

Purpose:

This policy is designed to control the risks associated with workplace violence and harassment by providing information on conduct that is prohibited, preventative measures, and procedures to address and resolve incidents of workplace violence and harassment in our workplace.

Scope:

This policy applies to all employees, contractors, volunteers, students, clients, patients, visitors, and any other person engaged in business with Dynacare. Dynacare will not tolerate any acts of violence or harassment in the workplace perpetrated by or against an employee, management, vendor, contractor, client, or patient.

Accountabilities:

Employee: Attend training and information sessions, and follow recommended procedures for addressing incidents of harassment and/or violence in the workplace. Report any potential risk of violence, and actual incidents of violence or harassment to your manager or Human Resources.

Management: Attend and deliver training or information sessions. Minimize and control the risk, where reasonably possible. Conduct a workplace risk assessment at all workplace locations (this means all new locations, following major changes at a location, and annually, or earlier where appropriate, in accordance with the regulations). Inform employees of all actual or potential risks and the measures taken to control them. Encourage employees to promptly report all incidents. Ensure the proper medical care is provided to anyone involved in an incident. Report all incidents of violence and/or harassment to Human Resources. Promptly conduct and/or participate in the investigation process and report all findings to Human Resources. Take all reasonable and practical measures to protect workers, acting in good faith, who report workplace violence or act as witnesses, from reprisal or further violence. Take every precaution reasonable in the circumstances for worker protection if they become aware, or ought reasonably to be aware, that domestic violence that would likely expose a worker to physical injury may occur in the workplace

Joint Health and Safety Committee: Participate in the design, implementation, communication, training and ongoing revision of the workplace violence and harassment prevention program. Participate in the review of the Workplace Violence Risk Assessment results.

Human Resources: Design, implement, communicate, train and maintain the violence and harassment prevention program. Maintain and follow a process for reporting, investigating, documenting, and debriefing incidents of violence and harassment. Human Resources to coordinate resolution through consultations with appropriate stakeholders. Conduct a program review at least annually, or more often as needed. Monitor and support management with investigation of incidents of violence and harassment. Communicate results of risk assessments and all incidents of violence and harassment to the JHSC, and regulatory bodies as required.

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Definitions:

Domestic violence: 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 other person.

Incident: An event

- a) in which someone was physically, psychologically, or emotionally harmed or which continued or escalated after management mediation; or
- b) in which no one is physically, psychologically, or emotionally harmed in any way and which was resolved through employee or managerial mediation; or
- c) that did not result in actual physical, psychological, or emotional harm but, had the potential to result in physical harm.

Workplace: In or on the property used to conduct business of Dynacare.

Workplace Harassment: Engaging in a course of vexatious, hostile, or inappropriate comment, conduct, display, action, or gesture against a worker in a workplace that is known or ought reasonably to be known to be unwelcome; and includes

- a) When it is made on the basis of race, creed, religion, color, sex, sexual orientation, gender-determined characteristics, marital status, family status, disability, source of income, physical size or weight, age, political association, nationality, ancestry, or place of origin; or
- b) When it adversely affects the workers dignity, psychological or physical well being and that the person knows or ought reasonably to know would cause the worker to be humiliated or intimidated.

Workplace Violence:

- a) The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker or damage to their property;
- b) An attempt to exercise physical force against a worker in a workplace that could cause physical injury to the worker or damage to their property;
- c) A statement or behavior 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 or damage to their property.

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Procedures:

A. INTRODUCTION

DynaCare recognizes that within our organization any of our workplaces may be at risk for acts of violence or harassment.

Reasonable conduct of an employer or manager with respect to the management and direction of employees or the workplace is not harassment.

Recent amendments to Provincial legislation impose new obligations on employers, including having a workplace violence policy and program and providing information and instruction to all staff about them. DynaCare is committed to maintaining a work environment that does not tolerate violence and harassment. Harassment and violence, including domestic violence, are unacceptable behaviors in our workplace. Anyone who contravenes this policy may be subject to a disciplinary action, up to and including immediate termination of employment.

B. PREVENTION

The following preventative measures are to be taken in an effort to prevent an incident of violence from occurring:

1. Management

- Assess the risk of violence to employees and take measures to prevent and/or control the risk from occurring
- Provide employees training to recognize potential hazards of workplace violence, and measures to take for their protection, as well as how to respond to incidents appropriately, and to report and document such incidents.
- Provide the necessary personal information to workers, regarding persons with a history of violent behavior, if:
 - the worker is expected to encounter that person in the course of his/her employment
 - and**
 - the employee is likely to be exposed to workplace violence from that person.
- Further assess and control risks to workers from the risk of domestic violence occurring in the workplace when you are aware or should reasonably be aware of the potential exposure to domestic violence in the workplace.
- Post emergency contact numbers (e.g., police, security)
- Post signage indicating “Authorized Personnel Only” to non-public areas
- Post the Workplace Violence and Harassment Policy in a conspicuous place in all workplace locations.
- Where available, arrange for security guard to make frequent patrols within the facility

