



Town of Oxford Policy

DEPARTMENT: ALL TOWN DEPARTMENTS

TITLE: Workplace Violence Prevention Policy

MINUTES REFERENCED DATE:

1ST REVISION DATE: August 19, 2022

CURRENT REVISION DATE: August 19, 2022

1.0 WORKPLACE VIOLENCE PREVENTION STATEMENT OF POLICY AND PURPOSE

- 1.1** The Town of Oxford is committed to providing a respectful, healthy, and safe work environment and acknowledges that violence in the workplace is an occupational health and safety hazard which can cause physical and emotional harm which can occur on and off the job. Every employee is entitled to work in an environment free from violence, threats of violence and other disruptive behavior. These behaviors can include verbal and physical intimidation, hostile language and actions, verbal, and physical threats, and bullying by fellow employees, Councilors, contractors, suppliers, volunteers, or members of the public against self, others, or municipal property.
- 1.2** Any form of violence is unacceptable, and the Town of Oxford is committed to reducing and if possible, eliminating the risk of violence. The Town of Oxford has zero tolerance for any act of violence, in any form, committed by or against employees, Councilors, contractors, suppliers, volunteers, or members of the public. All employees are responsible to help minimize violence and support the Town of Oxford's workplace policies.
- 1.3** Any Town of Oxford employee, councilor, or committee member may file a complaint under this policy. Complaints by members of the public will be addressed through the code of Conduct and Progressive Discipline Policy.
- 1.4** The intention and purpose of this policy is to establish, maintain, and identify risk to prevent violence, in any form, from taking place. Where incidents are reported, the Town of Oxford will act promptly, fairly, and judiciously. The most effective element in preventing violence in the workplace is education. The Town of Oxford will provide educational opportunities, information, and promote awareness of violence to foster a safe, secure, and respectful workplace. This policy is one of the vehicles of education to our employees.
- 2.0 SCOPE:** This policy applies to all employees of the Town of Oxford, including, but not limited to regular, temporary, probationary, inclusive of all union and non-union and contracted employees. Should violence in any form occur, the Town of Oxford will take all available steps to ensure a workplace free from violence

3.0 DEFINITIONS AND GUIDANCE

3.1 DEFINITION OF VIOLENCE AND VIOLENT BEHAVIOURS: The Town of Oxford acknowledges that violence is much more than a physical act. Workplace violence is a much broader issue potentially endangering the health or safety of another person and includes, but is not limited to:

- 3.1.1 Threatening behaviors:** Threatening behaviors can threaten physical harm, such as intimidation (shaking fists or physical gestures), displays of any kind of weapon, and or verbal and written threats.
- 3.1.2 Physical Attacks:** Physical attacks can take several forms, depending on the intended target. In some cases, an attack may target a person and include behaviors such as: shoving, hitting, pushing, kicking, pinching, scratching, slapping, sexual assault, and anger-related acts such as throwing objects at another person. Physical attacks can also be directed toward buildings or property, cars, personal property, and an organization. This type of behavior can include arson, sabotage, vandalism, theft, and destruction of property.
- 3.1.3 Written or Verbal:** Threats of harm, written or spoken, can be classified as:
 - 3.1.3.1 Direct Threats:** Clear and explicit communication (including emails, voicemails, text messages, etc.) which clearly indicate the potential offender intends to do harm (e.g., "I am going to make your pay for what you did.")
 - 3.1.3.2 Conditional Threats:** Implied (written or verbal) involving a condition (e.g., "If you don't stop bugging me, you will be sorry.")
 - 3.1.3.3 Veiled Threats:** Threatening body language or behaviors leaving little doubt in the mind of the potential victim that the perpetrator intends to do harm (e.g., "Do you think anyone would care if someone beat up _____.").
 - 3.1.3.4 Messages from third parties:** Any message transmitted in any form from third parties.
- 3.1.4 Bullying and Harassment:** Bullying and harassing behavior includes any behavior designed to trouble or worry the victim and includes verbal abuse and intimidation, aimed at demeaning, embarrassing, or humiliating someone. This behavior can include coercive or fear-inducing behavior in the form of verbal abuse, such as swearing, insults or condescending language. Examples include pranks, rumors, arguments including derogatory language regarding race, religion, or sex.

