



SUBJECT: EMPLOYMENT - RESPECTFUL WORKPLACE, HARASSMENT & VIOLENCE PREVENTION POLICY

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PURPOSE

The purpose of this policy is to establish and maintain a respectful workplace at the Innisfil ideaLAB & Library (referred hereafter as the “Library”), which includes a commitment by the Innisfil Public Library Board to the prevention of workplace violence. Library Management is ultimately responsible for worker health and safety and will take whatever steps are necessary and appropriate to protect Staff from any form of workplace harassment or violence.

All who are associated with the Library play a part in creating and maintaining a civil, respectful, professional and collaborative workplace, free from discrimination, harassment, bullying and violence. This policy reflects these values and commitment to maintaining and promoting an inclusive, welcoming workplace.

POLICY

Application

This policy applies to all persons who are members of the Library’s workplace community and persons who interact with members of the Library’s workplace community. This includes, but is not limited to, all Staff, Board Members, customers, volunteers, community partners, consultants and contractors.

Scope of the Workplace

For the purposes of this policy, workplace includes any place where business or work related activities are pursued. Workplace includes, but is not limited to the physical work premises, any remote work setting, virtual meeting, work-related social functions, such as holiday parties, golf games, etc., work assignments outside of the office, work-related travel, work-related conferences or training activities and all work-related communication, regardless of timing (within/outside of regular work hours) or format. Further, the workplace includes any video communication platforms, instant messaging applications, telephone (including text messaging), email or social media posts related to or posted by a member of the workplace community.

Behaviour taking place through instant messaging, telephone or email communications and on social media will be considered an extension of the workplace, regardless of whether or not these communications are made during work time or using Library applications, platforms, computers, devices or internet connections, if the behaviour can reasonably be expected to affect the workplace or work relationships.

General

Discrimination and harassment on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, sex (including pregnancy), sexual orientation, gender identity, gender expression, record of offences, marital status, family status, disability and/or any other ground which may be prescribed under the *Human Rights Code*, and all forms of workplace harassment or violence will not be tolerated.

The Library will take all necessary steps and appropriate action to prevent harassment, discrimination and violence in all of its forms from occurring in the workplace, and to address it should it occur. Such actions include, but are not limited to:

- Preventing harassment, discrimination and violence from occurring through greater awareness of and sensitivity to the issue;
- Providing the knowledge and empowerment to encourage, reinforce and enforce acceptable standards of conduct;
- Offer internal, impartial and efficient resolution and complaint procedures to support the early detection and resolution of harassment, discrimination and violence issues;
- Provide all workers with fair and consistent procedures to deal with issues of workplace harassment, workplace discrimination and violence in the workplace, including domestic violence that could affect the workplace.

The Library will investigate and respond to all complaints or reported incidents of harassment, discrimination and violence in a fair, respectful and timely manner.

The Library will ensure that there is an accessible process for reporting concerns and for the timely investigation and resolution of reports of harassment, discrimination and/or violence, including the determination of appropriate consequences for breach of this policy.

1) *Framework -Legislative Background and Discrimination, Harassment and Sexual Harassment*

Defining Prohibited Conduct and Required Standards

All members of the workplace community are required to conduct themselves in a manner that is consistent with this policy. All members of the Library's workplace community share an obligation to provide a civil, respectful workplace environment free of discrimination and harassment. All workplace participants have responsibilities to contribute to a respectful workplace by ensuring that their dealings and interactions are consistent with the required standards. Any behaviour that constitutes discrimination or harassment is prohibited, including conduct that exposes members of the workplace community to abusive, hostile or disrespectful workplace dealings.

a) Discrimination and Harassment

The Ontario Human Rights Code (Code) prohibits discrimination and harassment on the basis of the following grounds:

- Race, ancestry, place of origin, colour, ethnic origin;
- Citizenship, creed (religion/beliefs);
- Sex (including pregnancy and breastfeeding);
- Sexual orientation;
- Age;
- Record of offences (a conviction for an offence in respect of (i) which a pardon was granted or (ii) any provincial enactment);
- Marital status, family status;
- Disability (physical or mental);
- Gender identity, gender expression.