2. In General for All Employees

- Know location of emergency numbers and how to contact them
- Identify safe areas to go in your workplace

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- Report promptly to their manager any incident where the employee is subjected to, witness, or has knowledge of workplace violence, or has reason to believe that workplace violence may occur
- Report suspicious persons or security violations to your manager and co-workers
- Be courteous and treat everyone with respect
- Cooperate with management, and where appropriate the police, during any investigations related to workplace violence and/or harassment

3. Patient / Client Violence

- Dynacare will not tolerate violent, abusive, or harassing behaviour directed at employees by patients or clients in person or on the phone. In this context, a client includes a physician or any other professional that utilizes our laboratory services.
- If a patient or client exhibits abusive, harassing or violent behavior, follow instructions listed below under Section D “What to Do At the Time of an Incident”, and report incident immediately to your manager. Contact Human Resources if your manager is not available.

C. WORK REFUSAL

An employee can refuse to work if s/he has reason to believe s/he may be endangered by workplace violence. However, work cannot be refused on the grounds of workplace harassment.

More information on the work refusal procedure is detailed in the Health & Safety Manual under HS1001 “Work Refusals and Stoppages”.

D. WHAT TO DO AT THE TIME OF AN INCIDENT

1. Harassment

- a) In a professional calm way
 - Inform the harasser that you find their behavior offensive.
 - Explain why you consider the behavior inappropriate.
 - Tell the harasser to stop the behavior immediately.
- b) Report the incident to your manager, or if you can not report it to your manager, report it to Human Resources, using form HS610A “Violent/Harassment Incident Report”. Document everything that happens, including what you’ve done to try and stop the behavior. Record the date, time, location and what happened in as much detail as possible, along with the names of witnesses and the outcome of the event.
- c) Forward form HS610A to your manager immediately or to Human Resources if you cannot report it to your manager. Management is to review and complete the form, retain a copy and forward a copy to Human Resources within 24-hours.
- d) Management is to initiate an investigation into the incident. HR may be contacted as required. Where a manager is cited in the complaint, Human Resources will share the report with the manager’s manager to participate in the investigation.

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2. Violence

Your goal should always be to prevent harm to yourself or others around you.

If you feel threatened or perceive an imminent threat:

- leave the area if safe to do so and go to a neighbouring business as a safe place
- call police at 9-1-1 immediately
- notify your Manager as soon as possible of the incident and advise whether the police have been notified

The following guidelines should assist you in making the proper decisions. Taking action immediately to protect yourself and others requires you to remain calm.

a) Establish a safe position within your environment

- Position yourself so you have an escape route (situate self close to an exit). Avoid letting an aggressive or threatening person back you into a corner, or stand between you and an exit
- Keep a safe distance (about 1m / 3ft.) and stand on an angle rather than directly in front of the person.
- Position yourself on the same physical level so that neither of you are standing “over” the other person.

b) Act calm and controlled during interactions with the violent person:

- Try to keep the assailant as calm as possible. However, do not tell the person to relax or to calm down.
- Listen to what the person has to say, maintain eye contact and do not interrupt.
- Remain calm and courteous. Speak clearly and concisely. Use a tone of voice that is confident but not aggressive. Avoid using defensive words, arguing or accepting blame for the problem. Do not threaten the person.
- Do not make sudden movements or gestures. Be mindful that your body language is receptive and not coming across as defensive or angry. Avoid making physical contact
- Do not withhold money or items that they want or do not argue with the person.

c) If you feel threatened, or if the interaction is increasing the level of anger for the person:

- End the interaction immediately. In a non-threatening way, politely interrupt to explain that their behaviour is unacceptable and not tolerated by Dynacare.
- Ask the person to leave or leave the area. Let them know that you will be calling the police if they do not leave.
- If they do not leave, summon an immediate internal response or call the police (9-1-1)
- If on the phone, advise the caller of your manager’s name and phone number and politely end the call.

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- d) Summon an immediate internal response (i.e. Mr. Warden Procedure):
- If there is a paging system within the facility, request paging (or page) “*Mr Warden to Department X*”. When the page is heard all fire wardens are to go to the department identified (X) to provide support
 - If there is no paging system available but there are other employees nearby, a similar system can still be used by calling out in an elevated voice (i.e., as if calling for a patient/visitor/co-worker) “*Mr Warden please*”.
 - If it is not possible to summon an internal response, call police (911). Tell police who you are, where you are, who is there, and what is happening.
 - If possible, leave the suite and go to a safe place (e.g., neighbouring business) and call police and manager

E. REPORTING AN INCIDENT

1. Reporting by Employee

- Report any incident of workplace harassment or violence immediately. Complete form HS610A “Violent/Harassment Incident Report”. Document everything that happened. Always provide as much information and facts as possible. Record the date, time, where, who/witnesses, and what happened and the outcome of the event.
- If you feel that you can not report the incident to your manager, then report it to Human Resources.
- If an injury occurred during the course of the incident, also complete Form HS801A “Injury Reporting Form”.
- The manager and employee are to retain a copy of the report, and the original copy is to be forwarded to Human Resources within 24-hours of the incident.

