



Policy Type: Human Resources

Policy #: HR-600-02

Approved by Council on: June 25, 2018

Human Resources – Workplace Violence and Workplace Harassment

Policy

The Town of Prescott is committed to providing a safe and healthy workplace. The Town is committed to comply with the Occupational Health and Safety Act and all other relevant legislation governing workplace violence and harassment in Ontario.

Objective

The intent of this policy is to ensure the provision of a healthy and safe workplace, and to ensure that all workplace parties are familiar with the definitions of workplace violence and harassment, and their roles in its prevention, and in corrective action. This policy establishes that workers and clients of the Town of Prescott will be treated with respect, fairness, and sensitivity.

Scope

The Workplace Violence and Workplace Harassment Policy applies to all workers of the Town of Prescott and also addressed instances of workplace violence or harassment perpetrated against workers by members of the public.

Definitions

Workplace Violence means;

- 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 could cause physical injury to the worker.



Policy Type:
Policy #:

Human Resources
HR-600-02

Approved by Council on:

Human Resources – Workplace Violence and Workplace Harassment cont'd

- 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 Harassment means 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 and includes workplace sexual harassment.

What is not Workplace Harassment: A reasonable action taken by an employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.

Workplace Sexual Harassment means;

- engaging in a course of vexatious comment or conduct against a worker in a workplace because of gender, 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.
- 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.

Domestic Violence (also known as Domestic Abuse or Spousal Abuse) means the exercise of physical force that could cause physical injury, an attempt to exercise physical force that could cause physical injury, or a statement or behavior that is reasonably interpreted by its target as a threat to exercise physical force that could cause physical injury by a person who has a personal relationship with a worker, such as a spouse or former spouse, current or former intimate partner, or a family member.

Worker includes all full-time employees, part-time employees, union employees, non-union employees, summer students, elected officials, committee appointees, contractors, interns, volunteers, supervisors, and managers who perform work for the Town of Prescott.

Workplace means any land, premises, location or thing at, upon, in, or near which a worker works.



Policy Type:

Human Resources

Policy #:

HR-600-02

Approved by Council on:

Human Resources – Workplace Violence and Workplace Harassment cont'd

Roles and Responsibilities

Employer

The following responsibilities are to be performed by the Chief Administrative Officer or his/her designate.

- **Review Policies:** The Employer shall review the policies with respect to workplace violence and workplace harassment as often as is necessary, but at least annually.
- **Post Policies:** The Employer shall post the policies with respect to workplace violence and workplace harassment at a conspicuous location in the workplace.
- **Assess Risks of Workplace Violence:** The Employer shall assess the risks of violence that may arise in the workplace and reassess as often as is necessary to ensure that the policies with respect to workplace violence and the program implementing the policy continue to protect workers from workplace violence. The Employer shall notify the Joint Health and Safety Committee of the results of such assessments and a copy of the assessment, if the assessment is in writing.
- **Information and Instruction:** The Employer shall provide workers with information and instruction that is appropriate for the worker on the contents of the policy and program with respect to workplace violence and workplace harassment.
- **Notify Workers of Risks of Workplace Violence:** The Employer shall provide information, including personal information, related to a risk of workplace violence from a person with a history of violent behavior if a worker can be expected to encounter that person in the course of his or her work, and the risk of workplace violence is likely to expose the worker to physical injury. The Employer shall not disclose more personal information than is reasonably necessary in the circumstances to protect a worker from physical injury.



Policy Type: Human Resources

Policy #: HR-600-02

Approved by Council on:

Human Resources – Workplace Violence and Workplace Harassment cont'd

- **Control Risks of Domestic Violence in the Workplace:** If the Employer becomes aware, or ought reasonably to be aware, that domestic violence that would likely expose a worker to physical injury, the Employer shall take every precaution reasonable in the circumstances for the protection of the worker. This could include but is not limited to:
 - Creating a safety plan
 - Contacting the police
 - Establishing enhanced security measures such as a panic button, code words, and door and access security measures
 - Screening calls and blocking certain email addresses
 - Setting up priority parking or providing escorts to your vehicle

- **Control Risks of Workplace Violence:** If the Employer becomes aware, or ought reasonably to be aware, of risks of workplace violence, the Employer shall take all reasonable precautions in the circumstances to control the risks that are likely to expose a worker to physical injury. This could include but is not limited to:
 - Separating workers
 - Removing an individual from the workplace
 - Creating a safety plan
 - Contacting the police
 - Establishing enhanced safety measures

- **Reprisals Prohibited:** The Employer shall not reprimand any worker who have made good faith complaints, provided information regarding a complaint, or incident of workplace violence, or harassment, or who have followed the procedure outlined in the policy. Any worker who must leave the workplace due, in their reasonable opinion, to an imminent threat of violence will not be penalized with a loss of pay or other penalties.

- **Develop Program:** The Employer shall develop and maintain a program to implement the policy with respect to workplace violence and workplace harassment.



Policy Type: Human Resources

Policy #: HR-600-02

Approved by Council on:

Human Resources – Workplace Violence and Workplace Harassment cont'd

Workers

- **Comply:** All workers shall comply with this policy at all times to protect themselves and others in the workplace from workplace violence and harassment.
- **Cooperate:** All workers shall fully cooperate in any investigation of complaints or incidents or breaches of this policy.
- **Participate:** All workers shall participate in any training session conducted by the Employer regarding this policy.

Procedure

SUMMONING IMMEDIATE ASSISTANCE

Any worker who **witnesses** or **experiences** workplace violence or who feels in imminent danger shall:

- ensure they are in a safe location which may include leaving the workplace;
- if, in their opinion, the situation warrants, contact the police by dialing 911
- follow the reporting procedures

REPORTING WORKPLACE VIOLENCE OR WORKPLACE HARASSMENT

A worker shall report acts of workplace violence and/or workplace harassment to the immediate Department Head as soon as is reasonably possible. The Department Head shall immediately report the incident to the Chief Administrative Officer, or if the Chief Administrative Officer is the alleged perpetrator of the incident, to the Mayor or two members of Council.

If the worker does not have a Department Head or if the immediate Department Head is the alleged perpetrator of the incident, the worker can report the incident to the Chief Administrative Officer.



Policy Type: Human Resources

Policy #: HR-600-02

Approved by Council on:

Human Resources – Workplace Violence and Workplace Harassment cont'd

If the Chief Administrative Officer and the Immediate Department head are the alleged perpetrators, the worker can report the incident to the Mayor or two members of Council.

Please refer to Human Resources Policy #HR-600-06: Investigations Procedure for the process to be followed by the Department Head or any recipient of a complaint of workplace violence or workplace harassment.

INVESTIGATION OF WORKPLACE VIOLENCE OR WORKPLACE HARASSMENT COMPLAINT

Please refer to Human Resources Policy #HR-600-04, Investigations Procedure for the process to be followed in investigating complaints of workplace violence and workplace harassment, including the process to be followed when informing complainants and alleged perpetrators of workplace violence or harassment, of the results of the investigation, and any corrective action that has been taken or will be taken as a result of the investigation.

CONFIDENTIALITY

The Town of Prescott will not disclose a complainant's or respondent's name, or any circumstances related to a complaint, except as necessary to investigate the complaint, or take disciplinary action related to the complaint, or as required by law. Managers involved in a complaint are reminded to keep all information confidential, except in the above circumstances. Any breach of confidentiality will be disciplined up to and including dismissal.