

Section 8 - Workplace Violence and Harassment

PURPOSE The Workplace Violence and Harassment Prevention Policies and Programs have been developed to communicate the accepted corporate health and safety principles. It establishes the right to a workplace free of violence and harassment and requires employers to take positive action to prevent any form of these issues in the workplace.

SCOPE The Workplace Violence and Harassment Prevention Policies are to be regarded by all workplace parties as directives for compliance with the Health and Safety Manual.

RESPONSIBILITIES

Health and Safety Coordinator Responsibilities:

- Develop a corporate violence and harassment policy statement.
- Ensure all company employees receive the appropriate training and workplace specific Safe Work Practices regarding Violence and Harassment prevention.
- Review, update and provide the corporate violence and harassment policy statement to Senior Management annually.
- Distribute and post corporate violence and harassment policy statement.
- Comply with all the requirements as defined under the Occupational Health and Safety Act and Regulations.
- Assist in developing corporate violence and harassment training documentation, policies and procedures where required.
- Distribute and communicate information to the appropriate parties regarding any nonconformance or deficiencies reported.

Senior Management Responsibilities:

- Endorse the corporate violence and harassment policy statements.
- Comply with all the requirements as defined under the Occupational Health and Safety Act and Regulations.
- The measures and procedures prescribed are carried out in the workplace;

Project Manager Responsibilities:

- Enforce the violence and harassment policy statement, programs and corporate expectations.
- Ensure equipment, materials and protective devices are provided, maintained and used as required at site and office locations.
- Provide required protective devices, measures and procedures required by the Occupational Health and Safety Act and Regulations.

Section 8 - Workplace Violence and Harassment

Superintendent Responsibilities:

- Conduct a workplace violence assessment as it relates to all workplace locations and the head office.
- Assist in conducting incident investigations where reports of workplace Violence and or Harassment have been identified.
- Review findings with each required Foreman to ensure identified and correct each unsafe condition.
- Assist in the follow-up on the findings and correction of each unsafe condition.
- Ensure equipment, materials and protective devices are provided, maintained and used as required at site and office locations.
- Provide required protective devices, measures and procedures required by the Occupational Health and Safety Act and Regulations.

Foreman Responsibilities:

- Ensure the violence and harassment policy statement, practices, procedures and corporate expectations are met.
- Assist in conducting incident investigations where reports of workplace Violence and or Harassment have been identified.
- Ensure, where reasonably possible, that every Subcontractor, worker and visitor at the workplace complies with all Occupational Health and Safety Act and Regulations.
- Advise a worker of the existence of any potential or actual danger to the health or safety of the worker of which they are aware of,
- Take every precaution reasonable in the circumstances for the protection of a worker.
- Where so prescribed, provide a worker with written instructions as to the measures and procedures to be taken for the protection of the worker.

Workers Responsibilities:

- Mutual respect must be the basis of interaction, co-operation and understanding among all workplace parties
- Advise the Foreman if experiencing any difficulties with assigned tasks, or if assigned tasks are beyond perceived limitations or medically not capable of performing tasks.
- Works in the manner and with the protective devices, measures and procedures required by the Occupational Health and Safety Act and Regulations.
- Report to his or her Foreman any contravention of the Occupational Health and Safety Act and Regulations or the absence/defect in any equipment or protective device.

Section 8 - Workplace Violence and Harassment

PROCEDURE

Required programs, policies or procedures associated with the prevention of workplace violence and/or harassment have been developed and reviewed to ensure compliance with the Occupational Health and Safety Act and Applicable Regulations.

Specific Corporate Workplace Violence and Harassment Prevention Policies (**1-1 Policies**). An annual review will be conducted to each policy and is to be signed and dated by **Senior Management**, distributed by the **Health and Safety Coordinator** and implemented by all **Superintendent** and each **Foreman**.

Workplace Violence Assessments will be conducted using (**8-1-1 Form**) for developed for all appropriate locations by the **Health and Safety Coordinator**. On the construction sites by the **Superintendent** or competent designate as part of the Pre-Job Construction Activities & Violence Risk Assessment Form. A annual review of these assessments will be conducted to ensure all programs, polices compliance procedures and training is appropriate and maintained.

The **Superintendent** and/or **Foreman** will conduct a Workplace Investigation to determine contributing factors, root cause and follow up actions required where situations of potential Workplace Violence and/or Harassment have been reported.

