

Township of McGarry
Workplace Violence/Harassment Prevention Policy

1.01 Policy Statement

The Township of McGarry is committed to providing a safe and healthy workplace free from actual attempted or threatened violence. The Township recognizes that workplace violence/harassment is a health and safety issue and will take reasonable precautions to protect employees at the workplace. The Township considers violence/harassment to be a serious misconduct and will not tolerate violence or any form of threatening remark or gesture against any employee while carrying out their normal duties.

The Township will support and assist employees subjected to workplace violence/harassment by other employees and by non-employees.

1.02 Purpose of the Policy

This policy is intended to:

- . Create and foster a workplace free from violence/harassment
- . Provide a definition of workplace violence/harassment
- . Ensure that incidents of workplace violence/harassment are properly reported
- . Ensure that complaints are handled in a timely manor
- . Ensure that the Municipality is complying with the provisions of Bill 168

1.03 Scope and Application of Policy

This policy applies to all employees of the Municipality regardless of position. The policy also applies to members of the public.

For the purposes of this policy the workplace includes all places where municipal business occurs and includes all municipal property, Municipal vehicles including personal vehicles used for municipal purposes and off site locations where municipal activities take place.

1.04 Definition

Workplace violence includes any action, act, or incident in which an employee or worker is physically threatened with injury or assaulted in circumstances arising out of his or her employment as a direct or indirect action of another employee or a member of the public.

Workplace Harassment includes 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.

In this policy "Workplace Violence/Harassment" may include but is not limited to the following

- . The use of physical force against or by a worker that causes or could cause physical injury. This includes, but is not limited to, physical acts such as punching, hitting, kicking, pushing, damaging property or throwing objects;
- . The attempted use of physical force against a worker or by a worker that could have caused physical injury;
- . An action or statement (or a series of actions or statements) reasonably believed to be a threat of physical harm or as a threat to safety or security in the workplace;
- . Bringing a weapon of any kind to the workplace or possessing a weapon while carrying out municipal business (unless required for a task) or threatening to bring a weapon to a municipal workplace
- . Intimidation, bullying or aggressiveness;
- . Psychological trauma which includes stalking;
- . Open disregard for personal rights of others

1.05 Zero Tolerance

The Township will not tolerate incidents of workplace violence/harassment perpetrated against or by any employee, customer, vendor, contractor, visitor or any other person involved in municipal operations. Everyone is responsible for acting in compliance with this policy. With respect to acts of workplace violence as defined in this policy, the Township may, where appropriate;

- . Remove the perpetrator from a Municipal workplace by security or using the Police;
- . Report the conduct to the Municipal Clerk-Treasurer and or to the Police
- . Discipline the employee, up to and including dismissal

1.06 Responsibilities and Obligations

As with all matters dealing with health and safety, responsibilities are shared among all workplace parties.

The Township is responsible for;

- . Establishing policies and procedures to address workplace violence/harassment;
- . Ensuring that the process for reporting and responding to incidents is communicated and followed;
- . Ensuring a workplace violence/harassment assessment is conducted
- . Providing any training required.

Managers/Supervisors are responsible for discouraging and preventing all Workplace violence/harassment by;

- . Setting a good example
- . Posting the policy in the workplace
- . Approaching employees if violence/harassment is suspected
- . Taking disciplinary actions against those found to have exhibited workplace violence/harassment, regardless of seniority
- . Support and assist any employee complaining of workplace violence/harassment

Employees are responsible for

- . Ensuring that work environments are free from workplace violence/harassment
- . Treating all individuals with respect and dignity and refraining from threats and acts of violence/harassment as per the definition
- . participating in training if required
- . reporting all incidents of workplace violence/harassment to their Supervisor and the Clerk-Treasurer

1.07 Reporting and Investigating Workplace violence/harassment

False Accusations. Victims of workplace violence/harassment are encouraged to

come forward, however employees are cautioned against false accusations. An employee guilty of making false accusations will be disciplined and may be suspended or dismissed.

Making a Complaint.

