



Region of Waterloo

## WORKPLACE VIOLENCE PREVENTION PROGRAM

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### Contents

1.0 Purpose and Scope:.....	2
2.0 Definitions: .....	2
3.0 Roles and Responsibilities: .....	3
3.1 Region of Waterloo: .....	3
3.2 Management: .....	3
3.3 Employees: .....	4
3.4 Health and Safety: .....	4
3.5 Joint Health and Safety Committee/Health and Safety Reps:.....	5
3.5 Union Executive:.....	5
4.0 Operating Details .....	5
4.1 Risk Assessment: .....	5
4.2 Dealing with Instances of Workplace Violence:.....	6
4.2.1 Non-Imminent Situations:.....	6
4.2.2 Imminent Risk to Physical Safety: .....	6
4.2.3 Employee to Employee Workplace Violence .....	7
4.2.4 Domestic Violence: .....	8
4.3 Investigations and Findings: .....	8
4.4 Corrective Action: .....	10
4.5 Information and Notices:.....	10
4.5.1 Information.....	10
4.5.2 Notices .....	11
5.0 Training: .....	11
6.0 Supporting Documentation .....	12

## **1.0 Purpose and Scope:**

The Region of Waterloo is committed to providing a safe, respectful and hospitable work and business environment for its employees and for those it serves by establishing a workplace violence prevention program.

The Region recognizes that workplace violence has the potential to affect the emotional and/or physical well being of employees and/or clients. Workplace violence in any form will not be tolerated and reasonable steps will be taken to prevent workplace violence from all possible sources such as employees, customers, clients, supervisors, workers, strangers and domestic/intimate relationships.

Because of its profound impact, all reasonable efforts will be taken to recognize and assess potential sources of workplace violence, including domestic violence which may enter the workplace. Steps will be taken to prevent workplace violence involving Regional employees and/or members of the public through the implementation of controls and procedures.

This **program** outlines:

- a) how risks of workplace violence in the workplace will be assessed and controlled,
- b) emergency procedures to be taken in the event of workplace violence,
- c) how Regional employees report and respond to physical threats or instances of workplace violence,
- d) how complaints or instances of workplace violence will be investigated,
- e) training requirements for staff, management and Senior management

## **2.0 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 a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

Examples of workplace violence may include, but are not limited to, hitting, throwing objects, pushing, kicking, and physical restraint. Threatening gestures or remarks, either verbal, written or via social media, which could reasonably be interpreted as a threat to

exercise physical force against an employee in the workplace are also considered to be workplace violence, regardless of how they are communicated.

**Domestic Violence** – when a person who has a personal relationship with a worker – such as a spouse or former spouse, current or former intimate partner or a family member – may physically harm, or attempt or threaten to physically harm, that worker at work.

**Social Media** – the web-based technologies and sites and includes blogging, microblogging (twitter), photosharing (flickr), video sharing (YouTube), webcasting (blogtv), and networking (LinkedIn, Facebook, wikis, discussion boards) which allow users to interact with each other by sharing information, opinions, knowledge and interests.

**Workplace** – any premises or location where Regional business is being conducted or where Regional services are provided. Violence that occurs outside the workplace may be considered workplace violence if it proves to have repercussions in the work environment that adversely affects working relationships. The individual circumstances of the incident will be considered.

## **3.0 Roles and Responsibilities:**

### **3.1 Region of Waterloo:**

- ensuring the requirements of the Occupational Health and Safety Act and its regulations are complied with in the workplace
- ensuring that a Workplace Violence Prevention Policy is established, posted and reviewed at least annually and a Workplace Violence Prevention Program is developed and maintained to support the Policy

### **3.2 Management:**

Management must be aware that ignoring potential situations of workplace violence usually results in an escalation of the problem. Findings of violence and threats thereof must be taken seriously. Management at the Region of Waterloo are responsible for:

- fostering a workplace free of violence
- taking seriously all reported instances of violence
- assessing the risk of workplace violence which may arise from the nature of the

- workplace, type of work or conditions of work
- developing measures and procedures to control identified risks associated with workplace violence, including instances where it has become known that domestic violence may occur in the workplace and it is likely to expose a worker to physical injury
  - immediately investigating all aspects of any reported instances of violence and reporting incidents to the Manager, Health & Safety
  - being familiar with their responsibilities under the Region's *Workplace Violence Prevention Policy (HR IV-15)*
  - ensuring that a bargaining unit employee is aware of their right to have the assistance of a union representative during all steps of a violence investigation, if they so choose
  - making decisions on what steps, if any, should be taken as a result of any investigation
  - ensuring that the Region's *Workplace Violence Prevention Policy* is posted in the workplace in a visible and accessible spot
  - promoting and restoring a positive and respectful work environment during and after any incidents of violence
  - maintaining confidentiality, where applicable

