

Category: Human Resources

**Title:** Workplace Violence Prevention Policy

Policy Number: HRM-120

Approved by: CW271-2022

Administered by: Human Resources

Effective: June 1, 2022

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## 1. Background

The City is committed to creating a work environment where everyone plays a vital role in ensuring a safe and healthy Workplace by preventing Workplace Violence.

This Policy is supported by the accompanying Preventing and Addressing Workplace Violence Standard Operating Procedure. This Policy should be read in conjunction with the Occupational Health and Safety, Respectful Workplace Policies and the Employee Code of Conduct – which is about our values, principles, and standards of behaviour that govern our actions.

## 2. Purpose

The purpose of this Policy is to:

- a) Adopt a proactive approach to preventing Workplace Violence;
- b) Outline the requirements of acceptable behaviours for those who have a role in dealing with Workplace Violence; and,
- c) Comply with the City's legislative responsibilities under the *Occupational Health and Safety Act* respecting Workplace Violence.

## 3. Application and Scope

This Policy applies to:

- Employees (including but not limited to service contractors, students, and volunteers);
- Members of Council;
- Vendors and suppliers; and
- Members of the public (including citizen members of committees)

#### 4. Outcomes

- 4.1 Establish, foster, and maintain a physically and psychologically safe and healthy work environment free from Workplace Violence for all individuals.
- 4.2 Workplaces where all individuals are treated with respect, Civility, and dignity, in an inclusive, diverse, and safe work environment.
- 4.3 The City and Employees will comply with the *Occupational Health and Safety Act* respecting Workplace Violence.

#### 5. Principles

##### 5.1 Violence Free Workplace

All individuals have the right to work or access services in a safe environment free from perceived, actual, attempted, or threatened Workplace Violence.

Workplace Violence is a serious matter and the City will take every reasonable precaution to prevent it.

##### 5.2 Shared Responsibility

It is a shared responsibility between all individuals to create an environment where everyone is able to work without potential or actual threat of Workplace Violence. All individuals should be prepared to actively work together to address Workplace Violence.

##### 5.3 Zero Tolerance

Violent behaviour in the Workplace is unacceptable from anyone. Workplace Violence from any individual will not be tolerated, condoned, or ignored.

#### 6. Policy Statements

- 6.1 The City is committed to working in collaboration with its Workplace Parties and members of the public to create a Workplace free from Workplace Violence. This is achieved by complying with the *Occupational Health and Safety Act*, and:

- 6.1.1 Establishing and communicating expectations and behaviours considered appropriate and inappropriate in the City Workplaces and in the delivery of / or access to City services;
  - 6.1.2 Proactively preventing Workplace Violence through assessing the risk of violence;
  - 6.1.3 Training and informing Employees when there is a potential or actual risk of violence from all possible sources, including but not limited to customers, clients, Supervisors, Employees, and Domestic Violence; and,
  - 6.1.4 Addressing incidents through corrective actions and support for Employees who are victims of violence, as necessary.
- 6.2 Confidentiality will be maintained wherever possible. Out of respect for all Workplace Parties involved, the Workplace Parties involved in an incident or investigation must maintain confidentiality throughout the process. Information may need to be disclosed to protect employees, investigate the incident, take corrective action, or otherwise as required by law.
- 6.3 All individuals have the right to report or act as a witness in good faith, incidents of Workplace Violence without fear of Reprisal, and/or further violence. Where it is confirmed that an incident of Workplace Violence has occurred, corrective action taken will not be considered a Reprisal.
- 6.4 The City recognizes that involvement in Workplace Violence incidents may be stressful and emotionally upsetting. All affected individuals are encouraged to seek counselling or rehabilitation from the following support systems:
- 6.4.1 Employee and Family Assistance Program; and,
  - 6.4.2 Peer Support Network, where available.

## **7. Roles and Responsibilities**

### **7.1 Senior Leaders**

- a) Ensure a Workplace Violence Prevention Policy is in place and reviewed at least once, annually, and a program is in place to implement this Policy; and,
- b) Comply with section 7.2 Roles and Responsibilities for Supervisors if incidents were reported by direct reports.

### **7.2 Supervisors**

- a) Lead by creating and maintaining a safe and healthy workplace free of Workplace Violence while being a role model for others;

