



## NEW CANADIANS CENTRE PETERBOROUGH

**Policy Name: Workplace Violence Policy and Procedure Manual**

**Created: November 1, 2011  
Review Date: 2013, 2014  
Effective: May 6, 2014**

### 1.0 POLICY PURPOSE

The New Canadians Centre Peterborough (NCCP) is committed to a zero tolerance approach to violence in any form or manner in the workplace. The NCCP will be proactively involved in order to assist our employees in early identification and prevention of such incidents of violence. The NCCP will also respond in a timely manner to incidents of violence. The NCCP will provide support to employees who have experienced or witnessed a traumatic workplace incident.

### 2.0 POLICY SCOPE

- 2.1 Violent behaviour in the workplace is unacceptable from anyone.
- 2.2 This policy applies to employees, Board members, volunteers, visitors, clients, and any third party who comes into contact with our employees in the course of their work. Everyone is expected to uphold this policy and to work together to prevent workplace violence.

### 3.0 DEFINITIONS

#### 3.1 Workplace Violence is defined as:

- i. The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker; or
- ii. An attempt to exercise physical force against a worker, in a workplace, that
- iii. could cause harm; or
- iv. Statements or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against a worker, in a workplace that could cause physical injury to the worker; or
- v. Attempts or threats to physically harm a worker at the workplace made by a spouse or former spouse, current or former intimate partner, or family member; or
- vi. Acts considered offences under the Criminal Code of Canada such as assault, sexual assault, criminal harassment, stalking, robbery and uttering threats.

#### 3.2 Examples of Workplace Violence may include, but are not limited to:

- i. Threatening Behaviour - such as shaking fists, destroying property or throwing objects;
- ii. Verbal or written threats - any expression of an intent to inflict harm;
- iii. Physical attacks - hitting, shoving, pushing, or kicking.

### 3.3 **Workplace is defined as:**

- i. Any land, premises or building in which the worker works; or
- ii. Off-site business-related functions (conferences, trade shows); or
- iii. Locations where social events related to work are held; or
- iv. Employees homes or away from work but resulting from work (a threatening telephone call to your home from a patron, employee or vendor);
- v. Any other location where an employee is directed and paid to be there or near the location.

## 4.0 **PROCEDURES**

4.1 The procedures for dealing with workplace violence and/or allegations of workplace violence will depend upon the severity and immediacy of the situation. Accordingly, NCCP may utilize the urgent response procedure and/or investigative procedures to identify and respond to workplace violence.

### 4.2 **Urgent Response Procedure:**

- i. In the event that a violent behavior is imminent or requires immediate intervention, the employee involved or a witness must immediately notify their Supervising NCCP Staff Member (Supervisor). If the employee is not comfortable or able to notify their Supervisor, they should notify another Coordinator, the Executive Director or the Governance Committee of the Board.
- ii. Where a violent act requires the services of a first aid responder, trained personnel will be responsible to provide those services and/or staff will contact 911.
- iii. In the event of physical assault, police services will be called immediately. In the event of non-physical form of workplace violence, the assistance of police services may be involved either at the request of the involved parties or at the request of the Executive Director.

#### 4.2.1 ***NCCP Alarm System: PROCEDURE***

- i. To assist in executing an effective Urgent Response Procedure, as detailed above, in the event of an imminent or actual violent act that requires the services provided by 911, the NCCP (Peterborough Office) is equipped with four (4) security alarm devices to be held on the person of those individuals fulfilling the roles of Receptionist and frontline NCCP Settlement Councillors.
- ii. Users of the alarm devices will be instructed on how and when to use the security alarm devices by their Supervisor. The Executive Director and Supervisor will ensure that those individuals, as indicated in section i of 4.2.1 above, are comfortable with the use of the alarm devices.
- iii. The alarm devices are to be used in order to notify not only the police of the emergency situation, but also as a quick and efficient way to notify surrounding staff, clients, volunteers, etc. that there is a potentially dangerous and emergency situation occurring. Therefore, all staff and volunteers working within the NCCP building should be aware of the presence, sound and purpose of the alarm devices.

### 4.3 **Investigative Procedure:**

- i. An employee should report to their Supervisor, other coordinator, or the Executive Director any early warning signs of a potentially threatening situation or occurrence that raises a concern for an employee's safety or any instance of workplace violence.

- ii. The Supervisor receiving the initial report of workplace violence will obtain a detailed written statement from the affected employee(s) and report the incident immediately to the Executive Director and an investigation will be conducted.
- iii. The Executive Director will advise the Governance Committee of the Board. The Executive Director or his/her designates will conduct the investigation.
- iv. Investigations of all allegations of workplace violence whether or not an immediate/urgent response is required, may include but are not limited to, interviews with the employee(s) involved, significant others, Coordinators and other employees, a review of previous incidents, if necessary and available.
- v. All parties and witnesses involved in an investigation will be reminded of the need to maintain confidentiality regarding the allegations, process and outcomes. However, information related to the need to protect and minimize the risk to an employee's health and safety may be shared on a "need to know" basis. All investigation files will be marked "confidential" and stored with Human Resources documentation.
- vi. It is also understood that the person alleged to have engaged in workplace violence has a right to know the allegations against him/her. Both the complainant and the respondent have the right to a fair and impartial procedure. Further, it is understood that any information gathered during the investigation could form part of a subsequent investigation carried out by the Ministry of Labour, Human Rights Tribunal, and/or Workplace Safety & Insurance Board or may be shared with the Governance Committee for reporting and evaluation purposes as later described.
- vii. If violence or threats of violence are found to have occurred, immediate steps will be taken to eliminate the risk(s) of further workplace violence. If applicable, the Executive Director/designate will be responsible for the implementation and monitoring of the action plan.

