



Workplace Violence and Harassment Prevention Program

This Workplace Violence and Harassment Prevention Program is developed in accordance with the *Occupational Health and Safety Act*. The program sets out measures to control the risks of workplace violence, harassment, sexual harassment or threatening behaviour identified by Peterborough Housing Corporation, to summon immediate assistance when workplace violence, harassment, sexual harassment or threatening behaviour occurs and a process for workers to report incidents of workplace violence, harassment, sexual harassment or threatening behaviour.

Peterborough Housing Corporation is committed to providing a work environment in which all workers are treated with respect and dignity. Workplace violence, harassment, sexual harassment or threatening behaviour will not be tolerated from any person in the workplace.

The principles identified in the Workplace Violence and Harassment Prevention Policy and Program apply to all activities that take place when a worker is carrying out business for Peterborough Housing Corporation, whether or not the business takes place on properties owned and managed by Peterborough Housing Corporation.

The workplace violence and harassment prevention program applies to all workers including managers, supervisors, temporary employees, students and subcontractors.

Definitions

Workplace violence:

- 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 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.

Workplace harassment:

- Engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome.

Workplace sexual harassment:

- 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.
- 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.

Worker

- A person who performs work or services for Peterborough Housing Corporation, includes full-time, part-time, contract, casual or student workers.

Supervisor

- A person who has charge of a workplace or authority over a worker.

Designated Staff Person

- The person designated by Peterborough Housing Corporation to receive complaints of workplace violence, harassment, sexual harassment or threatening behaviour, and implement the procedures outlined in this program.

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

Roles and Responsibilities

Duties of the Employer

- The employer duties are outlined in section 25 of the *Occupational Health and Safety Act, R.S.O. 1990*
- The employer shall also:
 - Provide information and instruction that is appropriate to the worker on the contents of the policy and program with respect to workplace violence, harassment, sexual harassment or threatening behaviour.
 - Provide information, including personal information, related to a risk of workplace violence, harassment, sexual harassment or threatening behaviour from a person with a history of violent behaviour if:
 - The worker can be expected to encounter that person in the course of their work.
 - The risk of violence, harassment, sexual harassment or threatening behaviour is likely to expose the worker to physical injury.

Duties of the Supervisor

- The supervisor duties are outlined in section 27 of the *Occupational Health and Safety Act, R.S.O. 1990*
 - The supervisor shall also advise a worker of information, including personal information, related to a risk of workplace violence, harassment, sexual harassment or threatening behaviour from a person with a history of violent behaviour if:
 - The worker can be expected to encounter that person in the course of their work.
 - The risk of violence, harassment, sexual harassment or threatening behaviour is likely to expose the worker to physical injury.

Duties of the Worker

- The worker duties are outlined in section 28 of the *Occupational Health and Safety Act, R.S.O. 1990*

Reporting workplace violence, harassment, sexual harassment or threatening behaviour

How to report workplace violence, harassment, sexual harassment or threatening behaviour.

Summoning Immediate Assistance:

Anyone who requires immediate assistance as a result of the occurrence or likely occurrence of workplace violence may summon immediate assistance in the following manner:

1. Using equipment to summon assistance: such as cell phones, panic buttons, intercom system on telephone;
2. Using emergency telephone numbers: such as contact information for on-site staff/or a designated staff member; staff directory
3. Using emergency procedures (911).

Reporting an incident or complaint:

Workers can report incidents or complaints of workplace violence, harassment, sexual harassment or threatening behaviour verbally or in writing. When submitting a written complaint, please use the Workplace Violence and Harassment Reporting form. When reporting verbally, the reporting contact, along with the worker complaining of violence, harassment, sexual harassment and threatening behaviour, will fill out the complaint form.

The report of the incident should include the following information:

1. Name(s) of the worker who has allegedly experienced workplace violence, harassment, sexual harassment or threatening behaviour and contact information.
2. Name of the alleged harasser(s), position and contact information (if known).
3. Names of the witness(es) (if any) or other person(s) with relevant information to provide about the incident (if any) and contact information (if known).
4. Details of what happened including date(s), frequency and location(s) of the alleged incident(s)
 - a. Any supporting documents the worker who complains of workplace violence, harassment, sexual harassment or threatening behaviour may have in his/her possession that are relevant to the complaint.
 - b. List any documents a witness, another person or the alleged harasser may have in their possession that are relevant to the complaint.

Who to report workplace violence, harassment, sexual harassment or threatening behaviour to.

