

WATERMARK CO-OPERATIVE HOMES INC.

WORKPLACE VIOLENCE AND HARASSMENT POLICY

Passed by the Board of Directors on
the 26 day of November, 2015.

Workplace Violence and Harassment Policy

WATERMARK CO-OP

Workplace Violence Policy

Policy Statement

The management of Watermark Co-op is committed to the prevention of workplace violence and to a violence free workplace. Management also recognizes the potential for violent acts or threats directed at staff by our clients and the public. Any act of violence committed by or against anyone is unacceptable conduct that will not be tolerated. Every effort has been made to identify possible sources of violence and to implement procedures to control the risks of same.

This policy applies to all activities that take place while a worker is carrying out business for Watermark Co-op whether or not the business takes place on properties owned or managed by Watermark Co-op.

Watermark Co-op as the employer, will ensure that this policy and the supporting program that is set out below are implemented and maintained and that all workers and supervisors have the appropriate information and instruction to protect them from violence in the workplace.

Supervisors will adhere to this policy and the supporting program that is set out below. Supervisors are responsible for ensuring that measures and procedures are followed by workers and that workers have the information that they need to protect themselves.

No worker, volunteer, or any other individual associated with Watermark Co-op shall subject any other person to workplace violence or allow or create situations that allow workplace violence to occur. Everyone is expected to uphold this policy and to work together to prevent workplace violence.

Management confirms its commitment to investigate and deal with all incidents and complaints of workplace violence in a fair and prompt manner.

Definition of Workplace Violence:

- 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.

Definition of Worker:

For the purpose of this policy, a worker of Watermark Co-op means a person who performs work or services for monetary compensation and includes all full time and part time employees, and contract or casual workers carrying out business for Watermark Co-op.

Definition of Supervisor:

For the purpose of this policy, a supervisor of Watermark Co-op means a person who has charge of a workplace or authority over a worker.

6. Worker training: XXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Summoning Immediate Assistance:

Anyone who requires immediate assistance as a result of the occurrence or likely occurrence of workplace violence may summon immediate assistance in the following manner:

1. Equipment to summons assistance XXXXXXXXXXXXXXX
2. Emergency telephone numbers: XXXXXXXXXXXXXXX
3. Emergency procedures.

Reporting Workplace Violence:

All workers are encouraged to raise concerns about workplace violence. All occurrences of workplace violence must be reported to the person designated by Watermark Co-op as soon as possible after the incident occurs. If possible, the complainant will be required to complete a written incident report which will include information about the incident including the time, date and location of the incident and the names of any individuals who may have witnessed the incident. Alternatively, if the complainant is not able to complete a written incident report, he or she will be able to orally provide the aforesaid information to the person designated by Watermark Co-op.

In addition to the foregoing, Niagara Regional Police Service should be called if an incident of workplace violence has taken place.

Employers should consider and incorporate alternate reporting and investigation processes in their policy to address complaints where workplace violence or harassment is committed by supervisors, managers, or Board members.

Investigation Process:

Upon receiving a formal complaint of workplace violence, or upon otherwise becoming aware of an incident of workplace violence, the person designated by Watermark Co-op will:

1. investigate the complaint or incident;
2. advise the respondent(s) in writing of the investigation of the complaint or incident;
3. advise the complainant of the investigation;
4. carry out the investigation or assign the investigation to another designated individual not involved in the incident. The investigator will explore the allegations by conducting interviews with the complainant, the respondent, and any others that may have knowledge of the incident; and
5. prepare a written report of his or her findings regarding the incident within 25 days of receiving the complaint or otherwise becoming aware of the incident. More time to complete the report can be permitted to allow for a complete investigation. The report will clearly indicate whether there is:
 - a. sufficient evidence to substantiate that workplace violence has occurred and/or that the Workplace Violence Policy was contravened; or

- b. insufficient evidence to substantiate that the workplace violence has occurred and/or that the Workplace Violence Policy was contravened.

All documents related to a complaint or incident of workplace violence, including the written complaint, witness statements, investigation notes and reports, and documents related to the complainant will be maintained by the person designated by Watermark Co-op, separate from personnel files.

Incident Reporting Requirements

If a person is disabled from performing his or her usual work or requires medical attention because of an **incident of workplace violence** at a workplace, but no person dies or is critically injured because of that occurrence, the employer must give written notice and details of the occurrence within four days to:

- their Joint Health and Safety Committee (if one exists)
- worker union representative (if one exists)
- a Director from the Ministry of Labour*
* (if the worker has or had a claim filed with the Workplace Safety and Insurance Board by or on behalf of the worker related to the incident of workplace violence

Corrective Action:

If sufficient evidence was found to substantiate that workplace violence has occurred and/or that the Workplace Violence Policy was contravened, the designated person of the non-profit will consider corrective action. Possible corrective actions include:

1. an apology from the respondent to the complainant with a promise not to repeat the action;
2. transfer or relocation of one party to another location;
3. mandatory counseling of the respondent;
4. suspension of the respondent with or without pay for a period of time;
5. termination of the respondent's employment; or
6. eviction of the respondent.

