

Variety Village

Violence and Harassment in the Workplace Policy

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Mission

Variety is committed to providing a safe, healthy and supportive work environment by treating our employees and clients with respect, fairness and sensitivity.

Violence and harassment in the workplace can have devastating effects on employees' quality of life and organizational productivity.

Workplace violence is:

- the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
- an attempt to exercise physical force against a worker, in a workplace, that would cause physical injury to the worker; or,
- a statement or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker.

Workplace harassment is:

- engaging in any vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome, and causes the person to believe her/his health and safety are at risk.

Purpose of the Policy

Variety is committed to preventing workplace violence and harassment. This policy defines behaviour that constitutes workplace violence and harassment, and explains procedures for reporting and resolving such incidents.

- Variety is committed to providing a working environment free of violence and harassment by familiarizing all workplace parties with the related terminology as well as their individual responsibilities for prevention and corrective action.

Policy Statement

The management of Variety recognizes the potential for violence and harassment in the workplace. We will therefore make every reasonable effort to identify all potential sources of such risk to eliminate or minimize

them through our workplace violence and harassment prevention program. Variety will not tolerate any type of violence or harassment within the workplace or during work related activities. Variety is committed to allotting whatever time, attention, authority and resources necessary to ensure a safe and healthy working environment for all employees and clients to whom we provide services. Variety will take every reasonable precaution to protect an employee from physical injury if we become aware, or believe that domestic violence is a risk.

Definitions Associated with Workplace Violence and Harassment

Harassment: engaging in any vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome, and causes the person to believe their health and safety are at risk.

Physical Assault: is any physical force or threat of physical force to create fear and control of another person. Some examples include: hitting, blocking, shoving, choking, slapping or biting, or pulling hair; "caring" for the victim in an abusive way, threats of violence, and using a weapon or other objects to threaten, hurt or kill.

Sexual assault: is any unwanted sexual act done by one person to another. Examples include: kissing or forcing/coercing the person into kissing; touching the person's body with or without clothes on; forcing or coercing the person to participate in acts of a sexual nature, including but not limited to; sexual intercourse; causing bodily harm; removing or attempting to remove clothing; taking advantage of a position, trust or authority to get sex; and threatening to harm someone else if the person does not agree to do any of these things.

Sexual Harassment: is often interpreted as objectionable comments or conduct of a "sexual" nature. However, sexual harassment, in the broader context of unequal treatment based on gender, may refer to instances where the behaviour is not overtly sexual in nature, but is related to the person's gender, and demeans or causes personal humiliation or embarrassment to the recipient. Examples include: degrading words, rude jokes or sexual comments, name calling, physical contact, sexual demands, unwanted kissing or touching of a sexual nature, and insulting

remarks about the person's sexual orientation, race, culture, and/or ability, etc.

Threat (verbal or written): is a communicated intent to inflict physical or other harm on any person or to property by some unlawful act. A direct threat is a clear and explicit communication distinctly indicating that the potential offender intends to do harm, for example, "I am going to make you pay for what you did to me." A conditional threat involves a condition, for example, "If you don't leave me alone you will regret it." Veiled threats usually involve body language or behaviours that leave little doubt in the mind of the victim that the perpetrator intends to harm.

Verbal/Emotional/Psychological abuse: is a pattern of behaviour that makes someone feel worthless, flawed, unloved, or endangered. Like other forms of abuse, it is based on power and control. Examples include: swearing, put-downs/name calling over a period of time, labeling the victim in a derogatory way such as "stupid", acts of humiliation, extreme jealous behaviour, or attacking the victim's self-esteem in other ways. It can also include harming pets and damaging property.

Workplace Bullying: repeated and persistent negative acts towards one or more individuals, which involve a perceived power imbalance and create a hostile work environment.

Roles and Responsibilities of Workplace Parties:

Employer:

- Ensure that measures and procedures in the violence and harassment prevention program are carried out. Hold management accountable for responding to and resolving complaints of violence or harassment.
- Ensure compliance by all who have a relationship with the organization, such as contractors and volunteers, etc.
- Post a copy of this policy in the workplace.
- In consultation with the JHSC, conduct regular work assessments.
- In consultation with JHSC, establish control measures.
- In consultation with JHSC, establish and deliver training and education for all employees.
- Integrate safe behaviour into day-to-day operations.

- Develop a reporting process for incidents of workplace violence and harassment.
- Investigate all reports or threats of violence to the JHSC within four (4) days if an employee is disabled from performing their own work or receives medical attention as a result of an incident.

- Take corrective action.
- Provide response measures.
- Facilitate medical attention and support for those involved directly or indirectly.
- Ensure any deaths or critical injuries are reported to the Ministry of Labour (MOL) inspector, the police (as required), JHSC or H&S representative, as well as investigated with the JHSC. Send the report explaining the circumstances to all parties in writing within 48 hours of occurrence. Include information and particulars prescribed by the Occupational Health and Safety Act and regulations.
- Ensure a report goes to WSIB of all accidents where a worker loses time from work, requires healthcare, earns less than regular pay for regular work, requires modified work at less than regular pay or performs modified work at regular pay for more than seven days.

