

Workplace Violence

Policy Group: **Health & Safety**
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**[For the purposes of this policy, 'CFL' refers specifically to Community Futures Lambton]*

The CFL is committed to the prevention of workplace violence.

The CFL has zero-tolerance for violent behaviour in the workplace and will take every reasonable step to protect its workers and stakeholders (including Directors, volunteers, students, interns, contractors and the like) from violence in all its forms. To ensure this, every member of the team must be dedicated to, and held accountable for, raising concerns and/or reporting incidents of workplace violence.

The CFL is committed to educating staff and stakeholders as to what constitutes workplace violence such that they can recognize it and support the prevention of it. For clarity relative to this policy, Workplace Violence is defined as:

- *The exercise of physical force by a person against a worker in a workplace environment* that causes or could cause physical injury to the worker.*
- *An attempt to exercise physical force against a worker in a workplace environment* that could cause physical injury to the worker.*
- *A written or verbal statement or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against the worker in the workplace environment such that the worker incurs a physical injury.*

** = "Workplace environment" includes the physical workplace as well as work conducted in an external workspace or in an on-line or virtual context.*

Within the above definition of violence, the following behaviours are among those identified: hitting, pushing, physical assault, sexual assault, stalking, criminal harassment, robbery, or threats of violence.

Workplace sexual violence is defined as:

- *Engaging in a course of vexatious comments or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comments or conduct is known or ought reasonably to be known as unwelcoming; or*
- *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 to know that the solicitation or advance is unwelcome.*

The CFL will ensure that this policy along with a requisite training program is resourced, implemented, and maintained. Supervisor(s) are responsible for ensuring measures and procedures are followed by employees and other non-employees who conduct business with the CFL.

REPORTING

All employees or other non-employees who conduct business with the CFL must work in compliance with this policy.



Employees and other stakeholders are required to report any incidents or threats where they are subjected to, witness, or have knowledge of workplace violence or have reason to believe that workplace violence may occur. At the employee's request, this report can be made confidentially.

No report of alleged workplace violence may be the basis of reprisal against the reporting employee.

The employer will comply with all requirements of the *Occupational Health and Safety Act* and *Workplace Safety and Insurance Act* in the investigation of such allegations.

All incidents of workplace violence should be reported to the CEO. On receipt of the complaint, the CEO will inform the Chair of the Board of Directors.

In the instance where the workplace violence complaint is regarding the CEO, the complaint should be reported to the Chair of the Board of Directors. The Chair will convene the Board to discuss.

In the instance where the workplace violence complaint is regarding the Chair or a member of the Board of Directors, the complaint should be reported to any member of the Board.

When workplace violence of any sort is reported, the CFL's legal Counsel will be contacted. Where the recommendation is to initiate an investigation, the CFL Board of Directors will rely on the feedback received from Counsel to guide and inform the character of the investigation.

The CEO (or the Board if they are investigating the incident) will warn all staff who might be affected about dangerous situations.

The CEO (or the Board Chair if the incident involves the CEO) will advise both the complainant and the respondent (as applicable depending upon whether on or both are employees of the organization) of the outcome of the investigation and of corrective action (if any).

If a violent incident of violence results in a critical injury to a worker, the CEO (or, as appropriate, the Board) will investigate the incident or injury (Section 9(31) OHSA) and provide a report to the Ministry of Labor.

RESPONSIBILITIES

The Employer

In the execution of this policy, the employer is responsible for:

- Complying with all *Occupational Health and Safety Act* and *Workplace Safety and Insurance Act* requirements in the implementation of this policy
- Ensuring that there is a Workplace Violence policy in place that is reviewed annually.
- Ensuring that there is a reporting process in place with regard to allegations of Workplace Violence.
- Ensuring that management is aware of the policy and procedure for responding to allegations of Workplace Violence and is held accountable for responding as appropriate.
- Ensuring compliance by all who have a relationship with the organization including staff, clients, community stakeholders, building tenants and the like.
- Posting a copy of this policy in the workplace.
- Investigating all reports or threats of workplace violence in a prompt, objective, and sensitive way.
- Taking corrective appropriate action.
- Facilitating, if/as required, medical attention and/or support for those involved directly or indirectly.

Managers:

Managers are responsible for:

- Enforcing the policy and procedures and monitoring worker compliance.
- Investigating all instances of workplace violence using the organization's investigation procedure.
- Ensuring the Board of Directors is fully informed of all allegations of Workplace Violence
- Facilitating, if/as required, medical attention for employee(s) as required.
- Ensure the workplace violence policy is reviewed at least once a year.

Employees:

Employees are responsible for:

- Reviewing the Workplace Violence policy on an annual basis.
- As required, participating in education and training programs in order to respond suitably to any incident of workplace violence.
- Understanding and complying with the workplace violence policy and related procedures.
- Reporting all incidents of alleged workplace violence or threats of violence to the manager immediately. Completing the Workplace Violence Incident Report.
- Seeking support when confronted with workplace violence.