### 3.3 Employees:

- promoting a violence-free workplace
- immediately reporting instances of actual or potential workplace violence, including physical intimidation to their immediate supervisor or another member of management whether the employee is indirectly aware of the incident, has witnessed it, or has directly experienced it;
- participating in corporate training programs regarding workplace violence
- refraining from engaging in workplace violence
- co-operating in the interventions and investigations of workplace violence
- maintaining confidentiality during investigations
- **Contacting emergency services in the event of an extreme or imminent threat of physical harm to themselves or another individual;**
- **Removing themselves from dangerous situations in the workplace involving violence or the threat of violence.**

### 3.4 Health and Safety:

- developing a workplace violence prevention program including policies, procedures, training and template document associated with the program
- interpreting and clarifying the requirements of the Occupational Health and Safety Act, its Regulations and any relevant standards and best practices in

- regard to workplace violence
- assessing incidents of reported workplace violence, and determining if the incident meets the definition of workplace violence
- providing assistance as required on the policy and program provisions and any workplace concerns and complaints
- if the complaint is against the direct supervisor please see section 4.2.3 of this program

### **3.5 Joint Health and Safety Committee/Health and Safety Reps:**

- being a cooperative partner in the process of evaluating and managing risks associated with violence in the workplace
- receiving risk assessment documents and workplace incident reports (HR18's) in regard to workplace violence.
- ensure a violence risk assessment is completed.

### **3.5 Union Executive:**

- providing assistance to all bargaining unit employees who request the assistance of a union representative during all steps of a violence investigation, if they so choose. The unionized employee will be required to sign a waiver if they choose not to have a union representative present.

## **4.0 Operating Details**

### **4.1 Risk Assessment:**

Assessments of the risk for workplace violence will be conducted jointly between management and employees in the work area in consultation with Health and Safety, when required. Using a risk assessment tool (DOCS 891217), the assessment will take into account the nature of the workplace, type of work and/or conditions of work. As well, it must look at circumstances that would be common to similar workplaces, circumstances specific to the workplace, and any implemented controls. Consideration must be given to previous findings of workplace violence recorded for the workplace. Workplaces of similar or like nature may be jointly assessed. **Where necessary, workplace specific measures and procedures will be enacted to control the risks identified in the assessment.**

Where a risk is evaluated to be moderate, consideration shall be given to additional measures which may further reduce the risk. Potential high risk situations require consideration for additional controls, such as, but not limited to: safe work procedures,

design enhancements to the physical layout or emergency call buttons.

Risk assessments for violence will be **conducted** as often as necessary with consideration to events, the introduction of new controls or procedures, or a periodic cycle of review. Where the workplace has a joint health and safety committee (JHSC) or health and safety representative, copies of the assessment will be provided. If there is no JHSC or health and safety representative, the workers in the workplace will be provided a copy.

## **4.2 Dealing with Instances of Workplace Violence:**

All incidents of workplace violence, threatened or actual, must be immediately reported to the employee's immediate supervisor or another member of management. Reported incidents shall be investigated, in a timely manner, by the management member to whom it was communicated. Any report of workplace violence will be treated with confidentiality wherever possible. No person shall judge or criticize employees who bring forward reports of workplace violence in good faith and there will be no retaliation for the reporting of the action.

### **4.2.1 Non-Imminent Situations:**

It is each employee's responsibility to report these situations to his/her supervisor or another member of management.

The supervisor or manager to whom the incident was reported is responsible for conducting an initial investigation and relating the findings through the completion of a Workplace Incident Report form (electronic HR 18). The supervisor may complete a Workplace Violence Incident Assessment form (HR 96) as part of the investigation. The Incident Report form should provide as much detail as possible at this point in the investigation.

The completed Workplace Incident Report form and Workplace Violence Incident Assessment form (if completed) must be faxed to Human Resources at (519) 581-5661 where it will be directed to the attention of the Manager, Health and Safety for review.

### **4.2.2 Imminent Risk to Physical Safety:**

Where there is an imminent risk to the physical safety of individuals, the situation shall be treated as an emergency. If it is possible and safe to do so, any readily available fellow co-workers or supervisors should:

1. Quickly ascertain the nature and location of the incident;
2. Initiate any applicable departmental emergency procedures.

