



Committee Report

To:	Warden McQueen and Members of Grey County Council
Committee Date:	October 8, 2020
Subject / Report No:	HRR-CW-05-20
Title:	Update of the Health & Safety Policy; Respectful Workplace Policy; and the Workplace Violence & Harassment Prevention Policy
Prepared by:	Janice Campbell, Health and Safety Manager
Reviewed by:	Grant McLevy, Senior Manager Human Resources
Lower Tier(s) Affected:	None
Status:	Recommendation adopted by Committee as presented per Resolution CW171-20; Endorsed by County Council October 22, 2020 per Resolution CC84-20

Recommendation

1. That Report HRR-CW-05-20 regarding the update of the County of Grey's Health and Safety Policy, Respectful Workplace Policy, and Workplace Violence and Harassment Prevention Policy be received;
2. That the current policies be rescinded and the following updated policies be endorsed:
 - a. Policy 2-4 Health and Safety Policy,
 - b. Policy 1-12 Respectful Workplace Policy,
 - c. Policy 2-1 Workplace Violence and Harassment Prevention Policy.

Executive Summary

A review of existing Health & Safety policies has determined that the Health & Safety Policy, Respectful Workplace Policy, and the Workplace Violence and Harassment Prevention Policy need to be updated. This update is to reflect current best practices, ensure training, communication, and that the evaluation of policies are completed on an annual basis to properly reflect the current best practices to be followed.

Background and Discussion

A review of the Health & Safety program began in June 2020 with the hiring of the new Health and Safety Manager. Staff reviewed the policies and determined that updates could be made to reflect current best practices for safety programs and policies.

Health and Safety Policy

The purpose of the Health and Safety Policy is to outline the commitment Grey County has towards the health and safety of its employees and residents, and the expectations of all parties. Updates to the policy include the addition of how employees will be trained on the policy, the communication of any policy updates, and the evaluation of the policy.

Respectful Workplace Policy

The purpose of the Respectful Workplace Policy is to identify the expectations in relation to the employees of Grey County and members of the public interacting with one another, ensuring a respectful, tolerant and harassment-free work environment. Updates to the policy include the addition of how employees will be trained on the policy, and the communication of any policy updates.

Workplace Violence and Harassment Prevention Policy

The purpose of the Workplace Violence and Harassment Prevention Policy is to outline the expectations and procedures to be followed in relation to workplace violence and harassment that may occur. Updates to this policy include the combining of the Workplace Violence Prevention Policy and the Harassment and Discrimination Policy to reduce the repetitiveness of these policies. As well, the updated policy provides details on reporting and investigations; the addition of Safety Plans for domestic violence cases that involve Grey County employees; and the addition of how employees will be trained on this policy; and the communication of any future policy updates.

Legal and Legislated Requirements

In accordance with Section 25 (2)(j) of the *Ontario Occupational Health & Safety Act*, an employer is required to prepare and review at least annually, a written occupational health and safety policy and develop and maintain a program to implement that policy. In accordance with the Delegation of Duties Policy, if there are no changes to the Health and Policy Statement, the Senior Manager of Human Resources can sign the policy statement annually.

In accordance with Section 32.0.2 (1), Section 32.0.4 and Section 32.0.6 (1) of the *Ontario Occupational Health & Safety Act*, an employer is required to develop and maintain a written program to implement the policy with respect to workplace violence, domestic violence and workplace harassment, respectively.

Financial and Resource Implications

All three policies will be evaluated annually by the Health & Safety Manager, the Joint Health & Safety Committees and Senior Management. There are no financial implications related to the policy review.

Relevant Consultation

- Internal: CAO and Senior Management, Joint Health & Safety Committees
- External: N/A

Appendices and Attachments

Health and Safety Policy

Respectful Workplace Policy

Workplace Violence & Harassment

Corporate Policy

Health and Safety Policy

Approved by:

Policy: X-XXX-XXX

By-law: 4413-07 Health and Safety
Policy

Date Approved:

Replaces:

Last Revision Date:

Section: Human Resources

Scheduled for Review by: 2021

Policy Statement

Grey County's health and safety practices are legislated by the Occupational Health and Safety Act (OHSA). Grey County and its employees share the responsibility for occupational health and safety. This concept of an internal responsibility system is based on the principle that workplace parties themselves are in the best position to identify and control health and safety concerns, and to develop solutions.

All staff are expected to demonstrate their commitment to health and safety and the internal responsibility system by fulfilling their respective responsibilities.

Purpose

Grey County is committed to providing a safe and healthy workplace for all its employees and this policy sets out the delegated responsibility to all levels of the organization for the County's health and safety program.

Scope

The responsibility for the County's Health and Safety Policy is delegated to all levels of the organization.

