

CORPORATE POLICY

POLICY TITLE: **WORKPLACE VIOLENCE**

POLICY NO.: **13.C.03**

Section:	Human Resources		
Effective Date:	July 1, 2022	Date of Last Review:	May 01, 2019
Approval Authority: Council	Policy Owner: DCM, Corporate Services & CFO		

POLICY STATEMENT

Violence in the workplace presents a risk to the safety and well-being of all Employees, City Officials, citizens and visitors. It is everyone’s responsibility to prevent Workplace Violence including Sexual Violence, threats of violence, and physical harm. The City of Vaughan is committed to a safe and healthy work environment where everyone is treated with dignity and mutual respect.

The City will take all reasonable steps to protect its Employees and City Officials from Workplace Violence from all sources. The City of Vaughan maintains a zero-tolerance approach to Workplace Violence between:

1. Employees including students, interns and volunteers
2. Employees and City Officials (Elected or Appointed)
3. Employees and contractors
4. Employees and citizens or visitors of the City

PURPOSE

The City of Vaughan is committed to providing a safe work environment. The City will not tolerate any acts of violence and will take all reasonable steps to prevent Workplace Violence and protect Employees.

This Policy works in conjunction with the Workplace Violence Procedures, the City’s Health and Safety program, the Employee Code of Conduct and the Respectful Workplace Policy (Human Rights and Anti-Discrimination/ Harassment).

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Supervisors and Managers must adhere to this Policy and the related procedures. Supervisors are responsible for ensuring that measures and procedures are followed by all Employees and that Employees have the information they need to protect themselves against Workplace Violence.

Every Employee must comply with the *Occupational Health and Safety Act*, this Policy and the related procedures. All Employees are required to report Workplace Violence including threats of violence to their Manager or Supervisor.

Management will investigate and deal with all incidents and complaints of Workplace Violence in a fair and timely manner, respecting the privacy of all concerned to the extent possible.

All reported incidents of Workplace Violence shall be considered serious and appropriate action shall be taken.

SCOPE

1. This Policy does not deal with claims of discrimination or harassment. Incidents or complaints of discrimination or harassment are dealt with under the City of Vaughan's Respectful Workplace Policy (Human Rights and Ant-Discrimination/Harassment).
2. This Policy applies to all:
 - Employees – permanent, full-time, part-time, contract, seasonal, temporary
 - Students and interns
 - City program and service volunteers
 - Elected officials/representatives
 - Appointees
 - Contractors
3. Where someone who is not a City Employee or Official perpetrates violence, the City will take reasonable steps to address the situation.
4. This Policy applies to:
 - 4.1. Violence that may occur at any City workplace.
 - 4.2. Violence that may occur outside of the workplace or outside of work hours where the violence may affect the safety of an Employee at the workplace.

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- 4.3. Situations of domestic violence or persons with a history of violent behaviour that the City becomes aware of that would likely expose an Employee to physical injury or violence in the workplace.
5. Nothing in this Policy shall limit the rights of an Employee to refuse unsafe work in accordance with Part V of the *Occupational Health and Safety Act*.
6. Nothing in this policy shall limit the right of the City to respond to an incident of Workplace Violence, Sexual Violence or Domestic Violence of which the City is aware whether or not an Employee has made a complaint.

LEGISLATIVE REQUIREMENTS

This Policy complies with the requirements under the *Occupational Health & Safety Act*.

DEFINITIONS

1. **Critical Injury:** An injury of a serious nature that: places life in jeopardy; produces unconsciousness; results in substantial loss of blood; involves the fracture of a leg or arm (but not a finger or toe); involves the amputation of a leg, arm, hand or foot (but not a finger or toe); consists of burns to a major portion of the body; or causes the loss of sight in an eye.
2. **Domestic Violence:** A pattern of abusive behaviours by one or both partners in an intimate relationship such as marriage, dating, family, friends or cohabitation. Commonly referred to as domestic abuse or “intimate partner abuse”.
3. **Employee,** for the purposes of this policy, includes A person who performs work or supplies services for monetary compensation, or who is enrolled as a student or volunteers for the City.
4. **Joint Health and Safety Committee:** A committee required under the *Occupational Health and Safety Act* that consists of labour and management representatives who meet on a regular basis to deal with workplace health and safety issues.
5. **Official (Elected or Appointed):** A person who holds a public office or membership on a Council Committee with the City of Vaughan whether obtained by election or by appointment of the City Council or The Corporation of the City of Vaughan.

