



Workplace Violence and Harassment Prevention Policy and Program

Plan Developed: March 2010

Plan Updated/Reviewed Annually and on as needed basis

Developed

In consultation with TCE's JHSC, CUPE

Approved by TCE's Board of Directors on Dec 29, 2015

Our Health and Safety Mission

Total Communication Environment is committed to providing a safe, healthy and supportive work environment by treating our employees and residents with respect, fairness and sensitivity.

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

For the purposes of this program and as per Bill 168's inclusion into OH&S Act as of June 15, 2010

Workplace violence 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;
- an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker; or,
- a statement or behaviour that it 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 defined as:

- 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.

The Act recognizes the four types of workplace violence as

- Type I: External perpetrator (thefts, vandalism, assaults by a person with no relationship to the workplace)
- Type II: Client/Customer (physical or verbal assault of an employee by a client/family member or customer)
- Type III: Employee to employee (physical or verbal assault from an employee or former employee; includes harassment)
- Type IV: Domestic Violence (personal relationship)

Purpose of the Policy

Total Communication Environment 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.

TCE 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.

To establish this policy, TCE has consulted HSAGS and the Joint Health and Safety Committee (JHSC) and the following legislation governing workplace violence and harassment in Ontario:

- The *Occupational Health and Safety Act*
- The *Criminal Code of Canada*
- The *Ontario Human Rights Code*
- The *Workplace Safety and Insurance Act, 1997*
- The *Compensation for Victims of Crime Act*
- The *Regulated Health Professions Act*

Policy Statement

The management of Total Communication Environment 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. We will not tolerate any type of violence or harassment within the workplace or during work related activities.

Total Communication Environment is committed to allotting whatever time, attention, authority and resources necessary to ensure a safe and healthy working environment for all employees and residents to whom we provide care. TCE will take every reasonable precaution to protect an employee from physical injury if we become aware or believe domestic violence is at risk.

Definitions Associated with Workplace Violence and Harassment

- **Harassment:** engaging in any vexatious comment or conduct that is know 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 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/coercing the person to masturbate; sexual intercourse (anal or vaginal), penetrating with an object; 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 behavior 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 (e.g. "chick", "bitch"), physical contact, sexual demands, unwanted kissing or touching of a sexual nature, and insulting remarks about the person's sexual orientation, race, culture, ability, and/or income.
- **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 behaviors that leave little doubt in the mind of the victim that the perpetrator intends to harm.
- **Verbal/Emotional/Psychological abuse:** is a pattern of behavior 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 stupid, crazy or irrational, acts of humiliation, extreme jealous behavior, 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 (Salin, 2003)
- **Workplace violence:**
 - 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; or,
 - A statement or behaviour that it 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

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.
- Ensure compliance by all who have a relationship with the organization, such as physicians, contractors, volunteers.
- Post a copy of Workplace Violence and Anti-Harassment Policy in the workplace.
- In consultation with the JHSC, conduct regular risk assessments.
- In consultation with the JHSC, establish control measures.
- In consultation with the JHSC, establish and deliver training and education for all employees.
- Integrate safe behavior into day-to-day operations.
- Develop a reporting process for incidents of workplace violence and harassment.
- Investigate all reports or threats of violence and harassment in a prompt, objective and sensitive way.
- Report incidents of workplace violence to the JHSC within four 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 a Ministry of Labour (MOL) inspector, the police (as required), JHSC or H&S representative and CUPE local, as well as investigated with the JHSC. Send the report explaining the circumstances to all parties in writing within 48 hours of the 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.
- Ensure the workplace violence and harassment prevention program is reviewed at least once a year , as per the ACT (If needed to be looked at in less timeframe or as needed it will be up to JHSC to bring this forward)

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
- Track and analyze incidents for trending and prevention initiatives.
- Immediately report a death or critical injury to an MOL inspector. (Follow the legislative guidelines In the Act for a critical injury) Occupational Health and Safety Act of Ontario, Regulation 834.

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 or harassment or threats of violence.
- Get medical attention.
- 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 as per** Occupational Health and Safety Act of Ontario, Regulation 834.
- **Reporting and Investigation**
- Workers are to report all violence-related incidents or hazards to their 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 without leaving a copy in the log, indicating the need for confidentiality to her/his direct supervisor (or in that person's absence, to another supervisor).
- The supervisor receiving the report investigates it and ensures that measures are taken to safeguard employees and curtail the 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 MOL and WSIB as required by the *Occupational Health and Safety Act* and *Workplace Safety and Insurance Act*.

Response Procedures

- Using the incident investigation form, the 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 supervisor, she/he must make the Director of Operations aware of the report. The Director of Operations involves other 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 Director of Operations for prevention and enhancements to the workplace violence and harassment prevention program.
- These findings are shared with the JHSC, which is consulted about any revision to the violence and harassment prevention and training program.
- The Director of Operations reviews reports of workplace violence/harassment and ensures that actions are taken and is responsible to notify the Union
- The supervisor 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 Employer and the JHSC representative (worker-certified rep) investigates the incident or injury (Section 9(31) OHSA) and reports to the MOL and JHSC. Refer to guidelines in Ontario H&S Act.

Emergency response measures

Refer to the organization's emergency response procedure.

We will continue to use “back up “phrase as code for required support in times of Physical aggression. (For staff alert).

Support for 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;
- referral to local union;
- 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 an annual review of the program's general and site-specific components any training developed, established and provided will be done in consultation with consideration of, the recommendations 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. It is the responsibility of the JHSC to convey to Senior Management through the Program leader of the Workplace Violence and Anti-Harassment Multi-disciplinary Committee if they are requesting a program evaluation before indicates date of such.

Workers 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 a supervisor's and worker's job description. Included in the health and safety components of job descriptions are management responsibilities for enforcing policy 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.

Dated at _____ on _____, 20__

Executive Director TCE

Signature

Staff Review Dates

Date	Name of Staff (print)	Signature
	Board of Directors Representative	
	Karen Belyea Executive Director	
	DJ McDonald Director Of Operations	
	Jackie Power Manager Rep	
	Manager Co-Chair JHSC	
	Worker Co-Chair JHSC	
	Human Resources	