in following up on a concern, we believe the behaviour exhibited by an employee, volunteer or a third party may constitute unlawful behavior we will report the behaviour to child welfare and possibly law enforcement.

In addition, in circumstances where multiple behaviours are reported, where inappropriate behaviour is recurring, or where one instance of inappropriate behaviour is of serious concern, the organisation may refer the matter to child welfare, law enforcement or the employee's licensing body for investigation.

Failure to adhere to the Code of Conduct to Protect Children by any employee/volunteer will result in follow-up to look into the situation and disciplinary action if necessary. Appropriate consequences/disciplinary actions are to be determined by the CEO, and will be based on the nature and severity of the incident. Disciplinary action may include termination with or without cause.



5.02.02 CRISIS RESPONSE

Reporting and Documenting Complaints: Potentially Unlawful Behaviour

POLICY

All children have the right to a safe and respectful environment that is free from child sexual abuse and/or inappropriate conduct. Any abusive or unlawful act committed by an employee/volunteer will not be tolerated and will be reported to child welfare and/or law enforcement as applicable. Any employee/volunteer engaging in such acts will be subject to a range of disciplinary procedures, up to and including dismissal. Similarly, employees/volunteers who are aware of breaches of the Code of Conduct to Protect Children, but fail to take appropriate action, may be subject to discipline.

Sistema Toronto Academy is committed to:

- Ensuring that prompt action is taken regarding disclosures, allegations, or suspicions of child abuse (and reporting to a child welfare and/or law enforcement agency and/or parents as required by law and as deemed necessary for the protection of children).
- Ensuring we create an environment that encourages disclosures, allegations, or suspicions to be reported.
- Treating all disclosures, allegations, or suspicions as confidential.

PARAMETERS

This policy applies to all employees/volunteers of Sistema Toronto Academy, including full-time, part-time, contract, temporary, or casual employees.

Employees/volunteers are required to immediately report all disclosures, allegations, suspicions, or indicators of child abuse, regardless of source or content.

Employees/volunteers are required to promptly report the following matters under this policy:

1. Reports of Unlawful Behaviour from a Child Involving an Employee/Volunteer of Sistema Toronto Academy or a Third Party. All disclosures, allegations, or suspicions of unlawful behaviour towards a child reported to an employee by a child regarding either:
 - a. another employee/volunteer of Sistema Toronto Academy; or
 - b. someone other than an employee/volunteer of Sistema Toronto Academy (e.g. parent).
2. Unlawful Behaviour Witnessed by a Sistema Toronto Academy Employee/Volunteer. Any incident of alleged unlawful behaviour, either:
 - a. witnessed by an employee/volunteer regarding another employee/volunteer of Sistema Toronto Academy; or



b. witnessed by an employee/volunteer regarding someone other than Sistema Toronto Academy employee/volunteer (e.g. parent).

3. Reports of Unlawful Behaviour from a Third Party Involving an Employee/Volunteer of Sistema Toronto Academy or a Third Party. Any alleged unlawful behaviour, either:

a. reported to an employee by a third party and regarding another employee/volunteer of Sistema Toronto Academy; or

b. reported to an employee by a third party regarding someone other than a Sistema Toronto Academy employee/volunteer (e.g. parent).

The above reporting obligations apply whether the child involved is a participant in a program of our organisation or not. NOTE: If you do not know the identity of the child, take steps to find out who the child is— depending on the situation, steps may need to be taken to protect that child from additional harm, the child may need to make a statement to police, etc.

REPORTING REQUIREMENTS

An employee/volunteer has an independent legal obligation to report unlawful behaviour to child welfare and/or law enforcement.

Under this policy, an employee/volunteer is also required to report unlawful behaviour to his/her supervisor, who is then obligated to report it to the CEO or COO.

PROCEDURES

Employees/volunteers:

1. If a child is the one conveying the information:
 - a. Treat the disclosure/allegation seriously and reassure the child.
 - b. Document the disclosure/allegation on an Incident Report (which can take the form of email or the physical form).
2. If you witness something:
 - a. Do what you can to stop or interrupt the behaviour or situation causing the concern, to the extent you are able to do so without unreasonably jeopardizing your safety or the safety of the child involved. The steps you may be able to take will vary depending upon the situation and the safety concerns that may be applicable.
 - b. If you do not know the child or adult involved, take reasonable steps to identify the party you do not know and/or to note any identifiable features that may help to identify him/her.
 - c. Document what you have seen and what you may have done to intervene on the Incident Report Form, including whatever information you may have about the identity of the child or adult involved.
3. If the information is being conveyed through another source (third party, another employee, another volunteer):



- a. Treat the information received seriously.
 - b. Document the information received from the reporting person, and any other information you have received on the Incident Report Form.
4. Notify your supervisor and report the matter to child welfare and/or law enforcement. A phone call to child welfare can be made by you on your own, or together with your supervisor.

Remember: the legal duty to report lies with the individual who witnessed the incident or received the disclosure, allegation, or other concern. Notifying your supervisor is for purposes of this policy only. It does not absolve an employee/volunteer of the legal obligation to report to Children's Aid Society (CAS).

5. Documentation:
- a. Supervisor is to document discussion with employee/volunteer on Incident Report.
 - b. Supervisor and employee/volunteer are to document discussion with CAS on an Incident Report.
6. The Supervisor must report the disclosure, allegation, or other concern above to the CEO or COO, and the individual receiving the information must report it to their supervisor (Centre Director) or directly to CEO or COO.
7. All employees/volunteers receiving the disclosure, allegation or other concern must keep the information confidential and in accordance with the confidentiality obligations set out at the end of this policy, and the obligations under the Policy on Communications with Employees About Unlawful Behaviour.
8. Leave the investigation up to the authorities mandated with this responsibility (child welfare and law enforcement). Do not investigate disclosures, allegations, or other concerns, and do not discuss them with others except as required to report the information or participate in a related investigation.
9. The CEO is tasked with:
- a. Consulting with legal counsel and/or an HR professional.
 - b. Following appropriate steps for Suspension or Dismissal.
 - c. Documenting the outcome.

OTHER MATTERS OF NOTE

Interference with the conduct of an investigation

A threat or promise made to discourage a disclosure, the filing of an allegation or the reporting of a concern, or any interference with the conduct of an investigation, including an attempt to have a disclosure, allegation or other concern withdrawn, is strictly prohibited and will result in disciplinary action.

Confidentiality:



All disclosures, allegations and other concerns will be handled in confidence. We will not disclose the identity of any parties involved, or the circumstances of the disclosure, allegation, or concern, except where necessary for the purpose of investigative or corrective action, where required by law, or for the protection of individuals. Similarly, employees/volunteers interviewed as part of an investigation or follow-up under this policy shall treat all information in a confidential manner. An employee/volunteer who breaches confidentiality may be subject to discipline.

