

Title: <b>Workplace Violence &amp; Sexual Harassment Policy Standard 1.2a</b>		Date of Issue: <b>April 15, 2010</b>
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<b>Approvals:</b>		<b>Signatures:</b>
Chris Perkins, President		
Jayne Eulenberg, Worker Safety Rep		

## Workplace Violence and Sexual Harassment Policy Standard

### 1.0 PURPOSE

Grand River Personnel Limited is committed to the prevention of workplace violence & sexual harassment and is ultimately responsible for worker health and safety. We will take whatever steps are reasonable to protect our workers from workplace violence and sexual harassment from all sources. The Human Rights Code guarantees employees the right to employment, and a workplace free from harassment and discrimination of any kind.

### 2.0 SCOPE

Violent or aggressive behavior that is harassing or sexual in nature, in the workplace is unacceptable from anyone. This policy applies to all *Grand River Personnel Limited employees, contractors, visitors, and delivery persons*. Everyone is expected to uphold this policy and to work together to prevent workplace violence

### 3.0 LEGISLATION

To establish this policy, Grand River Personnel has consulted with the following legislation governing workplace violence and sexual harassment in Ontario:

The Occupational Health and Safety Act; The Criminal Code of Canada; and The Ontario Human Rights Code.

In Ontario, the **Occupational Health and Safety Act**, R.S.O. 1990 Sections 32.01 (1) (2) (3) & 32.02 (1) (2) & 32.03 (1) (2) (3) & 32.0.4 & 32.0.5 (1) (2) (3) (4) & 32.0.6 (1) (2) & 32.0.7 (1) (a) (b) (c) (d) & 32.0.8 (a) (b) & 43 (1) (a) & 43 (3) (b) & 43 (6) (b)(b.1) & 52 (1) & 55.1 & 55.2.

**Criminal Code of Canada** establishes that some incidents involving acts of violence fall under the Criminal Code - such as assault, sexual assault, criminal harassment, stalking, robbery, and uttering threats. It further establishes a duty of all persons “directing the work of others” to take reasonable steps to ensure the safety of workers and the public.

**Criminal Code** - Legal duty clause s. 217.1:

“everyone who undertakes or has the authority, to direct how another person does work or performs tasks is under a legal duty to take reasonable steps to prevent bodily harm to that person, or any other person, arising from that work or task”

### 4.0 DEFINITIONS

#### 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 is reasonable for a worker to interpret as threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

### **Workplace Harassment**

A course of vexatious conduct or comment against a worker in a workplace that is known or ought reasonably to be known to be unwelcome. Harassment may comprise of any objectionable act, communication or display that is perceived to be insulting frightening, embarrassing, offensive, humiliating, demeaning, or otherwise unwelcome.

### **Sexual Harassment**

Engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression and that is known or ought reasonably to be known to be unwelcome. This has also been expanded to include making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome

### **Domestic Violence**

Any employee experiencing violence or that is aware of a violent situation outside the workplace (at home) is responsible to report such acts of violence so that the company can take preventative steps. Failing to report such incidents can create danger to themselves or others in the workplace.

## **5.0 STANDARD / PROCEDURE**

Measures and procedures will be implemented to protect workers from workplace violence, which includes a means of summoning immediate assistance and a process for workers to report incidents, or raise concerns. Common Law guarantees a civil and respectful workplace environment, communications and interactions. It prohibits yelling, screaming, bullying, demeaning, and belittling by conduct or remarks that are harassing or sexual in nature. Grand River Personnel Limited will ensure this policy is implemented and maintained and that all workers and supervisors have the appropriate information and instruction to protect them from violence and sexual harassment in the workplace.

Grand River Personnel Limited strives to provide a harassment and discrimination free working environment for all employees. This means providing an environment in which the dignity, value and potential of every employee are respected and growth of the individual is encouraged. In a workplace based on mutual respect, harassing behaviour cannot be tolerated.

Harassment can be very serious consequences for both the employee who is being harassed, as well as the organization as a whole. Employees who are victims of harassment may experience a loss of self-esteem and self-confidence therefore causing their work performance to suffer. Harassment can result in impaired health and can damage an employee's business and personal relationships. Harassment can also lead to increased absenteeism and turnover, as well as lost productivity.

Grand River Personnel Limited pledges to investigate and deal with all incidents and complaints of workplace violence in a fair and timely manner, respecting the privacy of all concerned as much as possible.

If it is appropriate in the circumstances, Grand River Personnel management will hire a third party to conduct the investigation. Information obtained will not be disclosed unless necessary.



When the investigation is completed, Grand River Personnel management will provide, in writing, as appropriate, a summary of the findings of the investigation and any corrective actions that will be taken as a result of the incident.

## **PROCEDURE FOR COMMUNICATING INCIDENTS OF WORKPLACE VIOLENCE OR SEXUAL HARASSMENT**

### **Summon Immediate Assistance in the Event of Workplace Violence or Sexual Harassment Incidents**

- All Grand River Personnel employees and associates must report to Management/designate immediately, any incident of violence in the workplace that presents an immediate danger of physical injury.
- Under no circumstances should the complaints be dismissed or downplayed.
- Report any circumstance of violence in the workplace that presents an immediate danger of physical injury to an employee immediately to the Police and Human Resources or designate, in circumstances where management/ human resources are not available, the employee should contact the Police directly.
- Management will assist and support the employee until the police responds to other assistance provided.

