



# **A SAFE AND WELCOMING WORKPLACE FOR ALL**

**WHAT YOU NEED TO KNOW ABOUT WORKPLACE VIOLENCE AND  
HARASSMENT PREVENTION.**

Prepared by: Caledon Community Services  
Health and Safety Committee

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## 1.0 INTRODUCTION

Caledon Community Services recognizes the fundamental importance of safeguarding its assets, both human and physical. In this regard, Caledon Community Services will discover, meet and constantly strive to exceed its statutory and business obligations in protecting the health and safety of its staff and volunteers. To reduce the risk of violence or harassment, or other threats to the well-being of staff and volunteers, all staff members and volunteers will receive training and education in the prevention of violence and harassment in the workplace.

## 2.0 DEFINITIONS

Violence may be categorized into four basic types:

- Violence from someone outside the workplace
- Violence by a client, customer, vendor, supplier, etc.
- Violence from employee to employee
- Violence from personal relationships

### Workplace Violence:

Section 1 (1) of the Occupational Health and Safety Act defines Workplace Violence 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 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.

### Harassment:

Section 1 (1) of the Occupational Health and Safety Act defines Workplace Harassment 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”. It includes any behaviour that demeans, embarrasses, humiliates, annoys, alarms or abuses a person and may include office gossip and bullying.

## 3.0 EXAMPLES

This list of behaviours, while not inclusive, provides examples of conduct that are prohibited under the **Occupational Health and Safety Act of Ontario, and Caledon Community Services’ Policies.**

- Causing physical injury to another person or making threatening remarks or gestures.

- Aggressive or hostile behaviour that creates a reasonable fear of injury to another person or subjects another individual to emotional stress.
- Intentionally damaging the employer's property or property of another employee.
- Possession of a weapon or instrument intended for harm, while on the Employer's property (including parking lots) or while on the Employer's business or at work-sponsored functions and or social events.
- Threatening acts or statements motivated by, or resulting from, domestic disputes or other disagreements based on personal relationships involving employees.
- Sexual assault.
- Stalking.
- Bullying or psychological harassment.
- Acts or threats of violence or intimidation against an employee based on an incident or an event in the workplace but occurring outside the workplace.

All staff and volunteers have a responsibility to help reduce the risk of violence and harassment in the workplace.

#### **4.0 RIGHTS**

- You will be notified if a risk of violence or harassment exists in your workplace,
- In addition, your participation in efforts to remove or reduce the risk will be invited.
- If you feel your workplace is unsafe because of the risk of violence or harassment, you may refuse to work until the risk has been removed or reduced. Go to a safe place near your workplace and contact your supervisor or designate IMMEDIATELY to receive further instructions. Do not try to intervene in a potentially violent situation. Your refusal will automatically trigger an investigation.

#### **5.0 RESPONSIBILITIES**

- Notify your supervisor or designate immediately if an incident of violence has occurred.
- Report any potentially dangerous or threatening situations to your supervisor or designate immediately.
- Always treat others in the workplace with respect. Refrain from negative gossip.
- If you become aware of a possible domestic abuse situation, speak to a Crisis and Counselling Caseworker. Your confidentiality will be protected.
- Follow CCS policies (attached).

## **6.0 ENFORCEMENT**

Anyone working for or representing CCS is expected to comply with CCS policies and applicable Acts and Statutes. Those found to have violated these requirements will have their relationship with CCS terminated. Other individuals who violate CCS policies while on the premises may be required to leave the premises until an investigation can be initiated or completed. In specific circumstances, violent acts or threats of harm on the premises will be reported to the proper law enforcement authorities.

## **7.0 CCS POLICIES**

- **Health and Safety**
- **Workplace Harassment and Violence Prevention**
- **Withdrawal of Service to a Client**



## Health and Safety

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### Purpose:

Caledon Community Services recognizes the fundamental importance of safeguarding its assets, both human and physical. In this regard, Caledon Community Services will discover, meet and constantly strive to exceed its statutory and business obligations in safeguarding the health and safety of its staff, clients and volunteers.

### Policy Statement:

This policy outlines the manner in which the Agency will ensure that its health and safety objectives are achieved.

