

## NIAGARA PENINSULA HOMES

### VIOLENCE AND HARASSMENT IN THE WORKPLACE POLICY

#### 1. SCOPE

This policy applies to all full-time, part-time, contract, temporary employees and volunteers (collectively referred to as “employees” in this Policy) of Niagara Peninsula Homes (referred to as “NPH”). The purpose of the Policy is to provide an internal complaint process and to promote a healthy and safe work environment that is free from any form of harassment or violence.

#### 2. POLICY STATEMENT

NPH believes in the prevention of workplace violence and is committed to a workplace in which all people respect one another and work together to achieve common goals.

NPH does not tolerate violence, harassment or any other unacceptable behaviour in the workplace against any of its employees or other third parties.

NPH is committed to providing and maintaining a work environment that is based on respect for the dignity and rights of everyone in the organization.

The purpose of this policy is to:

- (a) establish procedures to prevent violence and harassment in the workplace;
- (b) enable employees to work in a safe and healthy workplace;
- (c) provide a consistent and focused approach to reducing the risk of workplace violence;
- (d) providing a framework for an appropriate response to workplace violence or threats of violence; and
- (e) to provide a process for prompt and accurate reporting of all workplace violence, threats of violence or harassment.

#### 3. HARASSMENT DEFINED

For the purpose of this Policy, “harassment” means engaging in a course of vexatious comment or conduct against an employee in the workplace. Harassment includes a comment or conduct that is known or ought reasonably to be known to be unwelcome.

Examples of workplace harassment include the following:

- (a) verbal abuses or threats;

- (b) unwelcome remarks, jokes, innuendo or taunts about a person's body, race, colour, attire, marital status, sexual orientation, ethnic or religious origin or handicap;
- (c) displaying or distributing offensive materials;
- (d) practical jokes which cause embarrassment;
- (e) unwelcome invitation or requests;
- (f) leering or inappropriate gestures; and
- (g) inappropriate physical contact.

#### **4. VIOLENCE DEFINED**

For the purpose of this Policy, "violence" in the workplace includes a threat, an attempt, or an exercise of physical force.

Examples of workplace "violence" may include the following physically or psychologically aggressive behaviours:

- (a) hitting, kicking, punching, pushing, shoving, slapping, pinching, grabbing and biting;
- (b) carrying or brandishing weapons of any sort;
- (c) throwing objects at an individual with a view to causing physical injury or fear;
- (d) destruction of workplace or a co-workers property;
- (e) threats of violence; and
- (f) intimidating behaviour that causes the recipient to have a fear of physical violence.

#### **5. RESPONSIBILITY**

All persons are responsible for insuring that their behaviour does not constitute violence or harassment as defined above. All persons are also responsible for fostering a work environment that is based on respect and is free of harassment.

Each employee at NPH is obligated to:

- (a) ensure their own behaviour is in accordance with this Policy;
- (b) make this policy known to those who appear to be contravening the Policy; and
- (c) report incidents of violence and harassment.

## 6. COMPLIANCE

Compliance with this policy is mandatory and is in accordance with NPH's obligations under the *Occupational Health and Safety Act*. Infractions of this Policy will be considered misconduct and appropriate discipline will be imposed up to and including termination for cause.

## 7. SECURITY MEASURES

In order to minimize the risk of violence on NPH property, the following rules apply:

- (a) NPH property shall be accessed only by employees, customers and visitors conducting legitimate business activity;
- (b) Employees and their vehicles shall display proper NPH identification while on company property;
- (c) Visitors and their vehicles must display proper identification while on NPH premises;

With respect to NPH employees who are attending to provide employment related duties off premises, NPH will require that any premises that an employee is regularly required to attend to perform workplace duties has an Occupational Health & Safety Policy that complies with Bill 168 and the *Occupational Health & Safety Act* minimum requirements.

## 7. PROCEDURES

### (a) Reporting Incidents of Violence

Complaints of workplace violence and/or harassment should be reported immediately to your supervisor and or the executive director. Complaints can be made in person, or preferably in writing (including e-mail).

All complaints will be treated confidentially in an attempt to protect personal information. However, confidentiality may be compromised in cases where it is perceived that imminent danger exists or in cases where disclosure is required by law.

NPH is required by law to disclose personal information to a worker about individuals with a known history of violent behaviour if (a) the worker is likely to encounter the individual in the course of their work, and (b) there is a risk that the workers will be exposed to physical injury.

### (b) Reporting Incidents of Harassment

Any incident of harassment must be reported directly to your supervisor and or the executive director. If reported to your supervisor and there is no resolve then report the incident directly to the executive director. All reports will be taken seriously and investigated.