Discrimination under the Human Rights Code:

Discrimination is adverse treatment or impact whereby a prohibited ground was a factor in the adverse treatment or impact. Discrimination may involve differential treatment in employment or denial of employment opportunities through the differential imposition of obligations, penalties or restrictive conditions based on any of the above prohibited grounds.

Discrimination does not have to be intentional to be unlawful.

Discrimination may be direct, indirect or systemic. Indirect discrimination may result from practices or policies that appear to be neutral but have a negative impact on certain groups or individuals because of their membership in one of the groups listed above. Systemic discrimination are patterns of behaviour, policies or practices that are part of the structures of an organization, and which create or perpetuate disadvantage on the basis of a prohibited ground.

Harassment under the Ontario Human Rights Code and the Occupational Health and Safety Act:

Harassment is defined in the Human Rights Code as "*engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome*". Harassment under the Human Rights Code is prohibited where it is related to a protected ground. The definition of harassment in the Occupational Health and Safety Act ("OHSA") is similar, except that under the OHSA, harassment is prohibited even if it does not relate to one of the protected grounds outlined above.

Harassment includes unwelcome, unwanted, offensive or objectionable conduct that may have the effect of creating an intimidating, hostile or offensive work environment, interfering with an individual's work performance, or adversely affecting an individual's employment relationships.

Harassment may result from one incident or a series of incidents. It may be directed at specific individuals or groups. Harassment includes comments or conduct which creates an environment that is hostile, intimidating or offensive.

Harassment may occur as a single encounter or a series of incidents, persistent innuendoes or threats. Harassment includes unwanted actions, derogatory comments, jokes, slurs, derogatory or demeaning posters, cartoons, graffiti, drawings, e-mails,

instant messages, text messages, social media posts, innuendoes or taunting about or motivated by a person's race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status, disability or any other prohibited ground of discrimination. Harassment also includes unwanted actions, derogatory or demeaning comments or bullying which is unrelated to these grounds.

Some of the more common examples of harassment include, but are not limited to the following:

- Gossiping or spreading malicious rumours;
- Racial, homophobic, sexist or ethnic slurs;
- Verbally abusive behaviour such as yelling, insults, ridicule, name-calling, or profanity;
- Written or verbal abuse or threats;
- Unwelcome remarks, jokes, taunts, suggestions about a person's body, attire, traits related to age, marital status, ethnic or racial origin, religion, sexual orientation, etc.;
- Displays of pornographic, homophobic, sexist, racist, ageist, or other offensive or derogatory material (i.e. graffiti or pictures);
- Practical jokes which result in embarrassment or insult;
- Leering (suggestive staring) or other offensive gestures;
- Unnecessary physical contact such as patting, touching, pinching or hitting;
- Patronizing or condescending remarks or behaviour;
- Abuse of authority which undermines performance or threatens career;
- Social exclusion, including persistent exclusion of a particular person from workplace- related social gatherings;
- Deliberately making false allegations about someone;
- Cyber-bullying, including insulting or demeaning postings on any electronic platform, including social media sites or rumors or gossip about someone spread through an electronic platform, including social media;
- Physical or sexual assault;
- Yelling, screaming or bullying;
- Attempting to undermine the reputation or relationship of the worker with co-workers by disparaging remarks; and
- Inappropriate comments or gestures during a video call.

b) Sexual Harassment

The Human Rights Code provides that every person who is an employee has a right to freedom from harassment in the workplace because of sex, sexual orientation, gender identity or gender expression by his or her employer or agent of the employer or by another employee.

