

# Corporate Policy and Procedure



POLICY	<b>Workplace Violence Policy</b>
CATEGORY	Corporate
AUTHORITY	All departments
RELATED POLICIES	Workplace Harassment and Discrimination Policy Work Refusal Policy Job Hazard Analysis (JHA) Contractor Safety Management Program Code of Conduct Community Services Rzone Code of Conflict
APPROVED BY	Executive Management
EFFECTIVE DATE	June 6, 2007
REVISION DATE	June 1, 2019

## Policy Statement

Guided by our corporate values, it is a shared responsibility, involving all levels of the organization, to ensure that the Corporation of the City of Guelph strives to create and maintain a violence-free workplace and addresses violence and/or the threat of violence from all possible sources (including, but not limited to customers, contractors, clients, employers, supervisors, workers, strangers and domestic/intimate partners).

The Corporation will under no circumstances tolerate or condone any threats or acts of violence directed at workers by other workers, members of the public, or by a worker towards a member of the public or other person or group external to the City of Guelph, and will ensure that all persons working for or on behalf of the city are made aware of what behaviour is and is not appropriate.

The Corporation further commits that it will, as necessary, assess or re-assess the risk of workplace violence, investigate complaints and impose suitable corrective measures, as needed.

## Scope

The Workplace Violence Policy (henceforth referred to as the 'policy') applies to all City of Guelph full-time, part-time, casual and temporary workers as well as contractors, volunteers and councillors performing authorized activities for or on behalf of the City of Guelph.

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The policy applies to any location in which a worker is engaged in work-related activities, including those locations that are not primary work sites. This may include social functions, training and conferences.

## **Purpose**

The Corporation of the City of Guelph is committed to:

- (a) Providing and maintaining a healthy and safe work environment that is free from all forms of violence;
- (b) Investigating reported incidents of violence in an objective and timely manner;
- (c) Taking necessary action; and
- (d) Providing appropriate support for workers that are victims of violence.

No action shall be taken against an individual for making a complaint, unless the complaint is found to have been made maliciously and in bad faith.

## **Definitions**

### **Domestic Violence**

Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members, regardless of gender or sexuality. For the purposes of this policy, this applies should one of those parties physically harm or attempt to physically harm, another party in the course of their employment at a workplace.

### **Worker**

Any of the following, but does not include an inmate of a correctional institution or like institution or facility who participates inside the institution or facility in a work project or rehabilitation program:

1. A person who performs work or supplies services for monetary compensation.
2. 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.
3. 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 or other post-secondary institution.
4. Such other persons as may be prescribed who perform work or supply services to an employer for no monetary compensation.

### **Workplace**

Any location where a City of Guelph worker is carrying out their occupational duties, including those locations that are not primary work sites. This may include city vehicles, social functions, training and conferences, or any other location where the worker may be deemed to be 'at work'.

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## **Workplace Violence**

Defined under the Occupational Health and Safety Act as:

- a) the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker,
- b) an attempt to exercise physical force against a worker, in the workplace, that could cause physical injury to the worker,
- c) a statement or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

The definition given above is broad enough to include acts that may be considered criminal.

Some examples of Workplace Violence may include the following:

- physically threatening behaviour such as shaking a fist at someone, finger pointing, destroying property, throwing objects
- verbal or written threats to physically attack a worker
- leaving threatening notes or sending threatening emails
- wielding a weapon at work
- stalking someone; and
- physically aggressive behaviours including hitting, shoving, standing excessively close to someone in an aggressive manner, pushing, kicking, throwing an object at someone, physically restraining someone or any other form of physical or sexual assault

Violence that occurs outside the normal workplace but which has an impact on the working environment, including working relationships, may also be considered violence in the workplace.

## **Roles and Responsibilities**

### **Executive Management**

- Foster a respectful work environment free from violence.
- Communicate this policy to managers/supervisors.
- Provide support and resources to ensure this policy is successfully implemented and maintained.
- Ensure this policy is updated at least annually or sooner if required.

### **Managers/Supervisors** shall:

- Ensure assessments of the workplace are completed at least annually or sooner if required.
- The assessments shall include:
  - identification of risk factors associated with the nature of the workplace,
  - the type of work being performed; and
  - workplace conditions.

