

Anti-Violence Policy

1 - Purpose

This Policy is intended to ensure that United Way Greater Toronto (UWGT) has established measures to:

- Prevent or lower the probability of violence directed toward UWGT employees in the workplace
- Respond swiftly and appropriately to the threat of violence or actual incidents of violence, no matter what the cause
- Provide support to UWGT employees who have experienced or witnessed a traumatic workplace incident

2 - Scope

This Policy applies to Board Trustees, other volunteers, independent contractors and all employees.

Workplace violence is not limited to incidents that occur in UWGT offices. Work-related violence can occur at off-site business-related functions (meetings, conferences), at social events related to work, in employees' homes or away from work but resulting from work (e.g. a threatening telephone call outside of work time).

3 - Policy

UWGT is committed to providing and maintaining a workplace that is free of any form of violence. Managers, employees, sponsored employees, volunteers and independent contractors are expected to uphold this Policy and will be held accountable to do so. UWGT will investigate and respond to any complaint of violence and will take remedial action as necessary and appropriate, including disciplinary action up to and including dismissal.

Workplace violence includes any act in which a person is abused, threatened, intimidated or assaulted in his or her employment. Workplace Violence includes:

- The attempted or actual exercise of any intentional physical force that causes or may cause physical injury to an employee
- Any threats which give an employee reasonable grounds to believe he or she is at risk of physical injury

Examples of workplace violence include:

- Threatening behaviour such as shaking fists, destroying property or throwing objects
- Verbal or written threats that express an intent to inflict harm

REVIEW PROCESS

Anti-Violence Policy

- Physical attacks such as hitting, shoving, pushing, kicking, sexual assault

4 - Procedures

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

Prevention

Employees will be informed of a potential risk of violent behavior by another employee, sponsored employee, volunteer or independent contractor if there are reasonable grounds to conclude that there is a risk of workplace violence.

Any recommendations arising out of an investigation of workplace violence will be brought forward to the Senior Executive Team.

The Joint Health & Safety Committee shall regularly review and report on risks of workplace violence.

People and Culture (P&C) will review the effectiveness of the Workplace Violence program including a risk assessment on an annual basis and make recommendations for improvement, if necessary.

All employees 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:

- Direct or indirect threatening statements to do harm to self or others
- Obsessions or fixations on other incidents of workplace violence at UWGT or at another workplace
- Intimidating comments, gestures, behaviors, including insubordination, defiance, pestering or confrontational behavior
- History of aggressive or reckless behavior
- Recent marked decline in performance
- Major change in personality, mood, attitude, standards/expectations or personal grooming, which may include a withdrawal from social/workplace interactions
- Obsession or fixations regarding a person or things (particularly weapons)
- Experiences or comments regarding serious personal stressors such as a death in the family, bankruptcy, etc.
- Potential abuse of prescribed or illegal substances

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

REVIEW PROCESS

Anti-Violence Policy

Urgent Response

- a) Employees should report to their immediate manager and/or P&C any early warning signs of a potentially threatening situation that raises a concern for an employee's safety or any instance of workplace violence.
- b) In the event that a violent behavior is imminent or requires immediate intervention, the employee involved or a witness must immediately notify their director/Vice President and/or P&C.
- c) Where a violent act requires the services of a first aid responder, trained employees will be responsible to provide those services. Employees with first aid training are listed on bulletin boards on each floor. In an emergency, employees should also call 911 if required.
- d) In the event of physical assault, police services will be called immediately. The assistance of police services may be involved either at the request of the involved parties or at the request of UWGT in the event of a non-physical form of workplace violence.
- e) P&C will notify the Joint Health and Safety Committee of any instance of workplace violence.

Investigation

The Vice President, People and Culture will investigate any complaint. If the complaint is against the Vice President, People and Culture, the complaint should be addressed to the Chief Executive Officer (CEO) who will appoint an investigator. If the complaint is against the CEO, the Chair of the Board of Trustees will designate someone to investigate the matter. In this instance, the Chair of the Board of Trustees will receive the investigative findings and determine appropriate action.

At its sole discretion, UWGT may choose to place an employee on paid leave pending the completion of an investigation under this Policy.

Any employee represented by COPE Local 343 has a right to be represented by their Union in any part of the formal complaint process.

The investigator will interview all concerned parties and review any supporting documents. They will provide the complainant and respondent with preliminary factual findings and request any further comments. A report will then be made to the Vice President, People and Culture and the CEO.

The Investigator will not be responsible for deciding what disciplinary or rehabilitative action is appropriate.

Actions after the Investigation

Where a complaint has been substantiated by the investigation, the CEO or their delegate will communicate findings and subsequent action to the parties. 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 CEO or their delegate will be responsible for the implementation and monitoring of the action plan.

REVIEW PROCESS

Anti-Violence Policy

In the event that the Investigator believes that a complaint is frivolous, vexatious, or made in bad faith, disciplinary action may also be imposed up to and including termination.

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:

- A referral to the employee's Physician and/or Medical Consultant for UWGT
- Utilizing the Short Term Disability benefits while seeking professional counseling for a psychological condition
- Voluntary or mandatory referral to counseling or other services suggested by the UWGT
- Fitness for work evaluation by an appropriate third party
- Immediate administrative leave or disciplinary suspension, obtaining appropriate court orders and/or police involvement as required

If it is determined that an employee has engaged in workplace violence, they 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:

- Discharge of the employee, sponsored employee, independent contractor or volunteer
- A formal apology
- Conditional last chance agreement
- Suspension, with or without pay
- Written warning, a copy of which will be placed in the person's employee file
- Retraining

The remedial and/or disciplinary action imposed upon the employee will be documented and placed in the employee's file.

Individuals 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.

Trauma Support

UWGT recognizes that employees who have witnessed or experienced a traumatic event may need special or additional support. Employees and their families have access to an Employee and Family Assistance Plan (EFAP). Information is available on the intranet and on P&C bulletin boards. P&C can also arrange for EFAP counselors to be onsite after a traumatic event.

Confidentiality

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

REVIEW PROCESS

Anti-Violence Policy

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 maintained by P&C.

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 Joint Health and Safety Committee.

Responsibilities

It is the responsibility of UWGT to:

- Take reasonable preventative measure to protect employees and others in the workplace from workplace violence
- Ensure that the Policy has been communicated to all employees, sponsored employees, volunteers and independent contractors
- Make the Policy easily accessible (intranet and bulletin boards)
- Establish a process for reporting and responding to incidents of workplace violence
- Ensure that the Policy and procedures are maintained and followed
- Monitor risks of workplace violence on a regular basis
- Inform the Joint Health and Safety Committee or representative if a person is killed, critically injured, disabled from performing their usual work or requires medical attention due to workplace violence

It is the responsibility of managers and supervisors to:

- Understand and abide by the requirements of this Policy
- Encourage the reporting of complaints or incidents of workplace violence
- Respond to all complaints or incidents with the appropriate urgency and manner for the circumstances
- Promptly report all complaints or incidents of workplace violence they receive or witness

It is the responsibility of employees, sponsored employees, volunteers and independent contractors to:

- Comply with this Policy at all times and to protect themselves and others from workplace violence
- Participate in training regarding the Policy and its related procedures
- Fully cooperate in any investigation of complaints into incidents of workplace violence or breaches of this Policy

It is the responsibility of the Joint Health and Safety Committee to:

- Recognize the risks of workplace violence in the course of carrying out their regular functions such as inspecting workplaces

REVIEW PROCESS