

Waterloo Co-operative Residence Incorporated

Workplace Violence & Workplace Harassment

As approved by the General Manager,
and incorporating all changes through:

15 June 2010

*(Note that, in this policy, the masculine shall include the
feminine and the singular shall include the plural)*

Revision History

Date	Revisionist	Summary of Changes
15 June 2010	Cary Hubbard	Creation of policy, in response to Bill 168.

External Cross-references

Section(s)	Policy/Section Referenced	Referencing Policy	Section(s)
5(1)	Personnel Policy		

INTRODUCTION

WCRI is committed to the promotion of the health, safety, and well-being of its staff, to the provision of a safe and healthy work environment, and to the prevention of workplace injuries and illnesses. Protecting our staff from violence and harassment in the workplace is integral to the successful accomplishment of this commitment.

In June 2010, Bill 168, an amendment to the Occupational Health and Safety Act (the Act) regarding workplace violence and workplace harassment, became effective in Ontario. This document establishes the policies and procedures required to meet and/or exceed the requirements of this and other applicable legislation as they relate to workplace violence and workplace harassment.

DEFINITIONS & INTERPRETATIONS

- “Domestic violence” is defined as a pattern of behaviour used by one person to gain power and control over another person with whom he has or has had an intimate relationship.

The pattern of behaviour may include but is not limited to physical violence; sexual, emotional, or psychological abuse/intimidation; verbal abuse; stalking; or harassment using electronic means (e.g., on the phone).

Domestic violence is applicable under this policy and is considered workplace violence when actions or behaviours could result in exposure of an employee to physical injury in the workplace.

- “Workplace” is defined in the Act as:
 - “any land, premises, location or thing at, upon, in or near which a worker works.”

For WCRI, workplace may include: the property and buildings at 139 University Avenue West, 268 Phillip Street, and 280 Phillip Street; the company vehicle(s); personal vehicles and public transportation systems if used during work hours to reach work assignments; and meeting places when a worker is at an off-site meeting.

- “Workplace harassment” is an occupational health and safety hazard in the workplace and is defined in the Act as:
 - “engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome.”

This definition includes harassment that is prohibited under the Ontario Human Rights Code as well as psychological or personal harassment.

The types of harassment that staff could experience in the workplace include but are not limited to: sexual harassment, teasing, intimidating or offensive jokes or innuendos; display or circulation of offensive pictures or materials; unwelcome, offensive, or intimidating phone calls or bullying; leering; unwelcome gifts or attention; offensive gestures; or spreading rumours.

The sources of harassment that staff could experience in the workplace include but are not limited to: other staff and supervisors; family members and friends; members and potential members, their families and friends; delivery persons, contractors, and other external vendors/suppliers.

- “Workplace violence” is an occupational health and safety hazard in the workplace and is defined in the 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 a 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 types of violence that staff could experience in the workplace include but are not limited to: hitting, pushing, physical assault, sexual assault, stalking, robbery, or threats of violence.

The sources of violence that staff could experience in the workplace include but are not limited to: other staff, their intimate partners, their family members, and their friends; members and potential members, their family members, and their friends; delivery persons, contractors, and other external vendors/suppliers; and strangers or people with no direct ties to the Co-op.

POLICY

1. (1) WCRI is committed to protecting its staff from workplace violence, workplace harassment, and the negative effects that can result from violent or harassing behaviours in the workplace.

(2) Workplace violence and workplace harassment will not be tolerated.

(3) WCRI will take whatever reasonable steps necessary to protect our staff from workplace violence and workplace harassment arising from all sources.

(4) In cases where domestic violence that is likely to expose a WCRI employee to physical injury in the workplace is known or is reasonable to be known to the General Manager or a supervisor, every precaution reasonable in the circumstances will be taken to protect all WCRI employees.
2. (1) Managers and supervisors have a responsibility of ensuring appropriate measures are implemented to support a safe work environment and to assist in the protection of staff from violence and harassment in the workplace.

(2) Every employee has a responsibility of working in compliance with the policies and procedures outlined in this document in supporting the creation of a safe work environment that is free from workplace violence and workplace harassment.