An incident or a complaint of workplace violence, harassment, sexual harassment or threatening behaviour should be reported as soon as possible after experiencing or witnessing an incident. This allows the incident to be investigated in a timely manner.

Report a workplace violence, harassment, sexual harassment or threatening behaviour incident or complaint to the Designated Staff Person at Peterborough Housing Corporation; the Chief Executive Officer.

If the Designated Staff Person is the person engaging in the workplace harassment, contact Peterborough Housing Corporation, Board of Director's Chair.

Peterborough Housing Corporation, Chief Executive Officer, shall be notified of the workplace violence, harassment, sexual harassment or threatening behaviour incident or complaint so that they can ensure an investigation is conducted that is appropriate in the circumstances. If the incident or complaint involves the owner, senior executive, or director, an external person qualified to conduct a workplace violence, harassment, sexual harassment or threatening behaviour investigation who has knowledge of the relevant workplace harassment laws will be retained to conduct the investigation.

In addition, the Peterborough Lakefield Community Police Service or Ontario Provincial Police should be contacted if an incident of workplace violence has taken place.

All incidents or complaints of workplace violence, harassment, sexual harassment or threatening behaviour shall be kept confidential except to the extent necessary to protect workers, to investigate the complaint or incident, to take corrective action or otherwise as required by law.

Investigation

Commitment to investigate

Peterborough Housing Corporation will ensure that an investigation appropriate in the circumstances is conducted when the employer, a manager or a supervisor becomes aware of an incident of workplace violence, harassment, sexual harassment or threatening behaviour or receives a complaint of workplace violence, harassment, sexual harassment or threatening behaviour.

Who will investigate

Peterborough Housing Corporation, Chief Executive Officer, will determine who will conduct the investigation into the incident or complaint of workplace violence, harassment, sexual harassment or threatening behaviour. If the allegations of

workplace violence, harassment, sexual harassment or threatening behaviour involve a senior executive or director the employer will refer the investigation to an external investigator to conduct an impartial investigation.

If Peterborough Housing Corporation receives an order from a Ministry of Labour Inspector, an investigation will be conducted, at the expense of the employer, by an impartial person possessing such knowledge, experience or qualifications as are specified by the inspector and to obtain, at the expense of the employer, a written report by that person.

Timing of the investigation

The investigation must be completed in a timely manner and generally within 90 days or less unless there are extenuating circumstances (i.e. illness, complex investigation) warranting a longer investigation.

Investigation process

The person conducting the investigation whether internal or external to the workplace will, at minimum, complete the following:

1. The investigator must ensure the investigation is kept confidential and identifying information is not disclosed unless necessary to conduct the investigation. The investigator should remind the parties of this confidentiality obligation at the beginning of the investigation.
2. The investigator must thoroughly interview the worker who allegedly experienced the workplace violence, harassment, sexual harassment or threatening behaviour and the alleged harasser(s), if the alleged harasser(s) is a worker of the employer. If the alleged harasser(s) is not a worker, the investigator should make reasonable efforts to interview the alleged harasser(s).
3. The alleged harasser(s) must be given the opportunity to respond to the specific allegations raised by the worker. In some circumstances, the worker who allegedly experienced the workplace violence, harassment, sexual harassment or threatening behaviour should be given a reasonable opportunity to reply.
4. The investigator must interview any relevant witnesses employed by the employer who may be identified by either the worker who allegedly experienced the workplace violence, harassment, sexual harassment or threatening behaviour, the alleged harasser(s) or as necessary to conduct a thorough investigation. The investigator must make reasonable efforts to interview any relevant witnesses who are not employed by the employer if there are any identified.
5. The investigator must collect and review any relevant documents.
6. The investigator must take appropriate notes and statements during interviews with the worker who allegedly experienced workplace harassment, the alleged harasser and any witnesses.
7. The investigator must prepare a written report summarizing the steps taken

during the investigation, the complaint, the allegations of the worker who allegedly experienced the workplace violence, harassment, sexual harassment or threatening behaviour, the response from the alleged harasser, the evidence of any witnesses, and the evidence gathered. The report must set out findings of fact and come to a conclusion about whether workplace violence, harassment, sexual harassment or threatening behaviour was found or not.

Results of the investigation

Within 10 days of the investigation being completed, the worker who allegedly experienced the workplace violence, harassment, sexual harassment or threatening behaviour and the alleged harasser(s), if he or she is a worker of the employer, will be informed in writing of the results of the investigation and any corrective action taken or that will be taken by the employer to address workplace violence, harassment, sexual harassment or threatening behaviour.

