



DEPARTMENT: FIRE DATE PREPARED: COUNCIL MEETING DATE:	PAGE 1 OF REPORT NO.
SUBJECT Bill 168	
[] Approved [] Approved with Amendments [] Other	
Resolution #	

BACKGROUND

The Occupational Health and Safety Act has been amended and now requires employers to perform a risk assessment and to develop policies to address violence and harassment in the workplace.

Bill 168 received Royal Assent on December 9, 2009 and comes into force on June 15, 2010.

A risk assessment has been performed by each department and their staff and the following policies have been developed for Councils information and approval.

RECOMMENDATION

That Council receive Report # F-070/10 as information and that the following policies be included in the Town's Policy Manual; Violence in the Workplace and Harassment in the Workplace.

ATTACHMENTS

Violence in the Workplace Policy
Harassment in the Workplace Policy

Prepared by:

Darell Parker
Fire Chief



POLICY

POLICY AND PROCEDURAL MANUAL		PAGE NUMBER	<i>1 of 13</i>
POLICY NO.		REVIEW FREQUENCY	<i>Annual</i>
APPROVED BY		DATE APPROVED	Draft
		REVISION DATE	
SUBJECT	VIOLENCE IN THE WORKPLACE		
PURPOSE	<p>The Town of Ingersoll is committed to creating a positive and professional workplace in which everyone is treated with respect and dignity. To this end the following policy and procedures are intended to ensure that its elected officials, employees, local boards, committees and volunteers have the right to work in an environment free from bullying and violence.</p>		
SCOPE	<p>This policy applies to all elected officials, employees (union and non-union), members of local boards, town committees and its volunteers. This policy extends to all work locations, recreation facilities including parkland, and includes office, work sites, vehicles, shops and field locations of the Town of Ingersoll. This policy also includes any site or location where an individual mentioned above is engaged in work related activities representing the Town of Ingersoll such as travel to and at meetings and conferences.</p>		
DEFINITIONS	<p>1. Subsection 1 (1) of the <i>Occupational Health & Safety Act</i> is amended by adding the following definitions:</p> <p>“workplace harassment” means engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome;</p> <p>“workplace violence” means,</p> <p>(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.</p> <p>(b) An attempt to exercise physical force against a worker in a workplace that could cause physical injury to the worker.</p>		



DEFINITIONS cont.

(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. ("violence au travail")

"Management" includes Chief Administrative Office, Department Heads, Directors, Managers and Supervisors.

"Employee" includes salaried, non-union, union and part-time.

POLICY

It is the policy of the Town of Ingersoll that all elected officials, employees, local boards, committees and its volunteers adhere to and take the necessary steps as outlined in this policy and the following procedures in order to create a safer work environment by minimizing as much as reasonably possible workplace violence.

This policy prohibits reprisals of any sort against individuals, acting in good faith, who report incidents of workplace violence or act as witnesses. Management will take all reasonable and practical measures to prevent reprisal, or further violence.

Violations of this policy may result in discipline action up to and including dismissal.

PROCEDURE

All Employees Shall;

- Not engage in any behaviour that would constitute workplace violence or harassment including threatening, intimidation and coercion, abuse either physically or verbally that result in emotional or physical harm to other employees, clients or members of the public.
- Report all workplace violence incidents as per attached form including incidents of domestic violence that is likely to expose a worker to physical injury in the workplace.
- In the event of workplace violence ensure your own immediate physical safety, and then report the incident to your supervisor and the police as the situation warrants



**PROCEDURE
All Employees Shall;
cont.**

- Be familiar with and follow the procedures and guidelines that are in place to assist employees in dealing with situations of workplace violence and.
- Attend workplace violence and awareness training sessions as provided by the Town of Ingersoll.
- Cooperate and assist with investigations regarding workplace violence incidents.

Seek support and assistance if required from the Town's Employee Assistance Program (EAP) or other community service when experiencing stress or other personal difficulties that may contribute to workplace violence.

**Directors/Department
Heads/Managers/
Supervisors shall;**

- Conduct ongoing evaluation of the risks associated with jobs or tasks within your department.
- Develop and implement specific procedures, response plans and other controls to help minimize or eliminate the risks as identified.
- Work in collaboration with the Health & Safety Committee.
- Provide instruction to employees on safe work practices in areas where workplace violence has been identified as a risk.
- Ensure workplace violence and incidents are promptly reported and recorded on the incident report forms.
- With the assistance of the Health & Safety Committee ensure that reported incidents are followed up and recommended corrective actions are implemented as quickly as possible to prevent recurrence of the incident.



SUBJECT

VIOLENCE IN THE WORKPLACE

**Directors/Department
Heads/Managers/
Supervisors shall;
cont.**

- Ensure employees are adequately trained and able to perform risk assessment and incident investigation so situations of workplace violence can be reduced.
- Be familiar with and follow this policy in order to assist employees in dealing with situations of workplace violence.
- Attend workplace violence and awareness training sessions as provided by the Town of Ingersoll and.
- Maintain training records, and personal notes.