A copy of the documented incident shall be placed in the accused employee/volunteer's human resource file. Any identifying information about the child victim or reporting person shall be removed from this copy. A generic letter shall also be placed in the file that indicates the alleged offence, how it was handled and any follow-up that was completed.

5.02.03 REPORTING AND DOCUMENTING COMPLAINTS: INAPPROPRIATE BEHAVIOUR

POLICY

All children have the right to a safe and respectful environment that is free from inappropriate conduct. Any conduct of an employee/volunteer that violates the Code of Conduct to Protect Children will not be tolerated. Any employee/volunteer engaging in such conduct will be subject to a range of disciplinary procedures up to and including dismissal. Similarly, employees/volunteers who are aware of breaches of the Code of Conduct to Protect Children, but fail to report the information and take other appropriate action as reasonable in the circumstances, may be subject to discipline.

Sistema Toronto Academy is committed to:

- Ensuring that prompt action is taken in regard to allegations or suspicions of inappropriate behaviour.
- Ensuring we create an environment that encourages reporting.
- Treating all allegations or suspicions of inappropriate behaviour as confidential.

PARAMETERS

This policy applies to all employees/volunteers of Sistema Toronto Academy including full-time, part-time, contract, temporary, or casual employees.

Our policies and procedures, and the Code of Conduct to Protect Children, defines inappropriate behaviour. Employees/volunteers are required to immediately report all inappropriate behaviour they witness or allegations or suspicions of inappropriate behaviour they learn about. If you are in doubt as to whether a behaviour is inappropriate, you must report the behaviour to your Supervisor to enable the Supervisor to make an assessment.



PROCEDURES

Employees/volunteers:

1. If the child is the one conveying the information about inappropriate behaviour:
 - a. Treat the information seriously and reassure the child (if appropriate).
 - b. Report immediately to your Supervisor.
 - c. Document the information provided on the Incident Report Form.
2. If you witness something that you believe may be inappropriate behaviour:
 - a. Do what you can to stop or interrupt the behaviour or situation causing the concern, to the extent you are able to do so without unreasonably jeopardizing your safety or the safety of the child involved. If you do not know the child or adult involved, take reasonable steps to identify the party you do not know and/or to note any identifiable features that may help to identify him/her.
 - b. Report immediately to your Supervisor.
 - c. Document what you have witnessed and what steps (if any) you took to stop or interrupt the behaviour on an Incident Report Form.
3. If the information is being conveyed through another source (third party, another employee, another volunteer):
 - a. Treat the information seriously.
 - b. Document the information you have received on the Incident Report Form.
4. Keep the information confidential.
5. Do not attempt to determine the accuracy of the information. A process of information gathering will ensue once your Supervisor is made aware of the information or concern.

Supervisor:

1. Consult with the CEO or COO and determine whether follow-up on the concern is warranted.
 - a. Document determination on Incident Report Form.

CEO or COO will:

1. Meet with an employee/volunteer who allegedly behaved inappropriately to discuss the information received.
 - a. Tell the employee/volunteer about the information received without disclosing the source (wherever possible).
 - b. Ask the employee/volunteer to share his/her version of events.
 - c. Document the discussion on Incident.
2. Seek legal counsel and/or consult with an HR professional.
3. If applicable, communicate any decision made regarding discipline/Suspension/Dismissal.
4. Document the outcome and keep record in employee's file.

OTHER MATTERS OF NOTE

Interference with the Conduct of an Internal Inquiry into Inappropriate Behaviour:



A threat or promise made to discourage the reporting of information about inappropriate behaviour in accordance with this policy, or any interference with the organisation's follow-up discussions regarding information received about inappropriate behaviour, including an attempt to have any such information withdrawn, is strictly prohibited and will result in disciplinary action.

Confidentiality:

All information related to inappropriate behaviour will be handled in confidence. We will not disclose the identity of any parties involved, or the circumstances, except where necessary for the purpose of follow-up or corrective action, where required by law, or for the protection of individuals. Similarly, employees/volunteers interviewed as part of the follow-up process shall treat all information in a confidential manner. An employee/volunteer who breaches confidentiality may be subject to discipline.

A copy of the documented incident shall be placed in the accused employee/volunteer's human resource file and parents shall be alerted where appropriate and/or necessary pursuant to existing laws and/or information shall be shared with a child welfare organisation. Any identifying information about the child victim or reporting person shall be removed from this copy. A generic letter shall also be placed in the file that indicates the alleged offence, how it was handled and any follow-up that was completed.

5.02.04 COMMUNICATION WITH EMPLOYEES/VOLUNTEERS

POLICY

All information regarding disclosures, allegations and related concerns, as well as any disciplinary action taken as a result thereof, is confidential. Circulation of any such information, whether correct or incorrect, can have serious consequences for all parties involved, and can result in legal liability to the organisation and to the individual who came forward or who circulated the information. The organisation shall carefully manage all communication during formal child welfare investigations as well as during internal follow-up activities to reduce unnecessary exposure, trauma and misrepresentations. Employees will be informed on a need-to-know basis.

PROCEDURES

For those employees/volunteers who have knowledge of the disclosure, allegation and/or any related concerns, the CEO, or COO may share the following:

1. Reassure employees/volunteers that standard organisational procedures are being followed with the employee/volunteer in question. Reiterate the expectation of confidentiality. Ensure it is understood that any information that is part of a child welfare and/or law enforcement agency investigation is confidential and should not be discussed among employees. Leaking out information/details can compromise both child welfare and criminal investigations.



Toronto

2. Remind employees to be mindful not to risk defamation of character by talking about the employee/volunteer or the child, or making public assumptions or judgments about anyone involved.
3. Reassure employees/volunteers that a fair process is ensuing.

Note: There may be times when it is alleged that an employee/volunteer sexually abused a child and the ensuing investigation by the appropriate authorities either determines that:

- The investigation is inconclusive and/or there is insufficient evidence to support the laying of criminal charges or formal action under child welfare legislation; or
- The allegation was false

5.02.05 COMMUNICATIONS WITH PARENTS: POTENTIAL UNLAWFUL BEHAVIOUR

POLICY

When a report has been made to a child welfare and/or law enforcement agency, we shall consult with the agency about how the organisation can support the child and communicate with the family.

PROCEDURES

The CEO or COO will:

1. Consult with the child welfare and/or law enforcement agency and carefully consider the information communicated to parents: where, when, how, and by whom.
2. Meet with the parents with another member of the organisation present (supervisor, manager, etc.).
3. Relay information to parents about the steps that will be carried out during the investigation and assure them that the organisation will not permit the suspected individual to be in contact with their child or other children in the organisation's care while the investigation is ongoing.
4. Keep parents informed about the resources available to assist them.

5.02.06 COMMUNICATIONS WITH PARENTS: INAPPROPRIATE BEHAVIOUR

POLICY

When a report has been made to a child welfare and/or law enforcement agency, we shall consult with the agency about how the organisation can support the child and communicate with the family.



