



## **ANTI-WORKPLACE VIOLENCE POLICY, INCLUDING SEXUAL VIOLENCE**

### **APPLICABILITY:**

**All employees, all positions, all volunteers, all agents, all departments at work and at events, activities, and programs including social occasions, which may be held on-site, off site or after normal business hours at the Schwartz/Reisman Centre and/or Prosserman JCC or as part of, hereafter referenced as the "J".**

### **INTENT:**

To ensure that all J employees enjoy a productive, professional and safe work environment which is free from violence, including sexual violence, or the threat of violence, hereafter referred to as workplace violence.

### **POLICY:**

At the J, the health and safety of our employees is paramount. In conjunction with our Joint Health and Safety Committees, priority is given to protecting our employees from violence and/or intimidating behaviours. Such conduct interferes with everyone's ability to perform their job and is not in keeping with the J's philosophy of trust and mutual respect.

By working together, and giving the utmost attention to the safety and well-being of each other, we will meet our shared objective of a healthier and safer working environment for all.

Employees are expected to assist the J, and the Joint Health and Safety Committees, in their attempts to prevent and eliminate violence in the workplace.

The J takes a position of Zero Tolerance with regards to workplace violence, including sexual violence. No worker under any circumstance is allowed to exhibit violent or threatening, behavior towards others, including but not limited to employees, clients, customers, consultants, service providers, or any other third parties that are interacted with through the course of work for or with the J. Should an employee perpetrate an act of workplace violence, including sexual violence, the J will exercise measures in response to that employee's behavior, up to and including termination of employment irrespective of the perpetrator's position.

Nothing in this policy limits an individual's right to file a complaint with the Ministry of Labour should they feel the situation warrants such action.

Employees also have the right to refuse work if they feel exposed to workplace violence, including sexual violence, or the threat of violence.

The J will conduct periodic Workplace Violence Risk Assessment surveys under the auspices of the Joint Health and Safety Committees and will review the findings of such surveys as well as all complaints lodged with a view to taking whatever precautions are reasonable to protect employees from experiencing violence in the workplace.

The J will implement an ongoing workplace violence, including sexual violence, education programs to create awareness and reduce incidents of workplace violence, including sexual violence. This will include annual policy review and sign off, posting the policy on our health and safety bulletin boards,

and including the policy in our staff handbook and on our websites. In addition, workplace violence training will be provided to staff, both at time of hire through the on-boarding process and then during the course of employment.

In addition, the J has established a Review Panel to respond to incidents of workplace violence, including sexual violence, by implementing risk assessments, investigative and reporting procedures, decision making processes and prevention with the objective of promoting a safe and secure work environment for all employees. The Review Panel consists of the Schwartz/Reisman Executive Director, the Prosserman JCC Executive Director, the Director of Finance, the Managing Director of Programs and Community Engagement and the Human Resources Director. In addition, Police, Security Personnel and Outside Counsel, where appropriate. The Review Panel is bound by strict confidentiality requirements. Adjustments to the Review Panel will be made if one of the members is involved in the complaint. All complaints will be investigated as thoroughly, objectively, confidentially, and promptly as possible by the Review Panel.

It is unlawful and a violation of the J's policy to retaliate against any employee either for complaining about a violation of this policy, or for cooperating in an investigation of a complaint under this policy.

#### **DEFINITION:**

The *Occupational Health and Safety Act* defines workplace violence as:

- 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 or 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.

#### **FORMS OF WORKPLACE VIOLENCE:**

- 1) Violence by Stranger: Usually enters the place of work on the pretense of being a customer. Normally commits robbery or other violent act.
- 2) Violence by Customers/Members/Visitors/Volunteers. May be an expected or unexpected situation.
- 3) Violence by Co-workers. Could include; current employee and manager, former employee and manager, a prospective employee, and may occur inside or outside the workplace.
- 4) Violence by Personal Relations. This includes spouse, domestic partner, relative, or friend and usually occurs when a personal dispute occurs with the worker and enters the workplace to harass, threaten, injure, or kill the employee.

#### **BEHAVIORS CONSTITUTING WORKPLACE VIOLENCE:**

There is a continuum of unwanted behaviors that can occur in the workplace. This can range from offensive remarks to threats to actual violence. Such threats or acts include, but are not limited to:

- Psychologically harming an employee though bullying or other coercive or manipulative behavior;
- Possessing a dangerous weapon or incendiary device on property without prior authorization;
- Wielding a weapon at work;
- Hitting or trying to hit an employee;
- Throwing an object at an employee;
- Damaging or threatening to damage property or the property of any employee;
- Engaging in stalking behavior of any employee;
- Verbally threatening to attack or harm an employee;
- Yelling;
- Leaving threatening/salacious notes, phone messages, or sending threatening/salacious e-mails to a workplace;

- Shaking a fist or finger in an employee's face;
- Sexual violence against an employee;
- Sexually intrusive or explicit questions;
- Displaying or sending pornographic images to an employee;
- Derogatory comments of a racial or sexual nature;
- Lewd remarks;
- Inappropriate or unwanted touching.

