

Respect in the Workplace: Workplace Violence & Harassment Training



Introduction

We would all like to think ourselves as safe at work, however, wherever people interact there is a chance of violence and harassment.

HCA is committed to providing and maintaining a working environment that is based on respect for the dignity and rights of everyone in the organization.

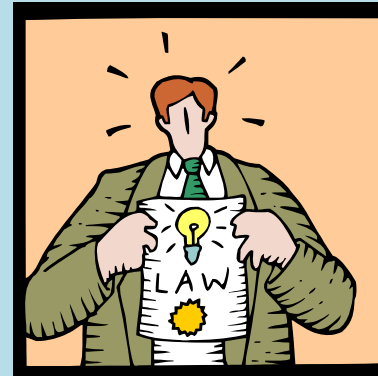
It is HCA's goal to provide a healthy and safe work environment that is free from discrimination, harassment and violence.



The Ontario Occupational Health & Safety Act

As of September 8, 2016, the Ontario Occupational Health & Safety Act (OHSA) formally recognizes and defines:

- Workplace Violence
- Workplace Harassment
- Workplace Sexual Harassment



Workplace violence and harassment are therefore health & safety issues which will be defined and explored further on the upcoming slides.

Workplace Violence

Definition - under the Occupational Health & Safety Act:

- the **exercise of physical force** by a person against a worker, in a workplace, that causes or could cause physical injury to the worker
- an **attempt to exercise physical force** against a worker, in a workplace, that could cause physical injury to the worker;
- a statement of behaviour 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

**Threat, Attempt, or Use
of Violence**

Examples of Workplace Violence

- **Physically threatening behaviour**

-> shaking a fist at someone, finger pointing, destroying property, throwing objects

- **Verbal or written threats** to physically attack a worker

- **Leaving threatening notes** or sending threatening emails

- **Wielding a weapon** at work

- **Stalking** someone

- **Trying to run down a worker** using a vehicle or equipment

- **Inciting a dog to attack** a worker

- **Physically aggressive behaviours**

-> hitting, shoving, standing excessively close to someone in an aggressive manner, pushing, kicking, physically restraining someone, any form of physical or sexual assault



What if a worker is accidentally pushed or hurt?

Accidental situations, such as a worker or visitor tripping over an object and pushing a worker or co-worker as a result, are *not meant to be included*.

Sources of Workplace Violence

Acts of workplace violence can be committed by anyone, including:

- Customers, clients or visitors
- Contractors
- Strangers or people with no ties to the workplace
- Other employees
- Intimate relationships outside of work (such as intimate partners and family, see domestic violence below)

Domestic Violence

Under the OSHA, “if an employer becomes aware, or ought reasonably to be aware, that domestic violence that would likely expose a worker to physical injury that may occur in the workplace, the employer shall take every precaution reasonable in the circumstances for the protection of the worker.”

Therefore if you are experiencing domestic violence that would likely expose you, or other workers, to physical injury that may occur in the workplace, you should **tell your supervisor**.

Workplace Harassment & Sexual Harassment

Harassment Definition - Under the Occupational Health & Safety Act:

“Engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known as unwelcome.”

Harassment may also relate to a form of discrimination as set out in the Ontario Human Rights Code, but it does not have to.

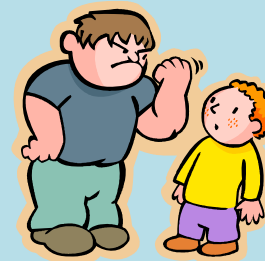
Sexual Harassment Definition - Under the Occupational Health & Safety Act:

“Engaging in a course of vexatious comment or conduct against a worker, in a workplace because of sex, sexual orientation, gender identity or gender expression where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or making a sexual solicitation or advance where the person making it 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 the solicitation or advance is unwelcome.”

What is considered Workplace Harassment?

Workplace Harassment includes:

- Verbally abusive behaviour
 - yelling, insults, ridicule, name calling, jokes/remarks that demean, intimidate or offend
- Workplace pranks, vandalism, bullying and hazing
- Gossiping or spreading malicious rumours
- Bullying
- Displaying or circulating offensive pictures or materials in print or electronic form
- Repeating offensive or intimidating phone calls or emails
- Inappropriate staring, advances, suggestions or requests
- Providing only demeaning or trivial tasks in place of normal job duties
- Undermining a worker's efforts by setting impossible goals, with short deadlines and deliberately withholding information that would enable a person to do their job
- Sabotaging someone else's work
- Isolating or making fun of a worker because of gender identity



What is NOT considered Workplace Harassment?

Workplace harassment should not be confused with legitimate, reasonable management actions that are part of the normal work function, including:

- measures to correct performance deficiencies, such as placing someone on a performance improvement plan,
- imposing discipline for workplace infractions,
- requesting medical documents in support of an absence from work;
- directing and supervision of work tasks and schedules
- normal workplace conflict that may occur between individuals or differences of opinion between co-workers.

