

## **WORKPLACE VIOLENCE PREVENTION POLICY**

### **A. POLICY STATEMENT**

The Ontario Society of Professional Engineers (OSPE) is committed to providing a safe and healthy workplace free from actual, attempted or threatened violence. OSPE recognizes that workplace violence is a health and safety and human resources issue and will take reasonable precautions to prevent workplace violence and to protect employees at the workplace.

### **B. PURPOSE OF WORKPLACE VIOLENCE POLICY**

This policy is intended to:

1. Create and foster a work environment free from workplace violence.
2. Provide a definition of workplace violence.
3. Establish and detail the responsibilities of all persons in OSPE workplace(s) to maintain a workplace free of actual, attempted or threatened violence.
4. Ensure that incidents of workplace violence are reported to OSPE management and/or law enforcement as appropriate.
5. Ensure that complaints of workplace violence are handled in a timely and equitable manner by the OSPE.

### **C. SCOPE AND APPLICATION OF POLICY**

This policy applies to all OSPE employees regardless of position, classification, or union membership. This policy also applies to all persons who attended a company workplace including, but not limited to, all visitors, contractors, vendors, and delivery persons.

For the purpose of this policy, an OSPE workplace includes all places where OSPE business occurs and includes all:

- OSPE buildings (whether owned or leased) and surrounding perimeter including parking lots, sidewalks, and driveways (“OSPE Grounds”).
- OSPE vehicles.
- Off-site locations where OSPE business occurs.
- OSPE-sponsored functions and recreational or social events, whether taking place on OSPE Grounds or elsewhere; and
- Travel for OSPE business.

#### **D. WORKPLACE VIOLENCE DEFINED**

In this policy, workplace violence includes but is not limited to the following:

1. The use of physical force against or by a worker that causes or could cause physical injury. This includes, but is not limited to, physical acts such as punching, hitting, kicking, pushing, damaging property, or throwing objects.
2. The attempted use of physical force against or by a worker that could have caused physical injury.
3. An action or statement (or series of actions or statements) reasonably believed to be a threat of physical harm or as a threat to safety or security in the workplace; and
4. Bringing a weapon of any kind to the OSPE workplace or possessing a weapon of any kind while carrying out OSPE business or threatening to bring a weapon to a company workplace.

This is the companion policy to OSPE's Code of Conduct which addresses harassment, including conduct that is not covered by the definition of workplace violence but that demeans, embarrasses, humiliates or is known, or ought to be known to be unwelcome.

#### **E. ZERO TOLERANCE**

OSPE values the health and safety of its employees and expects that its workplace(s) will be free of workplace violence. OSPE will not tolerate incidents of workplace violence perpetrated against or by any employee, customer, vendor, contractor, visitor, or any other person at the OSPE workplace or involved in OSPE business.

Every person at the OSPE workplace is responsible for acting in compliance with this policy. Any employee found to have engaged in conduct that violates this policy will be subject to discipline, up to and including termination of employment.

With respect to acts of workplace violence, as defined in this policy, OSPE may, where appropriate:

- Remove the perpetrator from the OSPE workplace by security or the police.
- Discipline any employee, up to and including dismissal, and/or report the conduct to the police; and
- Report the conduct of any other person to their employer, supervisor and/or principal and/or to the police.

All physical assaults involving an employee or occurring at an OSPE workplace will be reported to police. Threats of physical violence will be reported to police as appropriate.

## **F. RESPONSIBILITIES AND OBLIGATIONS**

It is the responsibility of:

### **1. OSPE**

- To take reasonable preventive measures to protect employees and others in OSPE workplaces from workplace violence.
- To ensure that a workplace violence assessment is conducted.
- To develop procedures to address the workplace violence risks identified in the violence assessment.
- To ensure that all employees are trained in this policy.
- To post this policy in a conspicuous place in the workplace.
- To ensure that this policy is communicated to contractors and other persons who attend OSPE workplaces.
- To establish a process for reporting and responding to incidents of workplace violence.
- To ensure the process for reporting and responding to incidents of workplace violence is communicated, maintained, and followed; and
- To ensure that this policy is reviewed at least annually.

### **2. Management and Supervisors**

- To understand and abide by the requirements of this policy.
- To communicate and review this policy with the employees they supervise or manage.
- To verify that all contractors and others who attend OSPE workplaces are aware of this policy.
- To adequately train employees in OSPE procedures that address the workplace violence risk(s) applicable to the employee.
- To encourage employees to report complaints or incidents of workplace violence.
- To respond to all complaints or incidents of workplace violence in a professional manner appropriate for the circumstances of the complaint or incident.
- To promptly report all complaints or incidents of workplace violence they receive or witness to his or her Designated Official. For purposes of this Policy, the **“Designated Official”** is:

- i. The VP, Organizational Effectiveness of the Society: For all Staff (excluding the CEO of the Society); or
- ii. The CEO: For the VP, Organizational Effectiveness of the Society and all Volunteers, directors, officers (excluding the CEO) and members of the Society, shall be the CEO; or
- iii. The Chairperson of the Society: For the CEO.

