

POLICY: Workplace Violence	POLICY NO.: A-3
SECTION: Terms & Conditions of Employment	NO. OF PAGES: 5
EFFECTIVE DATE: June 15, 2010	REVISED: June 26, 2019 December 2, 2020

Scope

This policy applies to all Town employees (including but not limited to full-time, part-time, students, volunteers, contractors, consultants) and elected officials. This policy applies to all employees and agents/representatives of The Town of Milton while in the workplace, during Town travel, or during any work-related and/or social functions. The workplace includes all on-site locations, buildings and facilities, including parking areas, all Town property, and off-site locations where employees engage in Town-related activities arising out of the course of employment. For the purposes of the Occupational Health and Safety Act, this document is the policy and the program.

Purpose

- to maintain a working environment that is free from workplace violence;
- to alert all employees that the Town will not tolerate workplace violence;
- to reduce the potential for workplace violence before an incident occurs; and
- to establish a mechanism for receiving such complaints, as well as a process for dealing with them.

Definition

The *Occupational Health and Safety Act* defines workplace violence 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 a workplace, that could cause physical injury to the worker;
- 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.

Forms of Workplace Violence

- 1) Violence by Strangers
 - Usually enters the place of work on the pretense of being a customer.
 - Commits robbery or other violent act
- 2) Violence by Customers/Clients
 - May be an expected or unexpected situation.
- 3) Violence by Co-workers
 - Could include; current employee and manager, former employee and manager, a prospective employee, and may occur inside or outside the workplace.
 - Domestic Violence This includes spouse, partner, relative, or friend and usually occurs when a personal dispute occurs with the worker and enters the workplace to harass, threaten, injure, or kill the employee.

Any employee experiencing violence outside of the workplace (ie. domestic violence) that may create a risk of danger to themselves or others in the workplace is encouraged to report to ensure the Town can take reasonable preventive steps.

Behaviours Constituting Workplace Violence

Such threats or acts include, but are not limited to:

- Harming or threatening to harm any employee or guest;
- Damaging or threatening to damage property or the property of any employee or guest;
- Possessing a dangerous weapon or incendiary device on property without prior authorization;
- Engaging in stalking behaviour of any employee.

Responsibilities of Managers and Supervisors

- Assess risks of workplace violence at The Town of Milton and advise the Joint Health and Safety Committees (JHSCs) of the results in writing;
- Provide employees with information and instruction regarding the workplace policy and program with respect to workplace violence including appropriate steps and procedures, means of summoning immediate assistance, and investigation procedures;
- Take every reasonable precaution for the protection of the worker;
- Inform employees of potential risk situations;

- Ensure employees understand who to contact regarding concerns about the policy or when to report an incident;
- Model behaviour, which helps support a positive work environment;
- Promote an environment free from workplace violence;
- Respond to complaints brought to their attention.
- Respect the confidentiality and sensitivity of such issues;
- Document all information and investigation results;
- Request that HR conduct an investigation into allegations of workplace violence; and
- If witnessing elements of a poisoned work environment, take action.

Responsibilities of Employees

- Compliance with this policy is the responsibility of all employees;
- Employees must avoid any behaviour or conduct that could reasonably be interpreted as a violation of this policy;
- Employees must maintain a work environment free from violence, and/or intimidation;
- Call 911 if the situation warrants it and you find a peer or yourself in immediate danger.

Process for Making Violence-Related Complaints

If employees have witnessed or experienced conduct which they believe to be inconsistent with this policy, they have a responsibility to:

- Call 911 if the situation warrants it and you find a peer or yourself in immediate danger.
- Make the behaviour/actions known to your department Manager and Human Resources immediately.
- Complete a written *Workplace Violence Incident Report* and submit a copy to the Human Resources Department for review including the dates, times, nature of the action/behaviour, and witnesses (if any).
- Summon immediate assistance by informing their manager/supervisor.

Nothing in this policy prevents an individual's right to file a complaint with the Ministry of Labour should they feel the situation warrants such action.

Removal of a Person from the Workplace

Any person who makes substantial threats, exhibits threatening behaviour, or engages in violent acts against employees, visitors, guests, or other individuals while on Town of

Milton property shall be removed from the premises as quickly as safety permits, and shall remain off the premises pending the outcome of an investigation.

Employees are not to remove individuals from the premises. Assistance must be requested from the Police or security.

Investigation Process

- All reported threats or incidents will be considered serious and will be investigated promptly with appropriate action by the appropriate Supervisor and Human Resources.
- A *Workplace Violence Incident Report* should be filled out and submitted to Human Resources for review.
- All those directly involved and witnesses will be spoken with.
- Notes/statements will be prepared during each interview, reviewed by the person(s) being interviewed and signed for accuracy.
- Records or other documents relevant to the incident being investigated (this may include safety reports, incident reports, work schedules, injury reports, complaints and observation notes and may involve taking pictures of the scene) will be reviewed and kept in Human Resources.
- A review of relevant collective agreement, employment contract language or organizational policies/procedures will be prepared by Human Resources.
- A final summary/report of the investigation will be kept in Human Resources.

Corrective Action

Any employee found to have engaged in conduct that violates this policy will be subject to discipline, up to and including termination of employment. Because allegations of acts of violence are very serious, frivolous complaints found to have been made for improper purposes will result in disciplinary action being taken against the complainant.

Confidentiality

Employees should feel secure in knowing that their concerns will be handled discreetly and sensitively to the extent practicable and appropriate under the circumstances.

As such, employee issues will usually remain between the employee, the reporting Manager or Supervisor, and Human Resources. On occasion, however, an investigation may require consulting with another employee, Supervisor, or Manager, in order to ensure an appropriate resolution. In such cases, the employee will be consulted prior to involving others.

Reprisals

This policy strictly prohibits reprisals against an employee because they have brought forward a concern or has provided information regarding a concern under this policy. Any employee who commits or threatens reprisal against another employee for following this, or any Town policy in good faith, may be subject to discipline, up to and including dismissal for cause.

Annual Review

The Town of Milton will review this policy at least annually in consultation with the Joint Health & Safety Committees (JHSCs).

Posting Requirements

On behalf of Management, Joint Health and Safety Committee Co-chairs and Health and Safety Representatives are responsible to ensure that an updated copy of the policy is posted on the Health and Safety Bulletin Boards.