- b) Understand and comply with this Policy and accompanying program;
- c) Post this Policy in a visible location in the Workplace and ensure Employees can locate this Policy in the workplace and digital location;
- d) Post the Statement of Commitment in areas that are accessible to members of the public;
- e) Hold Employees accountable for their behaviour and for following measures and procedures;
- f) Ensure Employee awareness of training, and monitor and enforce compliance with this Policy and accompanying program;
- g) Require Employees to review this Policy at least once annually;
- h) Conduct Risk Assessments and address hazards of Workplace Violence with corrective actions;
- i) Advise Employees of the risk of Workplace Violence from a person with a history of violent behaviour they may encounter where physical injury is likely;
- j) Advise Employees to report their concerns to their Supervisor, Human Resources or any member of management if they fear that Domestic Violence may enter the workplace;
- k) Inform Employees of how to summon immediate assistance in the case of an extreme or imminent threat of Workplace Violence;
- l) Advise Employees to report concerns, and incidents of Workplace Violence to their Supervisor, Human Resources, or any member of management;
- m) Act immediately on incidents of Workplace Violence;
- n) Document incidents reported by the Employee or incidents that are known or witnessed;
- o) Report incidents to Human Resources who will provide support for the intake, tracking, and processing of inquiries, complaints, and investigations;
- p) Address incidents, and depending on the nature of the incident or complaint, collaborate with Human Resources to determine who will investigate further;
- q) In collaboration with Human Resources, determine appropriate corrective action to address the incident;
- r) Notify Human Resources immediately if a critical injury or fatality occurs in their Workplace as a result of an incident of Workplace Violence; and,
- s) Notify Human Resources as soon as possible if a Ministry of Labour, Training and Skills Development Inspector attends their Workplace as a result of an incident of Workplace Violence.

### 7.3 Employees

- a) Create and maintain a Workplace free from Workplace Violence while being a role model for others;
- b) Understand and comply with this Policy and accompanying program and participate in training;

- c) Review this Policy at least once annually;
- d) Summon immediate assistance by contacting Corporate Security, and in the case of extreme or imminent threat of physical harm to themselves or any individual from Workplace Violence, summon the Police;
- e) Raise any concerns about Workplace Violence to their Supervisor or Human Resources;
- f) Report incidents of Workplace Violence experienced, witnessed, or having knowledge of to their Supervisor, Human Resources, or any member of management; and, co-operate fully in investigations of incidents of Workplace Violence.

#### 7.4 Human Resources

- a) Prepare, maintain, and facilitate the review of this Policy at least once, annually;
- b) Develop and maintain a program to implement this Policy in consultation with Workplace Parties, and review the program as often as necessary;
- c) Receive all incidents of Workplace Violence, and support the appropriate party to address and/or investigate;
- d) Provide support and guidance to Supervisors and Employees to ensure compliance with this Policy and accompanying program;
- e) In collaboration with the Supervisor, establish an Incident Assessment Team;
- f) Participate in Risk Assessments for Workplace Violence, as part of the Risk Assessment Team;
- g) Make available a copy of the Risk Assessment results to the Joint Health and Safety Committees;
- h) Facilitate interactions with Ministry of Labour, Training and Skills Development Inspectors as a result of incidents of Workplace Violence;
- i) Facilitate informal resolutions, mediations, and investigations, as required;
- j) Engage the Incident Assessment Team, to assist in the investigation and ensure corrective actions are consistent in the resolution of incidents of Workplace Violence;
- k) Report any fatal or critical injury as a result of Workplace Violence to the Ministry of Labour, Training and Skills Development; and,
- l) Offer Workplace Violence Prevention Program training and other requisite training programs (e.g. Workplace investigations) as required by the *Occupational Health and Safety Act*.

## 8. Monitoring and Compliance

- a) Supervisors must monitor their Employees' compliance with this Policy on an ongoing basis.

- b) Operating departments must keep Records to verify compliance with this Policy in case of periodic reviews by Human Resources.
- c) The Policy must be reviewed at least once, annually by Senior Leaders to ensure its effectiveness and to comply with legislation.

## 8.1 Consequences of non-compliance

8.1.1 Any Employee, who violates this Policy, including making a report of violence that is false, frivolous, or made in bad faith, may be subject to:

- regulatory action and/or criminal charges; and/or,
- immediate corrective action which may include:
  - i. termination of employment;
  - ii. prohibition from City property;
  - iii. having the incident reported to the Police; and /or,
  - iv. other action as appropriate.

8.1.2 Members of the public, visitors to City facilities, or individuals conducting business with the City, are expected to adhere to this Policy. This includes refraining from inappropriate behaviour towards Employees, Members of Council, and persons acting on behalf of the City. If inappropriate behaviour occurs, the City will take appropriate action to ensure a Workplace free from violence. This could include barring the person from facilities, reporting the incident to Police, or other action with vendors or suppliers.

## 8.2 Alternate Approach

Circumstances may exist where the provisions of this Policy may not apply or may require an alternate course of action. In these circumstances, written approval from the Chief Administrative Officer and Director, Human Resources is required prior to any alternate action.

## 9 Definitions

9.1 'Civility' means the act of showing regard for others, being considerate in your interactions, and recognizing the inherent value of each individual in the Workplace.