PROCEDURES

The CEO or COO will:

1. Meet with the parents with another member of the organisation present (supervisor, manager, etc.).
2. Relay information to parents about the steps that will be carried out to follow up on the matter.
3. Keep parents informed about the resources available to assist them.

5.03 EMERGENCY CONTACT INFORMATION

In case of an emergency where there is immediate risk to the personal safety or health of staff or students, the staff member witnessing the event should call 9-1-1.

If a staff member believes they have witnessed inappropriate behaviour, or believe that inappropriate behaviour has taken place related to child safety or child sexual assault they should call Children's Aid Society: 416-924-4646 this hotline is available 24 hours per day and 7 days per week.

In either of these cases the reporting staff member should report the incident or call to senior management as soon as possible.

CEO, Shawn Earle 647-627-3703
or COO, Andres Tucci Clarke 416-300-3411

Contacts above are also available for any emergency that does not fall into the categories listed above and can be reached outside of Sistema operating hours if necessary.

5.04 ETHICAL STANDARDS AND CODE OF CONDUCT FOR SISTEMA TORONTO ACADEMY TEACHERS

Each Sistema Toronto Academy teacher is required to read the contents of this policy.

SCOPE

The Code of Conduct is a specified list of professional behaviours expected of each Sistema Toronto teacher and built around continual commitment to students, parents, guardians, donors, colleagues, educational partners, other professionals, the environment and the public. ("our stakeholders").

INTRODUCTION



The *Ethical Standards for the Teaching Profession* represent a vision of professional practice. At the heart of a strong and effective teaching profession is a commitment to students and their learning. Members of Sistema Toronto Academy, in their position of trust, demonstrate responsibility in their relationships with our stakeholders.

PURPOSE

The Purposes of the Ethical Standards for the Teaching Profession are:

- to inspire members to reflect and uphold the honour and dignity of the teaching profession
- to identify the ethical responsibilities and commitments in the teaching profession
- to guide ethical decisions and actions in the teaching profession
- to promote public trust and confidence in the teaching profession.

RESPONSIBILITIES

Care

The ethical standard of *Care* includes compassion, acceptance, interest and insight for developing students' social and musical potential. Members express their commitment to students' well-being and learning through positive influence, professional judgment, positive modeling and empathy in practice.

Respect

Intrinsic to the ethical standard of *Respect* are trust and fair-mindedness. Members honour human dignity, emotional wellness and cognitive development. In their professional practice, they model respect for spiritual and cultural values, social justice, confidentiality, freedom, democracy and the environment.

Trust

The ethical standard of *Trust* embodies fairness, openness and honesty. Members' professional relationships with students, colleagues, parents, guardians and the public are based on trust.

Integrity

Honesty, reliability and moral action are embodied in the ethical standard of *Integrity*. Continual reflection assists members in exercising integrity in their professional commitments and responsibilities.

CODE OF CONDUCT

All contact that teachers have with students has the potential to influence their values and behaviour. Teachers' conduct also has an effect on how Sistema Toronto Academy is viewed. The



recommendations below are not exhaustive and should be used as a baseline for conduct, not a maximum.

Commitment to Students and Families

The teacher shall:

- conduct the relationship with students and families in a professional manner;
- familiarize him/herself with all provided and stated procedures, protocols and practices related to preserving the safety of the children at all times within the Sistema Toronto program. Safety of the students is the highest priority and includes but is not limited to all measures and practices taken to enhance, support and preserve the life, mental, emotional and physical health, and bodily integrity of our students;
- respect the personal integrity and privacy of students unless the law requires disclosure;
- clearly communicate the expectations of the program;
- encourage, guide and develop the social as well as the musical potential of each student;
- treat each student with the same dignity and respect, without discrimination of any kind;
- promote recognition and acceptance of, and sensitivity toward, ethno-cultural diversity are expectations of and within the Sistema Toronto community;
- help students work to their full potential and develop their self-worth;
- maintain consistent standards of behaviour for all students;
- demonstrate care and commitment to academic excellence and a safe teaching and learning environment.

Professional Image and Conduct

Sistema Toronto Academy employees have a direct impact on the perceptions and satisfaction of our donors, students, families, visitors and colleagues. Our stakeholders have high expectations of us as professionals in a not-for-profit organisation. One way we can meet these expectations is to present a professional appearance, demonstrating our respect and concern for the people we serve.

- While there is no dress code for teachers, they are always expected to dress appropriately for any Sistema Toronto Academy class, event or activity.
- Teachers shall never swear at students or use derogatory terms to or about them for any reason, or under any circumstances.
- Teachers shall never hit young people, and must restrain from using force unless it is necessary to restrain a young person for their own protection or for your own or others' protection.
- Teachers must inform management if they witness actions or behaviour by youth members or colleagues that is inappropriate.
- Teachers shall not smoke or consume alcohol in the presence of the students.
- Teachers shall not engage in intimate relationships with their students.
- In the case of a complaint by either a youth or a teacher of sexual impropriety, Sistema Toronto Academy management will conduct a full investigation and ensure the board are involved at all times, in which case the teacher may be suspended pending the outcome of the investigation.



Commitment to Colleagues—The teacher shall maintain a professional attitude and shall act with integrity in regard to colleagues in the profession.

- The teacher shall respect the reputation of colleagues and shall refrain from making false or malicious statements about colleagues.
- The teacher shall refrain from disclosing sensitive information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.
- The teacher shall communicate regularly and meaningfully with all members of the Sistema Toronto Academy teaching community.
- The teacher shall accept that all members of the Sistema Toronto Academy teaching community are to be treated with respect and dignity, especially persons in positions of authority.

Contact with the media and/or the general public

If a teacher is approached by the press or a member of the public regarding an incident, procedures or security they shall not comment but refer them to Sistema Toronto Academy management.

Commitment to Society—The teacher shall maintain the highest standard of professional conduct and personal integrity in all conduct, communications including social media.

- The teacher shall accurately represent his/her professional qualifications.
- The teacher shall strive for continued growth in professional competencies.
- The teacher is encouraged to be a positive resource in the community.
- The teacher shall empower students to be positive leaders in their community.

Respect, Civility, and Responsible Citizenship

All teachers and members of the Sistema Toronto Academy community is expected to be committed to the following:

- respect and comply with all applicable federal, provincial, and municipal laws;
- always demonstrate honesty and integrity;
- respect and treat others fairly and promote a positive school climate that is inclusive and accepting of all pupils, including of any race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability
- respect differences in people, their ideas, and their opinions;
- treat one another with dignity and respect at all times, and especially when there is disagreement;
- respect the rights of others;
- show proper care and regard for property of the Sistema Toronto Academy and the property of others;
- take appropriate measures to help those in need;



Toronto

- seek assistance from a member of the Sistema Toronto staff, if necessary, to resolve conflict peacefully;
- avoid conflicts of interest and immediately disclose and seek agreement from leadership should there be a potential conflict of interest be it actual or perceived
- be responsible, transparent, and accountable for their actions
- respect all members of the Sistema Toronto Academy community, especially affiliated with and/or involved in the operating activities of Sistema Toronto Academy;
- respect the need of others to work in an environment that is conducive to learning and teaching.

