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Section: Work Environment

Supersedes Policy: Bylaw: 2012-57 - Appendix C & Sept 10, 2014 - Resolution 2014.15.17

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Policy No: WE 01-2014

## **VIOLENCE IN THE WORKPLACE POLICY**

### **POLICY STATEMENT**

The Municipality of Dutton Dunwich will not tolerate any threat, direct or implied (including bullying) or physical conduct by any person, which results in, or potentially could result in, harm to people, property, the workplace environment or which creates an intimidating, harassing or hostile workplace.

### **PURPOSE**

The Municipality of Dutton Dunwich is dedicated to operating at a standard which will establish our Municipality as a leader in promoting and protecting the health and safety of all employees. The Municipality of Dutton Dunwich is committed to providing a violence-free, harassment-free environment and recognizes that workplace violence is a health and safety and human resource issue. The Municipality of Dutton Dunwich is committed to taking immediate action in the event of any act of violence occurring against any employee while the employee is carrying out their duties on behalf of the Municipality. In support of the Municipality of Dutton Dunwich's policies to provide a safe and healthy working environment, the Municipality will provide a framework for handling any incidence of workplace violence and/or harassment that may arise.

### **DEFINITIONS:**

**Violence:** for the purpose of this policy any actual, attempted or threatened conduct of a person that causes or is likely to cause physical and/or psychological harm/injury/illness or that gives a person reason to believe that they or another person is at risk of physical or psychological harm/injury/illness, including, but not limited to, any actual or attempted assault (including sexual assault and physical attacks), threat, verbal, psychological or sexual abuse and harassment.

**Assault:** an intentional application of force to another person, or an attempt or threat by an act or gesture to apply physical force to another person, without that person's consent. An assault may be committed without actually doing bodily harm to another person.

**Threat:** a demonstrated intention to cause harm or injury, whether presently or in the future.

**Bullying:** interpersonal hostility or aggression that is deliberate, repeated and sufficiently severe as to place at risk the targeted persons' health or economic well-being.

**Weapon:** anything used, designed to be used or intended for use in causing injury; anything used, designed to be used or intended for use for the purpose of threatening or intimidating any person.

**Workplace:** any location where Municipality of Dutton Dunwich employees are located during work or for work related reasons, including employer sponsored social activities.

**Workplace Violence:** any incident, in which an employee is abused, threatened or assaulted in a workplace. This includes the application of force with or without weapons and includes acts of physical or psychological violence, including, but not limited to, bullying,

mobbing, teasing, ridicule, hostile conduct and any other acts or use of words that can be reasonably interpreted as designed to hurt or isolate a person in the workplace. The violence may come from any source (e.g. resident, co-worker, contractor, personal relationship, etc).

**Harassment:** (for the purposes of this policy) engaging in a course of vexatious comment or conduct against a worker in a workplace - a comment or conduct that is known or ought reasonably to be known to be unwelcome. (Harassment based on prohibited grounds as per the Ontario Human Rights Code is dealt with under the Human Resources– Workplace Harassment and Discrimination WE02-2014).

## **ROLES AND RESPONSIBILITIES**

### **Council, Supervisors Managers:**

All members of Municipal Council, Supervisors and Managers are responsible for ensuring a work environment free from violence, harassment or threatened violence. This responsibility includes actively promoting a positive work environment and intervening when problems occur. Councillors', Supervisors' and Managers' responsibilities include the following:

- Understand and uphold the principles of this policy by following this policy in their dealings with employees and by setting a good example.
- Communicate to employees that you take the issues of workplace conduct and a violence-free environment seriously.
- Do not participate in or ignore violence or potential violence.
- Ensure employees are informed of the Municipality's policy and procedures for dealing with issues that arise under this policy.
- Respond promptly to any issues of violence, potential violence that come to your attention.
- Keep personal records of discussions with employees who raise concerns under this policy, as well as responses to situations.
- Report any incidents to the Chief Administrative Officer or in their absence the Mayor.
- Investigate and implement corrective actions to minimize potential recurrences.
- Ensure employees who are experiencing difficulties and/or are exhibiting behaviours that may contribute or lead to conduct inconsistent with this policy are aware of and support them to attend any community services that may be available to them.
- Ensure employees who are exposed to a violent or traumatic situation in the workplace are aware of and support them to attend any community services that may be available to them.
- Comply with all specific procedures, response plans or other controls that are defined by the Municipality. Such measures shall be reviewed by the applicable Health and Safety Committee.
- Participate in the delivery of any relevant training or educational programs to employees that the Municipality develops or identifies as assisting in managing and de-escalating crisis situations that may lead to violence and to establish personal safety measures.
- Maintain and preserve employees' private and personal information to the fullest extent possible in the circumstance(s) with the understanding that protection of employees from violence of any type prevails over confidentiality.

- Take every precaution reasonable for the protection of all workers in the workplace as per the requirements of the Occupational Health and Safety Act – specifically section 32.0.5.

