



Corporate Policy Manual

Sub Topic:	Violence Free Workplace	Policy No.	13-03
Topic:	Health & Safety	Employees Covered:	All Employees
Section:	Human Resources	Council Adoption Date:	June 21, 2010
Effective Date:	June 15, 2010		
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Policy Statement & Strategic Plan Linkages

The Corporation of the Town of Newmarket is committed to ensuring that all employees feel safe and secure at all times within the workplace. Maintaining a workplace that is free from violence is a responsibility of all employees as part of the health and safety Internal Responsibility System. The Town will not tolerate, ignore, or condone workplace violence and considers violence to be a serious offence. The Town policy emphasizes education, risk management, prevention and zero-tolerance for workplace violence.

All employees are expected to work in a safe and respectful manner and uphold this policy as workplace violence is unacceptable at the Town of Newmarket.

Purpose

The purpose of this policy is to demonstrate the Town's commitment to the Occupational Health & Safety Act by protecting employees from sources of workplace violence; to define the duties and responsibilities of the employer and employees in supporting this policy; and to address all incidents or complaints of workplace violence. The Town's violence free workplace strategy of prevention and elimination includes a policy, program, employee instruction and hazard recognition processes.

Definitions:

"Workplace Violence" - Is defined as:

- (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.

Workplace violence includes, but is not limited to:

- threatening behaviour - such as shaking fists, destroying property or throwing objects.
- verbal abuse or verbal or written threats - any expression of an intent to inflict harm.
- physical attacks - hitting, shoving, pushing or kicking.

"Workplace" - The Occupational Health & Safety Act defines a workplace as:

"Any land, premises, location or thing at, upon, in or near which a worker works."

- It should be noted that workplace violence can occur at off-site business-related functions (conferences, trade shows), at social events related to work, in residents homes or away from work but resulting from work (a threatening telephone call to your home from a client, customer, resident, etc.).
- This policy applies to all activities that occur while on Town premises or while engaging in work related activities or Town sanctioned social events.

"Domestic Violence" – Is defined for the purpose of this policy as:

A person who has a personal relationship with an employee such as a spouse or former spouse, current or former intimate partner or a family member that may physically harm or attempt or threaten to physically harm the employee at work.

Procedures

1. The Violence Free Workplace Program implements this policy for incidents of workplace violence. The program includes measures and procedures to protect employees from workplace violence, provides a procedure for employees to summon immediate assistance and a process for employees to report incidents or to raise concerns with respect to workplace violence.
2. No employee shall subject any other person to workplace violence or allow or create conditions that support workplace violence.
3. Employees that subject another employee to workplace violence may be subject to progressive discipline, up to and including termination, commensurate with the severity of the incident.
4. All employees have a duty to report workplace safety issues and must also report incidents of workplace violence to their supervisor, Human Resources or the Workplace Violence & Harassment Coordinator. Employees who report an incident of workplace violence in good faith and without malice, regardless of the outcome of the investigation, will not be subject to progressive discipline. However, employees who do not

disclose or do not report incidents of workplace violence may be subject to progressive discipline.

5. Employees are also required to report where there is the likelihood of workplace violence occurring.
6. For the purposes of reporting workplace violence incidents involving an employee in a supervisory role, the employee shall report the incident to the Workplace Violence & Harassment Coordinator.
7. Management who are aware of workplace violence are required to take corrective action.
8. The Town of Newmarket prohibits reprisals or threats of reprisal against any person who seeks to pursue or pursues their rights under this policy, or who is a witness or potential witness in a proceeding under this policy.
9. The Town of Newmarket will investigate and address incidents or complaints of workplace violence.
10. Management designates the Workplace Violence & Harassment Coordinator.
11. Human Resources in conjunction with the Joint Health & Safety Committee will review annually the risks of workplace violence and ensure effective procedures are current and in place relative to workplace violence.
12. To ensure the ongoing compliance with the Occupational Health & Safety legislation, Human Resources will coordinate an annual review of this policy to ensure that it is current.
13. Human Resources in conjunction with the Joint Health & Safety Committee will coordinate the "Violence Free Workplace Program".
14. The release of personal information relative to an employee's history of violence will be disclosed as is needed to protect other employees from physical injury while respecting privacy as much as possible.