**RESPONSE TO
INCIDENT**

**Directors/Department
Heads/Managers/
Supervisors shall;**

- First ensure the safety of employees and yourself.
- Ensure proper assistance, such as medical treatment, is provided.
- When appropriate, contact the police for assistance by dialling 9-1-1.
- When appropriate, contact the Ministry of Labour to report the incident.
- Contact the Chairperson of the Health and Safety Committee, as appropriate and as soon as possible, to assess who should be involved in the investigation.
- Conduct a thorough investigation using the Violent Incident Report form.



**RESPONSE TO
INCIDENT**

**Directors/Department
Heads/Managers/
Supervisors shall;
cont.**

- Within twenty-four (24) hours after the completion of the investigation, write and submit a detailed report of the incident to the Health and Safety Chairperson. A copy of the report must be sent to members of the Health and Safety Committee within 4 business days of the incident. A special Health & Safety Meeting will be called by the Chairperson to deal with a serious incident.
- In consultation with senior administration determine disciplinary action.

Council Shall;

- Approve any amendments to this Policy by resolution.
- Attend workplace violence awareness training sessions as provided by the Town of Ingersoll.
- Consider the allocation of resources for successful implementation of this policy in the annual budget process.

**The Joint Health &
Safety Committee
shall;**

- Review workplace violence incidents and make recommendations for corrective measures to minimize recurrence of incidents.
- Make recommendations to control or eliminate potential areas of high risk for workplace violence.
- Safety Committee members may act as liaison between their Departments and the Health & Safety Committee.
- In conjunction with the employer shall review the policy and procedures annually and reassess the workplace as often as is necessary as per the Occupational Health & Safety Act.



GUIDELINES

Guidelines for dealing with conflict and aggressive behavior;

The following are general guidelines for dealing with conflict and aggressive behaviours.

Departmental policies and procedures may provide additional specific information.

Be alert to situations and early warning signs (crying, pacing, avoidance or excessive eye contact, challenging behaviours, yelling etc.).

- Try to provide an early resolution before a situation escalates and an incident occurs (e.g. deal with issues/complaints right away).
- Listen to the other person's entire issue/complaint.
- Gather information and determine the reason for the issue/complaint.
- Do not downplay or minimize the person's issue/complaint.
- Remain calm speak in a clear, calm and consistent voice.
- Maintain normal eye contact but do not stare.
- Do not infringe on the person's personal space (e.g. point in their face).
- Keep the discussion focused on the issue, not the individual parties.
- Do not set unrealistic goals or make promises that you may not be able to keep.
- Set limits and inform the person that the meeting will only continue if they remain calm, inappropriate behaviour is not acceptable



GUIDELINES

Guidelines for dealing with conflict and aggressive behavior; cont.

- Take the dispute to a third party if the matter cannot be resolved (i.e. supervisor).
- Always remain alert to unsafe situations and react - leave a location if necessary, have another person accompany you or remain close-by, telephone for assistance if needed etc.

GUIDELINES

Guidelines for dealing with a verbally aggressive telephone call;

The following are general guidelines for dealing with verbally abusive telephone calls. Departmental procedures may provide additional specific information.

- Inform the caller that abusive language is not acceptable and advise the caller that the conversation will be terminated if the abusive language continues.
- Establish a written record about the incident.
- Advise the supervisor of the occurrence after the phone call has ended.
- If the caller makes repeated offensive calls, advise them that if it continues the Police will be notified.

Guidelines for dealing with a written threat;

The following are guidelines for dealing with a written threat. Departmental procedures may provide additional specific information.

- Do not throw away any part of written letters or envelopes.
- Handle the document as little as possible and place the document(s) in a folder or clear protective sleeve to help protect them.
- Advise the supervisor of the occurrence.
- Do not discuss the contents of the written threat with anyone other than with Management or the Police.



GUIDELINES

Guidelines when handling cash;

The following are general guidelines when the job duties involve handling cash. Departmental procedures may provide additional specific information.

- Provide physical barriers (e.g. counter-tops) that separate employees from customers and the general public.
- Control access to work areas by locking access doors.
- Position cash registers and cash boxes out of reach and out of sight whenever possible.
- Develop protocols for reducing the amount of cash kept on-hand.
- Post a visible sign to inform customers that minimum cash is kept on the premises.
- Ensure bright lighting and access to natural surveillance.
- Remove large items posters on windows, overgrown landscaping and other factors that would block the view from within the workplace. Good visibility will deter criminal activity.
- Ensure easy and quick access to phones, radios and/or panic alarms so that staff can contact the Police in an emergency.
- Complete bank deposits during busy times and preferably not after dark.
- Post signs that the premises are monitored.
- Ensure employees are instructed what to do in the case of a robbery.



