

DRAFT - WORKPLACE VIOLENCE & HARASSMENT POLICY

1. PHILOSOPHY

The management of Ontario Camps Association (“OCA”) is committed to providing a work environment in which all individuals (staff and volunteers) are treated with respect and dignity.

2. GOAL

This Workplace Violence and Harassment Policy is intended to strengthen protections for employees, volunteers and members from workplace violence and workplace harassment, to ensure all employees, volunteers and members understand the meaning of workplace violence and harassment, and provide a means to summon assistance, make complaints and outline the OCA’s procedures for investigating and dealing with allegations of harassment and/or violence in the workplace.

3. DEFINITIONS

Workplace means:

- OCA buildings (whether owned or leased), including the surrounding perimeter such as any parking lots or driveways that are under the control of the OCA;
- Off-site locations where OCA employees or volunteers are performing work;
- Locations where OCA-sponsored functions or recreational or social events occur, whether taking place on OCA grounds or elsewhere; and
- Locations where OCA employees and volunteers travel for OCA business.

Workplace Violence means:

- The exercise of physical force by a person against an employee or volunteer, in a workplace, that could cause physical injury to the employee or volunteer;
- An attempt to exercise physical force against an employee or volunteer, in a workplace, that could cause physical injury to the employee or volunteer; or

- A statement or behaviour that it is reasonable for an employee or volunteer to interpret as a threat to exercise physical force against the employee or volunteer, in a workplace, that could cause physical injury to the employee or volunteer.

Workplace Harassment means:

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

Workplace harassment may include bullying, intimidating, embarrassing, insulting, demeaning or otherwise offensive behaviour, including offensive jokes or innuendos, displaying or circulating offensive pictures or materials, or offensive or intimidating phone calls or other inappropriate conduct that is known or ought reasonably to be known to be unwelcome. Workplace harassment includes, but is not limited to, harassment because of race, ancestry, place of origin, colour, ethnic origin, sex, citizenship, creed, age, record of offences, marital status, family status or disability.

Workplace harassment does not include the exercise of reasonable performance management or progressive discipline. This Policy does not limit or constrain the reasonable exercise of management functions in the workplace such as progressive discipline.

Sexual Harassment is a form of Workplace Harassment, and Includes:

Sexual advances; requests for sexual favours or offers for actual or promised job benefits; implied or expressed threats or reprisal in the form of either actual reprisal or denial of opportunity to comply with a sexually-oriented request; use of sexual language; inappropriate references to male or female anatomy; written or verbal references to sexual conduct; repeated unwelcome requests for dates; unwanted or inappropriate touching, lewd gestures, inappropriate staring, leering, or whistling; inquiries or comments about another's sex life; assault or coerced sexual activity; displaying offensive or sexually aggressive objects, pictures (for example, pinups), cartoons; telling sexual jokes; or gender-related comments about an individual's physical characteristics or mannerisms.

Sexual harassment also includes jokes, offensive literature or inappropriate screen savers, posters, cartoons, drawings, email messages, graffiti and any other visual materials, derogatory comments or other activities based on sexual characteristics that intrude upon a person's dignity or that create an intimidating, hostile or offensive atmosphere.

4. VIOLENCE RISK ASSESSMENT

The OCA will assess the risks of workplace violence that may arise from the nature of the workplace, the type of work or the conditions of work. The OCA will engage in re-assessments as often as are necessary. Measures and procedures to control these risks will be included in the workplace violence program.

5. DOMESTIC VIOLENCE

If the OCA becomes aware that domestic violence may occur in the workplace, the OCA will take every precaution reasonable in the circumstances to protect an employee or volunteer at risk of physical injury. If an employee or volunteer becomes aware of a situation of domestic violence that may cause violence in the workplace (whether involving him/her self or another employee or volunteer), the employee or volunteer is expected to report the situation to his/her manager or to the Executive Director or President (Human Resource Team) as soon as possible so appropriate action can be taken.

6. WORK REFUSAL

Employees and volunteers have the right to refuse work if they have a reason to believe that workplace violence is likely to endanger himself or herself. An employee or volunteer engaging in a work refusal is required to promptly report the circumstances of the refusal to his or her Supervisor, Executive Director or President (Human Resource Team). The employee or volunteer is required to remain at work in a safe location while an investigation is undertaken and remain available to OCA for the purposes of the investigation. If the employee or volunteer is not satisfied with the result of the investigation, he/she can bring the matter forward to the Ministry of Labour in accordance with the requirements under the Occupational Health and Safety Act, as amended from time to time.

7. ROLES AND RESPONSIBILITIES

Employees and Volunteers:

It is the responsibility of every employee and volunteer to:

- observe and adhere to this Policy by treating all co-workers, supervisors and managers with dignity and respect, free from harassment or violence;
- in the case of an imminent threat of physical harm to themselves or any person from workplace violence, immediately move to a safe location and contact the police;
- participate in training regarding this Policy;

- file a report with their immediate Supervisor, Executive Director or President as soon as possible if he/she is subjected to or witnesses harassment or violence in the workplace; and
- fully cooperate in any investigation of complaints or incidents of workplace violence or harassment, or any alleged breaches of this Policy.