**If there is, or is likely to be, a violent incident, employees should immediately remove themselves from the situation, if possible.**

If required by the situation, any available individual should:

1. Summon help by calling 911, notifying emergency personnel of the building location, the type of emergency and the assistance required;
2. Call for any available assistance to help direct employees and any members of the public to a safe area;
3. Make provisions for First Aid for anyone in need as soon as possible and when safe to do so.

After any immediate danger has passed, a supervisor or manager for that work area shall:

1. Immediately notify the Director of the affected division or the department Commissioner, and the Manager, Health and Safety or a Health and Safety Advisor notifying them of the situation;
2. Complete a full report of the incident, utilizing the Workplace Incident Report form. If injuries resulted in lost time or medical attention for Regional employees, management will ensure an additional Incident Report form for each employee is completed, documenting the injury;
3. Help facilitate a return to normal operations within the area.

Where required by the situation, a supervisor or manager for that work area shall:

1. Phone 911 to contact police or other emergency services if it has not already been done;
2. Make provisions for First Aid to anyone who is still in need;
3. Identify any witnesses and record their names for future investigations;
4. Ensure that witnesses and any victims are immediately provided with appropriate critical incident stress debriefing through the Employee Assistance Program,
5. Provide any other assistance which may be necessary.

#### **4.2.3 Employee to Employee Workplace Violence**

If an employee experiences a violent act or a verbal threat of violence from another employee, they are to inform their supervisor immediately. If the threat or act of violence is from their direct supervisor, staff are to inform the next level of management or contact Human Resources and Citizen Service. All information related to the threat or act of violence should be reported via the electronic HR18. This reported information will be evaluated, assessed and determined if it meets the definition of violence and from this evaluation next steps will be determined as per Section 4.3 Investigations and Findings of this program; the HR I-14 Harassment Prevention Policy/Program or the HR I-14 Interpersonal Conduct Policy.

#### **4.2.4 Domestic Violence:**

The Region of Waterloo will take every precaution reasonable in the circumstances for the protection of employees when aware or reasonably aware that domestic violence may occur in the workplace and would likely expose an employee or employees to physical injury.

Employees can report to their supervisor or manager any concerns they have in regard to domestic violence entering the workplace.

Supervisors or managers, upon learning of domestic violence issues, must report the situation to the Manager, Health and Safety or their designate.

Upon learning of a domestic violence situation that could impact the workplace, the Supervisor, employee involved in the relationship, and Health and Safety will meet to assess the situation and develop an action plan based on the specifics of each situation. Each issue will be dealt with on a case-by-case basis and could include involvement from other Human Resources employees, security employees, other management in the work area, police or other organizations.

In consultation with Health and Safety, management of the staff person will create an individual safety plan which will take into consideration any existing workplace violence measures and procedures, risks associate to the employee and coworkers, any additional precautions required to assist in the situation.

#### **4.3 Investigations and Findings:**

Investigations of incidents or complaints of workplace violence will be conducted and begin with the reporting of a situation to a supervisor or manager who shall promptly investigate and complete a Workplace Incident Report form (*electronic HR18*), and optionally, a Workplace Violence Incident Assessment form. Investigation material will be faxed to Human Resources where it will be directed to the Manager, Health and Safety.

When an occurrence is reported to a member of management, those involved in the investigation are obligated to treat the matter seriously. All reports will be investigated.

When an Incident Report is received, the Manager, Health and Safety, or designate, will utilize the Workplace Violence Incident Assessment form, to determine if the situation meets the definition of workplace violence. If a reported incident can not be clearly determined, then a Violence Incident Assessment team, comprised of three staff members from the Employee Relations division, will convene to determine if the incident meets the workplace violence definition. Following this review, an email is sent to the management member who completed the electronic HR18, and their supervisor, informing them of the outcome.

The Manager, Health and Safety, or designate, will review the electronic HR18 ensuring that all necessary actions have been taken, including but not limited to: departmental safety procedures, the provision of medical assistance and counselling services, and reporting of the incident to any outside agencies if necessary.

The Manager, Health and Safety may recommend further investigation of instances of workplace violence to the Director, Employee Relations. Examples of reports which would be recommended for further investigation may include, but are not limited to, reports which involve significant employee safety concerns, a breach of Human Resources policy or labour relations issues.

If a report recommends further investigation, the Director, Employee Relations in conjunction with the Department Head will review the findings and determine if further investigation is required. If further investigation is deemed necessary, an investigation will be conducted. When an investigation involves an unionized employee, management is responsible for ensuring that the employee is aware of their right to have the assistance of a union representative during all steps of an investigation, if they so choose.