#### 1) Occupational Health and Safety Committees:

- There shall be one Agency Occupational Health and Safety Committee representing the interests of all employees. Committee functions shall include:
- recommending methods of establishing, maintaining and monitoring of programs, measures and procedures for protecting the health and safety of workers;
  - making recommendations for the improvement of the health and safety of workers;
  - identifying and reporting hazardous situations to the Executive Director;
  - keeping minutes of its proceedings and making them available to employees;
  - designating specific Committee members to inspect the physical condition of all workplaces once per month in accordance with a schedule established by the Committee;
  - designating specific Committee members to investigate incidents involving serious injury.

Committee membership shall be composed of at least one representative from the following Program areas:

- Employment Services
- Stores Program
- Supportive Housing
- Transportation
- Voluntarism & Community Relations
- Fundraising and Communications

A representative from the Finance and Business Operations Unit will act as Administrative Assistant to the Committee.

#### Agency Responsibilities:

Caledon Community Services shall implement, sustain and monitor all measures necessary to ensure that its responsibilities in the following areas are met:

- All required safety equipment, materials and protective devices are provided and maintained in good condition and used as prescribed;
- All workers are given the necessary information, instruction and competent supervision to perform their work in a safe manner;
- Full support is given to the members of the Health and Safety Committee in the carrying out of their functions;
- Ensure that all employees are familiar with Agency health and safety policies, procedures and protocols;
- Review said policies, procedures and protocols annually and ensure that they are being fully implemented;

#### Employee Responsibilities:

All employees are responsible for:

- Working in compliance with the regulations, rules, policies and procedures governing conduct in the workplace;
- Proper use of all safety equipment, protective devices and clothing;
- Promptly alerting their supervisor of any safety hazard, incident of violence or unacceptable conduct, contravention of regulation, policy or procedure that may present a risk to themselves or others;
- Fully supporting the Health and Safety Committee in the performance of its duties.

#### Procedures:

CCS Management personnel shall ensure that:

- the Agency's Health and Safety Policy is posted at all official work locations within their program area and has been communicated to all employees at each location;
- a safety procedures manual containing the following information for each location within their program area is kept in a prominent location and available to all employees;
  - Accident reporting
  - Accident investigation
  - Critical injury procedures
  - Incidents of workplace violence – reporting and resolution
  - WHMIS
  - Safety Orientation and Training process
  - Safety Inspections
  - First Aid
  - Equipment Lock out procedures
  - Emergency Response procedures

- Monitoring and Reporting procedures
- Working alone procedures
- Any other information deemed advisable or necessary by the Agency or the Health and Safety Committee.
- Notifying employees of any potential hazards which may exist in and around the employees' work location

Conduct that is found to be inconsistent with the requirements of this policy shall be considered grounds for disciplinary action, up to and including dismissal from employment.

Date Approved: July 2010

Revised:



## Workplace Harassment and Violence Prevention Policy

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### Purpose:

Caledon Community Services (CCS) recognizes the fundamental importance of safeguarding its assets, both human and physical. In this regard, CCS will discover, meet and constantly strive to exceed its statutory and business obligations in protecting the health and safety of its staff, volunteers, program/student placements, and clients. CCS will aim to reduce the risk of violence or harassment (including of a sexual nature), or other threats to the well-being of staff, volunteers, program/student placements, and clients by providing training and education in the provisions of this policy. New staff, volunteers, and program/student placements will receive training in Workplace Harassment and Violence Prevention during the orientation process. Training will be reviewed by staff and volunteers on an annual basis.

### Policy:

Threats, threatening conduct, or any other acts of aggression or violence in the Workplace or during CCS events or any function affiliated with CCS whether carried out by staff, volunteer, program/student placement, client, vendor or visitor, will not be tolerated.

Staff, volunteers, program/student placements found to have committed such acts will be subject to disciplinary action, up to and including termination.

Any staff, volunteer, program/student placement alleged to have violated this Policy may be required to leave the premises or other workplace site until an investigation can be initiated or completed. Non-employees engaged in violent acts or threats of harm on the premises will be reported to the proper law enforcement authorities. For a list of conditions that may pose a significant risk to CCS and staff by non-employees, refer to the Withdrawal of Services to a Client Policy.

### **Definitions:**

Section 1 (1) of the Occupational Health and Safety Act R.S.O. 2009 defines harassment 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*". It includes any behaviour that demeans, embarrasses, humiliates, annoys, alarms or abuses a person and may include office gossip and bullying.

The Act defines workplace violence as:

- a) *"an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker"*,
- b) *"the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker"*;
- c) *"a statement or behaviour 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"*.