3.2 SOURCES OF VIOLENT BEHAVIOUR: The Town of Oxford, in its commitment to educate employees and promote awareness of violence must consider all possible sources of violent behaviors. Workplace violence can arise from a person:

- 3.2.1** Inside the workplace, such as from a co-worker, or volunteer.
- 3.2.2** Related to the function of the workplace, such as a contractor, councilor, or supplier.
- 3.2.3** With an indirect relationship with the workplace, such as an estranged spouse, partner, or a former employee.
- 3.2.4** Who is unrelated to the organization, such as a member of the public, or a person with violent intent.

3.3 SOURCES AWAY FROM THE WORKPLACE: The Town of Oxford also identifies that workplace violence can also occur away from the workplace. Incidents of violence can also occur:

- 3.3.1** At business-related events such as conferences, trade shows or other events that relate to work.
- 3.3.2** Resulting from your work such as at a client's home or yard, store, or even at your own home (e.g., you receive a threatening phone call that is related to your work, or someone comes to your home).

4.0 POLICY

- 4.1** Anyone experiencing or witnessing imminent danger of personal injury or violence involving weapons should call 9-1-1 immediately.
- 4.2** Town of Oxford employees are expected to report any threat or act of violence that they have received, witnessed, or have been informed of, to the CAO or supervisor.
- 4.3** Town of Oxford employees, no matter the designation, who commit a violent act or threaten to commit a violent act may be subject to disciplinary action, criminal prosecution and/or civil prosecution as appropriate.
- 4.4** Any individual who makes a substantial threat, exhibits threatening behavior, or engages in violent acts on municipal property, at municipally sponsored events, or other location/event, shall be subject to removal from the premises as quickly and as safety permits, pending an outcome of an investigation.
- 4.5** Any Town of Oxford employee who has committed an act of violence in the workplace or has otherwise violated this policy may be subject to disciplinary action up to and including dismissal.
- 4.6** Any form of retaliation against employees who are exercising their rights under this policy will be considered a violation of this policy and will not be tolerated. Such retaliatory action may be subject to disciplinary action, up to and including dismissal.
- 4.7** Any Town of Oxford employee found to have lodged or otherwise supported a false accusation will be subject to appropriate disciplinary action, up to and including dismissal.
- 4.8** The Town of Oxford will make every effort to ensure appropriate confidentiality where an incidence of violence has occurred.

5.0 COMPLIANCE: Anyone who believes that they have been subject to workplace violence as defined or otherwise implied by this policy will:

- 5.1 Safely make a reasonable attempt to resolve the behavior informally by telling the alleged offender that their behavior is unacceptable and unwelcome and clearly stating that this behavior must stop.
- 5.2 If the matter is not resolved informally between the individuals, the complainant should immediately inform their immediate supervisor, and/or the CAO.
- 5.3 Anyone who witnessed violence in the workplace should immediately inform their immediate supervisor and/or the CAO. The witness will be notified if the complaint is resolved informally, or if the matter is progressing to an investigation.
- 5.4 Supervisors and managers who are aware of violence including prohibited conduct or potential of violence in the workplace is expected to address the situation promptly whether a formal complaint has been made or not. Supervisors and managers are required to proactively address any conduct which could lead to violence or a violent act. Supervisors and managers are also required inform the CAO of any incidents.
- 5.5 It is vitally important that reports or complaints be made as soon as possible after the alleged incident has occurred so that the issue may be addressed and resolved as swiftly as possible.
- 5.6 The complainant may have evidence of violent or aggressive behavior but may not wish to lay formal complaint. If this occurs:
 - 5.6.1 The CAO, supervisor or both may agree on an informal means of resolving the issue which may include informal meetings or other communications with the alleged person whom the allegations are made., or
 - 5.6.2 The CAO may recommend that an investigation should nevertheless occur as though a formal complaint was in fact laid, even where that recommendation is contrary to the wishes of the complainant. An investigation may need to proceed if the allegations are serious or if there have been previous complaints or incidents involving the respondent.
- 5.7 Where possible a complaint must be made in writing and include details of:
 - 5.7.1 What happened – a description of the events or situation.
 - 5.7.2 When it happened – dates and times of the events or incidents.
 - 5.7.3 Where it happened.
 - 5.7.4 Who saw it happen – include the names of any witnesses and their contact information (if required).
- 5.8 In all cases, the CAO of the Town of Oxford shall be informed of reports and shall have the final decision on the appropriate course of action.