Under certain circumstances, the Director, Employee Relations, in consultation with the Department Head, may decide to investigate the incident using an independent expert investigator, external to the Region of Waterloo. It is the responsibility of the Director, Employee Relations, in conjunction with the Department Head to initiate and manage the investigation process.

It is important that investigations be conducted in a discreet manner to protect confidentiality as much as possible. Every effort should be made to maintain the confidentiality of parties involved.

In every case, the Region will consider what, if any, interim measures are necessary to protect the worker and ensure the integrity of the investigation while the investigation is ongoing.

On completion of the investigation, the Director, Employee Relations and the Department Head will consider the following components:

- whether or not Regional policy has been violated;
- whether the member of the public or employee involved continues to pose a risk;
- recommendations for follow-up measures on the part of management and other employees involved.

Upon reviewing the findings, the Department Head in consultation with the Director, Employee Relations will take appropriate action. Every effort will be made to begin implementing the recommendations within reasonable timelines depending on the complexity of the situation.

If a complaint by a Regional employee is found to have been made in bad faith, in reprisal, frivolously or with malicious intent, the complainant may be subject to discipline up to and including dismissal.

The findings of the investigation are submitted to the Department Head and the Director, Employee Relations. The complainant and the respondent will be informed of the findings of the investigation.

During the course of investigation, all pertinent documentation related to the investigation is to be marked "Confidential" and stored within a locked cabinet or drawer. This is to protect the confidentiality of all parties involved. Upon conclusion of the investigation, all documentation shall be transferred to Human Resources and Citizen Service for filing where it will be retained in a secure location.

A flow chart summary of the process is attached as Appendix A.

#### **4.4 Corrective Action:**

A member of the public who is exhibiting behaviour which is viewed as workplace violence may be removed and may be barred from the workplace.

Violence in the workplace by Regional employees may result in discipline up to and including dismissal. If a complaint of workplace violence registered by a Regional employee is found to have been made in bad faith, the complainant may also be subject to discipline up to and including dismissal.

When Workplace Violence occurs between colleagues, the need for restoration will be reviewed by the management group. Considerations for the restoration should include but not be limited to: mediation, coaching, counselling, training, and possibly the review of workplace processes.

#### **4.5 Information and Notices:**

##### **4.5.1 Information**

In circumstances of workplace violence, Human Resources management may assist departmental or divisional management in determining: if any of the parties involved have a history of violent behaviour; if any employees would be likely to encounter this person(s) in the course of their work and whether the person(s) pose a risk to employees.

If it is determined that these risks exist, employees who can be expected to encounter the violent person in the course of their work and the risk for workplace violence is likely

to expose the employee to physical injury will be provided information, including personal information, about this violent person.

More information that is reasonably necessary for the protection of an employee from physical injury will not be disclosed.

#### **4.5.2 Notices**

If a critical injury or death occurs to a person, due to workplace violence, the Region must immediately notify the Ministry of Labour, the workplace's joint health and safety committee or health and safety rep and union, if any. Within 48 hours of the incident a written report must be provided to the Ministry of Labour giving the circumstances of the occurrence and other information as outlined in the HR Form #26.

When an incident of workplace violence causes an employee to be disabled from working or the employee required medical attention, the Region will notify the joint health and safety committee or health and safety representative and the union, if any, within four (4) days of the incident.

Where the workplace has a joint health and safety committee (JHSC) or health and safety representative, copies of the assessment will be provided. If there is no JHSC or health and safety representative, the workers in the workplace will be provided a copy.

### **5.0 Training:**

All employees will receive instruction and information that is appropriate for the employee **and the specific workplace** on the contents of the Workplace Violence Prevention Policy and this program. The objective of the training is to ensure employees:

- a) have an understanding of what constitutes workplace violence;
- b) know how to respond to situations of potential or actual workplace violence; and
- c) understand reporting requirements and know how complaints, threats or incidents of workplace violence will be investigated.

Where there are departmental or divisional emergency procedures in place respecting workplace violence, safety and security, employees within those work areas will receive specific training on these procedures.

Written records of training attendance, material, who provided the training and who attended the training shall be forwarded to Human Resource and Citizen Service.

## **6.0 Supporting Documentation**

### **Appendix A**

#### **Workplace Violence Prevention Program**

##### **Process Flow Chart**

Please refer to the Word Document DOCS# [1384791](#)

### **Appendix B**

#### **Workplace Violence Risk Assessment Tool**

Please refer to the Excel Document DOCS# [891217](#)

### **Appendix C**

#### **Workplace Violence Incident Assessment Form (HR 96)**

Please refer to the Word Document DOCS# [805488](#)