The Human Rights Code further provides that every person has a right to be free from,

- *a sexual solicitation or advance made by a person in a position to confer, grant or deny a benefit or advancement to the person where the person making the solicitation or advance knows or ought reasonably to know that it is unwelcome; or*
- *a reprisal or a threat of reprisal for the rejection of a sexual solicitation or advance where the reprisal is made or threatened by a person in a position to confer, grant or deny a benefit or advancement to the person.*

The Occupational Health and Safety Act defines workplace sexual harassment as:

- *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 the solicitation or advance 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 that the solicitation or advance is unwelcome.*

Sexual harassment includes, but is not limited to:

- Unwanted sexual advances including derogatory comments, gestures, looks, unnecessary/unwanted physical contact, jokes, slurs, derogatory or demeaning posters, cartoons, graffiti, drawings, e-mails, instant messages, text messages, social media posts or displays of sexually suggestive material or objects;
- Sexual advances or requests for sexual favours;
- The physical or electronic display of degrading material;
- Implied or expressed promises of reward or benefit for complying with a sexually oriented request;
- Implied or expressed threats of reprisal in the form of either actual reprisal or denial of opportunity for refusal to comply with a sexually oriented request;
- Sexually oriented conduct which is implied to be a term or condition of employment is used as a basis for employment decisions, or has the effect of interfering with work performance.

What Is not Harassment

The Occupational Health and Safety Act states:

A reasonable action taken by an employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.

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

- 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;
- enforcement of workplace rules and policies

It also does not include normal workplace conflict that may occur between individuals or differences of opinion between co-workers.

Poisoned or Hostile Work Environment

A poisoned or hostile work environment is a situation in which inappropriate, derogatory or demeaning behaviour intrudes upon a person's dignity or creates an intimidating, hostile or offensive atmosphere for a person who may or may not be directly targeted. Jokes, offensive literature (such as 'pin-ups'), derogatory comments or other activities based on sexual, racial or other protected characteristics, can constitute a poisoned or hostile work environment for members of a certain sex or gender, or a certain racial or religious group, even without any individual member of the groups being targeted. A poisoned work environment also includes comments and actions from the members of a workplace community that are unwelcome, offensive, disrespectful and have the effect of creating an intimidating environment. A poisoned or hostile environment is a form of harassment prohibited by law.

2) Workplace Violence

a) Violence:

The Library is committed to providing a workplace free of violence.

Workplace violence is defined under the *Occupational Health and Safety Act* 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.

It is defined broadly enough to include acts that may be considered criminal. Workplace violence includes, but is not limited to:

- Physically threatening behaviour such as 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, text messages or instant messages;
- Wielding a weapon at work;
- Stalking someone;
- Physically aggressive behaviours including hitting, shoving, standing excessively close to someone in an aggressive manner, pushing, kicking, throwing an object at someone, physically restraining someone, or any other form of physical or sexual assault.

Violence that occurs from outside the workplace (as defined in the “Scope of the Workplace” section above) but which has an impact on the working environment, including working relationships, may also be considered violence in the workplace. Violence will not be tolerated in the Library workplace community. Any such conduct, even a first offence, will result in discipline up to and including termination of employment for just cause.

b) Domestic Violence

If the Library becomes aware, or has reason to believe, that a worker is experiencing domestic violence that would likely expose the worker or other workers, to physical injury that may occur in the workplace, the Library will take every precaution reasonable in the circumstances to provide protection to the worker and others in the workplace community. These actions may include:

- Contacting the police;
- Creating a safety plan;
- Establishing a schedule for regular video calls;
- Establishing enhanced security measures (e.g. implementing a panic button, setting up a “dummy” email address, introduction of a code word(s), and other similar door and access security measures);
- Screening telephone calls and blocking certain email addresses;

- Setting up preferred parking arrangements or providing escorts to a vehicle;
- Adjusting working hours and location so that they are not predictable;
- Facilitating access to counseling through the Employee Assistant Program or other community programs.

c) Persons with a History of Violence

If the Library becomes aware, or has reason to believe, that a person with a history of violent behavior is likely to expose a worker to workplace violence, the Library will ensure every precaution reasonable in the circumstances will be implemented to protect the worker at the workplace, by providing information, including personal information, related to a risk of workplace violence from a person with a history of violent behavior. It may include one or several of the following:

- Creating a safety plan;
- Contacting the police;
- Establishing a schedule for regular video calls;
- Establishing enhanced security measures (e.g. implementing a panic button, setting up a “dummy” email address, introduction of a code word(s), and other similar door and access security measures);
- Screening telephone calls and blocking certain email addresses;
- Setting up preferred parking arrangements or providing escorts to a vehicle;
- Adjusting the working hours and location so that they are not predictable;
- Facilitating access to counseling through the Employee Assistance Program or other community programs.

