


COCHRANE TEMISKAMING RESOURCE CENTRE

POLICY MANUAL: HEALTH & SAFETY

POLICY #: 31

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POLICY STATEMENT:

CTRC recognizes that violence constitutes a health and safety hazard in the workplace and that exposure to violence can result in both physical and emotional harm to employees who are the victims of workplace violence, including those who witness such violence. Moreover, violence of any form (including domestic violence) is unacceptable in the workplace and CTRC will take all reasonable precautions to prevent workplace violence and to minimize the occurrence and effects of violence in the workplace, should it occur. Any employee who commits or threatens workplace violence is subject to all disciplinary steps up to and including discharge in addition to any legal ramifications.

WHAT IS WORKPLACE VIOLENCE

Workplace violence is an occupational health and safety hazard, for Ontario workplaces that are subject to the Occupational Health and Safety Act, as of Sept 8 2016 workplace violence is defined as:

- The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
- An attempt to exercise physical force against a worker, in the workplace, that could cause physical injury to the worker; or,
- A statement or behavior that it 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.

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Some types of violence that workers could experience in the workplace may include:

- **Threatening behavior** – such as shaking fists, destroying property, or throwing objects.
- **Verbal or written threats** – any expression of an intent to inflict harm or injury to a worker.
- **Physical attacks** – hitting, shoving, pushing, or kicking.
- **Domestic violence** – a pattern of behavior which occurs at the workplace used by one person to gain power and control over another person with whom he/she has or has had an intimate relationship, which occurs at the workplace
- **Workplace harassment:** Is defined 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”. Some of the types of harassment that workers could experience in the workplace include swearing, insults, or condescending language, any behavior that demeans, embarrasses, humiliates, annoys, alarms or verbally abuses a person, sexual harassment, teasing, intimidating or offensive jokes or innuendos, display or circulation of offensive pictures or material, unwelcome, offensive or intimidating phone calls and emails, or bullying. Leering, unwelcome gifts of attention, offensive gestures, or spreading rumours

Workplace harassment, if left unchecked, can escalate. In some cases, it can lead to physical violence or even death. Please refer to Human Resources Policy # 30 Harassment and Discrimination.

SOURCES OF WORKPLACE VIOLENCE

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There are many potential sources of violence in the workplace. Some sources that workers could experience in the workplace may include:


- Clients or Customers Individuals that receive CTRC service: Individuals that receive CTRC services , and their family members, customers, students, or others who have a legitimate reason to be in the workplace (contractors) may become violent towards workers or with each other.
- Employee to Employee: Other workers, whether a manager, a co-worker, or a subordinate, may act violently towards a worker or may threaten physical violence.
- Domestic violence perpetrator: Intimate partners, family members, or friends may use violence or threats of violence against a worker. A current or former spouse or partner or another family member may assault, criminally harass, or stalk a worker at the workplace or close to the workplace.
- External Perpetrator: Strangers or people with no ties to the workplace may commit a violent act at the workplace, such as assault, robbery, sexual assault or hostage taking.

TYPE OF WORKPLACES:

Workplace violence is not limited to incidents that occur within a traditional workplace setting. Work-related violence can occur at off-site business-related functions (e.g. conferences), at social events related to work, in clients' homes, or away from work but resulting from work (e.g. a threatening telephone call to your home from a co-worker or caregiver of a client). (Bill 168, Occupational Health & Safety Sept 8, 2016).

If a worker suspects that domestic violence may follow them to the workplace, they must advise the employer of the potential risk. CTRC must take reasonable precautions to protect a worker from domestic violence in the workplace

EMPLOYEE RIGHTS & RESPONSIBILITIES:

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An employee whose physical safety is threatened by violence, in any form, has a right to

- Immediately contact the police; call 911 if the situation warrants it
- Seek a locked secure area by removing themselves from the dangerous workplace situation which they believes creates the safety hazard.(i.e.,, Locked kitchens, basements, locked offices assuming that such action does not knowingly endanger the health, life, or safety of another person; and/or'
- initiate the "Refusal to Work Procedure" JH&S Policy # 22
- contact other support for assistance.(i.e.,Calling extra staffing in to assist, Ministry of Labour to report unsafe work)

Employees who take such action are obligated to report the facts to the employer for investigation as soon as is reasonably possible; *in writing*.

An employee has a right and should report to his or her employer or supervisor the existence of any situation of violence within the workplace and any situation that has the potential for violence, including domestic violence that may carry over in to the workplace. No employee is to be subject to any form of reprisal for such reporting.

Employees have a right to know where risks of violence exist in the workplace and proper procedures to ensure health and safety. Employees must understand and follow General Operations Policy 31(a) Flagging Clients who Pose a Risk of Violence, Health and Safety Policy #41, Hazard Analysis and Risk Management, and any other applicable policies relating to admissions and support strategies for clients.

Notwithstanding the above, it is understood that behaviour of clients can create health and safety concerns for employees and fall within the framework of violence in the workplace. Specific to working with clients, employees must understand and follow the "Support Strategies and Restrictive Procedures" policy (Residential Services #20 or PRT #14, & Flagging Clients who Pose a Risk of Violence Policy # 31(a)

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Reporting - Complaints of violence and non-random acts which may erupt into violence if not responded to must be reported within a reasonable time frame to a Supervisor, Manager, Director, or the Human Resources Director. This in no way prevents or restricts reporting criminal acts of violence to the Police.

Complaints can be made by any person having knowledge of the situation and may be in person, through e-mail, by telephone, or any other format reasonable to the person reporting. Complaints must report known facts.