Employers: to include Department Heads, CAO, and County Councilors

Supervisors: to include Foremen, Acting Foremen, Lead Hands, Supervisors and all first line Supervisory Staff, Managers and Department Heads.

Employees: to include all levels of employment

1.0 Responsibilities and Duties

1.1 Employer

a) Responsibilities

- i) To ensure that the County's policy for healthy and safe work practices is understood by all levels of responsibility and is practical during the work performance.
- ii) To delegate specific requirements of the policy to the other levels of responsibility.
- iii) Monitor the application of the policy to ensure the best possible results are obtained.
- iv) Appoint competent persons as supervisors.
- v) Establish a Joint Health and Safety Committee in work locations of 20 or more employees.
- vi) Take every precaution reasonable in the circumstances for the protection of the worker.

b) Duties

- i) Establish objectives and standards consistent with applicable health and safety legislation and review when necessary for the protection of workers, contractors and members of the public.
- ii) Monitor all levels of responsibility and employee corrective actions required.
- iii) Provide information, instruction and assistance to all supervisory staff.
- iv) Understand and enforce the County's Health and Safety Policy, as well as the Occupational Health and Safety Act of Ontario.
- v) Provide all supervisory staff with proper and well-maintained equipment and training, as well as special personal protective devices when required.
- vi) Provide on-going safety education program and approved first aid training courses as required.
- vii) Support the Joint Health and Safety Committees in carrying out their duties.

1.2 Supervisors

a) Responsibilities

- i) Responsible for the occupational health and safety of the employees assigned to them.
- ii) To ensure that healthy and safe work conditions prevail on the job site and are observed during all work performances.
- iii) Take every precaution reasonable for the protection of the worker.

b) Duties

- i) Responsible for the occupational health and safety of their staff.
- ii) Ensure their employees are fully aware of the County's Health and Safety Policies.

- iii) Ensure their employees have received and understand instructions when working with certain equipment or in conditions that may be hazardous, and ensure required equipment, protective devices or clothing is worn by the workers.
- iv) Be familiar with the Occupational Health and Safety Act and Regulations of Ontario and ensure that the requirements contained therein are followed.
- v) Ensure that employees work with proper instruction, appropriate equipment and adequate supervision.
- vi) Responsible for reporting any unsafe conditions to the managers or department heads.
- vii) Ensure all employees have access to and utilize the required safety equipment.
- viii) Investigate and report on appropriate Injury/Incident Report forms, all injuries as quickly as possible and be responsible for, if so required, first aid to the injured worker and/or ensure transportation to the nearest medical center.
- ix) Make recommendations to their immediate supervisor, in conjunction with the Health and Safety Committee, on the prevention of similar occurrences or injuries in the future.
- x) Carry out inspections of the workplace or job site to ensure a healthy and safe work environment.
- xi) With all new job assignments, determine the safest method to perform the work and brief the work crew of such methods, as well as any potential hazards.
- xii) Failure to follow and comply with the County's Health and Safety Policies and/or Ontario Occupational Health and Safety Act may result in disciplinary action, up to and including termination, as per the Disciplinary Policy.

1.3 Employees

a) Responsibilities

- i) Responsible for awareness of, understanding of, and compliance with the County's Health and Safety Policies.
- ii) To work in compliance with the Ontario Occupational Health and Safety Act and the County's Health and Safety Policies.

b) Duties

- i) Responsible to work safely following provincially legislated and employer safe work procedures/practices and carry out their duties with such skill and care as to eliminate, as far as practicable, injury to themselves, fellow employees, and members of the public.

- ii) Ensure they use and wear the required Personal Protective Equipment, guards and equipment for the protection of themselves, their coworkers and members of the public.
- iii) Familiarize themselves with the location and operation of all safety equipment, including first aid kits and fire extinguishers.
- iv) Responsible for the prompt reporting of any potential or actual health and safety hazards to their immediate supervisor.
- v) Ensure that all incidents and injuries are reported to his or her supervisor immediately.
- vi) Be familiar with the Occupational Health and Safety Act of Ontario.
- vii) Failure to follow and comply with the County's Health and Safety Policies and/or Ontario Occupational Health and Safety Act may result in disciplinary action, up to and including termination, as per the Disciplinary Policy.

2.0 Commitment and Beliefs

- 2.1 Grey County understands that the strength of our corporation comes from our employees. We recognize that the environment in which people work is a major influence on personal health and are committed to providing organizational supports that reduce injury/illness at home and work.
- 2.2 We recognize that the cultural and social environment at work has a strong impact on the mental and physical practices, and interpersonal relationships among employees, and are committed to creating a work environment that supports basic human needs such as a sense of belonging, purpose and mission, and fostering a sense of personal control and freedom from harassment.
- 2.3 We recognize the need for work life balance and therefore support and promote health practices that encourage healthy behaviours and coping skills.
- 2.4 We are committed to safeguarding and improving the health and wellness of our employees.
- 2.5 A focus on workplace health and wellness benefits employees, the corporation and the community

3.0 Training

- 3.1 All employees will be training on this policy during the new hire orientation or as required.