3) Roles and Responsibilities:

a) Respectful Workplace

All members of our workplace community have a mutual interest and shared responsibilities in connection with securing and maintaining a respectful workplace; a workplace where our environment and interactions are consistent with human rights and which provides a civil and respectful workplace. All members of the Library’s workplace community are expected to meet individual responsibilities as outlined in this policy.

i) The Library’s Commitment

The Library is committed to ensuring that all members of our workplace community contribute to a workplace environment consistent with equal rights guarantees and civil respectful standards through the following initiatives:

1. **Knowledge:** Ensuring all members of this workplace community are knowledgeable of the standards of conduct expected of them.
2. **Empowerment:** Empowering all members to require an environment and interactions consistent with the standards defined in this policy.

3. **Accountability:** Holding all members of the workplace community accountable to conducting themselves consistent with the required standards.

ii) Management Responsibilities

The CEO and Management Team are responsible for providing a work environment consistent with the objectives stated in this policy. This responsibility includes actively promoting a positive work environment and intervening whenever conduct below the standards set out in this policy occurs. Managers and Supervisors are responsible for their own actions and for dealing with inappropriate conduct of workers that comes to their attention.

Responsibilities of the CEO and Management Team under this policy include the following:

1. Understanding and upholding the principles of this policy by setting a good example.
 - Communicate to workers that the issues of workplace conduct and workplace human rights are taken seriously.
 - Do not participate in or ignore discrimination or harassment issues.
 - Ensure dealings with workers are conducted in a civil and respectful manner.
2. Taking the necessary steps to ensure that workers conduct themselves in a manner consistent with commitments under this policy.
3. Ensuring that workers are informed of the Library's policy and procedures for dealing with concerns of harassment, discrimination or violence.
4. Responding effectively to any concerns or issues of behaviour contrary to this policy that come to your attention; treating all issues seriously and working toward a resolution.
5. Obtain guidance from the Town's human resources department regarding effective processes for handling any concerns raised under this policy.
6. Not allowing or condoning any behaviour contrary to this policy.
7. Discussing the concerns raised with the alleged harasser; the individual may be unaware that their behaviour is offensive.

8. Keeping a record - Supervisors and Managers should keep a personal record of all discussions with workers who raise concerns under this policy as well as their response to the situation.

iii) Worker Responsibilities

1. Every worker is responsible for adhering to the spirit and intent of this policy.
2. Workers are responsible for understanding and avoiding any offensive, unwelcome comments, conduct or interactions that would constitute harassment, discrimination or personal harassment under this policy.
3. Workers are encouraged to communicate to co-workers that their conduct or comments are unwanted and objectionable whenever they are exposed to conduct representing harassment as defined under this policy.
4. Workers are encouraged to discourage co-workers from persisting with comments, discussions and conduct that is inconsistent with the spirit of the policy.
5. Worker should advise their Supervisor or Manager of any issues that may arise or become apparent.

iv) Non-Worker Responsibilities

Any individual who interacts with a Library worker is required to ensure their interactions are consistent with the standards of this policy. Such persons include, but are not limited to volunteers, elected representatives, appointed officials, contractors, consultants, and members of the community accessing the Library's services.

b) Violence Protection

i) CEO and Management Team Responsibilities

- Ensure that an effective *Workplace Violence Prevention Program* is developed and implemented.
- Ensure that measures and procedures identified in the *Workplace Violence Prevention Program* are carried out and that Management is held accountable for responding to and resolving complaints of violence.
- Ensure compliance by all persons who have a relationship with the Library such

as workers, employees, Board members, contractors, consultants, volunteers, etc.;