### **Employees:**

All employees of the Municipality share an important role and responsibility in terms of the maintenance of a work environment free from violence or threatened violence. Employee responsibilities include the following:

- Ensure adherence to the spirit and intent of this policy.
- Understand the definitions of conduct prohibited by this policy and any conduct that falls within the scope of the behaviour prohibited by this policy.
- Do not engage in any behaviour that would constitute workplace violence, including coercion, bullying, harassment, threatening, and intimidation, abuse either physically or verbally that result in emotional or physical harm to other employees, residents or members of the public.
- Participate and provide input, through the Health & Safety Committee, in regards to the development of workplace violence procedures, response plans and other controls that are proposed or implemented to minimize or eliminate the risk.
- Attend education and training sessions offered by the employer regarding workplace violence.
- Report all workplace violence incidents to the Chief Administrative Officer and in their absence the Mayor.
- Report all concerns of personal/domestic violence that have the potential to enter the workplace
- Report changes in co-workers behaviours that are perceived to be concerning.
- Cooperate and assist with investigations regarding workplace violence incidents.
- Seek support and assistance from any community services available when experiencing stress or other personal difficulties that may contribute to workplace violence.
- Seek support and assistance from any community service available, if exposed to a violent or traumatic situation, if appropriate.

### **Guidelines for Dealing with Conflict and Aggression**

The following are preventative tips for dealing with conflict and aggression. Municipal policies and procedures may provide additional specific information.

- Be alert to situations and early warning signs (crying, pacing, avoidance or excessive eye contact, challenging behaviours, yelling, etc.).
- Try to provide an early resolution before a situation escalates and an incident occurs (e.g. deal with issues/complaints right away).
- Listen to the other person's entire issue/complaint.
- Gather information and determine the reason for the issue/ complaint.
- Do not downplay or minimize the person's concern.
- Remain calm, speak in a clear, calm and consistent voice.
- Maintain normal eye contact – avoid staring.
- Do not infringe on the person's personal space (e.g. do not point in their face).
- Keep the discussion focused on the issue, not the individual parties.
- Identify shared goals and ways to achieve them.
- Do not set unrealistic goals or make promises that you may not be able to keep.

- Set limits and inform the person that the meeting will only continue if they remain calm – inappropriate behaviour is not acceptable (refer to Appendix B – Commitment to a Civil Workplace Environment and Workplace Interactions Policy WE03-2014).
- Take the dispute to a third party if the matter cannot be resolved.
- Always remain alert to unsafe situations and react – leave the location if necessary, have another person accompany you or remain close-by, telephone for assistance, etc.

## PROCEDURES

### Management Support and Intervention

All members of the workplace community benefit from prompt, efficient and effective resolution of concerns regarding the quality of the work environment and any concern which may jeopardize a safe work environment. Any employee who experiences any concern in their work environment regarding violence or potential violence at or in the workplace is encouraged to report their concern immediately, either to management or through a formal complaint.

### Procedures for Resolving Concerns of Violence in the Workplace.

#### Management Support and Intervention:

Any concern about violence or potential violence may be effectively resolved by informal assistance, support and intervention by management. We encourage you to raise any concern respecting violence or potential violence at or in your workplace with your supervisor or manager at any time. In the event that you are not comfortable with raising the concern or issue with your direct Manager or Supervisor, you are encouraged to seek assistance of any member of management or Human Resources.

#### Complaint Process

In the event that informal attempts to resolve concerns of violence or potential violence are unsuccessful or you identify the concerns as more appropriately dealt with through a formal complaint process, an investigation shall be initiated in response to the receipt of a written formal complaint.

Should an employee decide to file a formal complaint, they should:

- put the complaint in writing
- sign and file the complaint with the supervisor/manager or human resources
- co-operate with those responsible for investigating the complaint

#### Complaint Investigation Procedure

Where a formal complaint is filed the following steps will occur:

- an investigation will be initiated and completed promptly;
- individuals who have relevant information with respect to the alleged complaint will be interviewed and statements taken;
- information obtained about an incident or complaint of workplace violence, including identifying information about any individuals involved, will not be disclosed unless the disclosure is necessary for the investigation or corrective action, or is required by law;
- a written report will be prepared at the conclusion of the investigation;

- the findings will be reviewed with the parties to the complaint;
- appropriate remedial action will be determined and implemented where there is a finding of violence in the workplace.

## **Guidelines for Dealing with Specific Types of Incidents**

### **Dealing with a Verbally Abusive Telephone Call**

The following are guidelines for dealing with verbally abusive telephone calls. Municipal policies and procedures may provide additional specific information.

- Inform the caller that abusive language is not acceptable.
- Advise the caller that the conversation will be terminated if the abusive language continues.
- Establish written documentation about the incident.
- Advise your Supervisor/Manager of the occurrence after the phone call has ended.
- If the same caller has made repeated similar calls, advise them that if it continues that the Police may be notified.

### **Dealing with Telephone Threats**

The following are guidelines for dealing with telephone threats. Municipal policies and procedures may provide additional specific information.

