

SAMPLE Workplace Violence and Harassment Policy

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Note: This document is intended as a sample, not as an actual working policy.

Policy Statement

This organization is committed to providing a safe, violence- and harassment-free workplace for all employees, staff, and guests, and to treat all our employees staff, and guests with respect, dignity, and care. This organization is also committed to complying with all occupational health and safety, human rights, workplace conduct, and other applicable legislation, (Please see the Applicable Legislation section.)

Workplace Parties' Responsibilities and Roles

The employer must:

- Post a copy of this policy in the workplace.
- Ensure that violence and harassment measures are enacted and used if and when appropriate, and hold management accountable for responding to complaints and incidents of violence.
- Ensure that all workplace stakeholders (e.g. contractors, on-site suppliers, etc.) comply with the policy.
- Conduct regular risk assessment.
- Establish control measures and create and delivery training for all employees and applicable stakeholders.
- Integrate safe behaviour into day-to-day operations.
- Develop a reporting process complying with the appropriate regulations, for incidents of workplace violence and harassment.
- Report all incidents of workplace violence and harassment within statutory time limits;
- Take corrective action, including appropriate response measures
- Follow established workplace health and safety procedures as defined by Workplace Safety and Insurance Board (WSIB),
- Report any deaths or time-lost injuries to the Ministry of Labour, the local police (if required), any worker representatives (if applicable), and report the circumstances in writing within 48 hours with the details as prescribed by the *Occupational Health and Safety Act* and regulations.

Managers and supervisors must:

- Stay current on the policy, and enforce worker compliance;
- Take an active role in threat detection, if applicable;
- Assist with investigation into any workplace violence issues and report to the police as required. Assist with investigation into any harassment at work, and report to Human Resources as required.
- Facilitate employees' meetings with HR for post-incident support, if required.
- Provide first-line assistance and debriefing as required.
- Make all statutorily required reports to all stakeholders, in conjunction with the employer and other stakeholders.
- Report to WSIB and other stakeholders on any lost-time or modified-duty incidents, as required by regulations.

SAMPLE Workplace Violence and Harassment Policy

Employees must:

- Take all training programs as required in a timely manner.
- Learn and comply with all workplace violence and harassment policies and procedures, including seeking clarification from Human Resources if necessary.
- Report all violence or harassment incidents to a supervisor immediately Complete any required incident reports immediately
- Follow the WSIB four-step process.

Human Resources and/or the Joint Health and Safety Committee must:

- Create and update this policy, in conjunction with the employer representatives and other stakeholders.
- Create and provide training for employees and other on-site personnel as specified above.
- Provide support and counseling to victims of workplace harassment or violence.
- Take appropriate disciplinary action for workers who have committed acts of workplace violence or harassment.
- Liaise with management, staff, and others to promote compliance with the policy, and threat detection and management.

Reporting and Investigation

- All on-site personnel must report violent or harassing incidents to their manager or a supervisor immediately. Employees may make these reports confidential, with the understanding that any information in the report must be shared with any stakeholder parties (e.g. Ministry of Labour representatives, police officers, employer representatives);
- Managers and supervisors are responsible for investigating any reports, escalating them (if required), and applying all applicable remedies, including enacting preventive strategies, disciplinary actions, and liaising with law enforcement.
- Employers must make reports to the Ministry of Labour and/or WSIB as specified in the *Occupational Health and Safety Act* and *Workplace Safety and Insurance Act*.

Action Procedure

In case of an incident of **workplace violence**:

1. If it is safe to do so, a capable staff member should subdue the person. If not safe, call 911 and report the incident to police, and/or request an ambulance in case of injury or death..
2. Other on-site personnel should find their way to a safe place (e.g. the fire meetup point) until the danger is over.
3. A staff member should report the incident to a supervisor immediately.
4. If someone is injured or killed, a member of the management team should work with the first responders to ensure that the casualty is transported to hospital as soon as possible.
5. The management team should then complete all necessary reports and paperwork (see Reporting and Investigation).

SAMPLE Workplace Violence and Harassment Policy

6. If necessary, a member of management or the organization's press liaison should prepare and present a statement to the media with an aim to preventing misinformation and preserving the organization's reputation.
7. The management team should immediately convene an investigation.
8. Once the investigation is complete, management, staff, and Human Resources and/or the Joint Health and Safety Committee (JHSC) should review and update prevention and remediation strategies with a "lessons learned" approach.

In case of an incident of **workplace harassment**:

1. A staff member should isolate the perpetrator.
2. A staff member should make sure the victim feels safe and comfortable, and provide anything she or he needs.
3. HR and the management team should convene a meeting to decide what disciplinary or remedial actions to take. (This should be documented in the Disciplinary Policy or Employee Handbook.)
4. HR and management should inform the perpetrator of their decision as soon as possible.
5. Management, staff, and Human Resources and/or the JHSC should review and update prevention and remediation strategies with a "lessons learned" approach.

Definitions

Workplace harassment is defined as engaging in a course of aggravating conduct directed at an employee or visitor of the workplace, which is obviously unwanted.

Sexual harassment is similar conduct with a sexual component, as well as any unwanted sexual advance made by anyone who is in a position of power over a worker. (Please see PART III.0.1 of the [Occupational Health and Safety Act, R.S.O. 1990, c. O.1](#) for more information.)

Workplace violence is defined as an exercise or attempted exercise of physical violence against a worker or visitor to the workplace, or a credible threat of such violence.

Applicable Legislation

These laws form the basis of this policy and may or may not apply to it in greater or lesser measure.

- The *Occupational Health and Safety Act, R.S.O. 1990, c. O.1*
- The *Criminal Code of Canada, R.S.C., 1985, c. C-46*
- The *Ontario Human Rights Code, R.S.O. 1990, c. H.19*
- The *Workplace Safety and Insurance Act, 1997, S.O. 1997, c. 16, Sched. A*
- The *Compensation for Victims of Crime Act, R.S.O. 1990, c. C.24*
- The *Regulated Health Professions Act, S.O. 1991, c. 18*