Supervisors:

Have the same responsibilities as employees and volunteers, and as well are expected to:

- communicate and review this Policy with the staff and volunteers they supervise or manage;
- advise an employee or volunteer of information related to a risk of workplace violence from a person with a history of violent behaviour if the employee or volunteer can be expected to encounter that person in the course of his or her work, and the risk of workplace violence is likely to expose the employee or volunteer to physical injury;
- take a report of workplace violence or harassment seriously; and
- report incidents to the Supervisor, Executive Director or President (Human Resources Team) immediately for further action and/or investigation.

Human Resources:

Members of the human resources team must:

- take measures and procedures to control the risks of workplace violence identified in OCA's risk assessment as likely to expose an employee or volunteer to physical injury;
- ensure that a workplace violence risk assessment is conducted as often as is reasonably necessary as set out in this Policy;
- develop measures and procedures for summoning immediate assistance when an incident of workplace violence occurs or is likely to occur;
- ensure that employees and volunteers are trained in this Policy;
- post this Policy in a conspicuous place in the workplace; and

- deal with all concerns, complaints, or incidents of workplace violence or harassment in a timely and fair manner while respecting employees' privacy, to the extent possible given the need to investigate and deal with incidents and complaints of workplace violence or harassment.

8. COMPLAINT PROCEDURE

Employees and Volunteers are encouraged to report any incidents of workplace violence or harassment. Employees and volunteers should always contact police first in emergency situations, if threats or actual violence occurs at the workplace. In cases of non-emergencies, or once the emergency is under control:

- Employees and volunteers are expected and encouraged to report situations of workplace violence and harassment in a timely manner whether they have been subjected to such behaviour or whether they observe or know of a fellow employee or volunteer or group of employees or volunteers who have engaged in or been subjected to workplace violence or harassment.
- Where appropriate, employees or volunteers who feel they have been subjected to harassment are encouraged to make their objections known to the offender, as this may stop the offending behaviour. If the employee feels it is not appropriate to raise the problem with the offender or if the offensive conduct continues, the employee should report the conduct either to a Supervisor, Executive Director or President (Human Resource Team) other members of the Board.
- The OCA will take all complaints of workplace violence or harassment seriously, and will investigate and deal with complaints in a fair and thorough manner.
- Confidentiality will be maintained to the extent possible given the need to conduct a fair and thorough investigation and the obligation to disclose information as may be required by law. The respondent to a complaint will be apprised of the nature of the allegations, which may require the disclosure of witness names and statements, and informed of the steps in the investigation process including the opportunity to provide a response to OCA.
- All employees and volunteers must cooperate fully in any investigation conducted on behalf of the OCA to determine whether a violation of this Policy has occurred.

- If it is determined that an individual has violated this Policy, including retaliation, the OCA will act promptly to eliminate such conduct and will take appropriate action as set out below.

9. NO REPRISAL

Workplace violence and harassment are serious matters. This Policy prohibits reprisals against employees and volunteers who have made good faith complaints or provided information to the OCA in good faith regarding a complaint or incident of workplace violence or harassment. Employees or volunteers who engage in reprisals or threats of reprisals will be considered in violation of this Policy.

A Reprisal includes:

- Any act of retaliation or negative consequence that occurs because a person has complained of or provided information about a possible incident of workplace violence or harassment in good faith;
- Intentionally pressuring a person to ignore or not report a possible incident of workplace violence or harassment; and/or
- Intentionally pressuring a person to misrepresent the truth or provide less than full cooperation with an investigation of a complaint or possible incident of workplace violence or harassment.

An employee or volunteer who makes a false complaint or provides false information in the course of an investigation will be in violation of this Policy.

10. ENFORCEMENT

Violence and harassment in the workplace is disruptive, hurtful and can create a poisoned, hostile or dangerous work environment. Everyone in the workplace must be dedicated to preventing workplace violence and harassment. Managers, supervisors, volunteers and employees are expected to uphold this Policy, and will be held accountable. Where the OCA concludes that a violation of this Policy has occurred, the OCA may, where it deems appropriate, take any, some, or all of the following actions:

- Remove the perpetrator from the workplace, through the use of security or the police if necessary;
- Report the conduct of the perpetrator to the police;

- Prohibit the perpetrator from attending at any OCA workplace(s) in the future, either for a certain period of time or indefinitely;
- Where the perpetrator is not an OCA employee or volunteer, report the conduct to the perpetrator's employer or elsewhere as appropriate;
- Where the perpetrator is an OCA employee or volunteer:
 - report the conduct of the perpetrator to his/her Manager;
 - require the perpetrator to attend counselling or training; and/or
 - discipline the perpetrator, including a demotion, transfer, change in reporting relationships or termination from the OCA; and/or
- Take any other action appropriate in the circumstances.

Signed:

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Date: