



## POLICY

TITLE: Violence and Harassment in the Workplace Policy  
NUMBER: HUM-002  
CATEGORY: Human Resources  
DATE: Jan 9, 2019  
REFERENCE: By-Law 2019-07

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The Corporation of the Municipality of Centre Hastings is committed to providing a work environment free from violence in which all individuals are treated with respect and dignity. It is crucial that, in the workplace, everyone regardless of their role or position in the organization conduct themselves in a respectful and professional manner. The municipality will take every precaution reasonable to protect its workers from workplace violence and harassment from all sources.

Violent behavior and harassment in the workplace is unacceptable from anyone. This policy applies to all employees, members of council and committees and contractors. Everyone is expected to uphold this policy and to work together to prevent workplace violence and harassment.

There is a Violence and Harassment in the Workplace Procedure which implements this policy, HUM-002, Schedule A. It includes measures and procedures to protect workers from violence and harassment, a means of summoning immediate assistance and a process for workers to raise concerns or report an incident.

As the employer, the Municipality of Centre Hastings will ensure that this policy and the supporting program are implemented and maintained and that all workers and supervisors have the knowledge and instruction to protect themselves and others from violence and harassment in the workplace.

Supervisors will adhere to this policy and the supporting program. Supervisors are responsible for ensuring the measures and procedures are followed by workers and that workers have the knowledge they need to protect themselves.

Every worker must work in compliance with this policy and the supporting program. All workers are encouraged to raise any concerns about workplace violence and harassment and to report any violent incidents, threats or harassment.

All concerns, complaints or incidents of workplace violence or harassment will be taken seriously. The Municipality of Centre Hastings will investigate all complaints of workplace violence and harassment in a fair, expedient and confidential manner.

Retaliatory behaviors or threats of reprisals will not be tolerated.

This policy will be reviewed annually.



## HUM-002 SCHEDULE A

# VIOLENCE AND HARASSMENT IN THE WORKPLACE PROCEDURE

### **1.0 Purpose**

The following procedure is intended to:

- Supplement the Municipality's Violence and Harassment in the Workplace Policy HUM-002.
- Create and foster a work environment free from workplace violence and harassment;
- Provide a definition of workplace violence and harassment;
- Establish and detail the responsibilities of all the persons in the Municipality of Centre Hastings workplace(s);
- Ensure that incidents of workplace violence and harassment are reported;
- Ensure that complaints of workplace violence and harassment are handled in a timely, consistent and efficient manner; and
- Ensure that alleged incidents may be reported without fear of reprisal and employees reporting same will know the matter will be treated confidentially.

### **2.0 Scope**

This procedure applies to all Municipality of Centre Hastings employees regardless of position or classification. This procedure also applies to all persons who attend Municipality of Centre Hastings workplace(s) including, but not limited to, council and committee members, all visitors, contractors, vendors and delivery persons.

### **3.0 Definitions**

**Workplace Harassment is defined as:**

- Engaging in a course of vexatious comment or conduct against a worker in a workplace.
- A comment that is known or ought reasonably to be known to be unwelcome or unwarranted: or
- Sexual harassment defined as a course of comment or conduct based on an individual's sex or gender that is known or ought reasonably to be known to be unwelcome.

**Workplace Violence/Misconduct is defined as:**

- The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker. This includes, but is not limited to, physical acts such as punching, hitting, kicking, pushing, damaging property or throwing objects;
- An attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker;
- A statement or behavior (or series of statements or behaviors) 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. This includes, but is not limited to, shaking fists, verbal abuse, bullying, written statements, swearing, insults, condescending language, rumours, pranks, or arguments; and,
- Bringing a weapon of any kind to a Municipality of Centre Hastings workplace or possessing a weapon of any kind while carrying out Municipality of Centre Hastings business, or threatening to bring a weapon to a Municipality of Centre Hastings workplace.

A “**complainant**” means an employee(s) who has brought forward or filed a complaint under this procedure, alleging violence/ misconduct or harassment in the workplace.

A “**respondent**” means an employee(s) against whom allegations under this procedure are made.

“**Reprisal**” is any action taken against an individual in retaliation for:

- Having invoked this procedure whether on behalf of oneself or another individual;
- Having participated or co-operated in any investigation under this procedure; or;
- Having been associated with a person who has invoked this procedure or participated in these procedures.

**Workplace(s)** include all places where Municipality of Centre Hastings business occurs:

- Municipal buildings (whether owned or leased) and surrounding perimeter including parking lots, sidewalks and driveways;
- Municipal vehicles;
- Off-site locations where municipal business occurs;
- Municipality of Centre Hastings sponsored functions and recreational or social events, whether taking place on municipal grounds or elsewhere; and;
- Travel for the Municipality of Centre Hastings.

#### **4.0 Responsibilities**

The CAO of the Corporation of the Municipality of Hastings is responsible for:

- Providing a framework for the identification and resolution of issues regarding workplace violence/misconduct and harassment;
- Overall administration of this procedure;
- Providing advice and guidance to Supervisors, Managers and Department Heads regarding the application of this procedure;
- Providing assistance and guidance to employees as requested;
- Coordinating training regarding violence/misconduct and harassment in the workplace for management;
- Facilitating intervention or support services where applicable;
- Providing a safe place for the complainant until the investigation is completed; and;
- Acting as a resource to the Supervisor or Manager during the investigation process.