4.0 Communication

- 4.1 Copies of this policy are available on the policy portal, which is accessible to all employees. The Healthy and Safety Policy Statement will be posted on the safety board at each County location. Changes to this policy or the policy statement will be communicated to all staff as they occur.

5.0 Evaluation

- 5.1 This policy will be reviewed on an annual basis as legislated and updated as necessary.

Reference and Forms

Health and Safety Policy Statement
Internal Responsibility System Policy
Joint Health and Safety Committee Policy
Disciplinary Policy

Corporate Policy

Respectful Workplace Policy

Approved by:

Policy: X-XXX-XXX

By-law:

Date Approved:

Replaces:

Last Revision Date:

Section:

Scheduled for Review by: September 2021

Policy Statement

The Corporation of the County of Grey is committed to providing a healthy, safe and supportive workplace and is committed to provide a work environment that values diversity and where all persons are treated with respect and dignity.

Purpose

To establish a procedure to outline the minimum standards of creating a healthy, safe, supporting and caring workplace environment free from violence, harassment, bullying and discrimination.

Scope

This procedure applies to all County of Grey employees, contractors providing services for the County, supplier delivering materials to the county, volunteers, members of County Council, members of the public. This policy also applies to all county owned facilities and workplaces.

6.0 Definitions

- 6.1 'Complaint' means a written allegation of offensive behaviour submitted to Human Resources.
- 6.2 'Complainant' is an employee who has brought forward or filed a complaint under this procedure, alleging that offensive behaviour has occurred.
- 6.3 'Discrimination' means discrimination as legislated under the Canadian Human Rights Act.
- 6.4 'Harassment' is a derogatory or vexatious conduct or comment that is known or ought reasonably to be known to be offensive or unwelcome. Harassment includes, but is not limited to the following:
 - a) Actions or comments that are directed at no person in particular but that create an intimidated, demeaning or offensive work environment;

- b) Any objectionable comment, act or display that demeans, belittles, or causes personal humiliation or embarrassment and any act of intimidation or threat;
 - c) Conduct or comments that would amount to harassment involving any of the definitions set out in the Occupational Health and Safety Act including age, race, colour, religion, creed, sex, sexual orientation, physical disability or mental disability, ethnic, national or aboriginal origin, family status, marital status, source of income, political belief, affiliation or activity.
- 6.5 'Investigator' is an individual appointed by the County to investigate through fact finding, complaints of offensive behaviour.
- 6.6 'Mediation' is a voluntary process used to resolve conflict by having a neutral person assist the parties of the dispute attempt to arrive at a mutually acceptable resolution.
- 6.7 'Offensive Behaviour' includes harassment, sexual harassment or discrimination.
- 6.8 'Person in Authority' is a person other than the employee's direct supervisor who is a member of the employee's chain of command.
- 6.9 'Respondent' is an employee or person outside of Grey County against whom allegations of offensive behaviour are made.
- 6.10 'Sexual Harassment' is defined:
- a) As legislated under Occupational Health and Safety Act including comments, gestures or physical conduct of a sexual nature, or actions or comments with a sexual connotation or component that are directed at no person in particular but that create an intimidating, demeaning or offensive work environment, where an individual knows or ought to reasonably know that the behavior is unwelcome and offensive.
 - b) Where a person in authority who is in a position to confer, grant or deny a benefit or advancement within the organization makes a sexual solicitation or advance and the person knows or ought reasonably to know that it is unwelcome.
- 6.11 'Third parties' are persons who are engaged in work activities at Grey County property or worksite who are not direct employees of Grey County. They could include, but are not limited to, volunteers, temporary agency employees, students, members of the public, clients, contractors, etc. Could also include an employee's spouse, partner or family member.
- 6.12 'Workplace' is any place occupied by an employee as part of their employment which includes, but is not limited to , lunchrooms, a client's home or work site, vehicle, training events, conference, business travel, work-related social

gatherings, or other locations where an employee is engaged in activity associated with employment.

7.0 **Appropriate Workplace Behaviours**

7.1 While it is not possible to itemize every instance of appropriate or inappropriate behaviour, the kinds of behaviour that are to be encouraged are those which support and create a respectful workplace and its related business objectives. Examples include:

- a) ***Being polite, courteous and respectful of others;***
- b) When reviewing others' ideas, suggestions or work, identifying what is positive or good about the proposal as well as where it can be improved, in a constructive manner;
- c) Treating others equitably and fairly;
- d) Listening to what others have to say;
- e) Being open-minded to others' ideas, comments and suggestions;
- f) Seeking input and the active involvement of appropriate people in planning, decision-making and implementing initiatives;
- g) Ensuring decision-making is fair, is seen to be fair and considers relevant factors;
- h) Recognizing and valuing the diversity among workgroup members, customers and citizens;
- i) Willingly and sincerely apologizing to people when something you said, did or may have offended them.

8.0 **Inappropriate Workplace Behaviours**

8.1 Inappropriate behaviour is that which is objectionable and/or unwelcome to an individual. Such behaviour serves no valid work-related purpose and can create a poisoned work environment. Some examples would include:

- a) Threatening behaviour such as shaking fists, destroying property, or throwing objects;
- b) Property damage – theft, destroying property, vandalism, sabotage of equipment;
- c) arson;
- d) Verbal or written threats – any expression of intent to inflict harm;
- e) Bullying and intimidation;
- f) Verbal abuse – swearing, insults, or threatening language;
- g) Psychological trauma – including stalking;

- h) Physical attacks or assaults – hitting, shoving, pushing, or kicking;
- i) Sexual intimidation, verbal, written or gesture.

9.0 Dealing with Offensive Clients/Customers/Third Parties

- 9.1 The following process and procedures apply to circumstances where employees are subject to offensive behaviour by clients/customers/third parties:
- a) Employees who are subject to offensive behaviour by clients/customers/third parties are encouraged to report the incident(s) to their manager or person in authority, particularly if the offensive behaviour is of a serious nature or made in circumstances where the employee feels the offensive behaviour may continue or re-occur. If the employee feels unsafe or at risk of assault, they should not hesitate to call 911 immediately.
 - b) Upon receipt of such a complaint, the manager or person in authority, in consultation with the employee, shall take such action as is appropriate and reasonable in the circumstance to ensure that the offensive behaviour does not continue. The manager should ensure that an Employee Health & Safety Report is completed.
 - c) The manager or person in authority shall consider what, if any procedures and safe work practices are appropriate at the workplace to minimize or control offensive behaviour by clients/customers/third parties. This may include letters of inappropriate behaviour and trespass.

10.0 Responsibilities

- 10.1 Directors/CAO are responsible for:
- a) Ensuring all employees are provided with an opportunity to attend respectful workplace training, customer service and non-violent crisis intervention training as appropriate to the department;
 - b) Taking steps to create an environment free from offensive behaviour;
 - c) Determining appropriate disciplinary action.
- 10.2 Managers are responsible for:
- a) Setting a positive example;
 - b) Taking action to protect employees and others from offensive behaviour;
 - c) Responding to allegations of offensive behaviour.
- 10.3 Senior of Human Resources Manager is responsible for:
- a) Providing advice as required to all employees.

10.4 Human Resource Department is responsible for:

- a) Responding to allegations of offensive behaviour;
- b) Responding to employees and managers inquiries;
- c) Providing referrals to the Employee Assistance Program (EAP);
- d) Reviewing and processing all written complaints;
- e) Assigning mediators and/or investigators.

10.5 Employees

- a) Every employee has the right to be treated in a fair, reasonable and respectful manner. For this to be a normal part of our environment, we must find strategies which prevent our differences from escalating and resolve them quickly when they do occur. As an employee for the County of Grey, you are responsible for creating a respectful workplace environment by:
 - i) Ensuring your behaviour is respectful and appropriate at all times;
 - ii) Accepting responsibility for your own actions, reactions and behaviours and your impact on others;
 - iii) Making your concerns known promptly if something is troubling you;
 - iv) Being a part of the solution;
 - v) Report any threats;
 - vi) Immediately informed a supervisor if there is an imminent threat or risk of violence that could compromise an individual's safety;
 - vii) Attending respectful workplace training.

11.0 Training

11.1 Employees will be trained on this policy during the new employee orientation and as required throughout their employment.

12.0 Communication

12.1 This policy will be communicated to staff upon their hire and as updates are made to the policy.

13.0 Evaluation

13.1 This policy will be reviewed annually and updated as is necessary.

Forms and References

Section 5-10-Standards of Conduct

Section 3-70- Progressive Discipline

Workplace Violence and Harassment Prevention Policy

Corporate Policy

Workplace Violence and Harassment

Approved by:

Policy: X-XXX-XXX

By-law:

Date Approved:

Replaces: Workplace Violence Prevention Program and Discrimination and Harassment

Last Revision Date:

Section:

Last Revision Date:

Scheduled for Review by: September 2021

Policy Statement

Grey County recognizes the potential for Violence in the workplace and therefore will make every reasonable effort to identify all potential sources of Violence to eliminate or minimize these risks through the Workplace Violence and Harassment Prevention program.