- Ensure violence prevention action plans are prepared and updated for local worksites;
- Inform workers and Supervisors of the nature and the extent of the risks of violence;
- Take corrective action and monitor its effectiveness;
- Ensure regular evaluation of the workplace violence prevention program;
- In consultation with the Joint Health and Safety Committee (JHSC), ensure risk assessments are done periodically and safe work procedures are developed to address existing or potential risks for each assignment under their supervision;
- Establish and deliver training and education for all workers;
- Ensure that any critical injuries or deaths are reported to the Ministry of Labour inspector, the police, the JHSC and investigated with the JHSC;
- Ensure reports are provided to Workplace Safety Insurance Board (WSIB) for all accidents where a worker loses time from work and requires health care;
- Respond to media presence and/or follow up questions relating to any incident of violence.

ii) Management and Supervisor Responsibilities

- Ensure compliance with all aspects of the *Workplace Violence Prevention Program*;
- Ensure the reporting, investigating and documenting of incidents of violence are in place in accordance with the WSIB and Ministry reporting procedures;
- Ensure members of the workplace community are held accountable to work consistently with the measures adopted to minimize the risk of violence and threats of violence;
- Facilitate ongoing discussion of workplace violence issues with workers;

- Ensure appropriate training and education in violence prevention procedures and response procedures are provided to workers;
- Provide input into risk assessments;
- Comply with reporting, investigation and documenting procedures;
- Advise workers on the existence of any potential or actual danger to the health and safety of the workers of which management or the supervisor is aware;
- Instruct workers on procedures for the prevention of violence;
- Promote and encourage reporting of violent incidents;
- Advise workers of available medical services including referrals.

iii) Worker Responsibilities

- Ensure workers make their necessary contribution to violence prevention by being responsible and accountable for the following;
- Comply with the requirements of this policy and refrain from any conduct that constitutes or that could be interpreted as workplace violence, attempts to commit workplace violence or threats of workplace violence;
- If the worker experiences workplace violence or witnesses workplace violence, they should take all necessary and reasonable steps to ensure their own safety and the safety of others, once safe the worker should contact the police and/or other emergency services for assistance;
- Provide input into risk assessment;
- Attend education and training sessions;
- Provide input into the development of local workplace violence prevention action plans;
- Follow established procedures for the prevention and reporting of incidents of violence;
- Promptly and accurately report incidents of violence and provide input into and

cooperate with the incident investigation.

iv) Joint Health & Safety Committee Responsibilities

- Shall be consulted about the development and implementation of the Workplace Violence Prevention Program and associated procedures.
- Shall be consulted and make recommendations to the employer to develop, establish and provide training in violence measures and procedures;
- Take part in a review, at least annually, of the Workplace Violence Prevention Program;
- A worker designate should investigate all deaths and critical injuries related to violence;
- Receive and review reports of any critical injury or death immediately.

4) Procedures for Raising and Resolving Workplace Harassment and Discrimination and Violence Concerns:

a) Workplace Harassment and Discrimination

All members of the Library's workplace community benefit from a prompt, efficient and effective resolution of concerns regarding a respectful workplace. The Library is committed to an empowering environment and supports, as described in this policy to encourage early detection, reporting and resolution of concerns of workplace harassment or workplace discrimination.

We encourage members of our workplace community experiencing any concerns or interactions inconsistent with this policy to select a resolution support which is most comfortable. However, workers should be aware that in some circumstances, the Library may have a legal obligation to investigate incidents of potential harassment, even if a formal complaint is not lodged.

i) Informal Resolution by Workers

Timely and clear communication regarding objectionable conduct can support timely and effective resolution. Any worker who believes they have been subjected to conduct inconsistent with this policy is encouraged to pursue the following steps to resolve the issue:

- Communicate your disapproval to the individual whose conduct or comments are offensive - ask them to stop and state that the conduct/comments are unwelcome;
- Any individual who is advised that their comments or conduct are unwanted and offensive are expected to cease such behaviour immediately;
- If the conduct persists or if the request to stop is not respected by the other individual, the worker should report the incident to and, if necessary, seek the assistance of a Supervisor, Manager, or Human Resources;
- Keep a written record of the date, times and details of the conduct and efforts to stop it.

