

	<b>Workplace Violence and Harassment Policy</b>	
<b>Policy #</b> <b>C-AD-331</b>	<b>Issued:</b> <b>June 15, 2010</b>	<b>Date Last Reviewed/Revised:</b> <b>January 8, 2018</b>
<b>Lead:</b> <b>CAO</b>	<b>Manager:</b> <b>Human Resources</b>	<b>Department</b> <b>Human Resources</b>

## 1.0 Purpose

- 1.1 The Town of Lakeshore is committed to providing a positive working environment characterized by mutual respect and freedom from violence and harassment.
- 1.2 The Town has zero tolerance for workplace violence and harassment.
- 1.3 To ensure that all Town workplaces are free from violence and harassment for employees and customers.
- 1.4 To ensure that all Town workplaces are in compliance with Occupational Health and Safety Act and regulations.

## 2.0 Scope

- 2.1 This policy applies to all employees of the Town of Lakeshore, members of Council, as well as individuals external to the Municipal workforce, including visitors, family members or contractors who may come into any Town operated workplace.

## 3.0 Delegation of Authority

The Chief Administrative Officer shall ensure that:

- 3.1 Measures are implemented to ensure that workplace violence, harassment and/or sexual harassment are not tolerated in the Town operated workplaces.
- 3.2 All employees commit to a zero tolerance of workplace violence, harassment and sexual harassment.
- 3.3 Measures are implemented to require prompt and accurate reporting of harassing or violent incidents, whether or not physical injury has occurred.
- 3.4 Measures are implemented to provide for victims of workplace violence or harassment freedom from discrimination and reprisal as well as provide for assistance in every reasonable manner possible.
- 3.5 Measures are implemented to prohibit all employee from engaging in any action, act, or incident in which an employee or worker is physically threatened with injury, or assaulted in circumstances arising out of his or her employment as a direct or indirect action of another employee or a member of the public.
- 3.6 Measures are implemented so that no employee will suffer retaliation or intimidation as a result of using the Complaint process set out in the policy or pursuing other options available for addressing the harassment issue, including the filing of a complaint with the Human Rights Tribunal of Ontario. However, all

employees must realize that the consequences for making frivolous or malicious accusations will be serious.

- 3.7 Human Resources will undertake an investigation of all incidents and that confidentiality is strictly observed during this process.
- 3.8 Human Resources will raise awareness through workplace training of personal safety issue.
- 3.9 The Town of Lakeshore is an equal opportunity employer. Human Resources will ensure that any accommodations under the requirements of the Accessibility for Ontarians with Disabilities Act (AODA) will be provided upon request.

#### 4.0 Definitions

##### 4.1 Workplace violence:

- 4.1.1 The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
- 4.1.2 An attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker, and
- 4.1.3 A statement or behavior 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.

##### 4.2 Workplace harassment:

- 4.2.1 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 and includes workplace sexual harassment.
- 4.2.2 Workplace harassment does not include the reasonable conduct or actions of supervisors intending to provide employee direction, discipline or instruction, such as deficiency notices, performance evaluations, verbal warnings, reprimands or other supervisory actions intended to improve performance.
- 4.2.3 Workplace harassment will include bullying and cyberbully which are defined in 4.3 and 4.4.

##### 4.3 Bullying

- 4.3.1 Repeated, unreasonable or inappropriate behavior directed at a worker, or group of workers, that creates a risk to health and safety. Forms include physical, verbal or social.

##### 4.4 Cyberbullying

- 4.4.1 The use of electronic media (i.e. cell phones, instant messaging, emails, chat rooms or social networking) to threaten, embarrass, intimidate, or exclude someone, or to damage their reputation. This includes Facebook, Twitter, LinkedIn, etc or any other social media sites.

##### 4.5 Workplace sexual harassment:

- 4.5.1 Engaging in a course of vexatious comment of conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment of conduct is known or ought reasonably to be known to be unwelcome; or,

- 4.5.2** Making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

## **5.0 Consequences**

- 5.1** The Town has a zero tolerance for workplace violence and harassment. The Town also has zero tolerance for reprisals if a complaint is lodged.
- 5.2** If reprisal has occurred, disciplinary action may be taken up to and including termination.
- 5.3** Failure to follow this procedure may result in discipline up to and including termination.
- 5.4** Failure to follow this procedure may result in contravention of the Ontario Human Rights Code or Occupational Health and Safety Act.
- 5.5** If it is determined through the investigation process that harassment and or violence has occurred in any of the Town's workplaces, disciplinary action will be taken up to and including termination.

## **6.0 Reference Documents**

- 6.1** Workplace Violence and Harassment Procedure AD-HR-331
- 6.2** Occupational Health & Safety Act Ontario (OHSA)
- 6.3** Employee Code of Conduct
- 6.4** Ontario Human Rights Act
- 6.5** Accessibility for Ontarians with Disabilities Act (AODA)
- 6.6** Workplace Safety and Insurance Act (WSIA)
- 6.7** Employment Standards Act Ontario

## **7.0 Communication**

- 7.1** This policy will be posted on the Town's website for communication to staff and the public.
- 7.2** This policy will be posted on the Town's Health and Safety Communication Boards.

## **8.0 Review/Revisions**

- 8.1** This policy will be reviewed annually to ensure accuracy and current compliance of legislation.
- 8.2** Revision log:

<b>#</b>	<b>Date Revised</b>	<b>Author</b>	<b>Section</b>	<b>Details of Change</b>
1	May 18, 2012			
2	July 6, 2012			
3	November 12, 2015			
4	January 17, 2017	Lisa Granger	Whole	Developed new policy template.

#	Date Revised	Author	Section	Details of Change
5	January 8, 2018	C. Dranchak	6.7 and 7.2	Added reference to Employment Standards Act; Added internal location of policy posting

Refer policy questions to: Manager of Human Resources.

The Chief Administrative Officer is signing on behalf of the resolution from Council to approve this policy.

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Tom Touralias  
Chief Administrative Officer  
Town of Lakeshore