



CENTRAL ELGIN NON-PROFIT HOUSING CORPORATION KETTLE CREEK VILLA

Policy Name	Violence in the Workplace		
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VIOLENCE IN THE WORKPLACE

1. The Central Elgin Non-Profit Housing Corporation is committed to providing a violence free environment and recognizes that workplace violence is a health and safety issue and shall be considered a serious misconduct.
 - 1.2 The Violence in the Workplace Policy shall be guided by the Occupational Health and Safety Act and the Ontario Human Rights Code.
2. Application
 - 2.1 This policy applies to members of the Board and employees. Employment related incidents that occur beyond the normal workplace, on social media or outside for working hours may be captured in this policy.
 - 2.2 Workplace violence, or the threat of violence, by any member of the Board, employee, customer, outside contractor, or visitor shall not be tolerated.
 - a. Employees who breach this policy shall be subject to disciplinary action up to and including termination for cause.
 - 2.3 Members of the public, visitors to Kettle Creek Villa, or individuals conducting business with the Villa, are expected to adhere to this policy, including refraining from committing acts of violence against employees, members of the Board, or persons acting on behalf of the Central Elgin Non-Profit Housing Corporation. If such violence occurs, the Corporation will take steps available to ensure a violence free workplace, including barring individuals from the Villa, where appropriate, or discontinuing business with that individual.
3. Definitions
 - 3.1 For the purposes of this policy:
 - a. *Workplace Violence* shall be as defined in the Occupational Health & Safety Act, and means,
 - i. The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker,
 - ii. An attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker,
 - iii. Domestic violence
 - iv. A statement or behaviour that it 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.



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- b. 'Employee' shall mean any full-time, part-time, student, seasonal, probationary or casual employee, Board Member, volunteer, and includes any person working under contract to the Non-Profit Housing Corporation.
- c. 'Employer' shall be the Central Elgin Non-Profit Housing Corporation

4. Responsibility

- 4.1 Every employee is responsible for reporting any form of workplace violence, whether they are directly or indirectly involved, or have become aware of the violence by third party notification.
- 4.2 The Employer shall be responsible for:
 - a. Developing and maintaining a written Workplace Violence Prevention in the Workplace Policy; and
 - b. Reviewing and revising the written Workplace Violence Prevention in the Workplace Policy annually.
- 4.3 The Board of Directors shall be responsible for:
 - a. Providing information and instruction on workplace violence, and appropriate prevention methods;
 - c. Ensuring that all employees adopt appropriate behaviours to ensure that workplace violence does not occur;
 - d. Ensuring all victims of workplace violence are treated with respect and consideration;
 - e. Ensuring that resources are available to physically modify a workplace, appropriate and reasonable based on the assessed risk, to reduce or eliminate threats of workplace violence;
 - f. Ensuring that workplace violence prevention is considered in all office design or restructure guidelines through the appropriate use risk assessments; and
 - g. Ensuring employees who are experiencing difficulties and/or are exhibiting behaviours that may contribute, or lead, to conduct inconsistent with this policy are aware of available resources.
 - h. Providing a work environment free from violence or threatened violence.
 - i. This responsibility includes actively promoting a positive work environment and intervening when problems occur.



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- ii. Directors of the board are accountable if they knew, or ought to have known, about workplace violence and did not report it and take immediate corrective action.
 - a. Understanding and upholding the principles of this policy by following this policy in their dealings with employees and by setting a good example.
 - b. Communicating to employees that issues of workplace conduct and a violence-free environment shall be taken seriously.
 - c. Not participating in, or ignoring, violence or potential violence.
 - d. Advising workers of their whereabouts when leaving a workplace, so workers know who to contact in your absence.
 - e. Ensuring employees are informed of the Corporation's procedures for dealing with issues that arise under this policy.
 - f. Responding promptly to any issues of violence or potential violence that come to their attention.
 - g. Conducting investigations related to workplace violence and submitting all required reports, with recommendations, by a third party investigator
 - h. Assisting the victim employee in developing a safety plan, and accommodating the employee as necessary, to ensure a safe work environment.
- 4.4 Employee's shall be responsible for:
- a. Ensuring their own safety and the safety of others. Employees are accountable if they knew, or ought to have known, about workplace violence and did not report it.
 - b. Immediately reporting all incidents of workplace violence to the Board.
 - c. Protecting against workplace violence or the potential risk by immediately summoning the closest supervisor, leaving the situation or dialling 911.
 - d. Ensure all office area accessible doors are kept closed at all times.
 - e. Co-operating with any investigation of workplace violence incidents as requested by the investigating party.
 - f. Participating in any training provided or required, and applying the knowledge gained to the workplace and specific job tasks.
 - g. Consider seeking support and assistance from community services when experiencing stress or other personal difficulties that may contribute to workplace violence.