ii) Advisory Support- Management Informal Support and Intervention

- The CEO and Management Team have a responsibility to assist workers experiencing conduct inconsistent with the standards of this policy;
- The CEO and Management Team have been provided with training to support them in facilitating early informal resolution of harassment and discrimination concerns;
- Where a worker is uncomfortable communicating directly with the person who is engaging in the objectionable conduct, or where such communication has failed to stop the conduct of concern, workers are encouraged to report the conduct and access support and intervention of a Manager, Supervisor or from the Human Resources Department;
- Where a worker is not comfortable with raising the issue with their direct Manager or Supervisor, they should seek the assistance of a member of management or the Human Resources Department;
- The CEO and Management Team or Human Resources will review resolution options with the worker and assist the worker in identifying and pursuing either an informal resolution strategy or formal complaint where appropriate;
- The Supervisors or Managers in the capacity as an advisor will provide informal resolution support confidentially and as collaboratively as possible;
- Managers, Supervisors or Human Resources will maintain confidential records of any informal support or intervention provided to a worker.

iii) Formal Internal Complaint Process

Where informal efforts to resolve concerns of behaviour contrary to this policy are ineffective or inappropriate, a formal complaint and investigation may be requested or initiated. The Library is committed to providing efficient, effective, objective and inclusive internal complaint processes. The complaint processes include the following:

(1) The Right to Complain

Any worker has the right to file a formal complaint about situations they believe to be harassment, discrimination or inappropriate conduct under this policy. A formal complaint may be filed electronically.

(2) Initiating a Complaint Under the Complaint Process

A formal, internal complaint may be initiated by pursuing the following steps:

1. Provide a written summary of the complaint that contains a brief account of the offensive incident(s) (i.e. when it occurred, the persons involved, names of any witnesses). The summary should also include the remedy sought and ideally be signed and dated by the person making the complaint;
2. The complaint should be provided to the CEO. If the complaint is against the CEO, it should be provided to the Library Board Chair and Vice Chair.
3. Co-operating with those responsible for investigating the complaint.

Overview of Complaint Investigation Procedure:

Where a complaint is filed, or where an investigation is otherwise appropriate or legally necessary, the Library will ensure that the following occurs:

1. That an investigation is promptly initiated, conducted by the Human Resources Department or its delegate and completed in a timely manner;
2. That necessary steps to ascertain the facts and circumstances relevant to the complaint are taken. The specific steps taken will depend on the circumstances of the complaint, but may include interviewing the complainant and respondent, interviewing witnesses (if any) who have relevant information with respect to the alleged complaint, reviewing any related documentation, and making detailed notes of the investigation and maintaining them in a confidential file. At its sole discretion, the Library may conduct interviews in person or using a video communication platform;

3. The investigator will prepare a written report appropriate in the circumstances which will generally include a summary of the steps taken during the investigations, the details of the complaint and the allegations, the accused's response, evidence of any witnesses, a summary of witness evidence and a summary of other evidence gathered. The report will set out the findings of fact and come to a conclusion about whether a breach of this policy occurred;
4. That every effort is made to ensure confidentiality to the extent possible within an investigation process;
5. That the complainant and the person about whom the complaint is made (if that person is a worker) will be advised in writing of outcome of the investigation and any corrective action the Library has taken or will take to address the matter;
6. Investigations may be conducted by a third party at the discretion of the CEO or designate.

Disciplinary Action:

Harassment and discrimination will be considered a violation of the conditions under which a worker is employed or engaged by the Library. Any substantiated complaints regarding any incident(s) of harassment/discrimination will be addressed by the Library's management. The determination whether any disciplinary action is warranted and, if so, the degree to which disciplinary action will be taken will ultimately depend upon the nature of the incident(s) and any surrounding circumstances. Any employee (including a manager) who violates this policy will be subject to disciplinary action, up to and including termination of employment for just cause.

b) *Workplace Violence*

Workers have the right to refuse work if workplace violence is likely to endanger them. In such an instance, the worker should immediately contact their Supervisor or Manager at which point appropriate measures will be taken to protect the worker and investigate the situation. If the worker is on the physical work premise, the worker will be moved to a safe place as near as reasonably possible to their normal work station. The worker will need to be available for the purposes of investigating the incident. In some circumstances, the worker may be provided with reasonable alternative work during normal working hours.