Standards of Behaviour – Safety

Under the code of conduct all teachers and members of the Sistema Toronto Academy community shall **not**:

- engage in bullying behaviours;
- commit sexual assault;
- traffic in weapons or illegal drugs;
- give alcohol to a minor;
- commit robbery;
- be in possession of any weapon, including firearms;
- use any object to threaten or intimidate another person;
- cause injury to any person with an object;
- swear at a student or another Sistema Toronto employee;
- be in possession of, or be under the influence of, or provide others with alcohol or illegal drugs;
- inflict or encourage others to inflict bodily harm on another person;
- engage in hate propaganda and/or other forms of behaviour motivated by hate or bias;
- commit an act of vandalism that causes extensive damage to Sistema Toronto property or to property located on the premises of the school being used by the Sistema Toronto.
- swear at students or use derogatory terms against them or in reference to them for any reason, or under any circumstances;
- make physical contact with a student unless it is to stop that student from harming themselves, another student, or teacher.
- Engage in any activity that may otherwise be considered contrary to the principles and policy statements underpinning these standards

5.05 ETHICAL STANDARDS AND CODE OF CONDUCT FOR SISTEMA TORONTO ACADEMY VOLUNTEERS

Each Sistema Toronto Academy volunteer (including Board Members) is required to read the contents of this policy.

SCOPE



The Code of Conduct is a specified list of professional behaviours expected of each Sistema Toronto Academy volunteer and built around continual commitment to students, parents, colleagues and the community.

INTRODUCTION

The definition of a Volunteer is a person working for the benefit of other individuals and society as a whole, out of free will and without expecting any financial reward for these efforts. The desire of individuals to share the gift of “selfless giving”, together with the ever-increasing gaps in society, make voluntary work a worthy framework within which personal needs may be fulfilled in an environment shaped by an age-old tradition that symbolizes all that is good in human interaction.

PURPOSE

Society constitutes the framework within which individuals may fulfill themselves. In joining the world of voluntary work, volunteers express a personal, human, honest commitment, a fundamental and essential element that enables the act of volunteering. This commits volunteers to a series of obligations through the contract between them and their organisations. Without these obligations, the contract is devoid of its mutual nature.

RESPONSIBILITIES

Volunteer Work is defined as contributing time, services, expertise, knowledge, prestige and/or personal connections, for a mutually agreed period, directly or indirectly, for the benefit of individuals known or unknown alike organisations, foundations and societies, community and/or the environment.

- Volunteers must possess a sense of commitment and loyalty toward the organisation.
- Volunteers must conduct themselves according to the rules prescribed by the organisation to regulate the process of volunteering.
- Volunteers must act in accordance with the organisation’s goals.
- Volunteers must protect the organisation’s good standing.
- Volunteers must respect the organisation’s property.
- Volunteers must respect and follow the organisation’s code of regulations, its rules, norms and accepted manners of conduct, as well as all other organisational demands.
- Volunteers must aspire to excellence in the tasks they take upon themselves.
- Volunteers must constantly strive to improve the skills required for their work by participating in personal and group training programs.
- Volunteers must report in advance any change in their conditions of volunteering.

CODE OF CONDUCT

Confidentiality



Volunteers hereby agree not to disclose any confidential information acquired while volunteering, whether written or verbal, to any persons, authorities or organisations, unless specifically instructed to do so by functionaries in charge of confidentiality issues with their organisation, or unless so required by a legal order. In this clause, information refers to:

- Information concerning the organisation, its paid or voluntary workers, its financial resources or donors.
- Information regarding the organisation's stakeholders.

Refusal to Accept Benefits

Volunteers pledge not to receive benefits in any form from the organisation's stakeholders or any other persons.

Avoiding a Conflict of Interests

Volunteers pledge to avoid a conflict of interests and to notify the organisation of any such conflict existing between their activities, positions within the organisation, or their association with it, and all other activities in which they engage.

Reporting Relevant Issues

Volunteers must notify their volunteer manager of any issue that might affect their ability to perform their functions (health or other factors) or cause harm to themselves or others, as soon as possible and before the commencement of the voluntary work.

Reporting Unethical Organisational Behaviour

Volunteers must report organisational behaviour that fails to comply with ethical criteria, including unlawful conduct (of directors, paid workers or other volunteers), using the organisation's proper channels, or any other legal means.

Obligations Toward Stakeholders

Volunteers must respect stakeholders, treat them in a dignified, responsible, patient and tolerant manner, refrain from discriminating or biased treatment of stakeholders, and respect individual differences.

5.06 CONFIDENTIAL ORGANISATION AND STAKEHOLDER INFORMATION

The Confidentiality Policy defines and describes the management of confidential information for all employees of Sistema Toronto Academy. We believe that organisation and proprietary information and



all information relating to Sistema Toronto Academy employees and stakeholders are confidential, and every safeguard should be taken to ensure information is kept confidential. This policy further outlines our commitments to our employees and stakeholders how we will handle this information.

Protecting the privacy and confidentiality of personal information is an important aspect of the way Sistema Toronto Academy conducts its business. Collecting, using, and disclosing personal information in an appropriate, responsible, and ethical manner is fundamental to Sistema Toronto Academy's daily operations.

SCOPE

Our organisation relies upon employees and business partners to properly develop, maintain, and operate our systems, networks, and processes which keep our sensitive information safe and properly used. This means that every person and organisation handling our information has the responsibility to keep information safe, no matter where the information is located. This includes computing systems, networks, paper copies, business processes, and verbal transmission of information.

POLICY

Organisation Confidential information

Sistema Toronto Academy requires all employees to handle all personal and business information regarding confidential materials, intellectual and proprietary property, pending business transactions and sales, partnerships, supplier pricing, IT information, access and processes as well as personal, personnel and student/family information gained through the course of their regular job duties in a confidential and appropriate manner.

Employees agree that if confidential information is not effectively protected, the operations and reputation of Sistema Toronto Academy may be threatened and may suffer irreparably.

All employees shall keep confidential and shall not, during the continuance of their employment or any time after the termination thereof, without the express written consent of Sistema Toronto Academy, disclose to any person or organisation any confidential information of Sistema Toronto Academy or its partners to which an employee may have acquired during employment or partnership.

Failure to adhere to this policy may result in disciplinary action up to and including termination of employment.

Stakeholder Information

In accordance with the Privacy Act and PIPEDA (Personal Information Protection and Electronic Documents Act), Sistema Toronto Academy requires all employees to handle sensitive personal student/family information in a confidential and appropriate manner. It is understood that employees of Sistema Toronto Academy will become aware of confidential information regarding our stakeholders



through the course of their employment. Employees agree that if confidential information is not effectively protected, the operations of Sistema Toronto Academy may be threatened, and the well-being and privacy of our stakeholders may suffer irreparably. The rules by which information is handled are determined by the regulations, business requirements, and organisation commitments relating to that type of information. Only the information required to achieve the desired business outcome will be collected and will remain confidential.

Every employee, vendor, contractor, supplier or vendor, agent or representative of our organisation must be aware of the significance of the information being handled and ensure that proper controls are applied to prevent copying, disclosure, or other misuse of the information.

Employees are required to keep all confidential information, both about the organisation and our stakeholders, confidential both during and after their term of employment. Employees shall not divulge, disclose, provide or disseminate confidential or private information to any third party not employed by Sistema Toronto Academy at any time, unless Sistema Toronto Academy gives written authorization.

Return of Organisation Property

You agree that all confidential and proprietary information of Sistema Toronto Academy, which includes, but not limited to files, confidential information, spreadsheets, proprietary information, student/family information and other documents or papers (and all copies thereof) relating to the organisation, including such items stored in computer memories, computer disks or by any other means, made or compiled by or on your behalf during your employment, or made available to you relating to the organisation or any affiliate of the organisation, shall remain the property of the organisation, and shall be delivered, along with any copies thereof, to the organisation promptly upon the termination of your employment with the organisation for any reason whatsoever or at any other time upon request and you confirm that you shall not keep any reproductions thereof.

Consequences

Failure to adhere to this policy may result in disciplinary action up to and including termination of employment.

5.07 DRESS CODE AND HYGIENE

Sistema Toronto Academy requires all employees to present themselves in a professional manner when representing the organisation. It is always important that the professional image of the organisation be maintained, as our employees' own presentation is a direct reflection of Sistema Toronto Academy. The purpose of this policy is to outline our expectations for employee attire, personal hygiene and appearance.

Sistema Toronto Academy may at its discretion provide branded clothing (t-shirts, sweaters, etc) to employees. While employees are free to wear this clothing on a day to day basis, they should exercise good judgement (avoid locations that are not open to children eg. Clubs, Bars, or other 18+



environments). All employees wearing Sistema Toronto branded clothing are representatives of Sistema Toronto.

Attire

Sistema Toronto Academy is a professional organisation. Employees who may have in-person contact with students, donors, or the general public, whether on our site or when working outside the office are expected to present a professional appearance. We expect that employees will use appropriate judgement when selecting their work attire. Sistema Toronto recognises and encourages employees to dress comfortable and to express their individuality in their choices of attire within the broad guidelines outlined below.

Examples of clothing or representations that are not acceptable, include but are not limited to:

- Ripped or torn clothes;
- Clothing and/or tattoos that contain words or images that are racist, violent and/or clearly inappropriate; or advertisements for alcohol, tobacco, or cannabis related products.
- Dirty or unwashed clothes.

On occasion, management may request employees to dress in business casual or in business attire for a special event. In those cases, employees will dress according to the instructions.

Hygiene

Employees are expected to meet hygiene requirements during regular business hours for the duration of their employment.

- Maintain personal cleanliness and oral hygiene
- No scented perfumes, colognes and lotions. These can cause allergic reactions, migraines, and respiratory difficulty for some employees.
- Clean and trimmed fingernails.
- Wash hands after eating or using the restrooms.

Compliance

Departure from appropriate grooming, hygiene and attire standards will result in employee counselling and/or disciplinary action up to and including termination of employment.

Personal appearance standards may be reviewed periodically and updated as deemed necessary.

Questions pertaining to these guidelines, or the appropriateness of dress and/or hygiene on a given day should be directed to Management.



Some decisions regarding dress code and/or hygiene may have human rights considerations involved. Any such circumstance will be handled on a case by case basis, always with adherence to the applicable Human Rights legislation.

5.08 DRUGS AND ALCOHOL IN THE WORKPLACE

Sistema Toronto Academy recognises impairment as a serious health and safety issue in the workplace as it can reduce the abilities and judgement of employees. We also recognise that substance abuse and dependency are medical issues that certain employees may struggle with. Sistema Toronto Academy is therefore committed to:

1. Creating a safe and healthy workplace by prohibiting the unsafe use of drugs and alcohol in the workplace; and
2. Providing support to any employees with dependency issues.

DEFINITIONS

Medical Marijuana: Cannabis that is used for a medical purpose. The *Ontario Human Rights Code* “protects people who use cannabis for a medical purpose related to a disability from discriminatory treatment in employment”.

Substance Abuse: The *Code* also prohibits discrimination against people who have or are perceived to have an addiction to drugs or alcohol [including cannabis] based on the ground of disability.

POLICY

To protect our organisation, employees, students, and the public at large, Sistema Toronto Academy prohibits the use of any substances that lead to impairment such as drugs or alcohol, whether legal or illegal, while in the workplace or representing Sistema Toronto Academy, unless they have been authorized in writing for use by management for medical reasons or in special circumstances such as a organisation event.

Employees may not be impaired while working, whether on-site, off-site or while working from home. Employees who are unfit to report to work for any reason should notify their supervisor using their regular process. Safety is our number one priority at Sistema Toronto Academy.

Employees who fail to comply with this policy may face disciplinary action, including termination, or the involvement of the authorities, where necessary.

Safety Concerns with Machinery or Equipment

Driving or operating machinery, including work vehicles, while under the influence is also strictly prohibited.



Should an employee who operates machinery or equipment, including organisation vehicles, report to work and inform their supervisor/manager of their current state of impairment, their supervisor or manager is required to take immediate action, which may include sending the employee home in a taxicab or other commercial vehicle, and pursuing disciplinary action at a later date when the employee is no longer impaired.

Solicitation or Possession of Illegal Substances

Solicitation or possession of illegal substances within the workplace is strictly prohibited at all times. There are no exceptions to this rule.

Work Events

Certain work situations (work parties, events, etc.) may allow for consumption of legal substances. These exceptions to organisation policy will be communicated by management and employees will be expected to use appropriate judgement and reasonable consumption levels while in these situations.

Duty to Accommodate

Sistema Toronto Academy is committed to providing disability-related accommodation up to the point of undue hardship to employees who come forward with an addiction issue, or to employees who require cannabis for a medical purpose related to a disability under *Ontario's Human Rights Code*. Employees with substance abuse or dependency concerns are encouraged to share these challenges with their manager/supervisor so proper and appropriate accommodations can be organised. They may do so without fear of negative consequences. All employee medical information will be treated as confidential.

