



CORPORATE POLICY

POLICY NO. 01-04-01	DEPARTMENT Administration
SUBJECT Workplace Violence Policy	EFFECTIVE DATE June 14, 2010
APPROVED BY Resolution No. 189-2010	PAGES 1 of 4
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POLICY STATEMENT

It is the policy of The Corporation of the Municipality of Oliver Paipoonge to provide a safe work environment for all employees. The Municipality of Oliver Paipoonge is committed to the prevention of workplace violence and maintains a “zero tolerance” policy to any aspects of workplace violence. Non compliance with respect to this policy will give rise to remedial action including but not limited to disciplinary action up to and including termination and/or legal action.

APPLICATION

The Workplace Violence Policy applies to all employees of the Corporation, as well as to volunteers, co-op placement personnel, students, agents of the Corporation, consultants, contractors, members of Council, visitors to Municipality facilities and individuals conducting business with the Corporation. Everyone is expected to uphold this policy and to work together to prevent workplace violence.

PURPOSE

The purpose of this Corporate Policy is to meet the legislative requirements of the amendments to *The Occupational Health and Safety Act* enacted under *Ontario Bill 168 (Chapter 23 Statutes of Ontario, 2009)*.

The Workplace Violence Policy has also been developed in order to institute measures of the City’s commitment to:

- (a) Demonstrate and promote a workplace that ensures employee safety, security and a violence free environment

- (b) Ensure employees are aware of and follow safe practices to prevent and respond to violent incidents
- (c) Empower employees to make and act on decisions regarding risk of violence
- (d) Ensure that all incidents are dealt with confidentially and objectively and that the rights and dignity of all parties are respected

DEFINITIONS

Violence:

For the purpose of this policy, violence is defined as any conduct, threatened or actual, by any person, that causes or is likely to cause injury, and includes any threatening statement or behaviour that gives an employee reasonable cause to believe that he/she is at risk of injury.

RESPONSIBILITIES

Supervisory personnel shall include department heads as well as the CAO. Supervisors are responsible for developing, implementing and maintaining a documented program to assess and mitigate the risk of workplace violence and shall conduct a review of the program at least annually.

Supervisor responsibilities include:

- (a) Communicating the policy and procedures to workers in order that they have the information necessary to protect themselves.
- (b) Ensuring that proper procedures are followed when a report of an incident of workplace violence is received; that the report is investigated promptly and fairly; that confidentiality is protected to the fullest extent possible; that the rights, dignity and privacy of all parties are respected; and shall keep a confidential record of all discussions.
- (c) Providing information to a worker about the risk of workplace violence from a person with a history of violent behaviour if the worker can expect to encounter that person in the course of their work, and if the worker may be at risk of physical injury. Personal information may be disclosed, but only what is reasonably necessary to protect the worker from physical injury.

Every worker must work in compliance with this policy and all workers are encouraged to raise any concerns about workplace violence and are required to report any violent incidents or threats. Employees must co-operate fully in any fact gathering interviews which are designed to assess the risk of violence in the workplace. Employees must ensure that any investigation remains confidential. Employees must not disclose any information relating to a report, its investigation and/or resolution to anyone who is not aware of the matter.

AT RISK POSITIONS

The following positions of the corporation are considered 'at risk' of encountering workplace violence. They include but are not limited to:

- (a) Cash handling
- (b) Working alone
- (c) Working nights, late at night or early mornings
- (d) Working with the public
- (e) Delivery of passengers, goods or services
- (f) Mobile workplace

REPORTING PROCESS

All employees must report a situation that he/she believes is workplace violence under this Program. A report may be made by the actual victim of alleged workplace violence; by a co-worker who witnessed the incident(s); or by a third party reporting on behalf of the victim(s). Employees who, with good intentions, provide information about behaviour or actions which they perceive as threatening or potentially violent will not be subject to disciplinary or other form of reprisal if their perceptions are not sustained. However, if it is learned that an employee intentionally made a false report or provided false information regarding the report, disciplinary action up to and including termination may be taken against that employee.

A report should normally be made as soon as possible after the relevant action or behaviour occurred and directed to the employee's immediate supervisor. Although an employee may choose to make a verbal report, it is in the best interest of all concerned to provide a written report, which should contain a brief account of the incident, when it occurred, the person(s) involved, and the name of witnesses, if any. The report should be signed and dated.

INVESTIGATION

The Corporation has the responsibility to respond within five (5) business days upon a receipt of a complaint of violence. As soon as reasonably practicable, the person(s) assigned shall initiate the investigation by meeting with the individual who made the report. The individual has the right to be accompanied by another employee of his/her choice in any meeting with the investigator(s). During the meeting the following steps will take place:

- (a) The investigator(s) shall confirm receipt of the report, clarify details, and apprise the individual of the steps that will be taken.

(b) Interventions that may form part of a risk assessment or plan of action for an employee who is the subject of a report or investigation may include referral to the employee's physician, use of short term disability sick leave or a temporary leave of absence, referral to counselling or other appropriate interventions. Extreme situations may warrant obtaining appropriate court orders, and/or police involvement.

(c) Investigator(s) have thirty (30) working days to complete investigation and submit report.

(d) Once the investigation is complete, the investigator(s) will submit a confidential written document to the CAO or council (depending on who was conducting the investigation).

(e) The investigator(s) will submit the document within ten (10) working days from the receipt of the initial report. A conclusion about whether a specific incident of workplace violence did or did not occur will be outlined in the report along with further actions to be taken if necessary.

EMPLOYEE PROTECTION MEASURES

This policy further prohibits all reprisals against any individuals who report, in good faith, any incidents of violence or act as witnesses. Reprisal is defined as any act of retaliation, either direct or indirect. Workers have the right to refuse work if they have a reason to believe they are in danger from workplace violence. If the employee requires immediate help they should dial 9-1-1.