If you believe that you are a victim of workplace harassment, the first step is to immediately inform the person that you are not comfortable with their comments/language/actions and inform

them to stop immediately. If asking the person to stop immediately does not solve the issue, you should contact your supervisor and or the executive director who will work with the two parties independently if deemed necessary, to bring about an appropriate solution. An effort will be made to keep all conversations confidential.

(c) **Investigation/Responding to Complaints of Violence and/or Harassment**

As part of the complaint process, NPH may attempt to resolve the complaint informally and at an early stage. If the complainant is not satisfied with the outcome of the informal resolution attempts, NPH will proceed to conduct a formal investigation. That investigation will:

- (i) examine the allegations;
- (ii) advise the Respondent (or Respondents) that an investigation has been commenced; and
- (iii) request the Respondent to respond to the complainant's allegations.

NPH will then determine the most appropriate manner of dealing with the incident of harassment and/or violence if, in their opinion, the allegations are founded. If it is determined that, in their opinion, no harassment or violence has taken place, the confidentiality of all parties will still be maintained.

It is the policy of NPH not to investigate anonymous complaints unless there are extenuating circumstances.

If a finding of harassment or an occurrence of violence is found to have occurred, NPH will take appropriate corrective measures, regardless of the Respondent's seniority or position.

Corrective actions and steps will depend on the nature/severity of the issues and will be determined on a case-by-case basis.

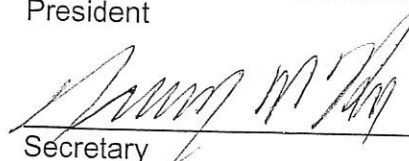
**9. CONFLICT OF INTEREST**

Respondents to a complaint, regardless of their position within NPH will be excluded from any decision making role related to the complaint.

PASSED by the Board of Directors on the 27<sup>th</sup> day of **September, 2010.**



\_\_\_\_\_  
President



\_\_\_\_\_  
Secretary

c/s

## ACKNOWLEDGMENT

I, \_\_\_\_\_, acknowledge that I have read and understand the Violence and Harassment in the Workplace Policy attached. I agree to adhere to the provisions of the policy and will ensure that any employees working along side me or under my direction adhere to this policy.

\_\_\_\_\_  
signature

\_\_\_\_\_  
date

**NIAGARA PENINSULA HOMES  
(NPH)  
STAFF MEMO**

As you are aware, Bill 168, an amendment to the Occupational Health & Safety Act with respect to violence and harassment in the workplace, was passed and is now law.

Bill 168 is designed to identify potentially violent risks in the workplace as well as eliminating workplace harassment. It also has a section that deals with the possible risks to Workers in regards to domestic violence.

As an employer NPH was required to conduct a risk assessment with you the employees. This is complete and now in a continuing effort to establish and sustain a pleasant working environment, NPH has implemented a Workplace Harassment and Violence Prevention Program in order to comply with Bill 168 and the Occupational Health and Safety Act. The program includes:

- Violence and harassment policies & programs
- Hazard assessment procedure
- Worker reporting procedure
- Incident investigation procedure
- Emergency response procedure for violence

The Health and Safety Committee consisting of Joey Ruigrok, Ian Fripp, Betty Ann Baker and Ken Goka have been designated to co-ordinate this program and will be able to answer any of your questions throughout the process. Thank you for your cooperation and involvement in this program.

Regards  
Betty Ann

## **5. When you are in unfamiliar premises:**

- Check for escape routes and position yourself near an escape route.
- Mentally rehearse what you will do if an individual becomes aggressive or hostile.
- Decide what your best preventative tactic will be.
- Take control of the seating arrangements. If possible seat yourself near the door.
- Maintain a reactionary gap between you and others – out of reach of the average person's kicking distance.
- Be well prepared for an appointment. Review the available information about the individual(s) you are meeting.
- Terminate the appointment in a non-confrontational manner if the individual appears to be:
  - Intoxicated
  - Under the influence of drugs
  - Emotionally disturbed and threatening or out of control

## **6. Terminating a potentially violent interaction:**

- Interrupt the conversation firmly but politely
- Tell the person that you:
  - Do not like the tone of the conversation
  - Will not accept such treatment
  - Will end the conversation if necessary
- If the behaviour persists, end the conversation
- Ask the person to leave
- If the person does not agree to leave, remove yourself from the scene and inform your employer
- Do not return to the person if you believe they pose a physical threat
- Advise other staff and have them leave the immediate area
- Call security or police
- File an incident report

## Domestic Violence

### Possible signs a person is being physically abused:

- Unusual or unexplained injuries, such as bruises, cuts, burns, bite marks, etc.
- Defensive response when asked about an injury
- Signs of new injuries before old injuries have healed or recurring injuries
- Torn clothing or damaged personal property