Department Heads are responsible for:

- Taking reasonable preventative measure to protect employees and others from workplace violence and harassment.
- Ensuring that a workplace violence risk assessment is conducted of their area of responsibility;
- Ensuring all employees in their department are trained in this procedure as well as specific workplace violence training that was identified during the workplace violence risk assessment;
- Providing active support to managers and supervisors in implementing this procedure;
- Training employees in Municipality of Centre Hastings procedures that address the workplace violence risk(s) applicable to the employee;
- Ensuring that this procedure is communicated to contractors and other person who attend Municipality of Centre Hastings workplaces;

- Providing a safe place for the complainant until the investigation completed; and;
- Exercising responsibilities similar to those described for supervisors and managers, for their area of responsibility.

Supervisors and Managers are responsible for:

- Understanding and adhering to the requirements of this procedure;
- Communicating and reviewing this procedure with the employees;
- Recommending employees report complaints or incidents of workplace violence and harassment;
- Responding to all complaints or incidents of workplace violence and harassment, that they become aware of, or ought reasonably to be aware of, in a professional manner appropriate for the circumstances of the complaint or incident;
- Providing a safe place for the complainant until the investigation completed;
- Promptly reporting all complaints or incidents of workplace violence and harassment they receive or witness;
- In consultation with the CAO, providing employees, who have been subjected to workplace violence or harassment with appropriate supports, (e.g. Employee Assistance Programs).

Employees are responsible for:

- Complying with this procedure at all times to protect themselves and others in the workplace from workplace violence and harassment;
- Immediately notifying their Supervisor or other designated person of any incident of workplace violence or harassment whether the notifying worker is the victim or not. In the case of an extreme or imminent threat of physical harm to themselves or any person from workplace violence, the worker should contact the police; and
- Fully cooperating in any investigation of complaints or incidents of workplace violence and harassment or breaches of this procedure.

Investigator(s)

Any person(s) either internal or third party, who is appointed by the Municipality of Centre Hastings to act as an investigator into a complaint under this procedure of violence/misconduct or harassment has the responsibility to investigate the allegation, document a summary of the investigation and findings in the form of a written report and if appropriate, recommend a course of action to remedy the complaint.

## **5.0 Procedures**

Workplace Violence Risk Assessments and Control Measures:

- A risk assessment of violence will be performed in an approved format.
- All Municipality of Centre Hastings workplace(s) will be assessed. The workplace violence risk assessment may include, but is not limited to:
  - Physical environment and work conditions (lighting, barriers)
    - Work practices (working alone, handling cash)
    - Interviews and questionnaires to staff
    - Review of past incidents, complaints and recommendations
    - First Aid logs
- When the Workplace Violence Assessment is completed and the hazards are identified, an action plan will be submitted to the Department Head. The action plan should include recommendations to eliminate or reduce the risk of workplace violence.
- The risk shall be reassessed as often as is necessary to ensure that this procedure and related programs continue to protect workers from workplace violence and harassment.

Changes in environment, reports of incidents, changes in job descriptions, or change of location may trigger such a reassessment.

## **6.0 Training**

All employees will receive training on their roles and responsibilities around workplace violence and harassment. This will include, but is not limited to:

- The Occupational Health & Safety Act
- Violence in the Workplace Policy and Procedure
- The Ontario Human Rights Code
- Departmental procedures and standards
- Reporting an incident
- Potential threats in their occupation
- Identifying potential threats

Reporting Threats or Workplace Violence and Harassment all employees will:

- Immediately report any incidents of workplace violence/misconduct and harassment to a Supervisor, Manager or Department Head (or designate).
- Immediately take action when necessary, including, but not limited to, calling the Police, Fire Department, and Ambulance Services, and summoning employees certified in First Aid.
- Record the complaint and/or incident, in writing, on an Employee Violence and Harassment Incident Report Form.
- Following the report of an incident, the appropriate Department Head (or designate) shall ensure, where appropriate, that the complainant to the incident is in a safe location at the workplace so that the incident can be investigated and addressed;
- The Department Head (or designate) and/or the CAO shall coordinate the provision of assistance to employees who were the target of violence or witness to violence and who may suffer adverse effects from the situation, if necessary.

If an incident of workplace violence involves a person who is not an employee of the Municipality of Centre Hastings, the Department Head (or designate) will report the incident to that person's employer and/or such other person as the Municipality of Centre Hastings determines is appropriate in the circumstances.