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6. Sexual Violence: Any sexual act or act targeting a person’s sex, sexuality, sexual orientation, gender identity or gender expression, whether the act is physical or psychological in nature, that is committed, threatened or attempted against a person without the person’s consent and includes, but is not limited to, sexual assault, stalking, indecent exposure, voyeurism and sexual exploitation.

7. Workplace Violence: Any exercise of or attempt to exercise physical force by a person against an Employee, in a City workplace, that causes or could cause physical injury to the Employee, or a statement or behaviour that it is reasonable for an Employee to interpret as a threat to exercise physical force against the Employee that could cause physical injury to the Employee. Workplace Violence includes Sexual Violence.

Workplace Violence can include acts of violence that occur when an Employee is outside of the workplace or outside of work hours if the incident could affect the safety of the Employee at the workplace.

8. Workplace Violence Policy Coordinator: The Chief Human Resources Officer or their designate.

9. Workplace: The workplace includes all locations where business or other activities of the City are conducted where an Employee of the City works. This policy may apply to incidents that happen away from work (e.g., inappropriate social media posts, phone calls, e-mails or visits to an employee’s home, incidents at luncheons, after work socials) that impact the workplace.

For definitions of Harassment or Discrimination, see the City’s Respectful Workplace Policy (Human Rights and Anti-Discrimination/Harassment).

POLICY

1. General

1.1. The City of Vaughan recognizes that the most effective way to deal with Workplace Violence is through preventative action, including informing, educating and proper reporting of Workplace Violence.

1.2. The City will take all reasonable steps to provide its Employees and City Officials with an environment that is free from Workplace Violence.

1.3. Every Employee has a duty to report Workplace Violence to their manager or supervisor. If their manager or supervisor is involved, they should report the matter to the next level of management or the Workplace Violence Policy

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Coordinator. If an Employee fears for their safety and requests to report in confidence, they should contact Human Resources. If there is an immediate risk of violence or harm to a person, contact the police.

- 1.4. The City of Vaughan is committed to establishing measures to prevent Workplace Violence.
- 1.5. The City of Vaughan will perform Workplace Violence Assessments and Threat Risk Analyses for all City workplaces as often as necessary. Results of the assessments will be provided to the Joint Health and Safety Committee representing the workplace.
- 1.6. Investigations relating to reports or incidents of Workplace Violence, Sexual Violence or Domestic Violence will be undertaken in accordance with the City's Workplace Violence Procedures.
- 1.7. An Employee who engages in Workplace Violence or otherwise found to be in contravention of this Policy will be disciplined up to and including termination of employment for cause.
- 1.8. The City will provide assistance and support to any persons who are involved in incidents of Workplace Violence, Sexual Violence or Domestic Violence in City workplaces.

2. Guiding Principles

There are several guiding principles which govern the City in dealing with Workplace Violence. These include:

- 2.1. Every Employee has a duty to report Workplace Violence.
- 2.2. All Employees, City Officials, citizens and visitors in all City workplaces and City operated facilities have a right to be safe.
- 2.3. The City promotes a respectful workplace where everyone is treated with dignity, civility and mutual respect.

3. Roles and Responsibilities

3.1. People Leaders, Management and Supervisors must:

- 3.1.1. Take all reasonable steps to protect an Employee from Workplace Violence. This duty includes the obligation to be familiar with and uphold this Policy and related procedures.