### Possible signs a person is being verbally/emotionally abused:

- Constantly apologizing
- Decreased ability to cope with familiar situations
- Social withdrawal from co-workers and friends
- Extreme or unusual behaviour, such as aggression, compliance or withdrawal
- High levels of anxiety or depression
- Lateness or frequent absence, reduced productivity and poor job performance
- Constant phone calls from spouse/abuser checking in on the worker
- Chronic fatigue and other side effects such as headache, chest pain, neck pain

### How to talk to someone you suspect is a victim of domestic violence:

Show concern, for example, "something seems to be going on with you. Can I help?"  
Listening is the single most important and helpful thing that you can do. Let them talk without interruption or judgment. Believe them. Give your support by telling them the abuse is not their fault and that they are not responsible for their partner's behaviour. Tell them that they do not ever deserve to be abused. Then offer information only – do not try to counsel them.

Talk to them in a safe and private place. Respect their right to keep their concerns confidential. Provide information for Victim Services or a women's shelter and encourage them to talk to them about the abuse. Do not take offence if they refuse your help or do not want to share what is going on with you. Remind them that your company has policies and procedures that protect them while in the workplace.



## RESOURCES

### Tips for Preventing and Managing Incidents of Violence or Harassment

#### 1. Dealing with a potentially violent person:

##### (a) Tips for verbal communication

- Focus your attention on the other person to let them know you are interested in what they have to say.
- Do not glare or stare, it may be perceived as a challenge.
- Remain calm and try to calm the other person. Do not allow the other person's anger to become your anger.
- Remain conscious of how you are delivering your words.
- Speak slowly, quietly and confidently.
- Speak in simple terms.
- Avoid communicating a lot of technical and complicated information when emotions are high.
- Listen carefully. Do not interrupt or offer unsolicited advice or criticism.
- Encourage the person to talk. Do not tell the person to relax or calm down.
- Remain open-minded and objective.
- Use silence as a calming tool.
- Acknowledge the person's feelings. Indicate that you can see he or she is upset.

##### (b) Tips for non-verbal communication and behaviour

- Use calm body language – relaxed posture with hands unclenched, attentive expression.
- Arrange yourself so that your exit is not blocked.
- Position yourself at an angle rather than directly in front of the other person.
- Give the person enough physical space.
- Do not make sudden movements that can be seen as threatening.
- Do not fight. Walk or run away. Get assistance from security or police.
- Get on the other person's physical level. If they are seated try kneeling or bending over, rather than standing over them. Do not pose a challenging stance such as:
  - Standing directly opposite someone
  - Putting your hands on your hips
  - Pointing your finger
  - Waving your arms
  - Crossing your arms

## 2. Responding to a physical attack:

- Make a scene, yell or scream as loudly as possible. Try shouting words like STOP, FIRE or HELP.
- If you are being pulled along or dragged, fall to the ground and roll.
- Blow a whistle, activate your personal security alarm or push the security alarm.
- Give bystanders specific instruction to help you. "You in the yellow shirt call police".
- If someone grabs your purse, briefcase or other belongings, do not resist. Throw the item to the ground several feet from your location and run in the opposite direction yelling HELP or FIRE.
- Do not chase a thief.
- Run to the nearest safe place.
- Call security or the police immediately after the incident.
- If the attack does not warrant calling the police, inform your employer.
- File an Incident Investigation Report.

## 3. Be Prepared:

- Take a self-defense course.
- Try to imagine yourself responding successfully to different types of attacks and practice your responses.

## 4. Working Off-Site:

If you work away from a traditional office setting you must exercise extra caution. In many cases you have less or no ability to control your work environment. You may require special training to avoid violence by using conflict resolution and mediation tactics. Nevertheless, the following specific preventative tactics or procedures will minimize or prevent risks associated with working off-site:

- Have access to a cell phone or similar means of communication.
- Use an established check-in procedure that allows you to manage a typical situation you may encounter off-site.
- Prepare a daily work plan so that you and others know where and when you are expected somewhere.
- Arrange to meet in a safe environment.
- Be alert and make mental notes of your surroundings when you arrive at a new or different setting.
- Use the buddy system.
- Determine under which circumstances an unaccompanied visit would involve unacceptable risk.
- Exercise your right to refuse work in clearly hazardous situations.
- Disclose feelings of discomfort or apprehension about an impending appointment.
- Do not enter any situation or location where you feel threatened or unsafe.