## **7.0 Investigation**

- All complaints or incidents of workplace violence/misconduct or harassment will be promptly investigated by the Department Head (or designate) and supported by the CAO. Where the respondent is a Municipality of Centre Hastings employee, the investigation will be conducted as quickly and confidentially as possible in the circumstances.
- The Department Head (or designate) will assess the potential risk to Municipality of Centre Hastings employees and take appropriate action to prevent further objectionable behavior. This may include consultation with other management personnel or the CAO; and,
- The Department Head (or designate) will co-ordinate intervention services or provision of assistance for the complainant, respondent and/or any witnesses who may suffer adverse effects from the situation. This may include consultation with the CAO and/or Employee Assistance Program, etc.;
- Note: Even though a formal complaint may not have been lodged, a Supervisor or Manager and the CAO have a responsibility to address the workplace violence or harassment. If the Supervisor or Manager or the CAO becomes aware, or ought reasonably to be aware, he/she may initiate and sign a complaint.

## **8.0 Domestic Violence**

- Any employee experiencing violence outside of the workplace (ie domestic violence)

that may create a risk of danger to themselves or others in the workplace is encouraged to report such violence so that the Municipality of Centre Hastings can take reasonable preventive steps to ensure the protection of the worker(s).

- As soon as a Supervisor, Manager or CAO becomes aware that domestic violence has occurred or could enter the workplace a Safety Plan should be established to minimize the risk.
- A Safety Plan will be prepared on a case-by-case basis with input from the victim and will be customized to meet the needs of the individuals involved. The Safety Plan may include, but is not limited to:
  - i. Identifying increased safety measures such as door security, emergency contact numbers preprogrammed into communications devices, installation of panic buttons and code words to indicate a potential situation.
  - ii. Preparing an action plan to address the possibility of violence at the worksite such as police notification and/or building security.
  - iii. Emergency response.
  - iv. Identifying available resources and support.
  - v. Identify what information will be communicated to whom (minimum number of employees).
  - vi. Expectations for confidentiality.
- If warning signs of domestic violence are noticed and the victim does not come forward him/herself. A Supervisor, Manager, Department Head or the CAO should:
  - i. Talk to the victim privately about what you or others have seen and express concern for their safety.
  - ii. Provide information on help that is available (for example, employee assistance program, community counseling) and offer referrals to appropriate agencies (for example, shelters, assaulted women's helpline).
  - iii. Develop a Safety Plan with input from the victim.
  - iv. Implement security measures, (even if victim does not confirm abuse).
  - v. Explore alternative work arrangements to increase safety.
  - vi. Consider permitting temporary leave that would allow the worker to deal with legal issues, find housing and childcare or cope with any other issues.

## **9.0 Confidentiality**

The Municipality of Centre Hastings will make every effort to ensure confidentiality of employees involved in a workplace complaint or incident. Confidentiality extends to all records relating to complaints, including but not limited to meetings, interviews and investigation results. Breaches of confidentiality will be subject to appropriate disciplinary action. Complainants, respondents and witnesses will be advised to maintain confidentiality concerning complaints, or incidents. Any record of discipline that occurs as a result of a complaint or incident will be included in the disciplined employee's file. However, all records are subject to disclosure as may be required by legislation or a court of law.

## **10.0 No Reprisal**

Workplace violence and harassment are serious matters. This policy prohibits reprisals against employees who have made good faith complaints or provided information regarding a complaint or incident of workplace violence or harassment.

Any reprisal or threat of reprisal against an employee making a complaint or participating in the investigation of a complaint is regarded as a serious offence and the municipality will implement disciplinary action, up to and including discharge from employment.



## EMPLOYEE VIOLENCE AND HARASSMENT INCIDENT REPORT FORM

Any staff member who has been a victim of violence/misconduct or harassment in the workplace is to complete this form and report the incident to their supervisor immediately. This also includes incidents of violence outside of the workplace (i.e. domestic violence) that may create a risk of danger to themselves or others in the workplace.

### EMPLOYEE INFORMATION: *(Please print)*

Name: \_\_\_\_\_ Tel. No.: ( ) \_\_\_\_\_ - \_\_\_\_\_  
Position: \_\_\_\_\_ Department: \_\_\_\_\_

### RESPONDENT:

Resident  Volunteer  Supervisor  Co-Worker  Student  Member of General Public/Visitor  Other *(Please specify)*

Name: *(If known)* \_\_\_\_\_

### INCIDENT & INJURY INFORMATION:

Date of Incident: \_\_\_\_\_ \ \_\_\_\_\_ \ \_\_\_\_\_  
DD MM YY

Type of Assault:

Verbal  Threat  Struck  Scratched  Pushed  Sexual  Bullying  Racial  Other *(Please Specify)* \_\_\_\_\_

Medical Attention or First Aid obtained?  Yes  No

If yes, provide details: \_\_\_\_\_

WSIB Form Completed?  Yes  No

If yes, who were forms given to: \_\_\_\_\_

Police called?  Yes  No

If yes, by whom? *(Name & Time)* \_\_\_\_\_

If no, why not? \_\_\_\_\_

Reported to Supervisor?  Yes  No

If no, why not? \_\_\_\_\_

Action taken: \_\_\_\_\_

### Other information:

Was the Respondent involved in any previous violent incidents with staff?  Yes  No

Are there any measures in place to prevent a similar incident?  Yes  No

Please provide any other information you think is relevant:

\_\_\_\_\_  
\_\_\_\_\_

Employee Signature: \_\_\_\_\_

Distribution: Department Head  Supervisor  CAO  Employee