

Anti-Violence Policy

1 - Purpose

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

- Take all reasonable steps 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; and
- Provide support to UWGT employees who have experienced or witnessed a traumatic workplace incident or who have experienced workplace violence or the threat of violence.

2 - Scope

This Policy applies to all Board Trustees, other volunteers, independent contractors, sponsored employees, and 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 an individual's home or at a location away from work where the location away from work where the comments or conduct originate from someone that the worker has come into contact within the workplace (e.g., a threatening telephone call from a co-worker outside of work time).

3 - Policy

UWGT is committed to providing and maintaining a workplace that is free of any form of violence. All Board Trustees, other volunteers, independent contractors, sponsored employees, and employees 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 it deems necessary and appropriate in response to a violation of this Policy, including disciplinary action up to, and including termination of employment for employees or other appropriate action for anyone else who is covered by the Policy.

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

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

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

UWGT's *Non-Discrimination and Harassment Policy* [provide link once approved] addresses harassment or intimidation (e.g., behaviours that demean, embarrass, or humiliate and are known or ought reasonably to be known to be unwelcome).

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

Reasonable preventative measures will be undertaken to protect employees, sponsored employees, volunteers or independent contractors from workplace violence, including if reasonably foreseeable threats or imminent dangers exist or may take place. Employees will be informed of a potential risk of violent behaviour 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 maintain a safe work environment, wherever possible, not engage in or ignore violent, threatening, intimidating or other disruptive behaviours and acknowledge current and historical stereotypes and biases that reinforce narratives that certain equity deserving groups are more violent. The following factors, which are not exhaustive, are intended as a guide for warning signs of a potential for violence:

- Direct or indirect threatening statements to do harm to self or others;

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- 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 behaviour;
- Changes in behaviour patterns in personality, mood, energy levels, ability to focus, decision making, attitude, standards/expectations or personal grooming;
- 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.; or
- 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.

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 a potential risk 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 an act of workplace violence requires the services of a first aid responder, trained employees will be responsible to provide those services. If the act of workplace violence takes place at one of UWGT's offices, employees with first aid training are listed on bulletin boards on each floor. In an emergency, where there are no trained employees with first aid training, 911 should be called 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. UWGT acknowledges the historical and contemporary traumatic relationship between police and equity deserving groups so engaging with police services will be the last resort if required.
- e) P&C will notify the Joint Health and Safety Committee of any instance of workplace violence.

Investigation

The immediate supervisor in partnership with a member of the P&C team will initiate a review within thirty (30) days after any complaint is received and determine whether a formal investigation is required. The format of a review or investigation may vary, depending on the nature and particular circumstances of each report. If the complaint is against the supervisor, the complaint should be addressed to the department executive team member who will conduct the review or investigation into the complaint in partnership with a member of the P&C team. 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 someone to complete the review or investigation. If the complaint is

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against the CEO, the Chair of the Board will designate a third party external to UWGT to review and/or investigate the complaint, receive the 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.

If a formal investigation is required, 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 within sixty (60) days of the completion of the investigation.

If a formal investigation is required, 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.

In the event that the investigator reasonably concludes that a complaint is frivolous, vexatious, or made in bad faith, disciplinary action may also be imposed up to, and including termination of employment for employees, or other appropriate action for anyone else who is covered by the Policy.

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 counselling for a psychological condition;
- Voluntary or mandatory referral to counselling or other services suggested by the UWGT;
- Fitness for work evaluation by an appropriate third party; or
- Immediate administrative leave or disciplinary suspension, obtaining appropriate court orders and/or police involvement as required.

If it is determined that an individual covered by this Policy has engaged in workplace violence, appropriate corrective actions will be taken, which may include any of the following:

- formal apology;
- counselling;

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- written warning placed in the volunteer's/employee's file;
- change of work assignment;
- suspension or discharge of an employee and/or termination of an individual's relationship with UWGT.

The corrective action taken on an employee will be documented and placed in the employee's file.

Individuals who engage in further violent behaviour 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 or other appropriate actions as determined by UWGT.

No Reprisal

UWGT will not take reprisal in any way against anyone who files a complaint in good faith or who acts as a witness or otherwise participates in the investigation of a complaint. UWGT also prohibits reprisal by anyone against another employee who makes a complaint in good faith or acts as a witness or otherwise participates in an investigation. Any employee who is found to have engaged in reprisal against a person for seeking assistance through this Policy and Program, or for filing a complaint in good faith, may be subject to discipline, up to and including termination. UWGT will also take appropriate action in relation to any Board Trustee, volunteer or sponsored employee who is found to have engaged in reprisal in violation of this Policy.

Reprisal includes:

- a) Any adverse action or consequence that occurs because an employee has complained of or provided information about an incident of workplace violence;
- b) Intentionally pressuring anyone who is covered by this Policy to ignore or not report an incident of workplace violence; or
- c) Intentionally pressuring anyone who is covered by this Policy to lie or provide less than full cooperation with an investigation of a complaint of an incident of workplace violence.

An employee who makes a false complaint or otherwise abuses this process may be disciplined up to and including termination of employment. Such discipline is not a reprisal or breach of this Policy. UWGT will also take appropriate action in relation to a Board Trustee, volunteer or sponsored employee who makes a false complaint or otherwise abuses this process.

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) as well as relevant insurance coverage to psychological services. Information is available on the intranet. P&C can also arrange for EFAP counsellors to be available for employee support after a traumatic event.

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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 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 them. Further, it is understood that any information gathered during the investigation that is not subject to privilege may be required to be disclosed to the Ministry of Labour, Human Rights Tribunal, and/or Workplace Safety & Insurance Board in a subsequent proceeding 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 is reviewed annually and is clearly communicated to all Board Trustees, employees, sponsored employees, volunteers and independent contractors;
- Make the Policy easily accessible;
- Establish a process for reporting and responding to incidents of workplace violence;
- Provide support and resources to those individuals experiencing or witnessing incidents of violence;
- Ensure that the Policy and procedures are maintained and followed;
- Monitor risks of workplace violence on a regular basis; and
- 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 as outlined in this Policy.

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

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

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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.

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