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- Provide copies workplace violence assessments to the appropriate Joint Health and Safety Committee (JHSC).
  - Provide to workers details about the measures and procedures for summoning immediate assistance, which may include any or all of the following:
    - Equipment to summon assistance such as fixed or personal alarms, locator or tracking systems, phones, cell phones, two way radios etc.;
    - Emergency telephone numbers and/or email addresses;
    - Emergency procedures
    - Safe room/secure location
  - Immediately contact Health & Safety in any of the following circumstances:
    - Upon receipt of a complaint of workplace violence,
    - witness or become aware of violent behaviour, or
    - a threat of violent behaviour.
  - Investigate complaints of workplace violence or suspected workplace violence immediately.
  - Include in the investigation the following parties:
    - all persons with knowledge of the incident,
    - representatives from the appropriate union group(s) representing the person making the complaint and/or the alleged transgressor, if applicable.
  - Take every reasonable precaution to protect workers from workplace violence, including evaluating a person's history of violent behaviour to determine whether and to whom this worker poses a risk.
  - In making this evaluation management must consider the following:
    - Whether the person's history of violence was associated with the workplace or work;
    - Whether the history of violence was directed at a particular worker or workers in general; and
    - How long ago the incidence of violence occurred
  - In certain circumstances, provide information about a risk of workplace violence from a person with a history of violent behaviour, if another worker can be expected to encounter the person during the course of his or her work, and the risk of violence has the potential to expose the worker to physical injury. **Contact Human Resources before any information is released.**
  - Communicate this policy to all workers upon hire, and as part of the Health & Safety Policy Review.

**Note:** To assist in performing the assessments, the [Appendix A - Workplace Violence Assessment Tool](#) may be used, in conjunction with any other tools.

**Workers** shall:

- Act in accordance with the Occupational Health & Safety Act and Regulations, and ensure behaviours exhibited in the workplace do not violate this policy.
- Foster a work environment that is based on mutual respect.

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- Report to immediate supervisor **any** and all incidents of workplace violence or threat of workplace violence, whether arising from internal or external sources.
    - Where the worker is uncomfortable raising the issue to his or her immediate supervisor, the worker can report to their next level manager or Health & Safety.

**Health & Safety shall:**

- Act as the designated advisor under this policy, or assign a designate to act as such.
- Provide support and direction to the workers reporting incidents and all involved parties.
- Provide a summary of all workplace violence reports received to the Joint Health & Safety Committees on a monthly basis.

## **Procedure**

### **Investigation and resolution of workplace violence complaints**

Where a worker has reported the existence of any workplace violence or threat of workplace violence to their supervisor, the supervisor will immediately ensure the completion of the [Violence Occurrence Report](#) in conjunction with the worker, and, upon completion of the report, will advise Health & Safety and appropriate Human Resources Advisor of the situation.

The supervisor will assume the role of investigator, and commence an investigation as quickly as possible, involving all relevant parties. In certain circumstances, Health & Safety may choose to lead the investigation or use an external investigator, depending on the nature of the incident.

Where the investigation involves unionized workers, the appropriate union(s) must be advised of the investigation, and be given sufficient notice to participate in order to represent their member(s).

The investigation will include:

- conducting interviews of relevant individuals to ascertain all of the facts and circumstances relevant to the complaint, including dates and locations
- reviewing any related documentation; and
- making detailed notes of the investigation and maintaining them in a confidential file

Once the investigation is complete, the investigator(s) will prepare a detailed report, which will include the circumstances of the incident and the findings and subsequent recommendations.

Copies of the investigation report will be provided to Health & Safety, the manager(s) of involved parties, and the union representation assigned to the investigation (if applicable).

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In appropriate circumstances, the Corporation may contact the police, or other emergency responders as appropriate, to assist, intervene or investigate workplace violence.

### **Corrective Measures**

Health & Safety, upon receipt of the investigation report, will consult with the appropriate Human Resources Advisor to review the findings. A decision on next steps will be made in consultation with the relevant management representatives of the involved person(s).

If a finding of workplace violence is made, the Corporation will take appropriate corrective measures, regardless of the respondent's seniority or position in the organization.

Corrective measures may include one or more of the following:

- discipline, such as a verbal warning, written warning or suspension without pay, termination with or without cause
- referral for counselling (sensitivity training), anger management training, supervisory skills training or attendance at educational programs on workplace respect
- reassignment or transfer
- any other disciplinary action deemed appropriate under the circumstances

Corrective measures will be commensurate with the severity of the incident, and, where appropriate, give consideration to the workers employment history.

If a worker makes a complaint in good faith and without malice, regardless of the outcome of the investigation, the worker will not be subject to any form of discipline. The Corporation may, however, initiate disciplinary proceedings against anyone who brings forward a false and malicious complaint.

### **Work Refusal**

All workers have the right to refuse work that they believe is unsafe, and this includes where they feel that workplace violence is likely to endanger them.

Where an worker feels that they may be, or have been subjected to workplace violence, they are to immediately contact their supervisor, at which point appropriate measures as defined in the **Work Refusal Policy**, will be taken to protect the worker and investigate the situation.