If Progressive Discipline is deemed necessary, the **Superintendent** or **Senior Management** will ensure that the appropriate people are assembled and the documentation is recorded. All related documents must be forwarded to the **Health and Safety Coordinator** immediately for review and filing.

DISTRIBUTION

Distribution of the Workplace Violence and Harassment Prevention Programs, Policies will be as follows:

1. Reviewed with new employees during the Orientation Process
2. Posted on all Health and Safety Boards and other locations deemed appropriate

RECORDS

All documentation and records associated with workplace violence and harassment prevention will be maintained on file indefinitely.

Section 8-1 - Workplace Violence Prevention Program

PURPOSE

The purpose of Workplace Violence Prevention Policy and Program is to ensure that Senior Management, Project Managers, Superintendents, Foreman and Workers, as well as subcontractors understand our policy and their roles and responsibilities as they relate to violence prevention in the workplace. In addition, to ensure that risks of violence to employees are identified and eliminated or minimized through the implementation of prevention programs and/or practices.

DEFINITIONS

Workplace Violence

- 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 a 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.

Domestic Violence

A situation where a person who has a personal relationship with a worker – such as a spouse or former spouse, current or former intimate partner or a family member may physically harm or attempt or threaten to physically harm that worker at work.

PROCEDURE

This policy provides the framework for the development of procedures and programs regarding the prevention of workplace violence. To this end, the following process will be conducted as part of our company workplace violence prevention program:

1) Risk Assessment

Senior Management will ensure a violence risk assessment is conducted **(Refer to Form 8-1-1 Workplace Violence Assessment)**. Any risks identified through this process will result in the development and implementation of a specific violence prevention plan to address this risk. A review of the risk assessment and violence prevention plan will be conducted by Senior Management or designate (e.g. Project Manager) on an annual basis. These documents will also be reviewed and changes will be made, if the following situations take place:

- Change in nature of the workplace, type of work or work conditions*
- Workers or Health and Safety Representative indicate that procedures or programs in place to address workplace violence are inadequate
- Violent incident has occurred

Section 8-1 - Workplace Violence Prevention Program

Note: *Nature of the workplace refers to the physical aspects of the workplace, including exits, entrances, lighting and objects that can be used as weapons. Type of work refers to the tasks workers perform and the workplace parties they interact with (e.g. clients, members of the public, etc.). Work conditions refer to work hours, working alone, the surrounding neighbourhood, etc.

As part of the violence risk assessment process, the following issues will be considered:

- Past occurrences of violence at that workplace
- Violence incidents that have occurred in similar workplaces
- Potential circumstances and interactions that occur in the course of performing work
- Geographic location and layout of the workplace
- Domestic Violence

A violence prevention plan will be developed that will include the following elements:

- A written Workplace Violence Prevention Policy Statement
- Strategies to minimize and, to the extent possible, eliminate the risk of violence in the workplace
- Training requirements regarding workplace violence for employees, Foreman, Superintendents and contractors
- Procedures for reporting, documenting and investigating incidents of violence

Note: If domestic violence is deemed to be a potential threat to a specific worker, senior management will undertake the appropriate measures to ensure the dissemination of relevant information to select/affected personnel. Company protocol regarding confidentiality of information will be followed.

2) Incident Reporting, Investigation and Follow-up

All workers are required to report any act or threatening statement of violence arising out of their employment, to their respective Foreman / Superintendent.

Senior Management will ensure that all violence incidents are investigated by the appropriate competent designated personnel. Any actions or incidents deemed to be of risk to worker health or well being will be dealt with following progressive disciplinary measures. In addition, local authorities will be summoned where required. This process will be documented and kept on file, and will be used in future risk assessments.

Section 8-1 - Workplace Violence Prevention Program

3) Training

General

All employee orientations and if necessary, during safety talks, the following items will be reviewed:

- Company Workplace Violence Prevention Policy
- Our expectations of conduct while engaging in work activities
- Violence prevention procedures, correct response procedures
- Workplace emergency procedures and incident reporting procedures

All subcontractors will be advised of our company policies regarding workplace violence prevention during site orientations and/or safety meetings.

Specific

Specific training regarding potential workplace violence will be provided to those employees or contractors who are required to work in “high risk” locations as identified through the violence risk assessment process.