(3) Every employee has a responsibility of reporting any incident(s) of workplace violence, workplace harassment, and concerns regarding potential violence or harassment in the workplace to his direct supervisor.
3. All employees will be provided with the training and information necessary to understand this policy and to fulfill the outlined responsibilities.
4. All reported incidents or concerns regarding workplace violence or workplace harassment will be promptly investigated and addressed in accordance with the procedures outlined in this document, other relevant WCRI policies and procedures, and any other legislation relevant to the workplace and the reported situation.
5. (1) Staff deemed to have violated this policy will be subject to, at a minimum, discipline and/or dismissal in accordance with the current Personnel Policy.

(2) Members deemed to have violated this policy will be subject to, at a minimum, a membership review as conducted in accordance with current board policies and the Ontario Co-operative Corporations Act.
6. This document will be reviewed and updated at least annually.

PROCEDURE

Identifying and analyzing risks

7. (1) Risks for workplace violence and workplace harassment will be identified when new programs, services, or procedures are developed and implemented.

(2) During the annual review of this document, risks for workplace violence and workplace harassment will be identified and updated by:

- a. Obtaining input from managers, supervisors, and staff;
- b. Reviewing incident reports as submitted during the previous year(s);
- c. Collecting information about occurrences of violence and harassment in the community surrounding the workplace; and
- d. Collecting information about occurrences of violence and harassment in other similar workplaces.

8. All identified risks for workplace violence and workplace harassment will be analyzed on a "Job Hazard Analysis Form" (see example from the Ontario Service Safety Alliance) to rate the risk as:

- "high" – a serious or significant hazard;
- "medium" – a moderate hazard; or
- "low" – a minor hazard.

Implementing control measures

9. Control measures for identified risks for workplace violence and workplace harassment will be developed and implemented as follows:

- "high" – immediately;
- "medium" – as soon as possible; and
- "low" – after higher priority risks have been addressed.

10. All control measures will be recorded in relevant policy documents and/or specific job procedures.

Reporting incidents and concerns regarding workplace violence and workplace harassment

11. (1) All incidents of workplace violence, workplace harassment, or concerns regarding potential workplace violence or workplace harassment must be submitted, in writing, to the employee's direct supervisor within two days of the incident. Each report should include, at minimum, the following details:

- The type of incident/concern being raised;
- Details of the incident/concern, including date, time, location, people involved;
- Name of person submitting the report; and
- Person the report is being submitted to.

(2) If a report is being made about the employee's direct supervisor, the report should be submitted directly to the General Manager.

12. Each report received must be copied to the General Manager within two business days of receipt.

13. The General Manager will determine the level of involvement required for investigation and follow up by the Health and Safety Representative/Joint Health and Safety Committee.

14. The name of the person completing the report and the details included in the report will remain confidential unless disclosure is necessary for the purposes of investigation, disciplinary action, or to ensure the safety of all WCRI employees.

Investigation of reported incidents and concerns regarding workplace violence and workplace harassment

15. Each reported incident of workplace violence, workplace harassment, or concern regarding potential workplace violence or workplace harassment will be taken seriously by managers and supervisors.

16. (1) All received reports will be investigated in a timely and fair manner by the General Manager.

(2) Unless the report is being made about the employee's direct supervisor, the General Manager will complete the investigation in collaboration with the direct supervisor(s) of the person(s) involved.

(3) As per Section 13 of this document, the Health and Safety Representative/Joint Health and Safety Committee may be asked by the General Manager to assist in the investigation process.

17. (1) Each investigation may include but is not limited to the following steps:

- Review of the details of the incident/concern;
- Follow up with the person making the report;
- Follow up with the person(s) about which the concern is being made; and
- Review of the program, service, or process involved in the reported incident/concern.

(2) In cases of potential domestic violence, the employee who is also the victim of the domestic violence situation will be included in the process to ensure the victim's safety is not compromised and the victim's right for privacy is appropriately balanced with the need to ensure the safety of WCRI staff.

18. While conducting the investigation, the details of the reported incident or concern will remain confidential unless disclosure is necessary for the purposes of investigation, disciplinary action, or to ensure the safety of all WCRI employees.

19. At the conclusion of the investigation, appropriate disciplinary measures, as identified in this document, other relevant WCRI policies and procedures, and any other legislation relevant to the workplace and the reported situation, will be taken.

20. (1) A summary of the investigation and measures taken to address the situation will be created and kept with the original report in a confidential file in the General Manager's office.

(2) A summary of the report and the outcome of the investigation will be shared with the Health and Safety Representative/Joint Health and Safety Committee and the Board of Directors, as appropriate.

(3) Where necessary to ensure the safety of all WCRI employees, information about the report and outcome of the investigation will be shared with WCRI staff.