Responsibilities of the Employer

CAO/Commissioners/Directors/Managers/Supervisors are responsible to:

- Provide employees with a safe work environment, free from violence, threats of violence, intimidation and other disruptive behaviour, in support of the health and safety Internal Responsibility System.
- Ensure that violence in the workplace is not tolerated, ignored or condoned.
- Address violent behaviours immediately and in accordance with the Violence Free Workplace program.

- Promptly report incidents of workplace violence to the Workplace Violence & Harassment Coordinator or designate.
- In the case of workplace violence incidents, recognize an employee's right to refuse work, if applicable and in accordance with the Violence Free Workplace Program.
- Take action in accordance with this policy if violence occurs or if management becomes aware of violence or the threat of violence in the workplace.
- Participate in and provide instruction and training for employees with respect to workplace violence policies and programs.
- Attend education and training sessions on violence prevention.
- Provide employees who have been subjected to workplace violence and their co-employees who witnessed the incident, with appropriate support (EAP or other resources as appropriate) in consultation with the Human Resources Department.
- Post this policy and related programs in a conspicuous place for all employees to view.

Human Resources is responsible to:

- Ensure this policy and relevant policies, programs and procedures are current and consistently implemented.
- Investigate incidents of workplace violence and recommend resolutions to appropriate management in a timely manner in accordance with the Violence Free Workplace Program.
- Support the Joint Health & Safety Committee on workplace violence risk assessments, the development and maintenance of workplace violence programs and other preventative measures with respect to workplace violence.
- Provide and/or coordinate workplace violence support as required.
- Ensure that employee information related to workplace violence incidents is handled discretely and confidentially respecting the privacy of all parties as much as possible.

Joint Health & Safety Committee is responsible to:

- Review the Violence Free Workplace Policy and Program annually and conduct an annual review of workplace risks and controls and update as appropriate.
- Make recommendations to management with respect to policy and program to mitigate risks of workplace violence.
- Promote the principles of this policy and program to all staff.

Responsibilities of the Employee

Employees are responsible to:

- Act in accordance with the Town's value of respecting other staff and the environment in which they work.
- As a part of the health and safety Internal Responsibility System must be aware of and conduct themselves in accordance with this policy and supporting program.
- Report any incidents of violence or threatened violence in the workplace to supervisors, Human Resources and/or the Workplace Violence & Harassment Coordinator and cooperate fully in any investigations.
- Be familiar with workplace violence preventative measures such as, but not limited to; the use of panic buttons, emergency contact information, and related violence free workplace program elements.
- Be aware of the consequences of unacceptable behaviour, such as progressive discipline, as outlined in this policy.

Responsibilities of the Workplace Violence & Harassment Coordinator

- The Workplace Violence & Harassment Coordinator is the main contact for employees who are involved with workplace violence.
- The Workplace Violence & Harassment Coordinator will undertake or coordinate investigations of workplace violence incidents.
- The Workplace Violence & Harassment Coordinator will inform department heads of workplace violence incidents, as appropriate.
- The Workplace Violence & Harassment Coordinator will secure external resources as appropriate.

Cross-References

Progressive Discipline HR.4-01

Employee Complaint HR.4-02

Resignation/Termination of Employment HR.4-03

Harassment & Discrimination Free Workplace HR.13-04

Alcohol and Drug Policy HR.5-02

Employee Code of Conduct CAO.3-01

Health & Safety Policy Statement

Health & Safety Manual

Workplace Violence Free Program

Applicable Provincial legislation such as the Occupational Health & Safety Act and Regulations, Workplace Safety Insurance Board Act, as amended from time to time.