- Obtain as much information from the caller as possible.
- Immediately document the conversation as accurately as possible.
- Immediately notify your Supervisor/Manager.
- Do not discuss the conversation with anyone other than Management.

### **Dealing with a Written Threat**

The following are guidelines for dealing with a written threat. Municipal policies and procedures may provide additional specific information.

- Do not throw away any part of the written letters or envelopes.
- Handle the document(s) as little as possible.
- Place the document(s) in a folder or clear protective sleeve to help protect them.
- Advise your Supervisor/Manager of the occurrence.
- Do not discuss the contents of the written threat with anyone other than Management.

### **Supervisors/Managers**

Management on receiving reports of activities as listed above:

- Record the details of the incident.
- Assess the immediate danger and take the appropriate measures to safeguard employees and facilities.
- Notify the Chief Administrative Officer or in their absence the Mayor immediately, who will initiate the appropriate investigations.
- The Chief Administrative Officer or in their absence the Mayor will notify the appropriate Police services where necessary.

### **Guidelines for a Potential Volatile Situation:**

A potentially volatile situation is defined as any verbal threat or gesture to do harm to people, property, process or the environment. The verbal threat or gesture creates an intimidating,

offensive or hostile environment, and can include the display of uncontrolled behaviours as a result of emotional upset, anger or mental confusion. In such cases, responsibilities are as follows:

### **Employees (including Members of Council)**

- Establish a safe location and notify your Supervisor/Manager immediately. Activate EMS (Emergency Medical Services – by calling 9-1-1) if deemed necessary.
- Do not aggravate or allow anyone else to aggravate the situation.
- If the person leaves the area, do not detain them. Follow the person safely while on the Municipality of Dutton Dunwich's worksite. Inform your Supervisor/Manager of the location of the person.
- Follow the direction of your Supervisor/Manager or their designate.

### **Supervisors/Managers**

- Appropriately and safely intervene when you become aware of a potentially volatile situation.
- Assess the immediate danger and take the appropriate measures to safeguard persons and the facility.
- Document the threat.
- Notify the Chief Administrative Officer or in their absence the Mayor. The appropriate police services may be notified where necessary.
- If the offender is an employee, consider suspending the offender pending the outcome of the investigation.
- In conjunction with the Chief Administrative Officer or in their absence the Mayor, conduct an investigation. All parties are to be interviewed and asked to provide written, signed statements.
- Hold a post incident review to ensure procedures were followed and to make recommendations for improvements; recommend and/or provide appropriate medical care and or assistance.
- Record all details of the incident and submit a thorough report Chief Administrative Officer in a timely fashion.

### **Guidelines for a Violent Situation with Immediate Danger:**

A violent situation with immediate danger is defined as a highly agitated individual displaying loud and/or abusive verbal or aggressive physical behaviours; where harm or violent action to people, property or the environment has already taken place; the presence of any type of weapon or use of an object as a weapon or; where there is a threat by an individual to do immediate harm to people, property or the environment.

### **Employees (including Members of Council)**

- Establish a safe location. Activate EMS (Emergency Medical Services – by calling 9-1-1) if deemed necessary.
- Notify your Supervisor/Manager or other Municipality of Dutton Dunwich official immediately.
- Follow the direction of your Supervisor/Manager or other Municipality of Dutton Dunwich official.

## **Supervisors/Managers**

- Assess the immediate danger and appropriately and safely intervene when you become aware of the violent situation with immediate danger.
- Notify the appropriate Police services of the situation where necessary.
- Coordinate efforts to stabilize the situation – take the appropriate measures to safeguard persons and the facility.
- Document the occurrence details.
- Notify the Chief Administrative Officer or in their absence the Mayor.
- Once the situation is under control, and if the offender is an employee, consider suspending the offending employee pending the outcome of an investigation.
- In conjunction with the Chief Administrative Officer conduct an investigation. All parties are to be interviewed and asked to provide written, signed statements.
- Record all details of the incident and submit a thorough report to Chief Administrative Officer in a timely fashion.

## **CORRECTIVE ACTION**

Where violent or potentially violent conduct is substantiated, contrary to this policy, corrective action will be taken. Such corrective action will include addressing any relevant issues in the work environment, addressing the employee who has engaged in the violent behaviour or conduct contrary to this policy. Corrective action may range from educating individuals on the inappropriate-ness of their behaviour, to transfer, demotions, suspensions or termination. Corrective action may necessitate the need for police services and/or intervention. Criminal charges may be laid where the police services deem it appropriate.

## **POLICY REVIEW**

This policy will be reviewed on an annual basis by all Health and Safety Committee members and the Chief Administrative Officer. A copy of an updated policy will be posted in all workplaces.

## **RECORD OF POLICY REVIEW**

- (Occupational Health and Safety Act, in respect to Violence and Harassment: Section 32.0.1 (1))
- September 10, 2014 – Amended
- December 8, 2015 – No Changes
- October 12, 2016 – Updated (Bill 132 – amendments to the Occupational Health and Safety Act)