

Approval Date: July 22, 2019	Policy Number: P-80-18-B
Motion: Motion-19-07-267	
Supersedes: P-80-18-A	
Title: Workplace Violence Prevention Policy	

Purpose

In accordance with the Alberta Occupational Health and Safety Regulations, the Town will ensure that all employees are provided with appropriate information, instruction and training on the factors that contribute to workplace violence or a risk of workplace violence.

Related Documents

Discipline and Dismissal Policy (P-80-2009-01 Personnel Policy) and amendments thereto
Alberta Occupational Health & Safety Act and Regulations

Definitions

“Complainant” is an individual or group of individuals who submit a complaint.

“Respondent” is an individual against whom a complaint is filed.

“Retaliation” is any unjust action taken against an employee for:

- Making a workplace complaint made about workplace violence; or
- Participating in an investigation.

Examples of retaliation are:

- Threats;
- Exclusion;
- Reduction in wages;
- Sudden and unjustified performance reviews.

“Supervisors” means all employees who have employees reporting to them including supervisors, managers, directors, and the CAO.

“Weapons” includes knives, clubs, metal knuckles, sling shots, explosives, guns, any simulated firearm, any device from which a projectile may be fired, and other items with the potential to harm another person.

“Workplace” is any place where work-related activities are conducted. It includes, but is not limited to, the physical work premises including parking lots, Town of Peace River-owned vehicles, work-related social functions (social events, golf games, etc.), work assignments outside our offices and facilities, work-related travel, and work-related conferences or training sessions.

“Workplace Violence” is any act in which an employee is abused, threatened, intimidated or assaulted in his or her employment. Examples of workplace violence are:

- Threatening behaviour such as shaking fists, destroying property, throwing objects or threatening the act of violence;
- Verbal or written threats - any expression of an intent to inflict harm;
- Verbal abuse - swearing, insults, angry outbursts, psychological trauma, or condescending language;
- Physical attacks - assault, hitting, shoving, pushing, kicking, rape, arson, murder.

Policy

We recognize the potential for workplace violence and other aggressive behaviour directed at our employees. We are committed to providing our employees with an appropriate level of protection from the risks associated with workplace violence. We will not tolerate behaviour from anyone that intimidates, threatens, abuses, injures or otherwise victimizes employees, volunteers or anyone who is involved in the Town of Peace River’s operations.

This policy is not intended to discourage an employee from exercising their rights under governing legislation.

This Policy applies to all employees.

The Town Way: We believe in protecting all of our employees and taking a strong stance against workplace violence is the right thing to do.

Requirements

1. All Town employees have a responsibility to prevent violence in the workplace.
2. No talk of violence or joking about violence in the workplace will be tolerated.
3. Anyone who engages in any workplace violence may be:
 - 3.1. Immediately removed from the workplace;
 - 3.2. Subject to disciplinary action up to and including termination;
 - 3.3. Subject to criminal charges and penalties.
4. In order to ensure a safe environment for everyone, the Town strictly enforces the following:
 - 4.1. Weapons, even if properly registered, are not permitted in our workplace, unless permitted by the CAO for legitimate work purposes.

- 4.2. Desks, cabinets, telephones and computers are property of the Town of Peace River. We reserve the right to search these areas or view email and data stored on your computer.
- 4.3. Conversations that are overheard and deemed threatening to others, including private messages, can be used as a basis for disciplinary action.

Responsibilities

5. Supervisors and Human Resources:
 - 5.1. Provide awareness and education of this Policy for all employees;
 - 5.2. Annually perform appropriate workplace violence hazard assessments, and communicate the findings of these assessments and any actions taken to control identified hazards to all affected employees;
 - 5.3. Promptly lead or assist any investigation of potential violations of this Policy;
 - 5.4. Ensure every reported incident of workplace violence is investigated and necessary disciplinary action taken;
 - 5.5. Protect the privacy of the individuals involved to the extent possible while ensuring fair process during an investigation;
 - 5.6. Ensure complainants and respondents are treated fairly and respectfully;
 - 5.7. Where warranted, the supervisor, in consultation with Human Resources, will promptly take corrective measures, which may include disciplinary action up to and including termination.
6. Employees:
 - 6.1. Must be familiar with and follow policies and procedures that are in place to protect them from workplace violence;
 - 6.2. Should immediately report all suspicions and concerns in addition to incidents of workplace violence to a supervisor, Human Resources, or their union representative;
 - 6.3. Must participate in work site risk assessments and implementing controls and procedures as directed to mitigate the associated risk of violence.

