

COMMONWEALTH GAMES CANADA WORKPLACE VIOLENCE – BILL 168

Purpose:

Commonwealth Games Canada (CGC) is committed to establishing programs and procedures to reduce the risk of violence and unacceptable behaviour in the workplace.

Scope:

This policy applies to all employees, visitors, contractors and suppliers of and to Commonwealth Games Canada.

Commonwealth Games Canada does not tolerate violence in the workplace perpetrated by or against employees, customers or other third parties. Commonwealth Games Canada will also take reasonable precautions to ensure that domestic violence does not expose an employee to physical injury in the workplace. In the event of a violent incident or unacceptable behaviour perpetrated by an employee, Commonwealth Games Canada will act to severely discipline the employee, up to and including discharge for cause.

Commonwealth Games Canada shall establish programs and procedures to reduce the risk of violence and unacceptable behaviour in the workplace. All employees are expected to be aware of and participate in such programs and procedures, as required.

The violence prevention program shall include:

- Risk assessment process
- Policies and procedures
- Control measures in place/ evaluation and implementation of corrective action
- Communication process/instruction to workers
- Training and education
- Reporting and investigation process

Definitions

“Workplace Violence” means:

- (a) The exercise of or attempt to exercise physical force by a person against an employee in the workplace that causes or could cause physical injury.
- (b) A statement or behaviour that it is reasonable for an employee to interpret as a threat to exercise physical force, which could cause physical injury against the employee.
- (c) Examples of workplace violence include but are not limited to:
 - Hitting, kicking, punching, pushing, shoving, slapping, pinching, grabbing, biting
 - Carrying or brandishing weapons of any sort
 - Throwing objects at an individual with a view to cause physical injury or fear
 - Destruction of workplace or co-workers' property
 - Threats of violence
 - Intimidating behaviour that causes the recipient to have a fear of physical violence.

“Domestic violence” means a pattern of coercive tactics which can include physical, psychological, sexual, economic and emotional abuse perpetrated by one person against an adult intimate partner, with the goal of establishing and maintaining power and control over the victim.

“Workplace” means in or on the property of Commonwealth Games Canada or away from Commonwealth Games Canada property if the employee is engaged in work-related activities.

“Close Calls” means incidents which did not result in actual physical harm but, except for circumstance, had the potential to result in physical harm.

“Minor Incident” means an incident in which no one is physically harmed in any way and which was resolved through employee or supervisory mediation.

“Serious Incident” means an incident in which someone was physically harmed (whether requiring medical attention or not), or which continued or escalated after management mediation.

Procedure

1. Reporting Violence

Employees are responsible for informing their supervisor of any violence or potential risk of violence they may experience or witness. This includes issues in the employee’s non-work life that may impact on the employee’s or his/her co-worker’s safety.

2. Summoning Assistance

- (a) Where a violent situation occurs and the supervisor is not available, the employee should follow the procedure for their area.
- (b) An employee should remain in a safe place that is as near as reasonably possible to his/her work and available for the investigation.
- (c) Employees are expected to co-operate with the police, Commonwealth Games Canada investigators or other authorities as required during any investigation related to workplace violence.

3. Supervisor’s Responsibility

- (a) Supervisors are responsible for contributing towards the assessment of the risk of violence to employees in their jurisdiction, minimizing those risks where necessary or reasonably possible and informing any affected employee of such risk or potential risk.
- (b) Supervisors are responsible for ensuring proper medical care is provided for anyone involved in an incident and for securing the safety of employees, before investigating the incident or taking reports.
- (c) Supervisors are responsible for co-operating with police, Commonwealth Games Canada investigators or other authorities, as required during any investigation related to workplace violence.
- (d) Supervisors are responsible for ensuring employees are trained to:
 - (i) recognize the potential for violence;
 - (ii) follow the procedures and policies developed to minimize risk;
 - (iii) respond to incidents appropriately; and
 - (iv) report and document such incidents.
- (e) Supervisors are responsible to provide information related to a risk of workplace violence from a person with a history of violent behaviour
 - (i) if the employee can be expected to encounter that person in the course of his/her work and
 - (ii) the risk of workplace violence is likely to expose the employee to physical injury.