### **Reporting Requirements**

- All employees are tasked with reporting any concerns/complaints related to threats of workplace violence or sexual harassment to their Manager or Recruiter Supervisor and or Onsite Supervisor (associates) as appropriate.
- Any reports of workplace violence or sexual harassment can be made by direct verbal report to a Recruiter/ Supervisor, through use of the Violence and Harassment Report Form at the end of the orientation booklet or on our website and also through an email sent to the Recruiter/ Supervisor or the Health and Safety Rep
- Employees subjected to workplace violence or sexual harassment should where appropriate go to a safe location at the workplace and report the incident.
- If the concern/complaint is against the Manager/Supervisor, then the concern or complaint should be reported to human resources or designate.

### **General Procedures**

- All reports of actual or potential workplace violence or sexual harassment incidents by employees will be investigated as quickly and confidentially as possible by a qualified investigator.
- All interviews with the complainant/or victim, alleged perpetrator(s) will be documented.
- If it is appropriate in the circumstances, Grand River Personnel management will hire a third party to conduct the investigation and on completion, Grand River Personnel management will provide, in writing, as appropriate, a summary of the findings of the investigation and any corrective actions taken as a result of the incident.
- Privacy and confidentiality will be maintained to the highest extent as possible.
- Management/Human Resources/Designate in consultation with any required parties will determine the need for any disciplinary action.
- No adverse employment action/reprisals will be taken for any employee making a good faith report of alleged harassment/violence incident.
- Where the incident of sexual harassment or violence has not been substantiated, no action will be taken against an employee who has made a complaint in good faith or the alleged harasser or perpetrator.
- Intentionally filing a formal or informal complaint that one knows to be false or recklessly accusing someone of harassment or discrimination is a serious matter and any person who engages in such complaints will be subject to disciplinary action.

- Grand River Personnel will do its best to preserve and protect the anonymity of those involved and confidentiality in any alleged case, however, it may not be possible to preserve confidentiality or anonymity of those involved as it may be necessary for Grand River Personnel to take action, including consultation with others.

#### **Examples of non-physical and physical violence hazards**

- Threatening behaviour (e.g. shaking fists)
- Verbal abuse (e.g. harassment, bullying)
- Teasing
- Verbal or written threats (e.g. direct, conditional, veiled)
- Physical attacks (e.g. assault)
- Scaring the victim (e.g. playing pranks)
- Mobbing
- Sexual comments or advances

## **6.0 ROLES AND RESPONSIBILITIES OF WORKPLACE PARTIES**

### **MANAGEMENT AND SUPERVISOR RESPONSIBILITIES**

- Take all reasonable precautions necessary to protect all employees, volunteers, and visitors from workplace violence and sexual harassment and to ensure team members are aware of their rights and responsibilities as they relate to the prevention of workplace violence and sexual harassment.
- Provide the necessary information and instruction to all workers and volunteers on the contents of the workplace violence and sexual harassment program and any hazards.
- Pledge to investigate and deal with all incidents and complaints of workplace violence and sexual harassment in a fair and timely manner while respecting the privacy of all concerned to the extent possible.
- If appropriate in the circumstances, Grand River Personnel management will hire a third party to conduct an investigation and on completion, Grand River Personnel management will provide, in writing, as appropriate, a summary of the findings of the investigation and any corrective actions taken as a result of the incident.
- Inform staff of any potential or actual domestic violence concerns and form a plan to deal with such cases

### **EMPLOYEE RESPONSIBILITIES**

- Know the Standard for the Prevention of Violence and Sexual Harassment in the Workplace.
- Ensure that the work environment is free from harassment or violence of any nature
- Immediately report any incident of workplace violence or sexual harassment issues to Management/Staffing Managers or designate if they become aware of an incident or witness any incident(s) of workplace violence or sexual harassment.
- Communicate to management, any concerns regarding domestic violence or the risk of potential domestic violence in the workplace
- Contact the police if there is an extreme or immediate threat of physical harm to themselves or any person from workplace violence.
- Participate in the related training to this standard.
- Cooperate fully in any investigation of complaints or incidents of workplace violence, harassment or non-compliance with this standard.
- Employees will not be penalized, reprimanded or in any way criticized when acting in good faith bringing forward a complaint or providing information regarding a complaint or incident of workplace violence or sexual harassment

## **7.0 COMMUNICATION**

All employees will be provided information and instruction related to this standard and policy via a number of communication methods which may comprise of one or more of the following: internet, employee health and safety manuals, payroll communiqués, through posting this policy on our website and on our bulletin boards in the common areas and as part of their generic health and safety orientation.

## **8.0 TRAINING**

- Internal employees will be trained through the Grand River Personnel Health and Safety Orientation and through review upon changes or additions to the policy.
- Placement Associates will be trained through the registration process and the orientation booklet

## **9.0 EVALUATION/ REVIEW**

This policy will be reviewed and evaluated following initial training through a head office quiz.

This policy will be reviewed annually through our HSMS audit and at such time as changes or additions are made to the policy.

## **10.0 APPLICABLE LEGISLATION**

- Ontario Human Rights Code
- Ontario Occupational Health and Safety Act – plus amendments from Bill 132
- Criminal Code of Canada
- Workplace Policies