## **5.0 OUTCOMES OF A WORKPLACE VIOLENCE INVESTIGATION**

- 5.1 Employees who, with good intention and in good faith, provide information about behavior or statements which they perceive as workplace violence will not be subject to disciplinary or any other action if their perceptions are not substantiated. However, if there is evidence to substantiate that the allegations of workplace violence were trivial, frivolous, vexatious or made in bad faith disciplinary action can be taken against the complainant. In addition, if information provided by a witness was false or intentionally misleading, disciplinary action will be taken against the witness. An employee who is the subject of an allegation of workplace violence and who refuses to discuss the allegation of violence or refuses to co-operate with interventions to assess or defuse the risk of workplace violence, will be at risk of disciplinary action.
- 5.2 Interventions that may be part of a risk assessment or plan of action for an employee who is the subject of an allegation of violence may include, but is not limited to, the following actions;
  - i. A referral to the employee's Physician
  - ii. Seeking professional counseling for a psychological condition;
  - iii. Voluntary or mandatory referral to counseling or other services suggested by the NCCP;
  - iv. Fitness for work evaluation by an appropriate third party;
  - v. Immediate administrative leave or disciplinary suspension, obtaining appropriate court orders and/or police involvement as required.

- 5.3 If it is determined that an employee has engaged in workplace violence he/she will be subject to appropriate remedial and/or disciplinary measures, or a combination thereof, as is warranted with respect to the circumstances of the situation, including but not limited to;
- i. termination of employment
  - ii. conditional last chance agreement
  - iii. suspension, with or without pay
  - iv. written warning
  - v. retraining
  - vi. treatment
- 5.4 The remedial and/or disciplinary action imposed upon the employee will be documented and placed in the employee's Human Resources file. Employees who engage in further violent behavior or acts, or in reprisals against the person/witness reporting the workplace violence after the initial incident has occurred, and pending the development of an appropriate plan of action, will be subject to immediate suspension/or dismissal.

## **6.0 PREVENTION**

- 6.1 The Governance Committee shall review the effectiveness of the **Workplace Violence Policy and Procedure Manual** on an annual basis and make recommendations for improvement, if necessary. The Governance Committee shall also assess and report on any risk factors related to workplace violence on an ongoing basis.
- 6.2 Where there is a risk of workplace violence from a person with a history of violent behaviour, an employee will be provided with information related this risk if the employee is expected to encounter this person in the course of his or her work. Personal information shall not be disclosed except to the extent reasonably necessary to protect the worker from physical injury.
- 6.3 Any recommendations arising out of an investigation of workplace violence will be brought forward to the Coordinators. Coordinators and responsible personnel will be given special training in identifying potentially violent individuals, and situations. Further, these personnel will receive guidance in reporting, and responding to workplace violence.
- 6.4 All Employees and Coordinators must be attuned to early warning signs of a potential for violence in the workplace. The following factors, which are not exhaustive, are intended as a guide;
- i. Direct or indirect threatening statements to do harm to self or others;
  - ii. Obsessions or fixations on other incidents of workplace violence at the NCCP or at another workplace;
  - iii. Intimidating comments, gestures, behaviors, including insubordination, defiance, pestering or confrontational behavior;
  - iv. History of aggressive or reckless behavior;
  - v. Recent marked decline in performance;
  - vi. Major change in personality, mood, attitude, standards/expectations or personal grooming, which may include a withdrawal from social/workplace interactions;
  - vii. Obsession or fixations regarding a person or things (particularly weapons);
  - viii. Experiences or comments regarding serious personal stressors such as a death in the family, bankruptcy, etc;

ix. Potential abuse of prescribed or illegal substances.

6.5 Where there is no legal conflict, the NCCP will participate with court processes such as injunctions, peace bonds and undertakings.

## **7.0 TRAUMA SUPPORT**

The NCCP recognizes that employees who have witnessed or experienced a traumatic event may need special or additional support. Employees will be encouraged to identify this need and to request assistance. If requested, the Organization will assist the employee in obtaining appropriate support.

## **8.0 TRAINING**

8.1 All NCCP employees will be trained in the content of the NCCP's **Workplace Violence Policy and Procedure Manual**, NCCP's **Anti-Discrimination, Access and Equity** policy, and NCCP's **Harassment Policy**.

8.2 The NCCP will strive to provide all NCCP employees, particularly those working directly with NCCP Clients, such as Settlement Counsellors, Receptionists, etc. with the following training:

i. Non-violent Crisis Intervention training

8.3 Volunteers may request access to training detailed in section 8.2 as applicable to the type of volunteer activities they conduct (i.e. instructing NCCP coordinated language classes, facilitating NCCP client groups, etc.).

## **9.0 EVALUATION**

This policy shall be reviewed by the Governance Committee on an annual basis, and any recommendations for improvement will be delivered and discussed with the Executive Director. The Governance Committee shall assess the risk factors related to workplace violence on an ongoing basis.