Provided the situation is dealt with quickly and the danger to workers is removed, the necessity of work refusal may be alleviated.

### **Domestic Violence**

If a worker is experiencing domestic violence that would expose them to physical injury in the workplace or they believe that they are at risk of suffering from

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domestic violence in the workplace, they may seek immediate assistance by contacting their supervisor or Health & Safety.

The Corporation will take every precaution reasonable to protect the worker and their co-workers in the circumstances. This may include some or all of the following;

- creating a safety plan
- contacting the police
- establishing enhanced security measures such as a panic button, code words, and door and access security measures
- screening calls and blocking certain email addresses
- setting up priority parking or providing escorts to your vehicle or to public transportation
- adjusting working hours and location so that they are not predictable; and
- facilitating access to counselling through the Worker Assistance Program or other community programs.

The Corporation appreciates the sensitivity of these issues and will endeavour to assist workers as discreetly as possible while maintaining privacy.

### **Confidentiality of Complaints and Investigations**

The Corporation recognizes the sensitive nature of workplace violence complaints and will keep all complaints confidential, to the extent that it is able to do so. The Corporation will only release as much information as is necessary to investigate and respond to the complaint or situation or if required to do so by law.

Out of respect for the relevant individuals, it is essential that the complainant, respondent, witnesses and anyone else involved in the formal investigation of a complaint maintain confidentiality throughout the investigation and afterwards.

### **Protection from Retaliation**

The Corporation will not tolerate retaliations, taunts or threats against anyone who complains about violence and/or harassment or takes part in an investigation. Any person, who taunts, retaliates against or threatens anyone in relation to a violence or harassment complaint, may be subject to accelerated discipline up to and including termination of employment.

### **Training**

All workers of the City of Guelph will receive instruction and training on the contents of this policy at hire, and no less than every three years thereafter. This requirement may be amended if legislation changes and more frequent review are deemed to be necessary.

### **Reference Documents**

Occupational Health & Safety Act, R.S.O. 1990, c. O.1

**REVISION HISTORY**

Document Owner	Issue / Revised Date	Reason For Changes
Health & Safety	June 6, 2007	Initial draft
Health & Safety	May 1, 2017	<p>Added Worker to definitions.</p> <p>Added wording to include the requirement for unions to be involved as part of investigations involving their membership.</p> <p>Added Training requirements</p> <p>No changes made to the intent of the document. Some of the wording was amended to read better.</p>
Health & Safety	May 1, 2018	<p>Added Human Resources to be contacted before releasing any information about a worker with history of violence under Manager Responsibilities.</p> <p>Under Corrective Measures changed Labour Relations Specialist to Human Resources Advisor.</p>
Health & Safety	May 30, 2019	<p>Revised policy statement</p> <p>Updated worker definition</p> <p>Replaced Program Manager – Corporate Health &amp; Safety with Health &amp; Safety</p> <p>Added Violence Assessment Tool Form to appendix</p>



**Appendix A – Workplace Violence Assessment Tool**

**LOCATION:**

**DATE:**

**ASSESSORS:**

Question #	Areas of Concern	Yes/No/NA	Existing Controls	Recommended Additional Controls
<b>ACCESS CONTROL AND GENERAL SAFETY</b>				
1	Are workers and visitors required to pass the Front Counter area when they enter the workplace?			
2	Is the Front Counter area staffed during normal work hours?			
3	Is the Front Counter area staffed after hours?			
4	Are visitors required to sign in at Front Counter?			
5	Are there any physical barriers at the Front Counter to prevent unauthorized persons getting into work areas? (gates, screens, doors etc.)			
6	Are visitors required to wear ID badges?			

7	Visitors are required to be accompanied by an employee at all times while on the premises?			
8	Are facility doors and window locks properly maintained?			
9	Are there workplace access controls in place? Keys, coded cards, buzzers, etc.			
10	Do workers require the use of these controls when they are both entering and exiting the workplace?			
11	Are employee-only work areas separate from public areas?			
12	Are the work areas only accessible during normal business hours?			
13	Are workers required to wear photo ID badges?			
14	Is there a system to alert workers of intruders?			
15	Are there isolated work areas?			
16	All windows on the ground floor cannot open?			
17	Are there any uncontrolled access points to work areas?			
18	Are there procedures for workers to follow when dealing with strangers or intruders?			