GUIDELINES

Guidelines when working alone or remote locations;

The following are general guidelines for when employees work alone and/or in remote locations. Departmental procedures may provide additional specific information.

- Develop plans for regular contact with isolated employee with the supervisor or another employee to ensure employees are safe. Utilize a buddy system and notify staff at another location when you have concerns about your safety.
- Ensure bright lighting and access to natural surveillance. Remove large items, posters on windows, overgrown landscaping and other factors that would block the view from within the workplace. Good visibility will deter criminal activity.
- Ensure easy and quick access to phones, radios and/or panic alarms so that staff can contact the Police in an emergency.
- Come to an agreement with the local police or with other neighbouring businesses to monitor or to make random visits.
- After hours, lock the public entrance and do not allow access to clients/visitors who do not have an appointment or are not personally known.
- Recognize the safest locations to park (i.e. under street lights and closest to the building).
- Make sure all vehicle windows are closed and doors locked. Lock valuables in the vehicle's trunk out of sight.
- Post signs that the premises are monitored.



GUIDELINES

Guidelines for when to call police;

The following are general guidelines when it would be appropriate to call the Police. Departmental procedures may provide additional specific information.

- Whenever an employee has reason to believe their personal safety is in jeopardy.
- Whenever there is a physical assault or a threat of a physical assault.
- Whenever there is an injury that results from violent behavior.
- When there are threats or harassment of a serious nature.
- When a client refuses to leave the premises.
- When property damage or vandalism occurs.
- When theft occurs.

PROVISION OF INFORMATION

An employer's duty to provide information to a worker under clause 25 (2) (a) and a supervisor's duty to advise a worker under clause 27 (2) (a) include the duty to provide information, including personal information, related to a risk of workplace violence from a person with a history of violent behavior, if,

- a) The worker can be expected to encounter that person in the course of his or her work, and;
- b) The risk of workplace violence is likely to expose the worker to physical injury. 2009, c. 23, s. 3.



**LIMIT ON
DISCLOSURE**

No employer or supervisor shall disclose more personal information in the circumstances described in subsection (3) of the Occupational Health & Safety Act than is reasonably necessary to protect the worker from physical injury. 2009, c. 23, s. 3.

REFERENCES

- Occupational Health & Safety Act
- Ontario Human Rights Code



VIOLENT INCIDENT REPORT FORM

IMPORTANT: Give this form to your supervisor immediately upon completion.

Employee Name:	Job Title:
Date & Time of Incident:	Department:
Location:	
Type of Assault:	
Medical Attention/First Aid Obtained <input type="checkbox"/> YES <input type="checkbox"/> NO	WSIB Forms Completed? <input type="checkbox"/> YES <input type="checkbox"/> NO
Investigation Conducted? <input type="checkbox"/> YES <input type="checkbox"/> NO Investigated by?	Police Called? <input type="checkbox"/> YES <input type="checkbox"/> NO
Action(s) Taken:	

1. ASSAILANT

<input type="checkbox"/> Ratepayer	<input type="checkbox"/> Co-Worker	<input type="checkbox"/> Delivery Person	
<input type="checkbox"/> Visitor	<input type="checkbox"/> Student	<input type="checkbox"/> Other-Please Specify:	
Description:	<input type="checkbox"/> MALE	<input type="checkbox"/> FEMALE	
Age:	Complexion:	Height:	Weight:
Name (If known)			

2. INCIDENT AND INJURY INFORMATION

Explain
If required, continue on reverse side

3. OTHER INFORMATION

Was the assailant involved in any previous violent incidents with staff? <input type="checkbox"/> YES <input type="checkbox"/> NO
Are there any measures in place to prevent a similar incident? <input type="checkbox"/> YES <input type="checkbox"/> NO
Please provide any other information you think is relevant:
If required, continue on reverse side

Date & Time Reported: _____ Signed: _____



POLICY

POLICY AND PROCEDURAL MANUAL		PAGE NUMBER	<i>1 of 5</i>
POLICY NO.		REVIEW FREQUENCY	ANNUAL
APPROVED BY		DATE APPROVED	DRAFT
		REVISION DATE	
SUBJECT	HARASSMENT IN THE WORKPLACE		
PURPOSE	<p>The Town of Ingersoll is committed to creating a positive and professional workplace in which everyone is treated with respect and dignity. To this end the following policy and procedures are intended to ensure that its elected officials, employees, local boards, committees and volunteers have the right to work in an environment free from all forms of harassment in the workplace.</p>		
SCOPE	<p>This policy applies to all elected officials, employees (union and non-union), members of local boards, committees and its volunteers. This policy extends to all work locations, recreation facilities including parkland, and includes office, work sites, vehicles, shops and field locations of the Town of Ingersoll. This policy also includes any site or location where an individual mentioned above is engaged in work related activities representing the Town of Ingersoll such as travel to and at meetings and conferences.</p>		
DEFINITIONS	<p>2. Subsection 1 (1) of the <i>Occupational Health & Safety Act</i> is amended by adding the following definitions:</p> <p>“workplace harassment” means engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome;</p> <p>“workplace violence” means,</p> <p>(d) The exercise of physical force by a person against a worker in a workplace that causes or could cause physical injury to the worker.</p> <p>(e) An attempt to exercise physical force against a worker in a workplace that could cause physical injury to the worker.</p>		