9.2 'Critical Injury' means an injury which:

- places life in jeopardy
- produces unconsciousness
- results in substantial loss of blood
- involves the fracture of a leg or arm, including a wrist, hand, ankle, or foot
- involves the amputation of a leg, arm, hand, foot, or multiple fingers or toes

- consists of burns to a major portion of the body
  - causes the loss of sight in an eye
- 9.3 'Domestic Violence' means 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 – who may physically harm, or attempt or threaten to physically harm, that worker at work.
- 9.4 'Employee' means any of the following:
- a) a person who performs work or supplies services for monetary compensation;
  - b) a secondary school student who performs work or supplies services for no monetary compensation under a work experience program authorized by the school board that operates the school in which the student is enrolled;
  - c) a person who performs work or supplies services for no monetary compensation under a program approved by a college of applied arts and technology, university, private career college or other post-secondary institution; or,
  - d) such other persons as may be prescribed who perform work or supply services to an employer for no monetary compensation.
- 9.5 'Incident Assessment Team' is comprised of but not limited to: the relevant Supervisor, relevant operating Department Head if required, Human Resources Business Partner, Labour Relations Advisor, Director, Human Resources if required, and Chief Administrative Officer if required, Facility Management, Corporate Security, Legal Services, Law Enforcement, and Employee and Family Assistance Program provider to determine the appropriate corrective action.
- 9.6 'Joint Health and Safety Committee' means a committee of employee and supervisory representatives who are mutually committed to improving health and safety conditions in the workplace. Committees meet on a regular basis to identify potential health and safety issues and bring them to the employer's attention, and conduct workplace inspections monthly.
- 9.7 "Member of Council" refers to any elected or appointed official on Council, including the Mayor.
- 9.8 'Record' includes documented business transactions, decisions, and activities, such as notes, memos, agendas, minutes, training records, etc.
- 9.9 'Reprisal' means an action, or threat, that is intended as retaliation for claiming or enforcing a right under the *Occupational Health and Safety Act*. Retaliation may be either direct or indirect. Retaliation can include creating a hostile work environment, harassment, demotion, or dismissal.

- 9.10 'Risk Assessment' means assessing the risk of Workplace Violence, from a prevention perspective, that may arise from the nature of the Workplace, the type of work, or the conditions of work.
- 9.11 'Risk Assessment Team' is comprised of but is not limited to: the relevant Supervisor, an experienced Employee, Facility Management representative, Corporate Security representative, Human Resources Business Partner, and Health and Safety Advisor, to evaluate the potential for Workplace Violence through a risk assessment.
- 9.12 'Senior Leader' means the Chief Administrative Officer, Commissioners, and Department Heads.
- 9.13 'Supervisor' means a person who has charge of a workplace or authority over an Employee and can include, but is not limited to, Members of Council, Senior Leaders, Directors, Managers, Supervisors, and Forepersons.
- 9.14 'Workplace' means any land, premises, location, or thing at, upon, in, or near which an employee works, and may include but is not limited to:
- physical and virtual work environments (including vehicles);
  - locations visited by Employees while travelling on City-related business; or,
  - locations of work-based social gatherings, training, and conference or travel.
- 9.15 'Workplace Parties' means Supervisors, Employees, Joint Health and Safety Committees, unions and associations, service contractors, students, and volunteers.
- 9.16 'Workplace Violence' means:
- a) The exercise of physical force by a person against an Employee, in a workplace, that causes or could cause physical injury to the Employee;
  - b) An attempt to exercise physical force against an Employee, in a Workplace, that could cause physical injury to the Employee; and,
  - c) A statement or behaviour that is reasonable for an Employee to interpret as a threat to exercise physical force against the Employee, in a Workplace, that could cause physical injury to the Employee.

## **10 References and Resources**

This Policy should be read and applied in conjunction with the following references and resources as updated from time to time. Please note that some of the following documents may not be publically available.



## External references

- [Occupational Health and Safety Act](#)

## References to related bylaws, Council policies, and administrative directives

- [Council Handbook](#)
- [Code of Conduct for Members of Council](#)
- [Council-Staff Relations Policy](#)
- [Occupational Health and Safety Policy](#)
- [Respectful Workplace Policy](#)

## References to related corporate-wide procedures, forms, and resources

- [Preventing and Addressing Workplace Violence SOP](#)
- [Supervisor's Report of Employee Accident Form](#)
- [Multi-Workplace Joint Health and Safety Committee Terms of Reference](#)

## Revision History

| Date       | Description   |
|------------|---|
| 2018/05/30 | Approved; Replaces Workplace Violence Prevention (12.9.1)   |
| 2019/11/20 | Amended by Council Resolution CW470-2019  |
| 2021/03/24 | Scheduled Review. Administrative amendments were made to the policy.<br>Amendments approved by Council Resolution No. C082-2021   |
| 2022/06/01 | Scheduled Review. Administrative amendments made to the Policy. Inclusion of Statement of Commitment consistent with Respectful Workplace Policy. Workplace definition to reflect physical and virtual work environments. Expanded Reprisal definition. Links reviewed and updated. |
| 2023/06/01 | Next Scheduled Review.  |