2. Reporting by Employer

a) Police and Emergency Responders

- Notify the police with any incident of workplace violence.
- Incidents of workplace harassment are not reportable to the Police

b) Ministry of Labour

- If a person is killed or critically injured the employer must:

Immediately notify the Ministry of Labour, by a direct method such as a telephone.

Immediately notify the joint health and safety committee/health and safety representative.

Additionally, notify a director of the Ministry of Labour within 48 hours, providing the circumstances and any additional information regarding the incident.

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- If a worker is disabled or requires medical attention due to an incident of workplace violence:

Notify the WSIB in writing within 3 days.
Notify the joint health and safety committee/health and safety representative, within four days.
- Incidents of workplace harassment are not reportable to the Ministry of Labour

F. INVESTIGATION OF INCIDENT

The safety of employees must be confirmed before investigating the incident or taking witness reports.

Upon receipt of form HS610A “Violent/Harassment Incident Report”, the Manager is required to conduct an immediate investigation that is both objective and thorough. Human Resources is required to monitor and support management with the investigation, informed decision making and effective resolution of incidents of violence and harassment. All parties involved will be required to cooperate with company investigators, the police, or other authorities as required during any investigation related to workplace violence or harassment.

DynaCare will investigate all complaints of violence, harassment and/or discrimination brought to its attention or of which it becomes aware. While the reason for the investigation may vary, the standard investigation process involves interviews with the complainant and respondent(s), and may be conducted by an internal or external investigator. Interviews may also be conducted with appropriate witnesses. Refer to guideline titled “Conducting Effective Internal Workplace Investigations”.

Following the conclusion of the interviews, the investigator will make a written determination of findings of fact, where possible, and when appropriate, prepare a plan of action to correct the problem and prevent reoccurrence. The complainant and respondent(s) will receive in writing a letter acknowledging which allegations were substantiated and that appropriate action was taken. If the complaint is found to have been substantiated, disciplinary action may be taken against the respondent(s), up to and including dismissal of employment.

Where a complaint has not been substantiated, no action will be taken against an employee who has made a complaint in good faith. It is important to note however, that an unproven allegation does not mean that an incident of workplace violence or harassment did not occur, or that there was a deliberate false allegation. It simply means that there is insufficient evidentiary basis to proceed or that while the complainant may have genuinely had reason to believe that there was an incident of violence or harassment, the investigation has not substantiated the complaint.

If, upon investigation, it is found that false accusations were made knowingly and with malice, DynaCare may impose disciplinary action upon the employee making the false accusations up to and including termination of employment.

Management will take all reasonable and practical measures to prevent reprisal, threats of reprisals, or further violence against any person who acts in good faith while reporting incidents of workplace violence or harassment, or who is involved in an investigation.

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G. WHAT TO DO FOLLOWING AN INCIDENT OF WORKPLACE VIOLENCE OR HARASSMENT

Many times violence at work is very upsetting to those involved. It is not uncommon for individuals to suffer some or all of the following symptoms, sometimes referred to as post-traumatic stress: anxiety, fear, anger, grief, difficulty sleeping, and difficulty concentrating.

Do not ignore or neglect your feelings. If you suffer from negative symptoms because of an incident, speak with your physician or health care provider, manager, human resources, and/or consider calling our EAP (1800-265-8310). This is a good idea even if you were not directly involved. Do not hesitate to ask for help.

Records:

Form #	Title	Location	Retention	Disposal
HS610A	Violence/Harassment Incident Report	Human Resources Employee Files (complainant and respondent)	Indefinite	No
HS610B	Respect In The Workplace Acknowledgement Form	Human Resources Employee File	Indefinite	No
HS801A	Injury Reporting Form	Human Resources	1 year	Shred
HS801B	Accident Investigation Report	Human Resources	Indefinite	No

Related Documents:

Appendix HS G – Emergency Contact Information
 Appendix HS AF – Respect in the Workplace Policy
 Appendix HS AG – Guideline to Address Domestic Violence in Our Workplace
 HR409 – Respect in the Workplace

References:

Alberta: Occupational Health and Safety Code, 2009. Part 27
 Manitoba: Workplace Health and Safety Regulations Part 10 and Part 11
 Ontario: Occupational Health & Safety Regulations Part 3 Section 32
 Quebec: An Act Respecting Labour Standards, Chapter 4 Division V.2. Section 81.18
 Saskatchewan: The Occupational Health and Safety Regulations, 1996. Part 3 Sections 36 and 37

Authorization:

Authorization	Name	Signature	Date
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