When complaints are reported, it is imperative that all parties involved maintain confidentiality in an attempt to protect the privacy of all individuals. Notwithstanding, confidentiality may be compromised in cases where it is perceived that imminent danger exists or in cases where disclosure is required by law. The employer will not disclose more information than is necessary to protect a worker from physical injury.

Recording - The staff person within CTRC receiving a report related to Violence in the Workplace must ensure documentation of facts as presented and inform his/her Supervisor.

EMPLOYER RESPONSIBILITIES

Recording

The Supervisor will provide a written incident report to the office of the Executive Director or the chair of the Board of Governors in situations involving the Executive Director within two business days of receiving the report.

Investigating - CTRC is committed to investigate all reports of workplace violence and will consider all known factors before making a final determination. Investigation of complaints will follow the procedure outlined in the Harassment and Discrimination policy (Human Resources #30).

The Employer reserves the right during an investigation, for the protection of all concerned, to separate employees and to suspend employees, with or without pay, and to take any reasonable precaution it determines to ensure the health and safety of employees and to ensure a prompt and fair investigation. CTRC will cooperate with the law when the law is involved in an investigation of violence specific to CTRC. If a worker is killed or critically injured from an act of

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violence in the workplace the employer shall notify the Ministry of Labour Inspector immediately at 1-800-461-9847 and secure the scene. (OH&SA 51. (1)

Resolution and Corrective Action - CTRC will follow the procedure as outlined in the Human Resource Policy # 30, Workplace Harassment and Discrimination. Learning from investigations will be used to assist in risk assessment and defining safe work practices.

A summary of all reports of violence will be provided quarterly through the office of the Executive Director to CTRC's joint Health and Safety Committee. Workplace inspections will include a review of onsite risk assessment and safe work practices for employees.


EFFECTS OF VIOLENCE IN THE WORKPLACE:

An employee who reports harm resulting from an incident of workplace violence *will:*

- (a) have access to immediate first aid and transportation to the nearest medical facility;
- (b) have access to emotional support, including but not limited to traumatic stress debriefing and counseling, through the Employee Assistance Program, if they wish


CTRC will compensate that employee for any portion of reasonable expenses not otherwise covered and which relate to the provision of first aid, transportation, and emotional support.

CTRC will support reasonable access to Employee Assistance Program for employees who may have been involved in, whether directly or indirectly, or who may have witnessed, a violent incident in the workplace. These employees may include victims, witnesses, and the alleged perpetrators. An employee who has been found to have perpetrated or threatened an act of violence in the workplace will be subject to all disciplinary steps up to and including discharge in addition to any legal action. CTRC will initiate appropriate action against any individual who commits an act of violence against an employee in the workplace; such action may include restriction to the premises, legal action that may be available, refusal of services, termination of a contract, etc.

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POLICY AWARENESS, REVIEW, & IMPLEMENTATION:

1. All employees are to be actively aware of this Violence in the Workplace policy and the procedures in place for reporting and resolving complaints. (Staff meetings, yearly policy review, yearly QAM, Health and Safety Boards, JHSC minutes, Supervision, Center wide communications such as email and message books.)
2. This policy will be distributed to every employee and will be made available in the workplace for yearly review and signed off acknowledgement of reading and understanding this policy. (Staff can access policy binders, electronic copies and can be signed out of the library.)
3. CTRC will distribute this policy to newly recruited individuals. This includes giving a copy to new employees when they are hired, to independent contractors, family home providers, union representatives, board members, students on work placement, volunteers.
4. The Human Resources Department (i.e. Director) will introduce this policy and review its contents with every employee who becomes a new member of the supervisory or management team of CTRC. CTRC will provide instruction to Supervisors, Managers, and Directors on dealing with Violence in the Workplace.
5. CTRC is committed to provide ongoing education or training on Violence in the Workplace as required and in consultation with the joint Health and Safety Committee. Directors, Managers and Supervisors will ensure that the Violence Prevention Policy and Program is discussed at staff meetings or individually with their staff as least annually and documented in the minutes
6. Questions of interpretation or application of this policy are to be directed to the HR Director or Executive Director.
7. CTRC will actively assess the risks of workplace violence that may arise from the nature of the workplace, the type of work or the conditions of work and

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ensure measures and procedures to control these risks are in place. These assessments or re-assessments will be completed no less than annually and as changes occur within the workplace. This will be communicated to staff via Staff meetings, Supervision, case conference. Health and Safety Boards, Center wide communications such as email and message books.)

MEASURES AND GUIDELINES IN PLACE TO MINIMIZE AND CONTROL WORKPLACE VIOLENCE

- Support Strategies and Restrictive Procedures PRT Policy # 14,- Residential Policy # 20
- Pets in the Workplace H&S # 16
- Power Outages Guidelines H&S # 21
- Bomb Threat H&S # 10(b)
- Night Safety Procedure H&S#7
- Refusal to Work Procedures H&S #22
- Building Security Policy H&S #42
- Security system at head office and some other offices
- Emergency Lighting
- Working alone
- Paired homes, etc.
- Call in procedure for group homes
- Pre-visit home checklist
- Cell phones available to sign out for travel and visits
- In and Out board at Head Office
- Electronic Outlook Calendar shared with supervisor to know where you are
- Locking the door at satellite offices – (door bell to let visitors in the building)
- Risk Assessment
- Flagging Violent Behaviour
- Urgent Response Policy
- Physical Demands Analysis
- New employee orientation packages and training