The Test of Harassment

- It does not matter whether a person intended to offend someone. The test of harassment is whether they knew or *should have reasonably known* that the comments or conduct were unwelcome to the other person.
- For example, someone may make it clear through their conduct or body language that the behaviour is unwelcome, in which case that person must immediately stop that behaviour.



- Similar to Workplace Violence, Workplace Harassment may come from many different sources including; customers, clients, visitors, other employees, contractors, strangers or people with no ties to the workplace.

Effects of Violence and Harassment

Harassment and violence at work can damage an employee's confidence, morale, motivation and mental or physical health causing them to be less productive, effective or engaged and may lead to acts of physical violence in the workplace.

Employee and Family Assistance program (EFAP)

The Hamilton Conservation Authority provides access to free assistance for employees and their immediate family, who are experiencing any sort of personal or family problems.

The counselling service is strictly confidential – no reports or records are sent to the Conservation Authority. Using the EFAP will not jeopardize any employee's job or future.

The assistance is on a self referral basis and the employee makes the call for an appointment with the EFAP counsellor.

The HCA provides EFAP services through ComPysch.

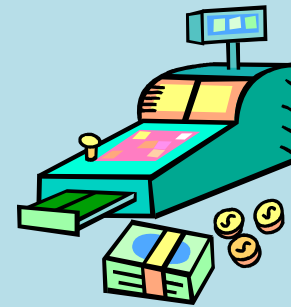
Call toll-free, 24 hours a day, 7 days a week 1- 844-814-2415

What may increase my risk of experiencing Workplace Violence?

Handling cash – workers who handle cash, such as gate staff or food concession cashiers, might become a target for theft or loss.

If You Handle Cash:

- Be aware of people around you.
- Try not to count cash in public view
- Put personal safety ahead of money -- if you are being robbed, do not argue or fight
- Go along with the demands of the robber and give him/her all the cash or merchandise they want
- Do not attempt to apprehend or chase the robber
- Call police immediately after robber has left



**Don't be a
HERO!**

What may increase my risk of experiencing Workplace Violence?

Working alone or in small numbers – workers required to work alone or with very few other workers such as a lone employee to lock up park gates at dusk.

Working early in the morning or late at night when it is dark outside and/or there are fewer people around.

Carrying out security or enforcement duties

Working in isolated properties or buildings



What may increase my risk of experiencing Workplace Violence?

Working with the public

If You Work with the Public:

Listen carefully, use active listening:

eg. “yes sir, I understand you are upset about this issue”

If you encounter a threatening situation with a patron or non- co-worker, respectfully and safely:

**Remove yourself from the situation
&
Call your supervisor**



Prevention

Prevention is the First Priority

Violence or abuse is not part of any job. Every effort should be made to avoid a potentially violent situation.

Top Five Violence Prevention Tips:

1. Be prepared; know the risks
2. Trust your instincts
3. Be ready to respond
4. Remain calm
5. Report all incidents

Prevention

In General Do:

- Be polite and friendly to all co-workers, customers, clients and contractors
- Listen and respond calmly in all discussions you have
- Steer anger away from you – explain that you are following procedure or laws
- Encourage angry individuals to speak to your supervisor

In General Don't:

- Trade insults or react to rage
- Take complaints personally
- Try to physically stop or hold anyone
- Fight

Tips for Dealing with a Potentially Violent Person:

- **Encourage the person to talk.**

 - Ask questions that require a lengthy explanation as this can defuse the intensity of the interaction. Do not tell the person to relax or calm down.

- **Look at the person when they are talking.** Do not look away as if disinterested.

- **Speak simply.** Do not rely on official language or complex terminology

- **Try to understand. Ask questions.**

 - Make statements like “help me understand why you are upset”.

- **Acknowledge the person’s feelings.** Indicate that you can see he or she is upset.

- **Do not pose in a challenging stance,**

 - such as standing directly opposite someone, putting your hands on your hips, pointing your finger, waving or crossing your arms.

- **Use calm body language** with a relaxed posture and hands unclenched.

- **Do not glare or stare** at a potentially violent person as this may be perceived as a challenge.

- **Give the person enough physical space.**

 - This varies by culture, but normally 2 – 4 feet is considered an adequate distance

What to do if you are Attacked

- **Make a scene, yell or scream as loud as possible.
Try shouting words like STOP, FIRE or HELP**
- If you are being pulled along or dragged, fall to the ground and roll
- If you have a radio use it or hold the talk button down so other employees can hear and assist or use your cell phone if you have one
- Run to the nearest safe place
- Call 911 if needed
- As soon as possible, report the incident to your supervisor



Procedure for Resolving & Investigating Workplace Violence

In general, all employees are required to **report the existence or threat** of workplace to your supervisors or another designated person or committee either verbally or in writing using a special report form.