Subject to the circumstances, the Library may contact the police, or other emergency responders as appropriate, to assist, intervene or investigate workplace violence. Details about the measures and procedures for summoning immediate assistance will be provided and may include:

- Equipment to summon assistance such as fixed or personal alarms, locator or tracking systems, phones, cell phones, etc.;
- Emergency telephone numbers and/or email addresses;
- Emergency procedures.

Provided the situation is dealt with quickly and the danger to workers is removed, the necessity of work refusal may be alleviated.

i) Formal Investigation Process

The worker is required to report the existence of any workplace violence or threat of workplace violence to the Supervisor, Manager or Human Resources. The existence of any workplace violence or threat of workplace violence may be reported electronically. An investigation will commence as quickly as possible. The Library may choose to use either an internal or external investigator, depending on the nature of the incident.

Where a complaint is filed, or where an investigation is otherwise appropriate or legally necessary, the Library will ensure that the following occurs:

1. That necessary steps to ascertain the facts and circumstances relevant to the complaint are taken. The specific steps taken will depend on the circumstances of the complaint, but may include interviewing the complainant and respondent, interviewing witnesses (if any) who have relevant information with respect to the alleged complaint, reviewing any related documentation, and making detailed notes of the investigation and maintaining them in a confidential file. At its sole discretion, the Library may conduct interviews in person or using a video communication platform;

2. The investigator will prepare a written report appropriate in the circumstances which will generally include a summary of the steps taken during the investigations, the details of the complaint and the allegations, the accused's response, evidence of any witnesses, a summary of witness evidence and a summary of other evidence gathered. The report will set out the findings of fact and come to a conclusion about whether an incident of workplace violence occurred;

3. That every effort is made to ensure confidentiality to the extent possible within an investigation process.

Disciplinary Action:

The CEO in conjunction with the Manager or Designate, will determine what action should be taken as a result of the investigation.

If an incident of workplace violence is confirmed, then appropriate corrective measures will be taken up to and including termination of employment for just cause, regardless of the respondent's seniority or position at the Library.

If a complaint is made in good faith and without malice, regardless of the outcome of the investigation, the complainant will not be subject to any form of discipline.

5. Complaints Against the CEO or the Board

For complaints of harassment or workplace violence against the CEO or members of the Innisfil Public Library Board, an investigation will be conducted by the following personnel or their external designates:

- | | |
|-------------------------|----------------------------|
| CEO | Board Chair and Vice-Chair |
| Board Chair | Vice-Chair and CEO |
| Board Vice-Chair | Board Chair and CEO |
| Board Members | Board Chair and Vice-Chair |

6. Confidentiality of Complaints and Investigations

The Library recognizes the sensitive nature of harassment and violence complaints and will keep all complaints confidential, to the extent that the Library is able to do so. The Library will only release as much information as is necessary to initiate an investigation and respond to the complaint or situation or if required to do so by law. However, the respondent to a complaint is entitled to know and understand the allegations against

them so that they may respond to the complaint. Therefore, in order to provide fairness and due process, the Library is unable to keep the details of the complaint allegations confidential from the respondent. In order to fully and fairly investigate the allegations, the Board may not be able to keep the complaint details confidential from any witness or other person involved in the investigation.

Out of respect for the relevant individuals, it is essential that the complainant, respondent, witnesses and anyone else involved in the formal investigation maintain confidentiality throughout the investigation and afterwards.

All workers, representatives and support persons are required to fully cooperate in the investigation process and to not in any way impede, obstruct or behave in a manner that may jeopardize the integrity of the investigation.

Breaching confidentiality or acting in a manner that obstructs, impedes or affects the integrity of the investigation is subject to discipline up to and including termination of employment with just cause.