Purpose

To establish a procedure to outline the minimum standards of creating a healthy, safe, supporting and caring workplace environment free from Violence, Harassment and bullying.

Scope

This procedure applies to all Grey County employees, temporary employees, contractors providing services for the County, supplier delivering materials to the county, volunteers, members of County Council and members of the public. This policy also applies to all county owned facilities and workplaces. This policy includes the prevention of workplace Violence, Harassment, Sexual Harassment, and Discrimination.

The legitimate and proper exercise of the employer's right to supervise or manage (for example, performance reviews, work evaluation and disciplinary measures taken for any valid reason) does not constitute Harassment under this policy.

Hiring, performance/salary reviews, discipline, transfer, promotion, termination and other career decisions must be based solely on work criteria.

14.0 Definitions

14.1 'Abuse of Authority' means an individual's use of power and authority inherent in the position held in a manner which serves no legitimate work purpose and

which ought reasonably to be known to be inappropriate. It includes misuses of power that are intimidating, coercive or demeaning.

14.2 'Discrimination' is defined as an action or decision that results in the unfair or negative treatment based on any of the following:

- a) Race, colour or ethnic origin
- b) Religion
- c) Age
- d) Sex, Sexual orientation, gender identity or expression
- e) Marital or family status
- f) Disability
- g) Genetic characteristics
- h) A conviction that has been pardoned

14.3 'Harassment' is defined as engaging in a course of vexatious comment or conduct against a person that is known or ought reasonably to be known to be unwelcome. Workplace Harassment is the same type of behaviour aimed at a worker in the workplace. Harassment can include, but is not limited to, the following:

- a) Actions or comments that are directed at no person in particular but that create an intimidating, demeaning or offensive work environment;
- b) Any objectionable comment, act or display that demeans, belittles, or causes personal humiliation or embarrassment and any act of intimidation or threat;
- c) Conduct or comments that would amount to Harassment involving any of the definitions set out in the Canadian Human Rights Act or the Ontario Occupational Health & Safety Act. See Discrimination definition above.

14.4 'Sexual Harassment' is defined as:

- a) Engaging in a course of vexatious comment or conduct 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;
- b) Making a Sexual solicitation or advance where the person making it 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 the solicitation or advance is unwelcome.

14.5 'Violence' is defined as any conduct, threatened or actual, by any person, that causes or is likely to cause injury, and includes any threatening statement or behaviour that gives an employee reasonable cause to believe that he/she is at risk of injury.

14.6 'Workplace Violence' includes, but is not limited to:

- a) Threatening behaviour such as shaking fists, destroying property, or throwing objects;
- b) Property damage – theft, destroying property, vandalism, sabotage of equipment, or arson;
- c) Verbal or written threats – any expression of intent to inflict harm;
- d) Bullying and intimidation;
- e) Verbal abuse – swearing, insults, or threatening language;
- f) Psychological trauma – includes stalking;
- g) Physical attacks or assaults – hitting, shoving, pushing, or kicking;
- h) Murder; and
- i) Sexual assaults, including rape.

15.0 Responsibilities

15.1 CAO/Council/Directors

- a) Ensure that measures and procedures identified in the Workplace Violence and Harassment Prevention Program are carried out, and that Management is held accountable for responding to and resolving complaints of Violence, Harassment, Sexual Harassment and Discrimination.
- b) Ensure compliance by all persons who have a relationship with the organization, such as physicians, contractors, volunteers, etc.
- c) In consultation with all JHSC, conduct regular risk assessments and establish control measures.
- d) In consultation with all JHSC, establish and deliver training and education for all employees.
- e) Integrate safe behaviour into day-to-day operations.
- f) Review all reports of Violence or threats of Violence in a prompt, objective and sensitive manner. This includes a review of all investigations associated with Violence-related incidents.
- g) Take corrective action resulting from audits, inspections and investigations.
- h) Provide response measures resulting from complaints and investigations.
- i) Facilitate medical attention and support for all those either directly or indirectly involved.
- j) Ensure any deaths or critical injuries have been reported to a Ministry of Labour, Training and Skills Development (MLTSD) inspector, the police (as required), the JHSC, the H&S representative and trade union and

investigated with the JHSC, and that a report goes to all parties in writing within 48 hours of the occurrence on the circumstances of the occurrence, including such information and particulars as the Occupational Health and Safety Act and regulations prescribe.