6.0 INVESTIGATION: Investigations will be completed by the CAO of the Town of Oxford, or another employee appointed by the CAO. In all cases involving a councilor or CAO, the investigation shall be completed by a Councilor or an external investigator, where appropriate. The investigation will include:

6.0.1 Interviewing the complainant and respondent to investigate all facts and circumstances relevant to the complaint, including dates and locations.

6.0.2 Interviewing any witnesses, if any.

6.0.3 Reviewing related documentation, if any.

6.0.4 Making detailed notes of the investigation and maintaining them confidentially.

6.1 Where the case involves an employee, once the investigation is complete, the investigator or CAO will prepare a detailed report of the findings. A summary of the findings will also be provided to the complainant and respondent.

6.2 Where the case involves a Councilor, once the investigation is complete, a detailed report of the findings and recommendations will be prepared and submitted to Council at an in-camera session.

6.3 Where the case involves the CAO, once the investigation is complete, the Councilor or external investigator will prepare a detailed report of the findings and recommendations and submit to Council at an in-camera session. If the CAO chooses, they may elect to have legal representation present for the delivery of the report to Council.

6.4 Should the circumstances warrant, the respondent's employment, or seat on a committee or Council may be suspended (with pay for employees and Councilors) during all or part of the Town of Oxford's investigation. Where a criminal charge is laid, the Town of Oxford reserves the right to suspend an employee, Councilor, or committee member without pay pending trial.

6.5 This policy's goal is to balance both timeliness of the investigation with the concepts of thoroughness and fairness for all individuals involved. The following are investigation timelines.

6.5.1 Once a complaint has been received, the investigator will have 14 calendar days to collect statements from victims and witnesses.

6.5.2 The respondent will then have 14 calendar days to submit a rebuttal in writing.

6.5.3 The investigator will then have 14 calendar days to submit a final report, including checking with complainants or witnesses on statements made by the respondent.

6.5.4 Depending on the complexity of the situation, additional time may be allotted for proper investigation.

7.0 THIRD PARTIES: This policy also applies to contractors, suppliers, or members of the public. The Town of Oxford may have limited ability to investigate or control the conduct of these third parties. However, the Town of Oxford will take reasonable action to stop or reduce the risk to its employees, Councilors, committee members, or volunteers. Such actions may include:

7.0.1 Posting this policy in a location visible to third parties.

7.0.2 Removing third party violators.

7.0.3 Withdrawing municipal services.

7.0.4 Contacting Law Enforcement.

7.0.5 Taking legal action against third party violators.

7.1 Where a third party engaging in workplace violence, as defined, or implied by this policy has been asked to stop and does not, employees are authorized to:

7.1.1 End telephone conversations.

7.1.2 Politely decline services.

7.1.3 Inform the individual their behavior or actions is unacceptable and ask the individual to leave the workplace.

7.1.4 Seek the assistance of the supervisor, CAO or dial 9-1-1.

7.1.5 All such actions shall be reported immediately, in writing, to the CAO.

7.2 Where employees are in the private home or yard or business of a resident who engages in workplace violence, employees are authorized to decline service and leave the premises. Where a resident has engaged in workplace violence in the past, or where there is a good possibility of the client becoming violent (e.g., in cases where Public Works is directed to shut off water service), employees are encouraged to not attend alone.

8.0 RIGHTS UNDER THIS POLICY: Employees have the right to refuse work if workplace violence is likely to endanger them. In these instances, employees should immediately contact their supervisor and/or the CAO, at which point appropriate measures will be taken, as outlined in this policy, to protect the employee and investigate the situation.

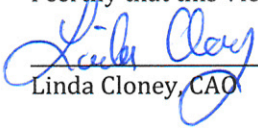
9.0 POLICY REVIEW: This workplace violence prevention policy shall be reviewed annually through the Occupational Health and Safety Committee and the CAO. Violence risk assessments and violence prevention plans shall be reviewed every 5 years, or if an incident of violence occurs that is not identified in the current Violence Risk Assessment, or if there are significant changes or renovations in the workplace.

Chief Administrative Officer's Annotation for the Town of Oxford Policy Book

Date of Notice to Council Members of Intent to Consider (7 days min): September 7, 2022

Date of Passage of the current Policy: Oct 3, 2022

I certify that this Violence in the Workplace Policy was adopted by Council as indicated above.