The completed form will be reviewed by the Joint Health & Safety Committee and recommendations may be made.

Procedure for Resolving & Investigating Workplace Harassment & Sexual Harassment

Employees can choose to resolve harassment informally or in a formal manner, based on their comfort level.

Informal Procedure:

- If you believe that you are being harassed, you are encouraged to explain to the person who is harassing or discriminating against them that the conduct is unwelcome, and tell the person to stop.

Informal Procedure - Workplace Harassment

The first thing to do is to **tell the person to stop.**

→ Do so as soon as you receive any unwelcome comments or conduct.

Telling the person you don't like their actions is often enough to stop the behaviour.

Ignoring the situation rarely makes it better.

Do not blame yourself or feel guilty as you are not responsible for the behaviour of others.

Some suggestions of what to say include:

“I don't want you to do that.”

“Please stop doing or saying...”

“It makes me uncomfortable when you ...”

“I don't find it funny when you ...”



If the harassment continues after you have advised the individual to stop, you should report the situation to your supervisor.

Formal Procedure – Workplace Harassment

•If the complaint cannot be resolved informally or if you feel it is too uncomfortable, serious, or do not wish to handle on an informal basis, it should be brought to the attention of your Manager/Supervisor. If your supervisor/manager is the person engaging in the workplace harassment, contact the Director of Human Resources. An incident or a complaint of workplace harassment should be reported as soon as possible after experiencing or witnessing an incident.

•If you bring a formal complaint, provide as much written information as possible, including;

- The names of the parties involved,
- place, date and time of the incident(s),
- names of any possible witnesses,
- details about the incident(s) (behaviours or words used),
- any additional details
- attach any supporting documents, such as emails, handwritten notes, photographs etc.

Investigation

- HCA will ensure that an investigation appropriate in the circumstances is conducted when an incident of workplace harassment is formally received.
- The Director of Human Resources will appoint an internal or external investigator(s), depending on the nature of the complaint.
- HCA may set out any interim measures deemed necessary after a complaint is received and during the investigation process to ensure a fair investigation process and to maintain a professional work environment. This may involve temporary alteration or change in job duties, work hours, work location or reporting relationships and will not affect rate of pay.
- The investigation will be completed in a timely manner and generally within 90 days or less unless there are extenuating circumstances (i.e. illness, complex investigation) warranting a longer investigation.

What if a finding of Workplace Violence or Harassment is made?

If a finding of workplace violence or harassment is made, the Conservation Authority will take appropriate corrective measures.

Corrective measures may include one or more of the following:

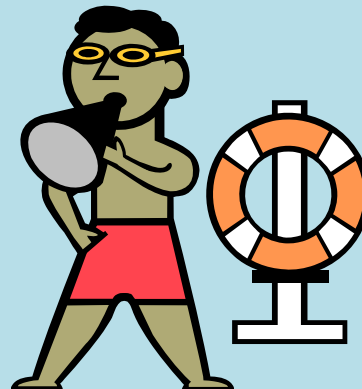
- discipline, such as a verbal warning, written warning or suspension without pay
- referral for counseling (sensitivity training), anger management training, supervisory skills training or attendance at educational programs on workplace respect
- a demotion or denial of a promotion
- reassignment or transfer
- any other disciplinary action deemed appropriate under the circumstances up to and including termination with or without cause

If you make a complaint in good faith, regardless of the outcome of the investigation, you will not be subject to any form of discipline.

The Conservation Authority will discipline or terminate anyone who brings forward a false and malicious complaint.

Employee Responsibilities

- Embrace a violence and harassment-free workplace and refrain from engaging in any harassing, threatening or violent behaviour
- Be an attentive participant in all training that is required and provided
- Immediately report any incidence of violence or threat of violence towards yourself, or one that you witness, to either your immediate supervisor, the director of your department or the committee as per your Conservation Authority's policy
- Cooperate with police and all other people or agencies involved in an investigation



Supervisor Responsibilities

- **Assess the risk** of violence to employees in their areas of responsibility
- **Minimize those risks** where necessary or reasonably possible
- **Inform employees** of any known risk of violence they will encounter in their work
- **Train employees** to recognize the potential for violence
- **Ensure** that employees follow policies and procedures to minimize risk
- **Respond to all incidents** appropriately and confidentially
- **Ensure that medical attention is provided** where required to anyone involved in an incident of violence
- **Secure** the safety of employees
- **Report and document** all reported incidents
- **Do not react negatively** against employees for reporting workplace violence or harassment
- **Lead by example!** As a leader, it is important that you engage in behaviour that is fair and harassment free

This concludes the training section.

Please Continue on to the Test.