- k) Ensure a report goes to WSIB of all accidents where a worker loses time from work, requires health care, earns less than regular pay for regular work, requires modified work at less than regular pay or performs modified work at regular pay for more than 7 days.
- l) Ensure there is a review at least annually of the Workplace Violence and Harassment Prevention Program.

15.2 Managers and Supervisors

- a) Enforce policy and procedures and monitor worker compliance.
- b) Identify and alert staff to violent patients, residents or clients and hazardous situations.
- c) Investigate all workplace Violence, Harassment and Discrimination complaints using the organization's investigation procedure and report it the local Police, as required.
- d) Facilitate medical attention for employee(s) as required.
- e) Ensure that debriefing is completed for those directly or indirectly involved in the incident.
- f) Contact Human Resources to ensure the employee receives further counselling about the employee's legal rights.
- g) Track and analyze incidents for trending and prevention initiatives.
- h) Immediately report a death or critical injury to a Ministry of Labour, Training and Skills Development (MLTSD) inspector, the police (as required), JHSC, H&S representative and trade union, and investigate with JHSC and report to all parties in writing within 48 hours of the occurrence the circumstances of the occurrence, including such information and particulars as the regulations prescribe.
- i) Issue a report to WSIB on all injury involving lost time, where a worker requires health care, earns less than regular pay for regular work, requires modified work at less than regular pay or performs modified work at regular pay for more than seven days. Copies of injury information (where there is no critical injury) must be provided to the JHSC.
- j) Any person who has the authority to prevent or discourage Violence or Harassment may be considered responsible for failing to execute his or her authority to do so. Even if the Harassment is not directly obvious,

persons in authority have a responsibility to be aware of potential acts of Harassment and to prevent them from occurring.

15.3 Health & Safety Manager

- a) Develop a program to implement this workplace policy by establishing procedures for preventing, reporting, investigating, documenting and debriefing workplace Violence and Harassment.
- b) Conduct risk assessments to identify potential hazards for workplace Violence and Harassment. Ensure the assessments are updated regularly.
- c) Ensure workers are provided with information and instruction that is appropriate for the worker on the contents of the policy and related procedures in the County's Health and Safety Program.
- d) Investigate claims with appropriate members of Management, and JHSC Certified Member where required.
- e) Provide information, including personal information related to a risk of Workplace Violence from a person with a history of violent behaviour if a worker can be expected to encounter that person in the course of his or her work and the risk of workplace Violence is likely to expose the worker to physical injury. This means only disclosing information that is reasonably necessary to protect a worker from physical injury.

In the case of domestic Violence, the County will endeavour to protect the privacy of the employee but at some point it may be necessary to disclose personal information in order to protect other workers.

15.4 Employees

- a) Participate in education and training programs to be able to respond appropriately to any incident of workplace Violence, Harassment, Sexual Harassment or Discrimination.
- b) Understand and comply with the workplace Violence and Harassment prevention policy and all related procedures.
- c) Report all incidents or injuries of Violence or threats of Violence, Harassment, Sexual Harassment or Discrimination to their supervisor immediately, completing the Employee Health & Safety Report form or the Harassment Complaint Form.
- d) If experiencing domestic Violence, and there is a possibility the abuser may attempt to threaten or injure the worker at the workplace, this is to be reported to their supervisor and the County will endeavour to protect the worker.
- e) Inform a member of the JHSC about any concerns about the potential for Violence in the workplace.

- f) Contribute to the development of risk assessments.
- g) Seek support when confronted with Violence or threats of Violence, Harassment, Sexual Harassment or Discrimination.
- h) Seek medical attention as required.
- i) If anyone is aware that a colleague is being subjected to Violence, Harassment, threats or domestic abuse they should advise management immediately.

15.5 Joint Health & Safety Committee (JHSC)

- a) Be consulted about the development, establishment and implementation of workplace Violence and Harassment prevention measures and procedures.
- b) Be consulted and make recommendations to the employer to develop, establish and provide training in workplace Violence and Harassment measures and procedures.
- c) Take part in a review at least annually of the Workplace Violence and Harassment Prevention Program. The worker designate should assist in the investigation of all critical injuries related to Violence.
- d) Receive and review reports of any critical injury or death immediately and in writing outlining the circumstances and particulars as prescribed within 48 hours of the occurrence.
- e) Review all reports of injury or incident relating to workplace Violence, Harassment, Sexual Harassment and Discrimination.

16.0 Risk Assessment

16.1 Management (with JHSC involvement) will assess Workplace Violence hazards in all jobs, and in the workplace as a whole. Risk assessments are reviewed annually and whenever new jobs are created, or job descriptions are substantially changed. The assessment is completed using the Workplace Violence and Harassment Risk Assessment Tool.