3.2. Workplace Violence Policy Coordinator:

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3.2.1. The Chief Human Resources Officer is designated as the Workplace Violence Policy Coordinator (WVPC) and is responsible for the Workplace Violence Policy and related Procedures.

3.2.2. Where the WVPC is involved in the alleged incident, the City Manager shall appoint a suitable alternate to act as WVPC.

3.3. Employees:

3.3.1. Every Employee including all City employees, students, interns, volunteers, City Officials and contractors have a responsibility to adhere to this Workplace Violence Policy and to ensure that the environment is safe and free from Workplace Violence.

3.3.2. Employees shall not engage in, condone or ignore Workplace Violence.

3.3.3. Anyone who believes that Workplace Violence is taking place must notify their Supervisor or Manager and/or the Workplace Violence Policy Coordinator. If there is an emergency, call 911.

4. Reporting and Investigation

4.1. Employees must report Workplace Violence to their People Leader, Supervisor or Manager.

4.2. Employees who have reasonable grounds to believe a violation of the Workplace Violence Policy has occurred must report such activity or behaviour to their supervisor or manager.

4.3. If the supervisor or manager is involved or fails to address the incident, the Worker should report the incident or violation to the next level of management or the Chief Human Resources Officer. If possible, the Employee should confirm their report of Workplace Violence in writing.

4.4. If an Employee fears for their safety and requests to report in confidence, they should contact Human Resources.

4.5. If there is an immediate risk of violence or harm to a person, contact the police.

4.6. Supervisors or managers shall take all reasonable steps to prevent and stop Workplace Violence which comes to their attention.

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4.7. Any supervisor or manager who is subject to, witnesses, or receives a complaint of Workplace Violence violation shall work to minimize or eliminate the issue. If this is not possible with available resources, the supervisor or manager is required to report the issue to their Director, Deputy City Manager or the City Manager, as appropriate.

4.8. The City shall investigate all complaints and take all reasonable steps to protect Employees and City Officials from workplace violence.

5. No Retaliation

5.1. The City will not condone retaliation or reprisal against an Employee who in good faith reports or complains about Workplace Violence or a violation of the Workplace Violence Policy. Likewise, retaliation or reprisal against someone who is a witness or is involved in Workplace Violence investigation is strictly prohibited.

5.2. All Employees must cooperate fully during an investigation involving Workplace Violence or a violation of this Policy.

6. Remedial Action

6.1. Any Employee who is found to have engaged in Workplace Violence or violated this Workplace Violence Policy may be subject to disciplinary action up to and including termination of employment of cause.

6.2. In addition, complaints which are found to be made in bad faith may result in discipline against the complainant.

6.3. Complaints alleging violence or sexual violence by a Member of Council should be forwarded to the City's Integrity Commissioner to be addressed under the Code of Ethical Conduct for Members of Council and Local Boards (Policy No. CL -011).

7. Awareness of the Workplace Violence Policy

7.1. This Workplace Violence Policy will be made available to all employees by providing it at the time of employee onboarding and orientation, by inclusion in the New Employee Handbook, and by making it available and accessible on the City's intranet.

7.2. In addition, employees shall be required to acknowledge and sign-off on the Workplace Violence Policy on a yearly basis and/or from time to time as necessary.

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8. Annual Report

8.1. An annual report will be provided to the City Manager of the number of complaints received, the nature of the complaints, the resolution of the complaints, and any recommendations. The identity of the persons involved will not be disclosed in the report.

ADMINISTRATION

Administered by the Office of the City Clerk.

Review Schedule:	Other (specify) Annually	Next Review Date:	XXX, 2022
Related Policy(ies):	13.C.01 – Respectful Workplace, 13.A.02 – Employee Code of Conduct, 13.C.04 – Council Staff Relations		
Related By-Law(s):	012-2013 – Roles and Responsibilities of the City Manager		
Procedural Document:	PRC.05 – Workplace Violence		

Revision History

Date:	Description:
1-Apr-22	Review of Policy
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