Roles and Responsibilities

Senior Management

- Ensure that workplace violence prevention policy statement is prepared, and reviewed on an annual basis with all staff
- Ensure that a office and facility specific violence risk assessment is conducted and if necessary, a violence prevention plan is developed and implemented by the Health and Safety Coordinator.
- Ensure that the workplace violence prevention policy is communicated to all contractors at the workplace
- Ensure that appropriate training and education in violence prevention procedures and response procedures is provided to workers and/or contractor
- Report incident to the Ministry of Labour when required.

Project Manager

- Ensure the reporting, investigating and documenting of incidents of violence are established and are in place
- Conduct a site specific workplace violence assessment and if necessary, prepare a violence prevention plan
- Inform Workers, Foreman and Superintendents of the nature and extent of the risk of violence
- Report incident to Senior Management
- Take corrective actions and monitor their effectiveness
- Ensure regular evaluation of the workplace violence prevention program (annually, after an incident or if circumstances change)
- Ensure that the Health and Safety Coordinator is consulted as part of the violence risk assessment process and during the development of the Violence Prevention Plan

Section 8-1 - Workplace Violence Prevention Program

Superintendent Responsibility

- Report incident to police, Ministry of Labour, Project Manager.
- Comply with reporting, investigation and documenting procedures
- Facilitate ongoing discussion on workplace violence issues with workers and contractors, as required
- Provide input into violence risk assessment for construction sites
- Assist in development and updating of the violence prevention plan
- Review procedures for prevention of workplace violence
- Promote and encourage reporting of violent incidents.

Employee/Worker Responsibility

- Provide input into violence risk assessment
- Attend education and training sessions regarding violence
- Provide input into development of the violence prevention plan
- Follow established procedures for the prevention and reporting of incidents of violence
- Report incidents of violence to your immediate Foreman, Superintendent and/or Senior Management
- Provide input into incident investigations

Program Review

The violence program will be monitored and information from investigations, including feedback from workers, Foreman and Superintendents and Senior Management will be used to evaluate its effectiveness. Any weaknesses or opportunities for improvement that are identified through this process will be addressed. Evaluating the program on a regular basis is part of our company's commitment to ensuring a safety and healthy workplace.

FORM 8-1-1 - Workplace Violence Assessment/Control Measures

Company Name: _____ Name: _____

Workplace Location: _____ Date: _____

Describe responses to any of the following questions to indicate potential areas that need to be examined closely to address potential areas of workplace violence.

Is there a company history of incidents or threats of violence in the workplace? YES
 NO

Comments:

Is workplace near an area that has a historically high crime? YES
 NO

Comments:

Have any workers or the JHSC raised concerns respecting potential or actual violence in the workplace in the last 5 years? YES
 NO

Comments:

Are workers requested or required to work alone or in isolation within the workplace? YES
 NO

Comments:

Is there a need for workers to work during late evening or early morning hours by themselves? YES
 NO

Comments:

Do workers have contact with the public? YES
 NO

Comments:

Is access to the workplace controlled? (EX. at reception, coded cards, or keys) YES
 NO

Comments:

Is there a means of summoning immediate assistance in work areas should workplace violence occur? YES
 NO

Comments:

FORM 8-1-1 - Workplace Violence Assessment/Control Measures

Is there a means of summoning assistance within the workplace? (EX, paging system, emergency call button, phones) YES NO

Comments:

Is there security system in place and is it maintained? (EX. Security cameras, monitoring, guards, etc.)? YES NO

Comments:

Are there posted emergency response plan with floor plans showing exits, entrances, location of emergency equipment? YES NO

Comments:

Is the workplace designed in a manner that eliminates places to hide, enhances visual surveillance, and/ or lighting? YES NO

Comments:

Have the violence & harassment policies been posted within the workplace? YES NO

Comments:

Is there sufficient lighting inside and/or outside of the workplace? YES NO

Comments:

Are additional workplace locks used to secure working locations? YES NO

Comments:

Are locks used and are they fully functional? YES NO

Comments:

Section 8-2 - Workplace Harassment Prevention Program

PURPOSE

The purpose of the Workplace Harassment Prevention Policy and Program is to ensure that Senior Management, Project Managers, Superintendents, Foreman and Workers, as well as subcontractors, understand our Policy and their roles and responsibilities as they relate to harassment prevention in the workplace. In addition, to ensure that risks of harassment to employees are identified and eliminated or minimized through the implementation of prevention programs and/or practices.