If no evidence was found to substantiate the complaint and the complaint is found to be malevolent or frivolous, disciplinary action may be brought against the complainant.

Annual Reporting:

The person designated by Watermark Co-op will make an annual report to the Board President of the number of complaints proceeded with and the resolution, mediation, and dispositions made under this policy. The Board President will present his/her report including the report received from the designated staff to the Board of Directors, together with any recommendations with respect to matters contained in the report.

Right of Parties to Support and Assistance:

The complainant and respondent are entitled to the services of the employer's Employee Assistance Plan services (if any). The complainant and the respondent are also entitled to the support and assistance of an advocate or representative from a preselected list of members of the employer's community or a person of their choice. Such list is to be chosen and maintained by the manager, supervisor, or other person designated by the employer.

Assistance should include the creation and implementation of individual safety plans to protect employees from situations where the threats of workplace violence, including domestic violence, are present.

** Your organization must determine if you will be responsible for any costs incurred by the complainant or respondent related to the workplace incident.

Risk Assessment Procedure

To manage the issue of workplace violence, the *Occupational Health and Safety Amendment Act* (Violence and Harassment in the Workplace), 2009, S.O. 2009, c. 23 requires an employer to assess the risks of workplace violence. To accomplish this, a number of factors need to be considered which include the workers, the potential sources of violence, work processes and the physical environment. Within each of these factors are a number of variables which, when analyzed, will identify those individuals that are at risk of violence, components within the workplace environment that may increase opportunities for violence, and the need for controls.

Employers (and supervisors) must notify a worker of a risk of workplace violence from a person (including tenants, customers, patients and co-workers) with a history of violent behaviour if the worker can be expected to encounter that person in the course of work and the risk of workplace violence is likely to expose the worker to physical injury.

Once the risk assessment is complete, the employer must advise the Health and Safety Committee (if there are 20 or more workers) or the Health and Safety Representative (if there are 6 or more workers) of the assessment results. If there is no committee or representative, the employer must advise the workers of the assessment results.

Employers must reassess the risks as often as is necessary in order to protect workers from workplace violence.

After considering the following factors, the risk assessment questionnaire shown in Appendix A may be a useful tool.

To effectively assess the risks of violence in the workplace, a housing provider must consider:

- 1) the nature of the workplace, including the physical aspects of the workplace;
- 2) the type of work, including the activities that the workers perform, the sector of work (i.e. social housing, etc.) and the people with whom the workers interact (i.e. tenants, tenant guests, etc.);
- 3) the conditions of work, including the hours worked, the surrounding neighborhood, etc.;
- 4) the circumstances specific to the workplace, including the layout and design of workplace, the geographic location of workplace, the nature of the clientele (i.e. unstable and volatile tenants), the history of workplace violence, the measures that are already in place to prevent and protect against workplace violence, etc.;
- 5) the circumstances that would be common to similar workplaces;
- 6) all factors that contribute to workplace violence;
- 7) its experience in dealing with those factors and with workplace violence;
- 8) the experience of workers in dealing with those factors and with violence in similar workplaces;
- 9) the frequency of situations that present a risk of workplace violence;
- 10) the severity of the adverse consequences to the worker exposed to a risk of workplace violence; and
- 11) the observations and recommendations of the Health and Safety Committee or, if there is no committee, the Health and Safety Representative, and of the workers (note that the employer, when consulting with the Health and Safety Committee, Health and Safety Representative and/or workers,

shall not disclose information whose disclosure is prohibited by law or could reasonably be expected to threaten the safety of individuals).

PLEASE NOTE: Threats or assaults that require immediate attention should be reported to the police by calling 911.

Appendix A

Employee Risk Assessment Survey

The following questionnaire is to assist Watermark Co-op in assessing the risk of workplace violence. Responses to the questions are kept confidential and the respondent's identity is kept confidential.

Respondents will be free from reprisal, and any investigations of urgent workplace violence situations will be conducted using due process.

1. Are you directly aware of any actual or potential workplace violence situations that have occurred within the last year? Yes/No

If you answered yes, please describe the incident or potential workplace violence situation.

2. Have you even been concerned for your personal safety while at work? Yes/No

If yes, please describe the situation.