17.0 Managing Harassment Violations

17.1 Employees who are being subjected to Workplace Harassment, Sexual Harassment or Discrimination should advise the person or persons who are perpetrating this behaviour that it is unacceptable and ask them to stop. The individual may not realize that they are being offensive. If confronting the offender is too intimidating or otherwise inappropriate under the circumstances, or if the attempt to stop the offending behaviour is unsuccessful, the incident will then need to be reported to the employee's

Supervisor. If it is the Supervisor committing the offensive behaviour, it needs to be reported to Human Resources.

- 17.2 It is also suggested that employee's keep a record the offensive behaviour. Take note of when it occurred, details of the event(s), the names of any potential witnesses and if there were any threats of reprisal. Failing to record the events will not invalidate an employee's claim; however, it will reinforce it.

18.0 Reporting

- 18.1 Any employee of the County of Grey who believes they are being threatened or harassed or who experiences or witnesses any Workplace Violence or Harassment must promptly report it to their Supervisor or Human Resources Department. In the event of immediate danger, call the police.
- 18.2 While filing a report, please use the Employee Health & Safety Report form or the Harassment Complaint Form.
- 18.3 If the perpetrator has no relationship to the organization or has a personal relationship with an employee, the Supervisor or Human Resources will contact the Police Department. They will also be called for incidents involving serious, life-threatening injuries to any client or employee.
- 18.4 Supervisors, in conjunction with Human Resources, must investigate all reports of Violence or Harassment.
- 18.5 The County of Grey takes all reported incidents of workplace Violence or Harassment very seriously and will not ignore, condone or tolerate disruptive, threatening, harassing or violent behaviour by any member of the organization.
- 18.6 County employees or visitors engaged in violent behaviour shall be removed from the premises as quickly as safety permits. They shall be banned from access to any Grey County property pending the outcome of an investigation. Employees will be removed from the premises with pay. The investigation will be conducted under the direction of a Manager, Director and Human Resources or their designates.
- 18.7 If an employee is being harassed by another employee of Grey County or a visitor/client, the Supervisor or Manager will attempt to remove the complainant from having direct contact with the perpetrator. If the behaviour continues further actions will be taken, as part of the investigation.
- 18.8 The County of Grey will do its best to preserve and protect the anonymity and confidentiality of those involved. However, it may not be possible as it may be necessary for the County to take further action, including consultation with other organizations, like the Police.

19.0 Investigating

- 19.1 Human resources shall be notified of any reports of Workplace Violence and/or Harassment so they can ensure an investigation is conducted that is appropriate in the circumstances. Where appropriate, the Department Manager or Human Resources will lead the investigation process. In some circumstances, Human resources may retain an external investigator to conduct an impartial investigation.
- 19.2 The County of Grey commits to handling and investigating all complaints expeditiously and with confidentiality.
- 19.3 If law enforcement is called to investigate a complaint, the County will conduct their own investigation while cooperating fully with the Police investigation.
- 19.4 All witnesses named by the complainant will be interviewed and their notes/statements will be signed, dated and acknowledged that they are true and complete statements. The person against whom the complaint was made will be interviewed and the statement then signed, dated and acknowledged. During the investigation, the Department Manager or designate will serve as a witness to the interviews.
- 19.5 If it is necessary during the investigation, the complainant or respondent will be placed on a paid leave of absence, moved to a different location within the organization or provided with alternative reporting relationships. The decision will be made on a case-by-case basis having regard to the principle that the complainant will not be penalized for making the complaint.
- 19.6 Where an employee's complaint is found to be valid based on evidence as determined through the investigation, the employee who is found guilty of Harassment or Violence will be subject to disciplinary action. The level of discipline will be based upon the nature and severity of the behaviour and may result in a verbal or written warning, suspension or termination.
- 19.7 If the perpetrator is a client/customer/contractor/visitor or other third party, including a domestic partner, the Manager and Human Resources shall consider what, if any, procedures are appropriate at the workplace to minimize or control offensive behaviours. This may include letter of inappropriate behaviour and trespass orders. See Safety Plans below.
- 19.8 Any disciplinary action will be documented and retained in the appropriate employee file.
- 19.9 The worker who has allegedly experienced workplace Violence or Harassment and the accused, if an employee of Grey County, will both be provided with a summary of the results of the investigation in writing, including whether any corrective action or disciplinary action has been or will be taken as a result of the investigation.
- 19.10 In cases where a formal investigation is considered appropriate in the circumstances, the County will begin the process immediately. The County will

strive to have investigations completed within 45 days of the initial report. Upon completion of the investigation, the County will endeavor to distribute the summary of the results within 30 days of the completed investigation.