- (iii) only personal information that is reasonably necessary to protect the worker from physical injury will be provided
- (f) Supervisors are responsible for tracking and reporting risks of violence, incidents of violence, and close calls to the Joint Health and Safety Committee or health and safety representative, and Management, according to the time lines set out in the procedures. The Violent Incident Report Form shown in Appendix A to this policy is used for this purpose.

4. Risk Assessment

- (a) The Chief Executive Officer shall initiate a process to involve all employees and the Human Resources Committee in assessing the risk of violence within CGC. The Workplace Violence Risk Assessment form shown in Appendix B to this policy is used for this purpose.
- (b) A written report on the results will be provided to all parties to the risk assessment process as well as employees.
- (c) Once the results have been analysed by the parties, recommendations as well as actions will be taken to remove as many risks as can be reasonably removed and instructing employees to recognize risk.
- (d) Specific written policies and procedures will be developed to respond to any identified risks.
- (e) The risk assessment shall be reviewed at least annually.

5. Communications

- (a) This policy and procedures shall be posted in all locations so that they are available to all employees.
- (b) This policy will be included in the new hire orientation. The Administrative Coordinator shall ensure a copy of this policy and all other related policies is provided to and reviewed with each new employee during that employee's documentation and orientation process.
- (c) Employees are responsible for attending any training or information sessions provided by Commonwealth Games Canada to reduce violence or risks of violence.
- (d) All aspect of the violence prevention plan including the policies will be reviewed annually to ensure it is effective.

6. Training and Education

- (a) All employees will be educated and trained on the contents of this policy. These training and education session will be scheduled by the Human Resources Committee.
- (b) Training program for employees shall include:
 - (i) The means to recognize potentially violent situations;
 - (ii) Procedures, work practices, administrative arrangements and engineering controls that have been developed to minimize or eliminate the risk to employees;
 - (iii) The appropriate responses of employees to incidents of violence, including how to obtain assistance
 - (iv) Procedures for reporting violent incidents
 - (v) Supervisors and managers will also have the necessary training to safely supervise all workers.

7. Reporting and Investigation

- (a) Each and every incident of violence in the workplace shall be reported immediately to the respective supervisor. The supervisors shall investigate the incident immediately.

The Violent Incident Investigation Checklist shown in Appendix C to this policy may be used to ensure proper investigation of any reported violent incident.

- (b) The supervisors shall immediately make the appropriate inquiries of the victim and/or witnesses to determine if the incident is minor or serious. If the incident is minor:
 - (i) the supervisors will determine if mediation is appropriate and if so, mediate or arrange for mediation of the situation;
 - (ii) conduct the appropriate investigation immediately; and within twenty-four (24) hours, write a report outlining the details, facts and witnesses of the incident and submit the report to the CEO and the Human Resources Committee.
 - (iii) If the assailant is an employee, the supervisors shall apply appropriate disciplinary measures based on the facts of the incident and the assailant's employment record.
- (c) If the incident is serious:
 - (i) the supervisors must first ensure the safety of employees and him/herself;
 - (ii) ensure proper medical treatment is provided or sent for;
 - (iii) contact the authorities as soon as possible (police or Ministry of Labour, where appropriate), to report the incident;
 - (iv) contact the CEO and Human Resources Committee, as appropriate, as soon as possible, to assess who should be involved in the investigation;
 - (v) conduct a thorough investigation, keeping detailed notes of facts, times, witnesses, and witness accounts;
 - (vi) within twenty four (24) hours after the completion of the investigation write and submit a detailed report of the incident to the Human Resources Committee and the CEO, and any other parties required by law;
 - (vii) consult with the CEO regarding any disciplinary action to be applied.

Forms

Violent Incident Report Form (Appendix A)
Violent Incident Investigation Checklist (Appendix C)
Workplace Violence Risk Assessment Form (Appendix B)

Related Policies, Procedures:

CGC's Conduct Policy

Related Legislation:

Bill 168, Occupational Health and Safety Amendment Act (Violence and Harassment in the Workplace) 2990 - http://www.labour.gov.on.ca/english/hs/sawo/pubs/fs_workplaceviolence.php