Linda Cloney, CAO

Oct 3, 2022

Dated

Date Last Reviewed: August 19, 2022

Date Last Amended:



Town of Oxford Procedure

DEPARTMENT: ALL TOWN DEPARTMENTS

TITLE: Workplace Violence Prevention Procedure

MINUTES REFERENCED DATE:

1ST REVISION DATE: August 19, 2022

CURRENT REVISION DATE: August 19, 2022

Definition:

The Town of Oxford acknowledges that violence is much more than a physical act. Workplace violence is a much broader issue endangering the health or safety of another person and includes, but is not limited to threatening behaviors, physical attacks, written or verbal, and bullying and harassment. The Town of Oxford must conduct a violence risk assessment for each of their workplaces in accordance with the Workplace Violence Prevention Policy and this procedure to determine if there is a risk of violence in the workplace and prepare a written report concerning the violence risk assessment detailing the extent and nature of any risk identified by the assessment.

PURPOSE:

Preparation of a plan for the identification, remediation, and documentation for workplace violence:

- To assess the risk of positions to workplace violence.
- Determine the risk.
- Inspect the site where for those positions that are deemed to be a risk and prepare suggestions to lessen the risk of violence.
- Once an incident has taken place, investigate the incident.
- Prepare a post incident plan to alleviate the possible reoccurrence of the incident.

PROCEDURE:

- A) Carry out a Risk Assessment of the positions for employees in the Town of Oxford. This will be done using the violence risk assessment form. In conducting a violence risk assessment, the Town of Oxford must take all the following into consideration:
- a. Violence that has occurred in the workplace in the past.
 - b. Violence that is known to occur in similar workplaces.
 - c. The circumstances in which work takes place.
 - d. The interactions that occur while performing work.
 - e. The physical location and layout of the workplace.

Representatives of the Joint Occupational Health and Safety committee will carry out this assessment for the positions in each of the departments. If the answer to any of the questions on the Violence Risk Assessment form is "yes", a written Violence Prevention Plan must be prepared. The violence risk assessment form must be completed:

- a. The Town of Oxford becoming aware of a type of violence occurring in similar workplaces that was not taken into consideration when the previous violence risk assessment was conducted.
 - b. Every five years.
 - c. Immediately following any significant changes in the circumstances in which work takes place, interactions that occur while performing work, or physical location or layout of the workplace.
 - d. The Town of Oxford planning to construct a new facility or renovate an existing facility.
 - e. The Town of Oxford is ordered to do so by an officer.
- B) Determine the risk of the position if the risk assessment warrants this to be done. The trigger will be one yes response to any questions on the violence risk assessment form. Representatives of the Joint Occupational Health and Safety committee will determine this risk for the positions in each of their departments.
- C) Carry out an inspection of the associated worksite to identify possible dangers and determine what can be done to lessen or alleviate the risk of violence. This will be done in conjunction with the regular workplace inspection as per the workplace inspection procedure.
- D) In the event that workplace aggression/violence has occurred, or significant renovation or alteration to the location of the workplace, a new violence risk assessment and/or an investigation will be carried out. Representatives of the Joint Occupational Health and Safety committee will carry out this risk assessment and/or investigation for each of their departments/workplace unless that representative is involved with the incident, at that time, a replacement will be chosen from the membership of the Joint Occupational Health and Safety Committee.
- E) A workplace violence prevention plan will be developed. This will be carried out by representatives of the Joint Occupational Health and Safety Committee and the CAO for each of the affected departments.

WORKPLACE VIOLENCE PREVENTION PLAN: The Town of Oxford must establish and implement a workplace violence prevention plan for each workplace for which a significant risk of violence is identified through a violence risk assessment or that an officer orders a plan for. As part of a workplace violence prevention plan, an employer must do all the following:

1. Prepare a written workplace violence prevention statement unique to the individual workplace that
 - a. Document reasonable measures to minimize and, to the extent practicable, eliminate the risk of violence in the workplace or,
 - b. Adopt a code of practice on violence in the workplace published by the CAO governing the primary business conducted at the workplace.
 - c. establish and document procedures for providing employees with the information and training required.
 - d. establish and document procedures for reporting, documenting, and investigating incidents of violence.
2. The Town of Oxford will consult with the Occupational Health and Safety Committee when establishing, reviewing, and revising a workplace violence prevention plan.
3. The Town of Oxford will make a copy of the workplace violence prevention policy, procedure, and current plan available for examination at the workplace by any employer, contractor, constructor, supplier, employee, or any person working in and around the workplace of the Town of Oxford. A copy of each of the policy, procedure, and current plan will be posted in a prominent place or places in each of their workplaces so it can be always easily accessible.