20.0 Safety Plans

- 20.1 If an employee feels there is a potential or actual threat of Harassment or Violence taking place while at work from a domestic partner or a client, they are to speak to their Supervisor/Manager. In these situations, the County and Management want to assist the employee as much as possible to protect the employee from harm.
- 20.2 Based on the information received from the worker, the Supervisor/Manager will work with the Health and Safety Manager to develop a Safety Plan. This includes determining if a Notice of Trespass will be issued for the workplace. The County will also assist the worker in issuing a Notice of Trespass for the worker's residence, if appropriate.
- 20.3 If a Notice of Trespass will be issued, a copy of the notice will be stored at the workplace and in the employee's medical file and a copy will be given to the worker for the residence. A copy will also be given to the local police for their reference.
- 20.4 The Notice of Trespass will be issued to the perpetrator by either the Health & Safety Manager or through a Process Server. If service of the Notice of Trespass is unsuccessful, a copy of the Notice will be left at the workplace to be served to the perpetrator if he/she attends the workplace.

21.0 Confidentiality

- 21.1 Every employee who is involved in the investigation or in the attempt to resolve the matter (including witnesses, advisors, investigators and mediators), are required to respect the confidentiality of all parties.
- 21.2 Information obtained about an incident or complaint of Workplace Harassment, including identifying information about any individuals involved, will not be disclosed unless the disclosure is necessary for the purposes of investigating or taking corrective action with respect to the incident or complaint, or is otherwise required by law.
- 21.3 While the investigation is on-going, the worker who has allegedly experienced Harassment, the alleged harasser(s) and any witness 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.
- 21.4 All records of the investigation will be kept confidential.

22.0 Discipline

- 22.1 An employee who does not abide by this Violence and Harassment policy will be subject to disciplinary action, up to and including termination. The level of discipline will be in accordance with the severity of the incident.
- 22.2 If it is determined that the Policy has been violated, Human Resources in conjunction with Management where appropriate, shall determine the appropriate consequences for person(s) who have been found to have violated the Policy. These may include:
- a) An apology
 - b) Counselling
 - c) Education and training
 - d) Verbal or written reprimand
 - e) Suspension without pay
 - f) Monitored referral to the Employee Assistance Program
 - g) Termination of employment
- 22.3 Where a violation of the Policy is found, Human Resource, in conjunction with Management where appropriate, shall also take any steps necessary to repair the effects of the Discrimination, Harassment or Violence on the complainant, and to prevent any further recurrences of Harassment, Discrimination or Violence within the organization.
- 22.4 An employee who falsely or maliciously accuses another employee, resident, guest, supplier, vendor or other “non-employee”, of Harassment, will also be subject to disciplinary action.

23.0 Reprisals

- 23.1 This Policy prohibits any form of reprisal or retribution against a worker who, in good faith, reports an incident of workplace Violence or Harassment. Reprisals include but are not limited to any of the following conduct toward a worker:
- a) Hostility
 - b) Exclusion, ostracism
 - c) Negative remarks
 - d) Demeaning duties
 - e) Discriminatory behaviour
 - f) Harassment
 - g) Demotion, suspension or termination.

23.2 Any person who makes or participates in such behaviour in retaliation, directly or indirectly, will be subject to disciplinary action. A person who believes they have been or are being subjected to retribution or retaliation should immediately notify the Senior Manager of Human Resources or designate, file a grievance or file a reprisal complaint with the Ontario Labour Relations Board.

24.0 Support for Employees Affected by Workplace Violence or Harassment

24.1 Management will respond promptly, assess the situation and ensure that these interventions are followed:

- a) Facilitation of medical attention
- b) Debriefing (by skilled professional)
- c) Referrals to community agencies, treating practitioner, EAP Provider
- d) Referral to trade union
- e) Reporting to police (as required)
- f) Team debriefing

25.0 Training

25.1 All new employees will receive both general and site-specific orientation to the Workplace Violence and Harassment Prevention Policy. In addition, all employees will receive an annual review of both the general and site-specific components of the program.

25.2 Any training developed, established and provided shall be done in consultation with and in consideration of the recommendations of the Joint Health and Safety Committees.

26.0 Communication

26.1 This policy will be communicated to all employees during new-hire orientation and as needed when the policy is updated.

27.0 Program Evaluation

27.1 The effectiveness of the Workplace Violence and Harassment Prevention Policy and the overall policy will be evaluated annually by Management and reviewed by the Joint Health and Safety Committee.

28.0 Records

28.1 All records of reports and investigations of Workplace Violence, Harassment or Discrimination are kept per the Records Retention Policy with the Human Resources Department.

Reference and Forms

Employee Health & Safety Report

Harassment Complaint Form

Workplace Violence and Harassment Risk Assessment Tool

Standards of Conduct