The Library will further work to ensure confidentiality by:

- circulating, educating workers on, and enforcing, this policy;
- reminding the complainant, respondent, witnesses and anyone else involved or aware of the investigation of their duty of confidentiality;
- maintaining documentation related to investigations in a separate file;
- releasing information only on a strict need-to-know basis or in the circumstances described above.

7. *Reprisal*

a) *Protection from Retaliation*

The Library will not tolerate retaliation, taunts or threats against anyone who files any complaints about harassment, violence or takes part in any investigation. Any person, who taunts, retaliates against or threatens anyone in relation to a harassment or violence complaint may be disciplined and such discipline could lead to termination of employment for just cause. The Library will not punish a worker for reporting, in good faith, any act of suspected harassment or violence.

b) *Vexatious and Frivolous Complaints*

Vexatious and frivolous complaints or complaints made in bad faith, or without reasonable grounds with the intention to embarrass or harass, or with no factual basis filed under this policy will not be tolerated and may result in discipline up to and including termination of employment for just cause.

8. Remedial Action

In the event of a breach of this policy by any person, the Library will take remedial action.

The objective of remedial or corrective action is to change behaviour, eliminate harassment, discrimination or reprisal and remedy the impact of harassment on the individual and the work environment. Remedial action can include addressing any relevant issues in the work environment, addressing individuals who engaged in conduct contrary to this policy, and addressing individuals who failed to meet their responsibilities under this policy. Such action may include educational initiatives, counselling, disciplinary action up to and including termination of employment and remediation of a victim's interests.

Any worker (including a Manager) who violates this policy will be subject to disciplinary action, up to and including termination for just cause.

Any worker (including a Manager) who condones or ignores violations of this policy will also be subject to disciplinary action, up to and including termination for just cause.

In addition to such disciplinary action as may be imposed by the Library, any person who violates this policy may be held personally liable for workplace harassment or discrimination that violates applicable law.

9. Risk Assessment

The Library will ensure *Risk Assessments* are conducted and that such assessments are utilized to develop and implement a *Workplace Violence Prevention Program* that is appropriate for both physical and verbal violence risks contemplated by this policy. Education and training will be provided to employees with respect to the risks identified and the prevention initiatives to be implemented.

10. Education and Training

All employees shall receive training with respect to respectful workplace and violence prevention as soon as practicable after the employee begins to perform work for or provide services to the Library and as frequently thereafter as the Library determines necessary. The Library will work with the employee's schedule to incorporate training into their work day. Such training will include the definition of harassment, respect, violence; duties and responsibilities for prevention of violence and discrimination; a review of the risks of violence inherent in the worker's workplace; a review of violence prevention procedures; incident reporting, correct response and any workplace emergency procedures.

11. Program Evaluation

The effectiveness of the *Workplace Violence Prevention Program* will be evaluated annually by Management and reviewed annually by the Joint Occupational Health and Safety Committee (JHSC).

Related Policies:

Health & Safety Policy

Working Alone Policy

Related Program:

Respectful Workplace, Harassment & Violence Prevention Program

Approved by the Innisfil Public Library Board, May 17, 2021

Motion Number: 2021.46

Supersedes Policy #E-2020-13, approved May 19, 2020, Motion #2020.40 & Policy #E-2019-06, approved Monday, April 15, 2019, Motion #2019.33; & Policy #E-2018-08, approved Monday, April 16, 2018, Motion #2018.33; & Policy #E-2016-25, approved November 21, 2016, Motion #2016.97; & Policy #E-2016-10, approved May 16, 2016, Motion #2016.46; & Policy #E-2014-21, approved November 17, 2014, Motion #2014.83; &

Combines and Supersedes ***Employment-Respectful Workplace Policy*** Number E-2011-07, approved March 21, 2011, Motion Number 2011.22, and

Employment-Workplace Violence Prevention Policy Number #-2010-14, approved June 14, 2010, Motion #2010.47; &

Supersedes ***Respectful Workplace Policy*** #2007-02, approved September 17, 2007, Motion #2007.39