Medical Use of Cannabis

As per the *Ontario Human Rights Code*: "An employee can consume edible cannabis for a medical purpose related to a disability in an enclosed workplace, as long as it does not interfere with workplace health and safety or performing essential job duties."

In accordance with smoking and human rights laws:

- Employees may not smoke or vape cannabis for a medical purpose related to a disability in places where laws or rules prohibit smoking or vaping cannabis and tobacco for public health reasons. For example: "Ontario prohibits smoking or vaping cannabis for a recreational or medical purpose in an enclosed workplace".
- Where there is medical need to smoke or vape cannabis, Sistema Toronto Academy will allow an employee who smokes cannabis for a medical purpose to smoke outside in places where smoking is permitted by law.

Employee Responsibilities



Employees are responsible for following the procedures outlined in this policy:

- Informing their supervisor/manager in the event they are under medical care and require the use of a prescription drug which may impair their abilities
 - Employees are not to share their diagnosis or prognosis with the supervisor/manager; the information regarding their medication is precautionary only
- Employees must also inform their supervisor/manager in the event they arrive at work impaired
- If an employee should observe the suspected impairment of another employee, they have a responsibility for informing their supervisor/manager to ensure the health and safety of all others attending the workplace
- Using their judgement in the case of work events, either taking place off-site or at Sistema Toronto Academy's premises

Supervisor/Manager Responsibilities

First and foremost, where a manager or supervisor "observes or otherwise obtains knowledge of a worker's impairment that could give rise to a hazard in the workplace the supervisor is required to communicate this to any worker that may be in danger and to take every precaution reasonable in the circumstances for the protection of the worker(s)." (Ontario Ministry of Labour)

Supervisors/Managers are also responsible for:

- Informing employees about and enforcing the organisation's drug and alcohol policy
- Ensuring employees under their direct supervision are fit for work
- Alerting the authorities should an employee attempt to drive while under the influence of a legal or illegal substance
- Providing job accommodation to employees who require it
- Providing clear instructions to employees for special events such as organisation parties to ensure employees clearly understand what they are and are not allowed to do

Suspicion of Impairment

Sistema Toronto Academy will provide training to supervisors and workers on the impact of impairment and on how to recognise and respond to possible signs of impairment.

This includes the use of the Suspicion of Impairment checklist and then follow-up actions with the employee who is suspected of being impaired.

Follow-up actions may include:

- Ensuring that the employee is returned to their home
 - However, if the employee is impaired, Sistema Toronto Academy will not condone them using their own vehicle and will make arrangements for alternate transportation such as a taxi or an Uber
 - Should an employee insist on driving themselves, the authorities will be notified
- Scheduling a meeting with the employee at the workplace to discuss the impairment



- Inquiring about potential dependency/addiction

Additional actions may include drug and alcohol testing, administrative leaves or suspensions, and agreements for counselling as appropriate under human rights and employment legislation. Each situation will be assessed individually.

Drugs and alcohol reasonable suspicion checklist can be found here:

<https://drive.google.com/file/d/1Ka2lfONEUnbnvIZev9JzCeLpsFNGbUR/view?usp=sharing>

5.09 PERFORMANCE ASSESSMENT

Sistema Toronto Academy maintains a policy of assessing the performance of its staff on an annualised cyclical basis. The purpose of the performance assessment is to:

- discuss job responsibilities and evaluate success in meeting job requirements;
- discuss strengths and opportunities for development; and
- set standards and performance measures for the coming year.

The program includes the following elements:

- manage employees' professional and personal aspirations, their personal development and align them with the business needs of Sistema Toronto Academy;
- monitoring the performance of the employee during the review period (year);
- performance reviews at the end of the annual cycle.

Performance Objectives and Personal Development Plan

- At the beginning of each performance assessment year, each staff member should discuss their performance objectives with their manager.
- The results of these discussions should be documented and added to the employee's file.
- The purpose of the personal objectives and personal development plan is to align the personal career aspirations and skills development of the employee with the needs of Sistema Toronto Academy.
- Our performance reviews are conducted on an annual cycle or as often as the management team deems necessary.

Managers/leaders should provide concrete examples of the employee's performance to support the assessment scores.

The employee's performance will be evaluated throughout the period of employment. If necessary, Sistema Toronto Academy will administer and enforce disciplinary measures in accordance with the Progressive Discipline Policy, in the hope that the employee can be coached to make the necessary improvements.



5.10 PROGRESSIVE DISCIPLINE

Sistema Toronto Academy is committed to ensuring that the issuance of informal and formal discipline for employees is facilitated in a respectful manner and via an established process. Sistema Toronto Academy has created this progressive discipline policy to outline the steps that would be taken in the case the conduct or behaviour of an employee is worthy of or in need of correction.

This process is designed to alert employees to conduct or behaviours that have been deemed unacceptable and require correction. It is the goal of Sistema Toronto Academy that those responsible to facilitate the steps outlined in this policy do so with the aim of encouraging the employee to conduct themselves appropriately and satisfactorily. And our employees, in turn, will then take advantage of the opportunity. The Progressive Discipline Policy outlines the framework for addressing inappropriate behaviours within the workplace and ensuring a fair and consistent approach is in place to address situations quickly.

SCOPE

The terms of this policy apply to all employees of Sistema Toronto Academy. Those employees who are both subject to the terms of the policy as well as responsible for administering and facilitating the policy are expected to adhere to this policy's application as outlined (i.e. human resources, managers and supervisors).

POLICY

This policy outlines a fair and consistent approach to discipline within the workplace in the event that Sistema Toronto Academy sees conflicting behaviours in the desired workplace atmosphere. Sistema Toronto Academy is committed to addressing these situations promptly and appropriately following these guidelines. The policy applies to all employees of Sistema Toronto Academy and employees will be made aware of this policy at the time of hire.

Progressive Discipline Process

This process was designed to provide a step by step guideline to attempt to correct the conduct and behaviours of employees who do the following, but not limited to:

- Violate organisation policy;
- Violate health and safety rules and procedures, including workplace violence or harassment;
- Act in manner that is not acceptable or ought to have reasonably been known to be unacceptable;
- Serious performance concerns; or
- Serious infractions that may result in the employee receiving more severe discipline or be terminated with cause.

Progressive Discipline Steps



1. Counselling – Non-punitive¹
2. First Written Warning
3. Second Written Warning
4. Final Written Warning and Possible Suspension without Pay
5. Termination with Cause

Severity of Act and Corresponding Discipline

Not all improper conduct and behaviour is of the same severity. The discipline must suit the circumstance.

Certain actions, in isolation, will not warrant formal discipline. However, the culmination of similar actions may in fact result in discipline as per the terms of this policy. For example, an employee who is late one or two times over the course a few months may not warrant discipline. If the same employee was warned regarding their tardiness and was late a few more times over the next month, the employee may be subject to discipline.