A situation in which an employee is accidentally hurt is not included.

## **RESPONSIBILITIES OF BOARD MEMBERS, EXECUTIVE DIRECTORS, MANAGERS AND SUPERVISORS:**

- Assess risks of violence at the J;
- Advise the Joint Health and Safety Committees of the risk assessment findings and provide copies of the risk assessments in writing;
- Review the findings annually or more often if the work condition changes;
- Advise the Joint Health and Safety Committees of all workplace violence complaints or incidents that take place, while protecting the confidentiality of the people involved;
- Promote a non-violent workplace;
- Communicate this policy and procedures to all current and future employees;
- Provide employees with information and instruction regarding the workplace violence policy and procedures and appropriate steps to be taken to report and prevent workplace violence and investigation procedures;
- Take every reasonable precaution for the protection of the worker;
- Inform employees of potential risk situations;
- Ensure employees understand who to contact regarding concerns about the policy or when to report an incident;
- Model behaviour, which helps support a positive work environment;
- Ensure the workplace is free from violence;
- Respond to complaints brought to their attention;
- Investigate all reported incidents promptly and cooperate with external investigations;
- Respect the confidentiality and sensitivity of such issues;
- Document all information and investigation results;
- If witnessing elements of a violent work environment, take action to stop it;
- Provide methods to prevent the recurrence of the violence wherever possible
- Take all reasonable and practical measures to protect employees who, acting in good faith, report workplace violence or act as witnesses, from reprisal or further violence;
- Provide First Aid and/or call 911 and ensure proper medical care is available to employees who require it;
- Call relevant authorities - Police, Ambulance, Fire, Security as required;
- Complete and file critical incident reports;
- File reports with Occupational Health & Safety Branch of Ontario's Ministry of Labor as required.
- Provide appropriate resources and support to the victim(s), including facilitating access to necessary medical and psychological support services.

## **RESPONSIBILITIES OF EMPLOYEES:**

- Compliance with this policy is the responsibility of all employees by avoiding any behavior or conduct that could reasonably be interpreted as violent, threatening, intimidating or harassing;
- Report promptly, as per the procedures below, any incident where the employee is subjected to, witnesses, or has knowledge of workplace violence, or has reason to believe that workplace violence may occur;
- Attend training seminars held by the J with respect to workplace violence and harassment
- Co-operate with the conducting of an investigation. This includes the accused, the victim and any witnesses;

- Maintain the confidentiality of any incident or investigation you participate in;
- Any employee has the right to refuse to work or perform particular work if he/she has reason to believe that workplace violence or harassment is likely to place him/her in danger.

### **RESPONSIBILITIES OF JOINT HEALTH AND SAFETY COMMITTEES:**

- Review the risk assessment results and provide recommendations to management to reduce or eliminate the risk of violence;
- Recommend corrective measures for the improvement of the health and safety of employees;
- Respond to employee concerns related to workplace violence and sexual violence as well as discrimination, harassment and sexual harassment and communicate these to management;
- Participate in the review of the policy and guidelines for continuous improvement.

### **CAMPUS SECURITY:**

The J buildings perimeters are completely secured after hours, and monitored:

#### **Schwartz/Reisman Centre:**

For all perimeter doors, WEST MAIN DOOR included:

Mon, Tue, Wed, Thu, Fri	Doors open at 5:30am	Doors lock at 10:00pm
Sat	Doors open at 7:00am	Doors lock at 10:00pm
Sun	Doors open at 7:00am	Doors lock at 8.00pm

#### **The Prosserman JCC:**

For all perimeter doors:

Mon, Tue, Wed, Thu	Doors open at 5:30 am	Doors lock at 9:00 pm
Fri	Doors open at 5:30 am	Doors lock at 6:00 pm
Sat, Sun	Doors open at 7:00 am	Doors lock at 7:00 pm

There is no after-hours access through any doors. The buildings are patrolled during hours of operation. To reach Security:

**SRC Security Emergency # is 3333. Non-emergency Security # is 3899.**

**PJCC Security Emergency # is 5555. Non-emergency Security # is 5899.**

#### **Precautions you can take:**

- Keep main office doors closed.
- If you are in the Schwartz/Reisman Centre or Prosserman JCC building after hours, make sure a family member or friend knows where you are;
- If you go down to the underground storage, or any other remote area of the buildings, take a co-worker with you, or inform a co-worker or Security of your whereabouts;
- If you feel unsafe walking to your car, contact Security to accompany you.