POLICY

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MANUAL**

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SUBJECT

HARASSMENT IN THE WORKPLACE

DEFINITIONS cont.

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. (“violence au travail”)

“Management” includes Chief Administrative Office Department Heads, Directors, Managers and Supervisors.

“Employee” includes salaried non-union, union and part-time.

POLICY

It is the policy of the Town of Ingersoll that all elected officials, employees, local boards, committees and volunteers adhere to and take the necessary steps as outlined in this policy in order to create a work environment free from all forms of harassment, in accordance with the Ontario Human Rights Code and the Occupational Health & Safety Act.

This policy prohibits reprisals of any sort against individuals, acting in good faith, who report incidents of workplace harassment or act as witnesses. Management will take all reasonable and practical measures to prevent reprisal, or further harassment.

Violations of this policy may result in discipline action up to and including dismissal.



**FORMS OF
HARASSMENT**

Workplace harassment may involve sexual, racial or ethnic harassment and take the form of;

- sexually suggestive language or innuendoes (written or verbal);
- sexual jokes (written or verbal);
- sexual body language;
- persistent unwanted questions or comments of a personal nature;
- display of sexual materials (degrading pictures, cartoons, graffiti, etc.);
- leering (suggestive staring);
- unnecessary physical contact such as touching, patting or pinching;
- unwelcome remarks, jokes, innuendoes or taunting about a person's racial, religious or ethnic background, colour, place of birth, citizenship or ancestry;
- the displaying of racist, derogatory or otherwise offensive pictures or material;
- refusing to converse or work with employees because of their racial or ethnic backgrounds;
- insulting gestures or practical jokes of a racial, religious or ethnic nature which cause embarrassment or awkwardness.



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**POLICY AND PROCEDURAL
MANUAL**

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SUBJECT

HARASSMENT IN THE WORKPLACE

NOTE

It should be noted that an occasional compliment may not be considered to be part of the definition of sexual harassment. Relationships between consenting adults which are voluntary and are based on mutual attraction do not normally constitute sexual harassment. The normal exercise of supervisory responsibilities including training, counselling and discipline, when necessary, does not constitute harassment under this policy.

PROCEDURE

**THE EMPLOYEE
SHALL;**

- Inform the harasser that his/her behaviour is unwelcome. An individual may not realize they are being offensive. Addressing the issue may resolve the problem. If the person refuses to cooperate, remind him/her that such behaviour is contrary to the policy of this organization.
- Keep a record of the incident, i.e. - Date, time, location. Always record details of comments, witnesses and your response to the person. Failure to keep a record of the events will not invalidate your complaint. A record will, however, reinforce it.
- If the harassment continues, report the problem to one of your superiors. If you are a member of an Association/Union and you choose to grieve, you should immediately inform the Association/Union of the problem. An employee may, at any time, seek advice or assistance from the office of the Ontario Human Rights Commission.



SUBJECT

HARASSMENT IN THE WORKPLACE

**DIRECTORS/
DEPARTMENT
HEADS/MANAGERS/
SUPERVISORS
SHALL;**

- Follow up and investigate complaints of harassment in the workplace.
- The investigation will include the interviewing of the complainant, the alleged harasser and any other persons who may provide information. Information shall be received in strict confidence and is to be documented. If there is evidence of harassment, appropriate disciplinary measures shall be taken in consultation with senior administration. Discipline may include suspension or dismissal. If a complaint is not supported, no documentation of the complaint will be placed in the employee file of the alleged harasser.
- Within twenty-four (24) hours after the completion of the investigation, write and submit a detailed report of the incident to the Health and Safety Chairperson. A copy of the report must be sent to members of the Health and Safety Committee within 4 business days of the incident. A special Health & Safety Meeting will be called by the Chairperson to deal with a serious incident.
- In consultation with senior administration determine disciplinary action.

**LIMIT ON
DISCLOSURE**

No employer or supervisor shall disclose more personal information in the circumstances described in subsection (3) of the Occupational Health & Safety Act than is reasonably necessary to protect the worker from physical injury. 2009, c. 23, s. 3.

REFERENCES

- Occupational Health & Safety Act
- Ontario Human Rights Code