**Workplace Harassment and Violence Prevention Program  
Concern Report Form**

<b>Worker Name:</b>	<b>Date:</b>
<b>Description of Concern:</b> <i>(Including: location, date, person(s) involved, witnesses, what happened, where it occurred, what led to the concern, what if any action was taken, what impact the incident had on you. Please attach additional paper if necessary.)</i>	
_____ <b>Worker Signature</b>	_____ <b>Date</b>
<b>To be completed By Employer:</b> I received the above concern on the following date:	
_____ <b>Employer Signature</b>	_____ <b>Date</b>
<b>Employer proposed action to be taken to resolve the above concern:</b>	
<b>Please check the appropriate box, then sign to confirm your response:</b>  <input type="checkbox"/> Worker agrees with the proposed action <input type="checkbox"/> Worker does not agree with proposed action	
_____ <b>Worker Signature</b>	_____ <b>Date</b>
<i>Completed form will be forwarded to Employer for action.</i>	

**NIAGARA PENINSULA HOMES  
(NPH)  
Workplace Harassment and Violence Prevention Program**

**Commitment to the Prevention of  
Harassment and Violence in the Workplace**

**Covenant:**

We commit to treating all co-workers, the public and our clients in a respectful and dignified manner that conveys respect for the abilities of each other and a willingness to work as a team of equally valued partners. We promote the atmosphere of collegiality, cooperation and professionalism. We wish to be held accountable for our commitment and we expect the same dedication from all members involved in the workplace.

**Statement of Commitment:**

I, the undersigned, have been made aware of the Covenant and the Workplace Harassment and Violence Prevention Program. I have reviewed the Workplace Harassment and Violence Prevention Policy and have been informed of the location of all relevant report forms.

I understand that failure to comply with the provisions of this policy and program may lead to disciplinary action, up to and including termination of my employment.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

This commitment shall be signed by every employee upon implementation of the Workplace Harassment and Violence Prevention Program and/or upon acceptance of an offer of employment by Niagara Peninsula Homes

**Workplace Harassment and Violence Prevention Program  
Incident Investigation Form**

<b>Worker Name:</b>	
<b>Date &amp; Time of Incident:</b>	<b>Location of Incident:</b>
<b>Date &amp; Time of Report:</b>	<b>Reported to:</b>
<b>Description of Event:</b>	
<b>Type of Incident:</b> <input type="checkbox"/> Verbal Abuse <input type="checkbox"/> Physical Abuse <input type="checkbox"/> Damage to Property	
<b>Was medical attention or first aid required?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>If yes, please provide details of injury and include type of injury</b> (laceration, strain, sprain, psychological, etc)	
<b>Description of Incident:</b> <i>(Including: location, date, person(s) involved, what happened, where it occurred, what led to the incident, what if any action was taken, what impact the incident had on you. Please attach additional paper if necessary.)</i>	

**All Actions Taken:** *(Including: initial response, employer contacted, police or emergency services responded)*

**Police Report # (if applicable):**

**Witnesses:**

Name(s): \_\_\_\_\_

Contact Information:

**Additional Notes:**

**Has the person(s)/ issue(s) involved previously been reported or identified?** (i.e. submitted concern report form or previous investigation)

Yes     No

**Description of Previous Incident, if applicable:**

**Recommendations (if applicable):**

**Report Completed By:**

**Date:**

## Local Community Resources

Ministry of Labour: [www.labour.gov.on.ca](http://www.labour.gov.on.ca)  
1-800-268-8013

Workplace Safety and Insurance Board: [www.wsib.on.ca](http://www.wsib.on.ca)  
1-800-387-0750

Occupational Health & Safety Act [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca)

Canadian National Centre for Occupational Health and Safety: [www.ccohs.ca](http://www.ccohs.ca)  
1-800-668-4284

**St. Catharines Sexual Health Centre**  
277 Welland Ave. L2R 2P7  
905-688-3817

**Community Mental Health**  
3550 Schmon Parkway  
Unit 2, 2<sup>nd</sup> Floor PO Box 1042  
Thorold, ON 905-688-2854

**Gillian's Place (For Women)**  
15 Gibson Place  
St. Catharines, L2R 0A3  
24/7 Support Line  
905-684-8331

**Southridge Community Church**  
201 Glenridge Avenue  
St. Catharines L2T 3J6  
Temporary shelter for men and/or  
women who are homeless for any  
reason.

**Women's Place of South Niagara Inc.**  
P.O. Box 853  
Niagara Falls ON  
L2E 6V6  
T: 905 356-3933  
F: 905-356-5522

Crisis Lines: 905 788 0113 or 905 356 5800

**Community Addiction Services:**  
Alcohol, Drugs, Gambling  
60 James Street, St. Catharines  
905-684-1183  
Gambling only – 905-684-1859