Procedure

7. Procedure for Complainant:
 - 7.1. If comfortable doing so, speak to the offending individual. Tell them that their behaviour is unwelcome and ask them to stop.
 - 7.2. If you are unable to speak to the offending individual or if the behaviour continues even after you have asked them to stop, or at any time you feel you are unsafe or threatened while at work, report the incident(s) to your supervisor, Human Resources, union representative, or any member of management with whom you feel comfortable, immediately.
 - 7.3. Keep a record of the incident (dates, times, locations, possible witnesses, what happened, your response, etc.).
 - 7.4. Immediately report the violence or violent behaviour to a supervisor, Human Resources, your union representative.
 - 7.5. Fully cooperate with the investigation.
 - 7.6. You have the right to notify the RCMP yourself.
 - 7.7. Keep the complaint and process for resolution confidential. This will ensure that the situation does not become more difficult and will respect all parties involved.

8. Procedure for Respondent:

- 8.1. If an employee informs you that they believe that your behaviour violates this policy, you can significantly improve the situation by hearing the person out and acknowledging what they are saying and how they feel.
- 8.2. If you have engaged in behaviour contrary to the policy, immediately stop the comments or behaviour as soon as you become aware of the complainant's concerns.
- 8.3. Speak to a supervisor, Human Resources, or union representative for assistance, or to seek further clarification as to what is suitable behaviour in the workplace.
- 8.4. Fully cooperate with the investigation.
- 8.5. Keep the complaint and process for resolution confidential. This will ensure that the situation does not become more difficult and will respect all parties involved.
- 8.6. If a formal investigation is initiated, you will be notified of the complaint in writing, be interviewed by an investigator, and be given the opportunity to respond to the allegations against you. You also have the right to seek legal counsel, at your expense, to respond to the allegations against you in a formal investigation.

9. Procedure for Supervisors and Human Resources:

- 9.1. For serious situations, notify the RCMP immediately.
- 9.2. The Town will not accept anonymous complaints.
- 9.3. Once a complaint is received keep the information confidential while ensuring fair process in the investigation. Information relating to the complaint will only be disclosed to the extent necessary to carry out an investigation, or to meet the Town's obligation to provide a workplace free from violence. Parties involved in the resolution processes will not discuss the complaint with other employees who are not directly involved in the process. Improper breaches of confidentiality may result in disciplinary action.
- 9.4. An investigation is to be undertaken immediately and all necessary steps taken to resolve the situation. Two individuals within management or Human Resources or both will conduct all interviews. Alternatively, an external investigator may be contracted to conduct the investigation. The complainant, the respondent, and any individuals who may be able to provide relevant information will be interviewed. All information is kept in confidence by all parties involved.
- 9.5. The supervisor, in consultation with Human Resources, will determine if the respondent is to be placed on administrative leave during the investigation.
- 9.6. Upon conclusion of the investigation, the supervisor or Human Resources or both will inform the complainant and respondent of the determination as to whether the complaint was founded or not.
- 9.7. Upon conclusion of the investigation, and where it is warranted, the supervisor, in consultation with Human Resources, will promptly take corrective measures, which may include disciplinary action up to and including termination. The complainant is not entitled to know if the respondent is disciplined.
- 9.8. If the complaint was filed in good faith, no documentation is placed on the complainant's personnel file, regardless of whether or not the complaint is upheld. The Town shall not place

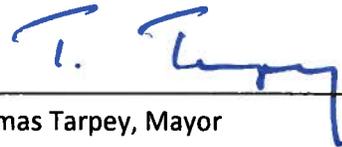
the complaint on the respondent's personnel file, but will keep the complaint in a separate file. The Town shall place any discipline on the respondent's personnel file.

False Complaints

10. If an investigation results in a finding that the complainant falsely accused another of conduct contrary to this Policy knowingly, in bad faith, or in a malicious manner, the complainant will be subject to appropriate sanctions, up to and including termination. Making a false complaint or providing false information about a complaint is a violation of this Policy.
11. For the purposes of this Policy, bad faith includes:
 - 11.1. Making a complaint for the purpose of aggravating or embarrassing a person;
 - 11.2. Making a complaint that not meant to lead to any practical result;
 - 11.3. Making a complaint with the intention to mislead,
 - 11.4. If there is the presence of ill-will, or other similar type of behaviour.

No Retaliation

12. Retaliation in any form against any person involved in a complaint, or in an investigation, is a violation of this policy and will result in disciplinary action, up to and including termination.
13. The Town will take all reasonable and practical measures to prevent retaliation or threats of retaliation.



Thomas Tarpey, Mayor



Christopher J. Parker, CAO