On the other hand, a specific action may be considered relatively more severe than other improper actions worthy of discipline. In these cases, the employer reserves the right to issue a more severe discipline, as per the steps in this policy, or may terminate the employee (see Auto Termination section). For example, an employee is involved in an argument with another employee and punches the employee. The employer is obligated to respond accordingly which means providing an appropriate level of discipline. The employee may be disciplined at Steps 2, 3 or 4 of the process for this single incident, even though no formal discipline existed prior.

Supervisors and managers should consult with human resources before determining and issuing discipline to ensure the discipline provided suits the circumstances. Moreover, it is important to ensure consistency and equity in the issuance of discipline from one employee to another.

Documentation

In steps 2 to 5 of the progressive discipline process, a letter will be drafted by the employer, or representative, outlining the action that was the cause for the discipline, the disciplinary step taken, expectations the employee must meet to improve and the next step in the discipline process should further discipline be required. In stage 1, the letter should clearly indicate the disciplinary measure is non-punitive.

¹ *Note:* For Step 1 of this process, ‘Counselling,’ the progressive discipline issue to the employee is non-punitive. This stage is the first opportunity for the employer to make the employee aware of a concern, outline suggested remedies and encourage the employee to succeed. This stage should not be addressed as formal discipline.



This letter will be dated and signed by the employer. A copy will be provided to the employee receiving the discipline and a copy will be placed in the employees' personnel file. The letter will be removed from the employee's file 18 months after the date of issuance, provided the employee is free from further discipline in those 18 months. Upon each discipline, the 18-month time period begins anew for existing, active discipline on file.

Investigations

Wherever it deemed necessary, the employer will investigate incidents of misconduct or improper behaviour which may result in discipline. During the investigation the employer will make the choice to either keep the employee under investigation in the workplace as well as any other employees that may be victim to or associated with the incident. The employer reserves the right to temporarily move, transfer, or modify the workplace and/or duties of the employee under investigation if said modifications are required for health and safety reasons, the safety of any employee, or to ensure fairness in the investigation. In a case where the employee must be removed entirely from the workplace, the employer may suspend the employee with pay pending the outcome of the investigation. A suspension with pay and/or a modification to the employees' workplace or duties are non-punitive actions and in no way imply guilt.

Suspension Without Pay

In the case of a serious offence or when an employee reaches stage 4 in this process, 'Final Written Warning,' the employer reserves the right to suspend the employee without pay. All suspensions will be provided to the employee in writing, inclusive in the final written warning. Suspensions will last a duration of at least 1 business day but no longer than 3 days. Upon return to work from suspension, the employee will meet with the employer to outline the required steps to improve and again be made aware of the consequences if further discipline is required. The employer reserves the right to repeat this stage if it is determined that moving to the next step, termination with cause, is not warranted.

Termination with Cause²

In the case of an employee who has progressed through all the steps as outlined in this policy, the employer may terminate the employee with cause. The employer should outline the reasons for the termination and provide a summary of dates and prior disciplines which culminated into a termination. The employer reserves the right to terminate without cause.

² Adherence to the progressive discipline process by an employer provides for a just course of discipline and the opportunity for the employee to improve their conduct and behaviour. In doing so, the employer can make a strong case for the justification to terminate an employee with cause. However, it must be noted that a termination with cause is subject to scrutiny and/or review by third parties (i.e., the Ministry of Labour, Arbitrator, Court, etc.) and adhering to this policy does not guarantee that said third party will stipulate termination with cause was proper or merited.



Auto Termination³

At any point in the employment relationship, should the employee commit a serious act or violation, the employer may immediately proceed to termination with cause. The steps of this progressive process may not need to be followed. The employer reserves the right to terminate without cause. Examples of when immediate termination with cause may be just are as follows, but not limited to:

- Gross misconduct or insubordination;
- Sexual harassment;
- Discrimination, workplace violence or harassment;
- Theft;
- Misappropriation of funds;
- Falsification of records;
- Illegal, violent, or unsafe actions;
- Purposely slander, libel, or defame the organisation, including by using social media.

Responsibilities

Employees must:

- Ensure they understand and fulfill work expectations;
- Ask management for help in the event they do not understand what is expected of their performance in the workplace;
- Consistently act in a respectful manner towards colleagues, superiors, and stakeholders;
- Adhere to Sistema Toronto Academy's policies and procedures; and
- Follow all health and safety measures put in place within the workplace.

Managers

Managers must:

- Ensure employees are aware of all workplace expectations for conduct and performance;
- Manage employees effectively, providing ongoing and constructive feedback on work performance and workplace conduct;
- Ensure employees are aware of and then consistently enforce workplace policies and procedures;
- Follow and enforce the Progressive Discipline Policy with respect to employee performance and workplace concerns; and
- Maintain appropriate documentation for disciplinary actions.

³ Certain egregious employee behaviours or actions have traditionally provided just cause for immediate termination. However, it must be noted that a termination with cause is subject to scrutiny and/or review by third parties (i.e., the Ministry of Labour, Arbitrator, Court, etc.) and adhering to this policy does not guarantee that said third party will stipulate termination with cause was proper or merited.



Appeals

Where an employee feels they have been unfairly disciplined under the progressive discipline framework, they may appeal the decision within 30 days of the disciplinary meeting. Employees must provide solid evidence of the unfair disciplinary measures enacted or provide proof that the concern being disciplined for did not occur as described. Management will review all appeals within a timely manner and provide the employee with a written response to the appeal, including the outcome of the appeal.

5.11 SOCIAL MEDIA

Sistema Toronto Academy strives to maintain a positive image on our social media platforms. We are committed to preventing any harm to the organisation, its employees, students, communities, or other involved parties that can arise if social media channels are misused, misrepresented, or abused in any way. The purpose of this policy is to outline the expectations we have of our employees when it comes to social media use that is associated with our organisation.

DEFINITIONS

Social media means any online websites, communities or social networks that allow users to create and share content, opinions, interests, and other information such as Twitter, Instagram, Facebook, LinkedIn.

POLICY

Sistema Toronto Academy is very thoughtful about its branding. The organisation and its employees must work together to ensure Sistema Toronto Academy is represented in a positive manner on social media. As such, only designated representatives are permitted to speak on behalf of Sistema Toronto Academy on social media.

Employees who link themselves to Sistema Toronto Academy on social media by commenting on or about or liking or sharing information regarding Sistema Toronto Academy, must use professionalism and respect.

The following guidelines have been established to protect Sistema Toronto Academy, and must be adhered to by employees:

- The use of personal social media on organisation time is not permitted, unless on approved breaks or as a function of the employee's job duties.



Toronto

- Sistema Toronto Academy has a zero-tolerance policy for any form of discriminatory comments based on gender identity, race, age, religion, ethnicity, sexual orientation, disability, or any other legally recognised protected status.
- Sistema Toronto Academy has a zero-tolerance policy for online bullying or other threatening behaviour.
- Sensitive financial, operational, legal or student/family data or information is not permitted to be shared on social media.
- Employees must recognise that this policy applies to not only organisation directed social media actions but also personal use of social media in regards to anything that may harm or damage the organisation.
- Employees are encouraged to associate themselves to the organisation on social media but may not act as official representatives (or speak on its behalf) unless authorized by the organisation or management.
- The organisation's social media may not be used to promote personal blogs, websites, or services as this is a conflict of interest and is not permitted.
- Use common sense when posting. Where there is doubt about the appropriateness of a post and how it may be viewed by others, do not post it until the content has been approved by your manager or supervisor.
- If something inappropriate/ not permitted does get posted by you or someone else, immediately delete the post, if possible, and consult your manager/supervisor immediately in case further action is required to mitigate the situation.

Non-Compliance

Failure to adhere to the guidelines set out in this policy may result in disciplinary action, including termination.

5.12 USE OF TECHNOLOGY

Employees are expected to use organisation computers, email, technology and access the internet for employment purposes only. Employment purposes refers to duties required as outlined in the employment agreement, job description or as directed by the organisation. Limited, occasional or incidental use of the organisation's network for personal activities are acceptable, provided the privilege is not abused.

Employees may use organisation computers, technology and access the internet for appropriate personal use on designated breaks, lunch and off-work times. Any activity that reflects negatively on the organisation, poses a danger to the equipment, organisation, or others or conflicts with other organisation policies will not be permitted.

Restricted comments and/or behaviours may lead to discipline, up to and including termination, and could lead to criminal or civil action against an employee.



Employees are responsible for the use and security of the organisation computer, including email accounts, and/or technology assigned to them. Employees should use appropriate passwords and protections and ensure their computer is secured when unattended.

Restricted Use – organisation Computers, Email and Internet

Employees will refrain from:

- Any personal use during work time, including personal emails, unless otherwise authorized to do so.
- Accessing Internet sites which are deemed to be inappropriate will not be permitted to be accessed and will be subject to discipline. Examples include pornographic websites, blocked websites, potentially harmful websites, etc.
- Downloading files, music, videos, pictures, etc. not required for employment purposes.
- Conducting unapproved business for any alternate sources of employment, compensated or otherwise, or for any home-based business at any time.
- Installing or running security programs or utilities unless specifically instructed to do so.
- Allowing others who are not authorized users to access and utilize organisation equipment or software.

In addition, employees will adhere to the following guidelines:

- Organisation email must only be used for employment purposes. Emails will only be sent or received to and from people as required for employment purposes.
- Organisation email is subject to the Organisations' policies: *Workplace Violence, Harassment and Discrimination, Appropriate Workplace Conduct and Confidentiality*.
- If an inappropriate email or link is received, it must be deleted immediately, and the email must be reported if sent internally. If the email is forwarded the employee will be subject to appropriate discipline.
- Employees must comply with copyright and licensing restrictions on any information which has been downloaded or is protected by the Organisation.
- Employees are prohibited from using protected materials (copyright material, branding and/or logo(s) without prior express written permission.

Please note: The employer reserves the right to monitor employee Organisation emails and computer use, which includes internet use.

5.13 WORKING FROM HOME

Some employees of Sistema Toronto Academy participate in remote work or working from home arrangements. The intention of this policy is to outline parameters of working at home to ensure safety and success for both the employee and the organisation.

DEFINITIONS



Remote work means working from a home or from another location rather than being required to go to the physical workplace or the employer.

Intellectual property includes intangible creations of the human intellect such as copyrights, patents, trademarks, and trade secrets. For the purposes of this policy, it also refers to any content, project or idea created for the employer by an employee.

POLICY

Sistema Toronto Academy understands the unique challenges and benefits faced by the organisation and our employees when employees are working from home. Sistema Toronto Academy has safeguards in place to ensure the safety and well-being of our employees and the protection of organisation and student/family information.

Employees may only work from home with prior approval of their supervisor or manager.

Formal and/or Hybrid Working from Home Arrangements

Sistema Toronto Academy may provide the employee the option to either work from home full-time or work in a hybrid model, both from home and work. The opportunity provided by the employer is temporary and will be reviewed on a regular basis. In no way does a full-time working from home or hybrid schedule form a basis, expectation, or condition under the employee's employment agreement. The employer reserves the right to amend your schedule, place of work and/or require you to return to work full time at any time and reason at the sole discretion of the employer.

Employer Responsibilities

- Provide relevant health and safety information and plans to ensure the employee's safety while working from home including but not limited to ergonomic safety, fire safety, and working alone, and ensure employees are following these expectations
- Set clear expectations surrounding duties, expectations, and deadlines as well as the importance of taking scheduled breaks
- Provide the necessary information the employee requires to complete their duties and maintain student/family and organisation information safely and confidentiality

Employee Responsibilities

Employees are expected to:

- Be working during the times set out in their employment contract, taking breaks as outlined
- Maintain contact with the office and keep managers informed about the status of projects and any issues that arise



Toronto

- Behave in a professional, respectful, and courteous manner at all times when representing the organisation, whether by phone, email, or any other internet platform or communication channel
- Follow the health and safety guidelines provided from the employer for setting up a safe working environment at home including but not limited to office ergonomics, fire and electrical safety, and violence and harassment
- Immediately report any health and safety accident or incident to the employer, just as they would at the office so that it can be followed up on and investigated as required
- Ensure all computers, devices and operating systems are set up according to the specifications of Sistema Toronto Academy
- Ensure all confidential or proprietary information is secured using appropriate online security features such as closed internet connections, firewalls or encryption, or in locked filing cabinets. Employees must report any security breaches to their supervisor immediately
- Ensure all physical property loaned by the organisation is maintained in good working order and notify management immediately in the event any equipment is broken, damaged, lost or stolen

All property of Sistema Toronto Academy, including physical property and intellectual property, remains the property of the organisation and must be returned to Sistema Toronto Academy at the end of the working from home arrangement or the end of the employment relationship, whichever occurs first.

Any employee who fails to comply with the responsibilities outlined in this policy may have their working from home privileges revoked, or be subject to disciplinary action, including termination of employment.



Section 6 - Appendices

6.01 ACKNOWLEDGMENT

My signature below indicates that I have received a copy of Sistema Toronto Academy's Policy Manual.

I acknowledge that I have read and understood the policies and procedures outlined within this manual.

I also understand that Sistema Toronto Academy may revise, supplement, or rescind policies, procedures or benefits described in the manual, with or without notice.

I further understand that this manual does not supersede any employment legislation and in the case of a conflict between a policy and the legislation, the legislation shall prevail.

I understand that I must contact my manager/supervisor if I have any questions or do not understand the contents of any of these policies as I am required to follow their guidelines.

Signed,

Print Name: _____

Signature: _____

Date: _____