- (a) Bring the matter to the attention of the person responsible for the improper conduct as soon as possible, provided such approach would not endanger the safety of the employee.
- (b) The complainant should keep a written record describing the incident including when and where it happened and any witnesses. This record may be forwarded to the perpetrator.
- (c) If the complainant does not wish to deal directly with the person responsible, or where such approach is attempted and does not produce a satisfactory result, the complainant should seek advice from his or her supervisor or the Clerk-Treasurer.
- (d) The supervisor or Clerk-Treasurer will outline the complainant's options of laying a formal complaint when the alleged perpetrator is a Township employee, or withdrawing from any further action in connection with the complaint at any stage with the understanding that the municipality may continue to investigate the complaint. If the employee wishes to file a written complaint, a signed copy should be submitted to their supervisor or Clerk-Treasurer as soon as possible.

Investigation: The supervisor and or the Clerk-Treasurer will investigate and take appropriate action to deal with the complaint. The investigation will include:

- (a) A documented interview with the complainant and/or victim
- (b) A documented interview with the alleged perpetrator(s)
- (c) A documented interview with any witnesses with relevant information
- (d) Any step the investigator deems necessary to fully and fairly investigate the complaint or incident.

NOTE: The Township must notify the Ministry of Labour within 48 hours in writing if a workplace violence incident results in a person being killed

or critically injured under the provisions of the Occupational Health and Safety Act. If there is an incident of workplace violence and a worker is disabled and requires medical attention the Clerk-Treasurer must be notified immediately.

CONSEQUENCES

Any employee found guilty of workplace violence/harassment will be disciplined and may be suspended or dismissed.

CONFIDENTIALITY OF COMPLAINTS

All workplace violence/harassment complaints and investigations will, to the greatest degree possible, be treated in confidence. The complaint will be kept confidential to the extent permitted by the Municipal Freedom of Information and Protection of Privacy Act and any other disclosure requirements imposed by law.

COMPLAINTS INVOLVING A SUPERVISOR OR MEMBER OF COUNCIL

All allegations of workplace violence/harassment made by or against a supervisor or a member of Municipal Council shall be referred to the Clerk-Treasurer. If the complaint is against the Clerk-Treasurer, the matter should be referred to the Reeve.

COMPLAINTS REGARDING NON-EMPLOYEES

An employee of the Municipality who is subjected to employment related workplace violence/harassment by a person who is not an employee should seek the advice of their supervisor.

If the employee feels their safety is in danger they should contact their supervisor or the Police to attend the location for assistance.

The Municipality may take action against any individual, or non-employees who have committed an act of workplace violence/harassment through civil court proceedings to protect its employees and /or property.

An employee is free to consult their own personal legal counsel at any step of the process at their expense.

DOMESTIC VIOLENCE

Any employee experiencing violence outside of the workplace that may create a risk or danger to themselves or others in the workplace is encouraged to report such violence so that the Municipality can take reasonable preventive steps.

1.08 REFUSAL

Under the Occupational health and Safety Act, a worker can refuse to work if he or she has reason to believe he or she may be endangered by workplace violence (Section 43(3)(b.1)). However, work can not be refused on the grounds of workplace harassment under this Act. It is intended that the reporting and

investigation procedures set out above will address workplace violence/harassment concerns before they escalate to work refusals.

9.0 NO REPRISAL

This policy prohibits any reprisals against employees who have made good faith complaints or provided information regarding a complaint or incident of workplace violence. Employees who engage in reprisals or threats of reprisals may be disciplined up to and including dismissal. Reprisal includes acts of retaliation towards a complainant or witness, or pressuring a person not to report an incident or not to cooperate in an investigation.

1.09 SUMMONING ASSISTANCE

Employees of the Municipality will have a listing of emergency numbers to contact.

For any Emergency	911
OPP	1-888-310-1122
Kirkland District Hospital	1-705-567-5251

1.10 WORKPLACE RISK ASSESSMENT

The Township will develop and implement a Workplace violence/harassment Assessment plan to develop policies to minimize risks to employees.