



## WORKPLACE HARASSMENT & VIOLENCE POLICY

### Commitment Statement

At MLCP, the health and safety of our employees, students, parents, volunteers and visitors is paramount. Priority in this instance is given to protecting our employees from violence and/or intimidating behaviours. Such conduct interferes with everyone's ability to perform their job and is not in keeping with MLCP's philosophy of trust and mutual respect. By working together, and giving the utmost attention to the safety and well-being of each other, we will meet our shared objective of a healthier and safer working environment for all.

MLCP employees, clients and parents are entitled to have a work environment free from violence and intimidating behaviours as prescribed by the *Occupational Health and Safety Act*. This policy applies to all employees and representatives of MLCP while in the workplace, during work related field trips or travel, or during any work-related and/or social functions.

Employees are expected to assist MLCP in its attempts to prevent and eliminate violence in the workplace. MLCP will treat any form of violence that occurs in the workplace seriously regardless of the alleged perpetrator's position.

Nothing in this policy limits an individual's right to file a complaint with the Ministry of labour should they feel the situation warrants such action.

### Definition

The *Occupational Health and Safety Act* defines workplace violence as:

- ❖ The exercise of physical force by a person against a worker in a workplace, that causes or could cause physical or emotional injury to the worker;
- ❖ An attempt to exercise physical force against a worker, in a workplace, that could cause physical or emotional injury to the 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 or emotional injury to the worker.

This definition of workplace violence is broad enough to include acts that would constitute offences under Canada's Criminal Code.



## **Forms of Workplace Violence**

- ❖ Violence by Strangers
  - Usually enters the place of work on the pretence of being a client
  - Normally commits robbery or other violent act
- ❖ Violence by Parents/Clients
  - Maybe an expected or unexpected situation. Parents may have adverse reaction to comments or discussion about this child
- ❖ Violence by Co-workers
  - Could include: current employee and supervisor, former employee and supervisor, a prospective employee, and may occur inside or outside of the workplace
- ❖ Violence by Personal Relations
  - This includes spouse, partner, relative, or friend and usually occurs when a personal dispute occurs with the worker and enters the workplace to harass, threaten, injure or kill the employee

## **Behaviours Constituting Workplace Violence**

Such threats or acts include, but are not limited to:

- ❖ Harming or threatening to harm any employee or guest
- ❖ Damaging or threatening to damage property or the property of any employee or guest
- ❖ Possessing a dangerous weapon or fire device on property without prior authorization.
- ❖ Engaging in stalking behaviour of any employee.

## **Responsibilities of Principal/ Vice-Principals/ Administrators**

- ❖ Assess risks of violence at MLCP
- ❖ Promote a non-violent workplace through policies and training
- ❖ Provide employees with information and instruction regarding the workplace policy and program with respect to workplace violence including appropriate steps to be taken and investigation procedures
- ❖ Take every reasonable precaution for the protection of the worker
- ❖ Inform employees of potential risk situations



- ❖ Ensure employees understand who to contact regarding concerns about the policy or when to report an incident
- ❖ Model behaviour, which helps support a positive work environment
- ❖ Ensure the workplace is free from violence and harassment.
- ❖ Respond to complaints brought to their attention
- ❖ Respect the confidentiality and sensitivity of such issues
- ❖ Respect work refusals if workplace violence is likely to endanger worker
- ❖ Document all information and investigation results
- ❖ Request an investigation into allegations of violent situations
- ❖ If witnessing elements of a corruptive or destructive work environment, take action
- ❖ If an employee is physically hurt due to workplace violence the Ministry of Labour will be contacted.

### **Responsibilities of Employees**

- ❖ Take part in training and education programs
- ❖ Compliance with this policy is the responsibility of all employees.
- ❖ Employees must avoid any behaviour or conduct that could reasonably be interpreted as a violation of this policy
- ❖ Employees must maintain a work environment free from violence, and/or intimidation
- ❖ Call 9-1-1 if the situation warrants it and you find a peer or yourself in immediate danger
- ❖ Employees have a duty to disclose potentially dangerous situations and harassment to supervisors.

### **Process for Making Violence-Related, Threatening or Intimidating Behaviour Complaints**

If employees have witnessed or experienced conduct which they believe to be inconsistent with this policy, they have a responsibility to:

- ❖ Call 9-1-1 if the situation warrants it and you find a peer or yourself in immediate danger
- ❖ Make the behaviour/actions known to the Principal immediately
- ❖ A written record of the action/behaviour should be provided to the Principal including the dates, times, nature of the action/behaviour and witnesses (if any)



## Removal of a Person from the Workplace

Any person who makes substantial threats, exhibits threatening behaviour, or engages in violent acts against employees, visitors, guest, students or other individuals while on MLCP property shall be removed from the premises as quickly and as safely as possible, and shall remain off the premises pending the outcome of an investigation.

Employees are not to remove individuals from the premises; **assistance must be requested from the Police.**

## Investigation Process

- ❖ All complaints will be investigated promptly.
- ❖ All those directly involved and witnesses will be spoken with.
- ❖ Notes/statements will be prepared during each interview, reviewed by the person(s) being interviewed and signed for accuracy.
- ❖ Records or other documents relevant to the incident being investigated will be reviewed. (This may include safety reports, incident reports, work schedules, suspension forms, injury reports, complaints and observation notes and may involve taking pictures of the scene).
- ❖ Relevant collective agreement of employment contract language or organizational policies/procedures will be reviewed.
- ❖ Depending on the scope of the investigation, employees may need to seek the assistance of the Administration.
- ❖ A final summary/report of the investigation will be prepared.

## Corrective Action

Allegations of acts of violence are very serious - frivolous complaints found to have been made for improper purposes will result in disciplinary action being taken against the accuser. Any employee found to have engaged in conduct that violates this policy will be subject to discipline, up to and including termination of employment. Discipline may include a verbal warning, written reprimand, suspension with pay, suspension without pay, and/or dismissal from employment with MLCP.



## **Confidentiality**

Employees should feel secure in knowing that their concerns will be handled discreetly and sensitively. As such, employee issues will usually remain between the employee, and their Supervisor. On occasion, however, an investigation may require consulting with another employee, Principal, Vice-Principal or Administration Assistant and Health and Safety Representative in order to ensure an appropriate resolution. In such cases, the employee will be consulted prior to involving others.

## **Reprisals**

This policy strictly prohibits reprisals against an employee because s/he has brought forward a concern or has provided information regarding a concern under this policy. Any employee who commits or threatens reprisal against another employee for following this, or any of the Centre's policies in good faith, may be subject to discipline, up to and including dismissal for cause.

For clarity, however, any claim or complaint of a violation of this policy that is made in bad faith will be subject to disciplinary action, up to and including termination of employment.

## **Education**

MLCP commits to making sure all its Employees, Placement Students and Volunteers are familiar with this policy and receive training on how to keep the work environment free from threats of violence, sexual and domestic violence, including ways to promote a safe work environment.