19	Are there designated rooms for meeting with clients?			
20	Has the interior of the building been assessed for possible hiding places?			
21	Do workers work at times of increased vulnerability, such as late at night, early in the morning, or at very quiet times of day?			
22	Are there procedures for workers to follow when dealing with aggressive or violent clients or members of the public?			
23	Are there designated safe areas where workers can go during a workplace violence incident?			
24	Are all workers and supervisors trained in all relevant measures and procedures that will protect them from violence associated with the workplace's physical environment?			
<b>ESCAPE OPPORTUNITIES</b>				
1	Are entrances and exits well marked?			
2	Are workstations/work space designed with the ability to get away quickly?			
3	Are emergency exit doors unobstructed?			
4	Are there visible floor plans that workers can consult?			
5	Are panic buttons readily available? Where do they alarm?			
6	Are panic buttons tested regularly?			
<b>VISIBILITY</b>				

1	Is the inside lighting adequate to clearly see at all times?			
2	Is the outside lighting adequate to clearly see at all times?			
3	There are not hidden/obstructed corners or areas or visual barriers inside the workplace? i.e. tall shelving, high cubicle walls, posters on windows, etc.			
4	There are not hidden/obstructed corners or areas outside? i.e. tall bushes, hedges, gates, etc.			
5	Are office and room doors usually kept locked?			
6	Are the noise levels moderate to hear someone calling for assistance or hear announcement over public address system?			
<b>SECURITY &amp; SURVEILLANCE SYSTEMS</b>				
1	Are trained security personnel available to staff in a timely manner?			
2	Are there metal detectors at the workplace? (Handheld or stationary metal detectors)			
3	Is there video surveillance of the elevators?			
4	Is there video surveillance on each floor in the hallways?			
5	Is there staff who monitor the surveillance videos?			
6	Are there security patrols of work areas during regular working hours? Both inside the workplace and around the perimeter?			

7	Are there security patrols of work areas at night and on weekends? Both inside the workplace and around the perimeter?			
<b>PARKING AREAS, EXTERIOR AND BUILDING PERIMETER</b>				
1	Is there video surveillance of the staff parking lots and its connected staircases and hallways?			
2	Is there video surveillance of the building exterior?			
3	Are there panic alarms in the staff parking lots?			
4	Are there emergency telephones in the staff parking lots?			
5	Are the staff parking lots well lit?			
6	Has an assessment of the outside of the building and parking lots been completed for possible hiding places?			
7	Are security staff available to escort workers to the staff parking lots?			
8	Are there security mirrors in the connected staircases and hallways?			
9	Is access controlled to the staff parking lots?			
10	Are there regular security patrols of the parking lots, connected staircases and hallways, and building perimeter?			
11	Is the workplace located in a low crime area?			
<b>REMOTE WORKPLACE/FIELD WORKERS</b>				

1	Workers have no or limited access with the public/clients/customers			
2	Are there procedures for workers to follow when dealing with aggressive or violent clients, customers, or members of the public?			
3	Do workers have company provided communication devices (radios, beepers or emergency phones)? Have they been instructed what to do in an emergency?			
4	Do workers wear a company provided personal alert device?			
5	Do workers check-in/out upon arrival to/departure from work location?			
6	Do workers wear a uniform/identification badge?			
7	Workers do not carry/transport medications and/or weapons/potential weapons?			
8	Workers do not drive a vehicle for work purposes?			
9	Do workers use the buddy-system and travel with a co-worker when going out into the community?			
10	Are workers trained in safety routines for parking, and for leaving and returning to their vehicles when working in unfamiliar areas?			
<b>CASH HANDLING</b>				
1	Do workers handle cash in unsecured areas?			
2	If applicable, are there exit doors that allow cashiers to make a safe exit, if necessary?			

3	Do workers use locked drop safes or time-lock safes?			
4	Do workers make cash deposits outside the workplace?			
5	Are there procedures to identify, evaluate, and inform workers about specific high-risk clients, situations, or locations?			
6	Have workers received training in robbery prevention and response?			
<b>MOBILE WORKPLACE</b>				
1	Are vehicles used by workers regularly maintained?			
2	Are vehicles equipped with special security devices?			
3	Do workers work at times of increased vulnerability, such as late at night, early in the morning, or at very quiet times of day?			
4	Are there procedures for workers to follow when dealing with aggressive or violent clients or members of the public?			
5	Is regular contact maintained with workers in mobile workplaces?			
6	Are workers and supervisors trained in all relevant measures and procedures for protecting themselves from workplace violence associated with a mobile workplace?			
7	If transporting people, do passengers have physical access to drivers?			
8	Do drivers carry large amounts of money?			

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9	How would a driver summon assistance if a workplace violence occurred or looked likely to occur?			
10	Is there a procedure regarding how to handle fare disputes? How is this communicated?			