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5. Procedure
 - 5.1 All incidents of workplace violence must be reported to, and investigated by a third party investigator.
 - 5.2 A report that is filed against a Director shall be submitted in confidence directly to the Board Chair. A report that is filed against the Board Chair will be submitted in confidence to the Vice Chair.
 - 5.3 The complainant(s) and the alleged offender(s) will be informed that an investigation is being conducted, unless doing so would compromise the investigation.
 - 5.4 The investigation shall include documentation and review of all relevant information regarding the incident:
 - a. Date(s) of the incident;
 - b. Times;
 - c. Name of Offender(s);
 - d. Name of Victim(s);
 - e. Nature of Violence;
 - f. Victim(s) and Witness(es) Statements – Narrative;
 - g. Statement of Offender(s) – Narrative;
 - h. Supervisor’s Statement – Narrative;
 - i. Immediate intervention steps taken to ensure the complainant(s) safety; and
 - 5.6 An interview shall be held separately with both parties as soon as practicable in order to establish respective views of the incident.
 - a. All witnesses must be interviewed.
 - b. If it is deemed necessary, interviews shall be held with both past and present employee’s to determine if violence had occurred previously.
 - 5.7 The incident shall be accurately and completely documented with findings and recommendations forwarded to the Chair of the Board for a final disposition.
 - 5.8 A decision shall be rendered and the complainant(s) and offender(s) advised of the outcome.
 - 5.9 Verbal or written threats of physical violence shall be reported to the police.
 - 5.10 The Corporation is committed to providing support to employees experiencing workplace violence.



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- 5.11 Any discussions regarding the complaint, investigation and report will be held in closed session.
- a. The Board of Directors may approve, change or reject any proposed terms of settlement or recommended corrective action.
- 5.12 The individual who made the initial report, and then the person who is the subject of the initial report, have the right to view and comment on the investigator's findings, conclusions and recommendations.
6. Procedure - Incidents involving a Member of the Board:
- 6.1 A report that is filed against a Member of the Board shall be submitted in confidence directly to a third party investigator.
- a. The investigation of the Member of the Board shall be contracted to a third party investigator. The third party investigator shall be retained by the Board and report to the Chair. A report that is filed against the Board Chair will be submitted in confidence to the Vice Chair
- The third party investigator shall:
- i. Investigate the situation, in accordance with this policy;
 - ii. Be authorized to enter any work location, speak with any employee, and examine any document relevant to the report, subject to applicable laws;
 - iii. Make recommendations for resolving the complaint; and
 - iv. Submit findings in report format to Council or if requested by Council, to a committee of Council on a confidential basis within 10 calendar days from the date the consultant was engaged.
- 6.2 Any discussions regarding the complaint, investigation and report will be held in closed session.
- a. The Board of Directors may approve, change or reject any proposed terms of settlement or recommended corrective action.
- 6.3 The individual who made the initial report, and then the person who is the subject of the initial report, have the right to view and comment on the investigator's findings, conclusions and recommendations.
- 7 Consequences of Workplace Violence
- 7.1 An Employee who has committed an act of violence will be subject to disciplinary action up to and including discharge/termination of employment for cause. The employee may also be subject to criminal prosecution.
- i. The results of criminal prosecution will not have bearing upon the Corporation's disciplinary actions.



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7.2 The Corporation may take action against an individual, who is not an employee, through civil court to protect its employees and property.

7.3 The Corporation shall not tolerate or condone any false, vexatious, or malicious complaints of workplace violence against any employee. A complaint of this nature is a serious matter and may cause harm to the accused employee, even if they are proven innocent.

a. Any employee engaging in false, vexatious, or malicious complaints of workplace violence against an employee shall be subject to disciplinary action up to and including discharge.

8 Confidentiality

9.1 All complaints, investigations, and related records shall be handled in a confidential manner and involve only those persons necessary to investigate and resolve the complaint.

9.2 Any records of the investigation shall be kept separate from any employee's personnel file with the exception of any disciplinary action, which shall be placed in the employee's personnel file.

10 Reprisals & Recrimination

10.1 The Corporation shall not tolerate reprisals by anyone against an employee who exercises their rights under this policy.

10.2 An employee that files a complaint under the violence in the workplace policy will be assured that there will be no recrimination because of the complaint.

10.3 The Corporation shall take all reasonable actions to accommodate an employee to ensure a safe work environment.