The Act defines 'workplace' as: *"any land, premises, location or thing at, upon, in or near which a worker works"*. In a community service agency such as CCS this would include (but not necessarily be limited to): premises leased or owned by CCS, staff offices, hallways and client apartments in Supportive Housing buildings, private client homes throughout the community, authorized routes of travel between community locations while in the course of employment, other sites used for special staff events such as Annual Staff Retreat (for the duration of the event only), etc.

### Procedures:

Right to Refuse Unsafe Work: (Risks that are inherent to the essential duty of the staff, volunteer, or program/student placement's job are exempt from the Right to Refuse)

- If the staff, volunteer, or program/student placement believes that the risk to workplace violence is likely to endanger his or her safety, the staff, volunteer, or program/student placement has the right to refuse to work.
- Upon refusing to work, the staff, volunteer, or program/student placement shall promptly report the circumstances of his or her refusal to their immediate manager or designate. The staff, volunteer, or program/student placement shall then remain in a safe place, accessible to their manager until an investigation into the matter is completed.

Obligation to Report:

- Staff, volunteers, and program/student placements have an obligation under this Policy to immediately report to their immediate manager or designate any situations that may lead to violence or harassment, and to call for immediate assistance when workplace violence occurs or is likely to occur. Staff, volunteers, and program/student placements should not take any personal initiative or intervene when witnessing a violent event.

Reporting and Documentation:

- Once reported, the immediate manager or designate must complete an Incident Investigation Report within 24 hours as outlined in the Workplace

Incident Investigation Policy. This process will identify corrective action and assign responsibility for any follow-up actions, where applicable. The Incident Investigation Report will be filed according to the guidelines outlined in the Workplace Incident Investigation Policy.

**Domestic Violence:**

- It is the responsibility of each CCS staff, volunteer, or program/student placement to provide information regarding domestic violence that may expose any stakeholder to the risk of physical injury in the workplace.
- No employer, manager or director shall disclose more personal information than is reasonably necessary to protect the stakeholder from physical injury.
- Upon becoming aware of a potential threat due to domestic violence, CCS shall take every precaution reasonable in the circumstances for the protection of staff, volunteer, or program/student placement.

**Role of Health and Safety Committee:**

- The Joint Health and Safety Committee (JHSC) is responsible for assisting the employer in reviewing workplace violence and harassment policies and reviewing incidents of violence to provide recommendations on how future incidents can be avoided.

**Role of CCS Management:**

- CCS will conduct thorough investigations of all violence-related incidents and take appropriate corrective, disciplinary or remedial action. Please refer to the Workplace Incident Investigation Policy for steps outlining the identification and follow-up of corrective action.
- CCS will take a proactive role in integrating safe behaviour into all daily operations, ensuring that all CCS stakeholders are properly trained and educated regarding their obligations and rights.

Procedures needed to call for immediate assistance will vary based on the specific work site and the specific circumstances of the situation. Please refer to procedures for “Workplace Harassment and Violence Prevention.”

**References:**

Occupational Health and Safety Act: <http://www.labour.gov.on.ca/english/hs/>

Health and Safety: Workplace Incident Investigation Policy

Incident Investigation Report

Withdrawal of Services to a Client Policy

Date Revised: June 2015

Date Approved: November 2015



## **Withdrawal of Services to a Client**

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### **Purpose**

Caledon Community Services may withdraw services to a client under the criteria and processes described in this policy.

### **Policy Statement**

Caledon Community Services, as reflected in its Vision, “Healthy, Engaged, Compassionate Community for all” continuously strives to meet the highest standards of service quality to all clients. At the same time, it recognizes that certain conditions may prevent or seriously impair the ability of the Agency and its staff to safely and effectively deliver service.

These conditions include but are not limited to:

- A) Client behaviour which presents a persistent risk to the health, safety and well-being of staff, as defined by the Ontario Occupational Health and Safety Act, and Agency policies regarding Workplace Violence and Harassment and Health and Safety.
- B) Confirmation that the client requires service that exceeds or goes beyond the Agency’s current capacity to deliver service;
- C) Any other condition deemed to represent a significant risk to the Agency and its staff.

### **Protocols**

#### Condition A (health and safety risk):

If an employee believes his/her health, safety and well-being is at risk as a result of inappropriate client behaviour or other circumstances related to the client, the employee may refuse service to that client.

Examples of inappropriate client behaviour that would warrant refusal of service include (but are not necessarily limited to):

- “A statement or behaviour 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”.
- “An attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker”

- “The actual exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker”.