### **3. Employees (Including Management and Supervisors)**

- To comply with this policy at all times to protect themselves and others in the workplace from workplace violence.
- To immediately notify their supervisor or other designated person of any incident of workplace violence whether the notifying worker is the victim or not. In the case of an extreme or imminent threat of physical harm to themselves or any person from workplace violence, the worker should contact the police.
- To participate in training regarding this policy and OSPE procedures directed at workplace violence risks in the workplace; and
- To fully cooperate in any investigation of complaints or incidents of workplace violence or breaches of this policy.

### **G. DOMESTIC VIOLENCE**

Any employee experiencing violence outside of the workplace (i.e., domestic violence) that may create a risk of danger to themselves or others in the workplace is encouraged to report such violence so that the OSPE can take reasonable preventive steps.

Any form of violence, including domestic violence, will not be tolerated by the Company.

Should OSPE become aware, directly, or indirectly, that an employee is or has been subject to domestic violence, OSPE must act. This could be as a result of the employee telling OSPE directly or through hearing indirectly that domestic violence is affecting an employee. If an employee admits that they are subject to domestic violence but refuses help, the law still requires OSPE to act. We cannot accept a refusal for assistance as a discharge of our obligations to protect our workers.

Similarly, if OSPE becomes aware that an employee is a perpetrator of domestic violence, we will act accordingly.

### **H. REPORTING AND INVESTIGATING WORKPLACE VIOLENCE**

#### **1. Reporting threats of workplace violence:**

- All incidents of workplace violence or reprisal must be immediately reported to the Designated Official

- Any person subjected to workplace violence should, where appropriate, go to a safe location at the workplace and report the incident to their supervisor, an OSPE supervisor or the Designated Official.
- All complaints and incidents are to be recorded in writing by the reporting person/employee, the supervisor or manager receiving the report and the Designated Official. The date, time, location, potential witnesses, and nature of the incident should be documented. If the police have not previously been summoned, management or the Designated Official will report all physical assaults involving an employee or occurring at an OSPE workplace will be reported to police. Threats of physical violence will be reported to police as appropriate.
- If an incident of workplace violence involves a person who is not an employee of the OSPE, OSPE management or the Designated Official will report the incident to that person's employer and/or such other person as OSPE determines is appropriate in the circumstances.

## **2. Investigation:**

- All complaints or incidents of workplace violence or reprisal will be promptly investigated by management, the Designated Official, or an external investigator, as appropriate. Where the perpetrator is an OSPE employee, the investigation will be conducted as quickly and confidentially as possible in the circumstances. Complete confidentiality is not possible in all circumstances and cannot be guaranteed.
- The investigation will include:
  - a) A documented interview with the complainant and victim.
  - b) A documented interview with the alleged perpetrator(s).
  - c) A documented interview with any witnesses with relevant information to provide; Notes/statements will be prepared during each interview, reviewed by the person(s) being interviewed and signed for accuracy.
  - d) Records or other documents relevant to the incident being investigated (this may include work schedules, complaints, and observation notes, and may involve taking pictures of the scene) will be reviewed.
  - e) Relevant employment agreement language and/or Company policies/procedures will be reviewed; and

- f) Any other step the investigator(s) deems necessary to fully and fairly investigate the complaint or incident.
- At the conclusion of the investigation into an incident or complaint, a written report of the findings of fact will be prepared and – after evaluating existing policies, procedures, physical premises and devices, employee training – any suggestions to prevent a recurrence will be made.
  - The complainant and the alleged perpetrator will be informed of the investigation findings; and
  - Where the perpetrator is an OSPE employee, the supervisor of the perpetrator, in consultation with management and/or the Designated Official, will take any necessary disciplinary action, which may include dismissal from employment. Disciplinary action will be consistent with the seriousness of the conduct at issue such that more significant discipline will follow more serious conduct or repeated violations of this policy.
  - Where the alleged offender is the same person as the Designated Official, the complainant may report their concerns to any member of the senior management team, or the Board of Directors.

## **I. CONFIDENTIALITY**

Employees should feel secure in knowing that their concerns will be handled discreetly and sensitively.

As such, employee issues will usually remain between the employee and the Designated Official. On occasion, however, an investigation may require consulting with another employee in order to ensure an appropriate resolution.

## **J. NO REPRISAL**

Workplace violence and this policy are serious matters. This policy prohibits reprisals against employees who have made good faith complaints or provided information regarding a complaint or incident of workplace violence. Employees who engage in reprisals or threats of reprisals may be disciplined up to and including dismissal from employment.

Reprisal includes:

- Any act of retaliation that occurs because a person has complained of or provided information about an incident of workplace violence.

- Intentionally pressuring a person to ignore or not report an incident of workplace violence; and
- Intentionally pressuring a person to lie or provide less than full cooperation with an investigation of a complaint or incident of workplace violence.

An employee who makes a false complaint or otherwise abuses this policy may be disciplined up to and including dismissal from employment. Such discipline is not a reprisal or breach of this policy.

**K. POLICY REVIEW**

This policy will be reviewed at least annually.