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DOMESTIC VIOLENCE

The CFL recognizes that domestic/intimate partner violence may impact an employee or employees in the workplace and will take every precaution reasonable in the circumstances to protect employees if they become aware, or ought reasonably to be aware, of an employee in a domestic/intimate partner violence situation that may expose a worker to physical injury in the workplace.

The CFL is committed to meeting this responsibility in a manner that:

- Is sensitive to and supportive of the needs of employees who are in domestic/intimate partner violence situations;
- Provides employees in such situations with access to information regarding resources and supports to ensure their physical safety, emotional health and basic material and financial needs; and
- Is protective of the health and safety of all employees that may be placed at risk as a result of domestic/intimate partner situations impacting the workplace whilst respecting the privacy rights of the employee in that situation.

The CFL is committed to educating staff and stakeholders as to what constitutes domestic violence such that they can recognize it and support the prevention of it. For clarity relative to this policy, domestic/intimate partner violence is:

... the intentional and systematic use of tactics to induce fear and establish and maintain power and control over the thoughts, beliefs and conduct of another in an intimate/familial relationship. The pattern of behaviour may include but is not limited to: physical violence, sexual, emotional/psychological abuse exhibited by verbal abuse, stalking, and using electronic means. Anyone can be a victim of domestic/intimate partner violence, regardless of gender, age, race, religion, sexual orientation, economic status, or education. The abuser may be a current or former spouse or partner, relative or friend. Other common terms for domestic/intimate partner violence include personal relationship violence or family violence.

The reporting guidelines outlined in this policy regarding alleged instances of Workplace Violence should also be followed in instances of Domestic Violence.

RESPONSIBILITIES

The CFL will:

- Strive to create a workplace that:
 - is free from all forms of violence, including domestic/intimate partner violence
 - supports employees who are recognized to be, or who report being, victims of domestic/intimate partner violence
- Take reasonable preventative measures to protect the safety of employees who request assistance in the workplace because they are the victims of domestic/intimate partner violence
- Respect the confidentiality of the employee who reports domestic/intimate partner violence, informing other employees on a need-to-know basis only, and only to the extent necessary to protect safety and to comply with legislative requirements

Managers/Supervisors will:

- Understand and uphold the principles of this policy
- Ensure this policy is explained to employees
- Be aware of observable signs or behaviours that may suggest domestic/intimate partner abuse
- Take every precaution reasonable in the circumstances for worker protection if they become aware, or ought reasonably to be aware, that domestic/intimate partner violence that would likely expose a worker to physical injury may occur in the workplace
- Provide informed and supportive responses to employees experiencing or witnessing domestic/intimate partner violence in the workplace. Make these employees aware of resources (internal and external to the CFL) that are available to assist victims of domestic/intimate partner violence
- Work with employees who report being the victims of domestic/intimate partner violence that may pose a threat in the workplace in developing a workplace safety plan to protect them and others in the workplace. This plan will be individualized to the circumstances reported but may include elements such as:
 - Resource and referral information
 - Call screening, new phone number, e-mail blocking, removal of employee contact information from public directories
 - Additional security and/or security measures at the workplace
 - Work schedule adjustment to enable domestic/intimate partner violence victim to obtain medical, counselling, or legal assistance
- Properly document any report of domestic/intimate partner violence
- Protect the confidentiality of employees who report domestic/intimate partner violence within the limits needed for safety, recognizing that information may need to be shared on a strictly need-to-know basis if an employee's safety at work is jeopardized
- Take all reasonable and practical measures to protect workers, acting in good faith, who report domestic/intimate partner violence in the workplace or act as witnesses, from reprisals (acts of retaliation, direct or indirect) or further violence
- Take appropriate corrective and/or disciplinary actions to address instances in which an employee uses workplace resources to perpetrate domestic/intimate partner violence



Employees who are witnesses to domestic/intimate partner violence in the workplace are required to:

- Take action to ensure their own immediate safety in the event of a domestic/intimate partner violence incident
- Report any such incident immediately to the supervisor or manager
- Report to their supervisor/manager any information that indicates the safety of any employee in the workplace is at risk as a result of domestic/intimate partner violence
- Apart from these situations, maintain confidentiality regarding a co-worker experiencing domestic/intimate partner violence

The CFL recognizes that employees experiencing domestic/intimate partner violence may be reluctant to disclose the problem to a supervisor or manager. The CFL encourages disclosure in order to protect the safety of the employee and others in the workplace. Disclosure also enables the CFL to support the employee and provide links to appropriate services. Although the CFL respects the employee's need for confidentiality, an employee is responsible for:

- Disclosing any situation that threatens the safety of the workplace
- Informing the supervisor/manager if they have applied for, or obtained, a restraining order that includes the workplace as a protected area.

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All instances of workplace violence will be documented with details including the nature of the complaint, the steps taken to investigate, the evidence gathered and from whom, the findings and determination if the action was deemed to be workplace violence or not.

The CFL will review all such reports in a timely manner and implement such changes to policy or procedures as may be appropriate to address the prevention of further incidents.

The CFL will also implement such additional training or education for staff and stakeholders to assist in the prevention of future incidents.