Confidentiality

Information about complaints and incidents shall be kept confidential to the extent possible. Information obtained about an incident or complaint of workplace violence, harassment, sexual harassment or threatening behaviour, including identifying information about any individuals involved, will not be disclosed unless disclosure is necessary to protect workers, to investigate the complaint or incident, to take corrective action or otherwise as required by law.

While the investigation is on-going, the worker who has allegedly experienced violence, harassment, sexual harassment and threatening behaviour, the alleged harasser(s) and any witnesses should not discuss the incident or complaint or the investigation with each other or other workers or witnesses unless necessary to obtain advice about their rights. The investigator may discuss the investigation and disclose the incident or complaint-related information only as necessary to conduct the investigation.

All records of the investigation will be kept confidential.

Handling complaints

If sufficient evidence was found to substantiate that workplace violence, harassment, sexual harassment or threatening behaviour has occurred and/or the Workplace Violence and Harassment Prevention Policy has been contravened, the designated person of Peterborough Housing will consider corrective action, up to and including termination of employment.

If no evidence was found to substantiate the complaint and/or the complaint is found to be malicious or frivolous, disciplinary action may be brought against the complainant.

Right of Parties to Support and Assistance

The complainant and respondent are entitled to the services of the employer's Employee and Family Assistance Plan services. The complainant and the respondent are also entitled to the support and assistance of an advocate or representative from a preselected list of members of the employer's community or a person of their choice. Such list will be chosen and maintained by the manager, supervisor, or other person designated by the employer. Assistance should include the creation and implementation of individual safety plans to protect employees from situations where the threat of workplace violence, including domestic violence, are present.

Peterborough Housing Corporation will be responsible for any costs incurred by the complainant or respondent related to the workplace incident, provided the incident is not deemed to be frivolous.

Record keeping

Peterborough Housing Corporation will keep records of the investigation including:

1. A copy of the complaint or details about the incident;
2. A record of the investigation including notes;
3. A copy of the investigation report (if any);
4. A summary of the results of the investigation that was provided to the worker who allegedly experienced the workplace harassment and the alleged harasser, if a worker of the employer;
 - a. The results of the above noted investigation, and any report created for the purposes of the investigation, are not a report respecting occupational health and safety for the purposes of the *Occupational Health and Safety Act, R.S.O. 1990, subsection 25(2) c.2, Sched. 4, s.3* and do not need to be provided to the Joint Health and Safety Committee.
5. A copy of any corrective action taken to address the complaint or incident of workplace harassment.

All records of the investigation will be kept confidential. The investigation documents, including this report should not be disclosed unless necessary to investigate an incident or complaint of workplace harassment, take corrective action or otherwise as required by law. Records will be kept for 7 years from the date of complaint, or finalization of investigation, whichever is later.

Annual Reporting:

The person designated by Peterborough Housing Corporation will make an annual report to the Board Chair of the number of complaints proceeded with and the resolution, mediation, and dispositions made under this policy. The Board Chair will present his/her report including the report received from the designated staff to the Board of Directors, together with any recommendations with respect to matters contained in the report.

Policy and Program Review

The Workplace Violence and Harassment Prevention Policy and Program will be reviewed by Peterborough Housing Corporation and the Joint Health and Safety Committee as often as necessary, but at least annually, to ensure that they adequately address and respect the safety of workers in relation to workplace violence, harassment, sexual harassment or threatening behaviour.

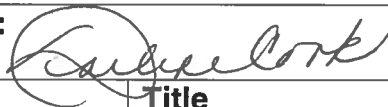
Staff Training and Instruction

The Workplace Violence and Harassment Prevention Policy, Program and Reporting Forms will be posted in a conspicuous place in every workplace where Peterborough Housing Corporation staff work.

All staff are required to review the Workplace Violence and Harassment Prevention Policy and Program within thirty (30) days of beginning employment, and annually thereafter. Staff are required to sign off that they have read and agree to the requirements in the policy and program, and a copy of this sign off will be placed in their personnel file.

Staff are expected to participate in any additional workplace violence, harassment, sexual harassment and threatening behaviour training deemed a requirement by Peterborough Housing Corporation.

Recommended By:



Name Darlene Cook	Title Chief Executive Officer	Date August 2016
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Approved By: Peterborough Housing Corporation Board of Directors	Date August 24/16
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Supporting Documentation: PHC-HR-10 Workplace Violence and Harassment Prevention Policy
Workplace Violence and Harassment Reporting Form