Actions:

- The employee shall promptly report the circumstances of his/her refusal to their immediate supervisor or designate verbally, followed by a written Incident Report. The written account must include a clear and detailed description of the client’s behaviour which leads to the concern.
- Their supervisor or designate, in conjunction with a member of the Health and Safety Committee designated by the Chief Executive Officer (CEO), will promptly investigate the circumstances, as required by the Occupational Health and Safety Act (OHSA).
- The investigators will seek advice from the appropriate professional resources, such as clinical or health professionals, law enforcement, etc, prior to making any recommendations about future risk management measures, whether they will be temporary or permanent, etc.
- The recommendations flowing out of the investigation and attendant expert advice will be presented to appropriate representatives of the Agency’s Senior Management Team for review and a decision.
- Prior to reaching their final decision, the designated member(s) of the Senior Management Team will confirm that the following steps have been completed:
  - All reasonable efforts to address the matter, including partial restoration of service, face to face dialogue with the client, (if appropriate), have been considered or attempted and have proven ineffective;
  - All reasonable alternative means of continuing to provide service have been explored;
  - Other potential service providers have been identified for client referral purposes.
- The finalized decision and any related procedures being put in place will be communicated to the affected employee(s) in writing.

Condition B (client needs beyond the Agency’s capacity/scope):

In cases where the needs of a client are deemed to extend beyond the Agency’s capacity or mandate for service, the Divisional Director will report the circumstances to the Chief Executive Officer, who will review the information and render a decision. Before reaching a decision, the Program Manager and Chief Executive Officer will consider the following:

- Whether the changes in the client’s needs are deemed to be temporary;
- Whether other avenues of assistance are available;
- Appropriate referrals.

Condition C (Other situations posing significant risk to the Agency or Staff):

All situations posing a significant risk to the Agency and/or its staff will be reviewed by the Chief Executive Officer.

Examples of situations that may pose a significant risk to the Agency may include (but not necessarily be limited to):

Sexual harassment of an employee or other clients by a client such as:

- Repeated sexual advances or solicitations that are known or ought reasonably to have been known to be unwelcome by the person making the advances or solicitations.
- Repeated sexual remarks or physical contacts or behaviours that are degrading, which are known or ought reasonably to have been known to be unwelcome by the person making the remarks, or physical contacts or engaging in the behaviour.
- A sexual solicitation or advance made by a person in a position to confer, grant or deny a benefit or advancement to the person where the person making the advance or solicitation knows or ought reasonably to know that it is unwelcome. (i.e. *Client threatens to complain about the employee's performance to their supervisor if they don't accept their advances*)
- A reprisal or a threat of reprisal for the rejection of a sexual advance or solicitation where the reprisal is made or threatened by a person in a position to confer, grant or deny a benefit or advancement to the person. (i.e. *Client threatens to complain or complains about the employee's performance to their supervisor if they don't accept their advances*)
- Any unwelcome sexual advance where the person's physical or emotional health might have been threatened.
- Harassment/abuse of an employee or other client based on one of the Prohibited Grounds under the Ontario Human Rights Code (*Race, Ancestry, Place of Origin, Colour, Ethnic Origin, Citizenship, Creed, Disability, Same-sex partnership status, Sex – including pregnancy, Gender Identity, Age, Marital Status, Family Status, Record of Offences*)
- Theft/vandalism/horseplay/disturbing the peace or other disruptive behaviours
- Unauthorized possession of weapons while on CCS premises or while receiving service

### Actions:

- The employee will attempt to speak with the client, describing the specific behaviour, how it is affecting the employee and/or other clients, and the requirement to discontinue the specific behaviour.
- If the client does not adhere to the staff's request to discontinue the unacceptable behaviour, the employee shall promptly report the circumstances of his/her refusal to their immediate supervisor or designate verbally, followed by a written Incident Report. The written account must include a clear and detailed description of the client's behaviour which leads to the concern.
- Steps outlined under 'Actions' for 'Condition A' above will also be followed until the appropriate resolution is achieved.

In providing direction to staff, the Chief Executive Officer will consider, amongst other things:

- Risk mitigation strategies;
- Impact on service delivery;
- Impact upon staff safety;
- Budget implications.

In all cases, the final decision to permanently (rather than temporarily) withdraw services to a client can only be authorized by Senior Management.

### **References:**

The Occupational Health and Safety Act – Ontario  
Violence in the Workplace Policy  
Abuse, Discrimination and Harassment Policy  
Health and Safety Policy

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Date Approved: November 2015