3. Are you familiar with the Watermark Co-op's procedures you should follow if confronted by anyone in a hostile manner?

Yes/No

4. Are you familiar with Watermark Co-op's Workplace Violence and Harassment Policy?

Yes/No

5. Has the subject of workplace violence ever been covered during work meetings that you have attended?

Yes/No

6. Please rate the overall degree of risk to workplace violence you experience as an employee of Watermark Co-op

(circle one) Low Risk Medium Risk High Risk

If you circled medium or high risk, please explain:

WATERMARK CO-OP

Workplace Harassment Policy and Program

Policy Statement:

The management of Watermark Co-op believes in the prevention of harassment and is committed to a harassment free workplace in which all individuals are treated with respect and dignity, are able to contribute fully and have equal opportunities.

Management also recognizes the potential for harassment directed at staff by our workers, clients and the public. Any act of harassment committed by or against anyone, including any member of our workplace or member of the public is unacceptable conduct that will not be tolerated.

No worker, volunteer, or any other individual associated with Watermark Co-op shall subject any other person to workplace harassment or allow or create situations that allow workplace harassment to occur. Everyone is expected to uphold this policy and to work together to prevent workplace harassment.

Watermark Co-op as the employer, will ensure that this policy and the supporting program are implemented and maintained. Management confirms its commitment to investigate and deal with all incidents and complaints of workplace harassment in a fair and prompt manner.

This policy applies to all activities that take place while a worker is carrying out business for Watermark Co-op whether or not the business takes place on properties owned or managed by Watermark Co-op.

Nothing in this policy prevents or discourages a worker from filing an application with the Human Rights Tribunal of Ontario. A worker also retains the right to exercise any other legal avenues available.

Definition of Workplace Harassment:

Workplace harassment is defined in the *Occupational Health and Safety Amendment Act (Violence and Harassment in the Workplace)*, 2009, S.O. 2009, c. 23 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".

Definition of Worker:

For the purpose of this policy, a worker of Watermark Co-op means a person who performs work or services for monetary compensation and includes all full time and part time employees, contract or casual workers carrying out business for Watermark Co-op.

Definition of Supervisor:

For the purpose of this policy, a supervisor of Watermark Co-op means a person who has charge of a workplace or authority over a worker.

Definition of Designated Staff:

For the purpose of this policy, the employer or the employer's Board of Directors must appoint a designated staff person to receive complaints of workplace harassment and to implement the procedures of this policy.

Reporting:

Workers who feel they are being harassed must report it right away. If possible, tell the person harassing you that you are not comfortable with their behaviour, and want it to stop. Document the behaviour including dates, times,

locations, the names of any witnesses, and what happened. If the harassing behaviour occurs again, or if you are unable to deal directly with the person harassing you, report it to the designated person.

All workers have a responsibility to report harassment if they or someone else is being harassed. All workers are responsible for respecting the confidentiality of anyone involved in a harassment complaint.

Workers reporting incidents of harassment or assisting in the investigation of a complaint will be protected from retaliation of any kind by either co-workers or supervisory staff.

Investigation:

All reports of harassment made to the designated staff will be investigated thoroughly in a fair and timely manner, respecting all workers' privacy as much as possible. Interviews will be conducted of the complainant, the alleged harasser, and any witnesses. All workers have a responsibility to cooperate in the investigation. If the investigation reveals evidence to support the harassment complaint, the harasser will be subject to disciplinary action. Disciplinary action will range from an apology to suspension, dismissal or, where applicable, eviction.

The investigation will involve:

1. getting all pertinent information from the complainant;
2. informing the alleged harasser of the details of the complaint, and getting her or his response;
3. interviewing any witnesses;
4. deciding whether, on a balance of probabilities, the harassment did take place; and
5. recommending appropriate remedies, penalties, or other action.

All documents related to a complaint or incident of workplace harassment, including the written complaint, witness statements, investigation notes and reports, and documents related to the complainant will be maintained by the person designated by Watermark Co-op, separate from personnel files.

Obligation of Management:

Watermark Co-op will take the appropriate action to remedy any reported or witnessed incidents of harassment within the workplace Watermark Co-op's goal is to provide a safe work environment free of harassment for all of its workers.

Education and Training:


Adopting a written workplace harassment policy is not the end of the process. The policy must be implemented, which requires a comprehensive training program and regular reviews of the policy as often as is necessary, but at least annually, to ensure that it continues to serve its purposes.

Education and training will be provided to all workers as a preventive measure to inform everyone about the nature of workplace harassment, the right to be free of it, and about Watermark Co-op's workplace harassment policy and procedures.



President

c/s



Secretary