



## **WORKPLACE VIOLENCE POLICY**

### **Workplace Violence is defined as:**

- The exercise of physical force by a person against a worker in a workplace that causes or could cause physical injury to a worker.
- An attempt to exercise physical force against a worker in a workplace that could cause physical injury to a worker.
- A statement or behaviour that 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.

### **Employee Rights:**

Royal Ashburn employees have the right to work in an environment free from violence by their employer, by another employee or guests.

**Who is at Risk:** The risk of workplace violence is greater in work activities that involve:

- working in a community-based setting
- working with unstable or volatile clients
- handling cash
- mobile workplaces
- contact with clients
- working in high crime areas
- securing / protecting valuables
- transporting people and / or goods
- working alone in small numbers



## **What are the Types of Workplace Violence?**

### **Type 1: Criminal intent**

- Involves a person with no relationship to the workplace who commits a violent act, such as: theft - money, cars, drugs, personal belongings; hostage taking / kidnapping; physical assault

### **Type 2: Client**

- The violent act is 'willful intent' to cause harm
- Majority of workplace violent events are client-related

### **Type 3: Employee-Related**

- Repeated and persistent negative acts towards one or more individual(s), which involve a perceived power imbalance and create a toxic or unhealthy work environment.

### **Type 4: Personal Relationships**

- Relationship violence that occurs at the workplace, i.e., a loved one / family member that commits a violent act against a worker (domestic violence)

### **Employees Responsibilities:**

Royal Ashburn requires the assistance of employees to discourage and eliminate violence in the workplace. Every employee is responsible for making every effort to halt the violence on an individual basis in a responsible manner and to report such violence to your Manager if his or her efforts to halt the violence are unsuccessful.

### **Management Responsibilities:**

An employee who has the authority to prevent or discourage violence is accountable and is obligated to exercise his or her authority to do so. Employers are liable for the acts of violence carried out by their employees, whatever the employee's level in the organization.



## REPORTING PROCEDURES

If you believe that you are the subject of violence, you should:

- Immediately inform the person (verbally or in writing) that the behavior is unacceptable and must stop.
- Make detailed notes describing the behavior, time and date of the incident(s) and who was involved, including any witnesses.
- If you are unable to, or do not wish to discuss the problem with the alleged harasser, or if a discussion does not resolve the problem, report the incident to the Director of Operations.
- In the event that you choose to discuss a violent incident with your supervisor, you should be aware that your supervisor must then report the incident his/her Manager. The supervisor is accountable by law and this policy to take action where they have knowledge of allegations of violence.
- The Manager will arrange for an immediate confidential interview with you. All formal harassment/violent complaints will be investigated.
- The Manager will begin, within one week, with confidential discussions with you, your supervisor (if originally reported to them), the alleged harasser and their supervisor. The scope of the investigation may be expanded to include the next level of management where necessary. These discussions are for the purpose of gathering information; no conclusions may be drawn at this stage. Signatures will be obtained from all parties to the investigation indicating agreement that the notes accurately reflect their statements.
- In the interview with the alleged harasser:
  1. Explain clearly and objectively the complaint that has been made.
  2. Explain the intent of the Workplace Violence Policy.
  3. Obtain the signature of the alleged harasser indicating their agreement that the notes gathered are accurate. The alleged harasser will have one week to respond in writing to the allegations.
- If satisfactory resolution of the complaint is achieved through clarification of intent, the facts of the resolution will be documented.
- Complaints and notes of investigation(s) will be centrally stored for a period of two years in a locked cabinet in the office of the, Manager to maintain confidentiality.
- The Manager will review the facts and will make a recommendation for appropriate disciplinary action.



- The following factors will be considered in recommending disciplinary action:
  - Nature of the violence (verbal/physical).
  - Degree of aggressiveness and physical contact.
  - Frequency of violence.
  - Whether or not coercion occurred.
  - Past disciplinary record, and mitigating circumstances.
- Every effort will be made to avoid publicizing facts that may be prejudicial to the persons involved.
- Should an employee feel that satisfactory resolution has not been attained through the investigation; the complaint may be referred to the Ontario Human Rights Commission. The complaint must be filed within six months of the occurrence of the harassment, unless good reason for the delay is provided.
- In accordance with this policy, the complainant has the right to discontinue contact with the alleged harasser without incurring any penalty, pending the investigation of the case.



### **Confidentiality:**

Royal Ashburn understands that it is difficult to come forward with a complaint of workplace violence and recognizes a complaint's interest in keeping the matter confidential.

All records of complaints, including contents of meetings, interviews and statements made during an investigation are strictly confidential. Only the final result of the investigation (statement of reprimand/action taken in a validated complaint or the letter of warning following a mischievous complaint) will be kept in the employee's personal file. Access to the file information is prescribed by the Freedom of Information Act.

### **Harassment by Persons Not Employed By Royal Ashburn:**

An employee of Royal Ashburn who considers that a person, who is not an employee of Royal Ashburn has subjected him to violence, should seek advice from the Manager.

### **Conclusion:**

Royal Ashburn has developed this policy because we believe all our employees have the right to work in an environment free from workplace violence. All formal written complaints received under this policy will be thoroughly investigated. Anyone found guilty of workplace violence may be subject to severe discipline.