Managers/Supervisors:

- Enforce policy and procedures and monitor worker compliance.
- Identify and alert staff to violent persons and hazardous situations.
- Investigate all workplace violence using the organization's accident investigation procedure and form and contact the police as required.
- Facilitate medical attention for employee(s) as required.
- Debrief those involved in the incident either directly or indirectly.
- Contact Human Resources to ensure the employee receives further counseling about his/her legal rights.
- Track and analyze incidents from trending and prevention initiatives.
- Immediately report a death or critical injury to the MOL inspector, the police (as required), JHSC, H&S representative and investigate with JHSC and report the circumstances to all parties in writing within 48 hours. Include information and particulars prescribed by the regulations.
- Issue a report to the employer and WSIB on all lost-time accidents where a worker requires healthcare, earn less than regular pay for regular work, requires modified work at less than regular pay or performs modified work at regular pay for more than seven days.

Copies of accident information where there is not critical injury must be provided to the JHSC within four days of the occurrence, as prescribed by the Occupational Health and Safety Act.

- Ensure the workplace violence and harassment prevention program is reviewed at least once a year.

Employees:

- Participate in education and training programs so you can respond suitably to any incident of workplace violence or harassment.
- Understand and comply with the violence and harassment prevention policies and related procedures.
- Report all incidents or injuries of violence/harassment or threats of violence/harassment to your supervisor immediately. Complete the Workplace Violence Incident Report.
- Inform the JHSC or the worker member of the JHSC about your concerns regarding the potential for violence/harassment in the workplace.
- Contribute to risk assessments.
- Seek support when confronted with violence/harassment or threats of violence in the workplace.
- Get medical attention promptly if necessary if you are a victim.
- At least once a year, participate in a review of the workplace violence and harassment prevention program.

Joint Health and Safety Committee (JHSC):

- Ensure you are consulted about the development, establishment and implementation of violence prevention measures and procedures (the violence and harassment prevention program).
- Make recommendations to the employer for developing, establishing and providing training in violence prevention measures and procedures.
- At least once a year, take part in a review of the workplace violence and harassment prevention program.
- The worker-designate should investigate all critical violence-related injuries.
- Immediately review reports of critical injury or death. Outline in writing the circumstances and particulars within 48 hours of the occurrence. Within four days, review written notices for lesser injuries where any person is unable to perform his or her regular work or requires medical attention.

Reporting and Investigation

- Workers are to report all violence-related incidents or hazards to their manager or supervisor. This report can be made confidentially at the employee's request. However, sharing information to ensure the safety of others and prevent recurrence may be necessary (e.g. contents of a police report).
- The reporting worker may make the report confidentially, indicating the need for confidentiality to her/his direct manager or supervisor.
- The manager or supervisor receiving the report investigates it and ensure that measures are taken to safeguard employees and curtail violence or harassment. No report of workplace violence/harassment or risks of violence may be the basis of reprisal against the reporting employee.
- The employer reports all injuries to the Ministry of Labour and WSIB are required by the Occupational Health and Safety Act and Workplace Safety and Insurance Act.

Response Procedures

- Using an incident report form, the manager or supervisor documents all reports of workplace violence/harassment, hazards and measures taken to address them.
- If the resolution of the incident is beyond the authority of a manager or supervisor, she/he must make the President & CEO aware of the report. The President & CEO involves other managers or supervisors in the investigation as appropriate. (e.g. when the incident involves clients or employees under another manager's or supervisor's area of responsibility).
- Management reviews all incident reports, monitors trends and makes recommendations to the President & CEO for prevention and enhancements to the workplace violence and harassment prevention and training program.
- These findings are shared with the JHSC, which is consulted about any revision to the violence and harassment prevention and training program.

- The President & CEO reviews reports of workplace violence/harassment and ensures that actions are taken.
- The managers or supervisors who investigate the reported incident warn all staff who might be affected about dangerous situations. They also tell the reporting employee about the outcome of the investigation to help minimize the chance of similar incidents.
- If a violent incident results in a critical injury to a worker, the JHSC representative or worker-designate investigates the incident or injury (Section 9(31) OHS) and reports to the MOL and JHSC.

Support of employees affected by workplace violence

Management will respond promptly, assess the situation and ensure that these interventions are followed:

- facilitation of medical attention;
- debriefing (by skilled professional);
- referrals to community agencies, treating practitioner and employee assistance program;
- completion of incident reports, WSIB reports, reports to MOL (critical injury or fatality);
- reporting to police (as required); and
- team debriefing.

Risk assessment

Management (with worker involvement) assesses workplace violence hazards in all jobs, and in the workplace as a whole. It reviews risk assessments annually, as well as when new jobs are created or job descriptions are changed substantially.

Education

New employees will receive both general and site-specific orientation to the workplace violence and harassment prevention program. In addition, all employees will receive annual review of the program's general and site-specific components.

Any training developed, established and provided will be done in consultation with, and in consideration of, the recommendation of the JHSC.

Program Evaluation

The effectiveness of the workplace violence and harassment prevention program is evaluated annually by management and reviewed by the JHSC.

Workers, managers and supervisors are accountable for establishing and implementing the policy and procedures related to workplace violence and harassment. Responsibility for complying with the Health and Safety policy is part of all manager's, supervisor's and worker's job duties.

Management responsibilities include enforcing policies and procedures, investigating and responding to workplace violence and harassment.

Accountability

All workplace parties are accountable for complying with the policy, program, measures and procedures related to workplace violence.

Records

All records of reports and investigations of workplace violence and harassment are kept for five years.

Policy Review

This workplace violence and harassment prevention policy and program will be reviewed annually.