### **PROCEDURES FOR MAKING VIOLENCE-RELATED COMPLAINTS AND/OR DEALING WITH INCIDENTS OF WORKPLACE VIOLENCE:**

Any employee, who has experienced, witnessed or feels he/she may be subjected to violent, threatening, intimidating or harassing behavior from visitors, volunteers, donors, suppliers, delivery

people, managers, former employees, co-workers, family members, domestic partners, or other individuals, should proceed as follows:

- If you find yourself in immediate danger, or a co-worker is in immediate danger, call 911, preferably from a land-line as that will also alert internal building Security personnel;
- If possible remove yourself or your co-worker from the area of risk;
- If you feel 911 is not warranted, but you feel threatened and need their help, call SRC Security emergency # 3333, or PJCC Security emergency #5555, or if you feel a co-worker needs their help;
- Make the behavior/actions known to your Supervisor or a member of the Review Panel immediately;
- A written record of the action/behaviour should be provided to the Review Panel including the dates, times, nature of the action/behaviour, and witnesses (if any).

### **REMOVAL OF A PERSON FROM THE WORKPLACE:**

Any person who makes substantial threats, exhibits threatening behaviour, or engages in violent acts against employees, visitors, guests, or other individuals while on the J's property shall be removed from the premises as quickly as safety permits, and shall remain off the premises pending the outcome of an investigation. Employees are NOT to remove individuals from the premises. Assistance must be requested from the Police or Security.

### **INVESTIGATION PROCEDURE:**

The Review Panel conducts a thorough investigation through the following steps:

- Informs Senior Leaders, including the Board President, and the Joint Health & Safety Committee that a formal complaint of workplace violence has been submitted and an investigation is taking place;
- Information provided about the incident or complaint, including the complainant and alleged perpetrator's name, will not be disclosed to protect employees' privacy, except as necessary to investigate the complaint or incident or to take corrective action or where required by law;
- Contacts all necessary authorities regarding the incident (Police, Ministry of Labor, etc);
- Consults legal counsel for guidance as needed;
- Conducts interviews with complainants, accused, and witnesses to obtain incident reports;
- Compiles police reports, if applicable;
- Compiles report of the complainant;
- Compiles statements and responses from the accused;
- Reviews all documentation;
- Engages in consensus decisions-making process where applicable;
- Makes decision and/or recommendations regarding the accused and/or the incident;
- Shares decision where appropriate with Senior Leadership/ Legal Counsel where applicable, ensuring confidentiality is maintained;
- Complies with Ministry of Labor order for an independent external investigation if issued;
- Any report does not necessarily constitute a report which will be shared with the Health & Safety Committee or Representative or others within the organization apart from the Review Panel and Senior Leadership, and Legal Counsel who are bound by confidentiality to protect the complainant and the accused.;
- All complaints will be investigated promptly;
- All those directly involved and witnesses will be spoken with;
- Notes/statements will be prepared during each interview, reviewed by the person(s) being interviewed and signed for accuracy;
- Records or other documents relevant to the incident being investigated (this may include safety reports, incident reports, work schedules, injury reports, complaints and observation notes and may involve taking pictures of the scene) will be reviewed;
- Relevant employment contract language or organizational policies/procedures will be

- reviewed;
- A final summary/report of the investigation will be prepared and will be shared with the complainant and accused.

**CORRECTIVE ACTION:**

Any employee found to have engaged in conduct that violates this policy will be subject to discipline, up to and including termination of employment. Appropriate corrective or disciplinary measures may include, but is not limited, to the following:

- a formal apology
- counseling
- written warning placed in the employee’s personnel file
- change of work assignment
- suspension
- termination

In addition, The Review Panel may initiate any other action required to provide an effective remedy to the victim or to the overall workplace environment.

Management considers allegations of violence or harassment as very serious. Therefore, should an investigation reveal that allegations have been made vexatiously; disciplinary action will be taken against the complainant.

**CONFIDENTIALITY:**

Employees should feel secure in knowing that their concerns will be handled discreetly and sensitively, and with respect to the appropriate needs for privacy and confidentiality.

**REPRISALS:**

This policy strictly prohibits reprisals against an employee because s/he has brought forward a concern or has provided information regarding a concern under this policy. Any employee who commits or threatens reprisal against another employee for following this, or any of the J's policies may face disciplinary action, up to and including dismissal.

**APPEAL:**

In the event a complainant or respondent feels that the investigation and results did not follow due process, he/she may file an appeal. This will be handled through UJA's Human Resources Department. The appeal must be made in writing with specific details submitted to the J's Review Panel who will forward it to UJA's Human Resources Director along with all relevant material. UJA's Human Resources Department will review all the steps of the investigation and results in confidence, and will make a recommendation to the J's Review Panel.

Creating a safe and respectful workplace for all our employees and volunteers is of paramount importance. Implementation of this policy will receive the highest attention, training and support necessary to achieve compliance.



\_\_\_\_\_  
Executive Director

August 30, 2016

Date

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Employee name

\_\_\_\_\_  
Employee signature

\_\_\_\_\_  
Date