DEFINITIONS

Workplace Harassment

Workplace harassment is defined to mean “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 or sexual harassment”. The following examples as cited from the Canadian Human Rights Commission are what we consider to be different forms of harassment. It can include comments or actions related to race, national or ethnic origin, colour, religion, age, sex, marital status, family status, disability, pardoned conviction, or sexual orientation.

Sexual Harassment

Sexual harassment is defined in the Occupational Health and Safety Act as engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome. In addition, making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome. A reasonable action taken by an employer or relating to the management and direction of its workplace is not considered workplace harassment.

PROCEDURE

This policy provides the framework for the development of procedures and programs for the promotion of a respectful environment and a process for the prevention of workplace harassment. To this end, the following process will be conducted as part of our company Workplace Harassment Prevention Program:

1) Training

General

During employee orientations and safety talks the following items will be reviewed:

- Company Workplace Harassment Prevention Policy
- Our expectations of conduct while engaging in work activities
- Workplace Harassment prevention procedures and corrective response procedures

Section 8-2 - Workplace Harassment Prevention Program

All contractors will be advised of our company policies regarding Workplace Harassment Prevention during site orientations and/or safety meetings.

2) Incident Reporting, Investigation and Follow-up

Workers are required to report harassment arising out of their employment, to their respective Foreman, Superintendent, Senior Management or Health and Safety Coordinator.

Senior Management will ensure that all harassment incidents are investigated by the appropriate parties. Any actions or incidents deemed to be harassment will be dealt with following progressive disciplinary measures. This process will be documented and kept on file. In addition, local authorities will be summoned as required.

Results of the Investigation

Within 10 days of the investigation being completed (and in the absence of extenuating circumstances), the worker who allegedly experienced the workplace harassment and the alleged harasser, if he or she is a worker of the employer, will be informed in writing of the results of the investigation and any corrective action taken or that will be taken by the employer to address workplace harassment.

Confidentiality

Information about complaints and incidents shall be kept confidential to the extent possible. Information obtained about an incident or complaint of workplace harassment, including identifying information about any individuals involved, will not be disclosed unless disclosure is necessary to protect workers, to investigate the complaint or incident, to take corrective action or otherwise as required by law.

While the investigation is on-going, the worker who has allegedly experienced harassment, the alleged harasser(s) and any witnesses should not discuss the incident or complaint or the investigation with each other or other workers or witnesses unless necessary to obtain advice about their rights. The investigator may discuss the investigation and disclose the incident or complaint-related information only as necessary to conduct the investigation.

All records of the investigation will be kept confidential.

Section 8-2 - Workplace Harassment Prevention Program

Roles and Responsibilities

Health and Safety Coordinator Responsibilities:

- Ensure the reporting, investigating and documenting of incidents of workplace harassment are established and are in place.
- Take corrective actions and monitor their effectiveness
- Ensure regular evaluation of the Workplace Harassment Prevention Policy (annually, after an incident or if circumstances change)
- Ensure appropriate training and education in harassment prevention procedures and response procedures is provided to workers and/or contractors

Senior Management Responsibilities

- Ensure that the Workplace Harassment Prevention Policy Statement is prepared and reviewed on an annual basis with all staff

Project Manager Responsibilities

- Ensure that the Workplace Harassment Prevention Policy is communicated to all contractors
- Inform Workers, Foreman and Superintendents of the nature and extent of workplace harassment
- Ensure that the worksite Superintendent is consulted during the development of the Workplace Harassment Prevention Policy

Superintendent/Foreman Responsibilities

- Facilitate ongoing discussion on workplace harassment issues with workers and contractors
- Provide input into the workplace harassment policy
- Review procedures for prevention of workplace harassment
- Promote and encourage reporting of incidents of harassment
- Comply with reporting, investigation and documenting procedures

Worker Responsibilities

- Provide input into workplace harassment policy
- Attend education and training sessions regarding workplace harassment
- Follow established procedures for the prevention and reporting of incidents of workplace harassment
- Report incidents of harassment to your immediate Foreman, Superintendent and / or Senior Management
- Provide input into harassment investigations

Section 8-2 - Workplace Harassment Prevention Program

Program Review

The harassment program will be monitored and information from investigations, feedback from Workers, Foreman, Superintendents and Senior Management will be used to evaluate its effectiveness. Any weaknesses or opportunities for improvement that are identified through this process will be addressed. Evaluating the program on a regular basis is part of our company's commitment to ensuring a safety and healthy workplace.