

Violence & Harassment in the Workplace

Participant Workbook

Worksafe Consulting Services

Participant Name: _____



Worksafe Consulting Services Presents - Violence and Harassment in the Workplace.

Worksafe Consulting Services is committed to helping Employers and Employees to take a pro-active approach to loss prevention in the workplace.

Introduction

[illegible]

KNOW YOUR RIGHTS

Violence & Harassment in the Workplace

Scope of The Act:

- Bill 168, An Act to amend the Occupational Health and Safety Act with respect to violence and harassment in the workplace and other matters, came into effect June 15, 2010.

Now, the law requires every workplace in Ontario with more than 5 employees to develop written policies on dealing with both violence and harassment in the workplace

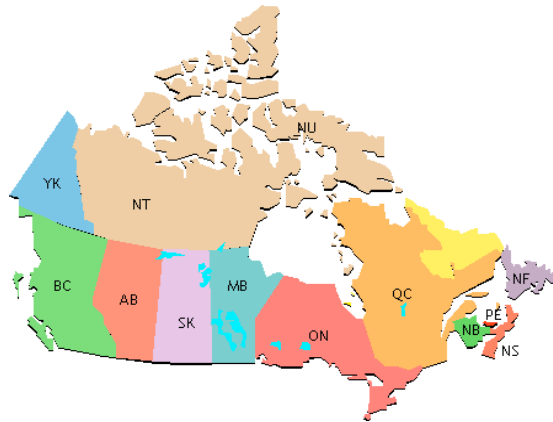
- develop programs to implement these policies
- review those policies at least once a year, and
- conduct training on these policies

Why Pay attention to Violence Hazards in your workplace?

Workplace violence poses a high risk to the health and safety of employees.

Studies show that 1 million or more violent situations occur in the workplace every year! Workplace violence is very real and can explode anytime and anywhere. Jobs involving the public have the greatest risk of becoming a workplace violence statistic. Two out of three physical assaults happen in the medical care and social service industries.

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Each province right across Canada has adopted these standards for the protection of the worker. Each province has specific language identified in the Provincial Occupational Health and Safety Act and has developed regulations for implementation into the workplace. Provincial enforcement, enforces the requirements in all workplaces.

Other laws cover workplaces under federal jurisdiction, in other provinces, or in other countries. These laws may define workplace violence differently from the Occupational Health and Safety Act.

Some workplaces may wish to explore non-legislative descriptions of workplace violence that go beyond the definition set out in the Occupational Health and Safety Act. These descriptions may link harassment, abusive behaviour, and violence within a continuum and not see clear distinctions between the behaviours. This view may be helpful when considering the scope and nature of violence in the workplace.

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Worksheet # 1

In Table Groups, discuss sources that could exist to expose you to violence in the workplace.

There are Inside Sources and Outside sources.

Give two examples for each.

Inside Sources:

Outside Sources:

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How are you protected under this legislation?

Violence in the workplace legislation imposes five key elements on every employer in Ontario



- 1 - A workplace specific risk assessment must be completed for violence in the workplace
- 2 – The employer must implement a policy prohibiting violence in the workplace.
- 3 – The employer must prepare a program based on the result of the risk assessment and it must be responsive to the specific needs of the workplace.
- 4 – The employer must provide training for management and workers with respect to their violence and harassment prevention program.
- 5 – The employer must establish an internal complaint and investigative process.

Employers have obligations under the Occupational Health and Safety Act to protect workers from all these sources of violence.

Types of Workplaces

Workplace violence can occur in any type of workplace: a restaurant, school, hotel, office, taxi, factory, logging site, store, hospital, bar, or social service agency. It can occur in any line of work: construction, emergency medical services, inspection or enforcement, or government services.

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Legal Definitions:

(To help understand how to interpret the standards)

Workplace Violence: Behavior in which an employee, former employee or visitor to a workplace inflicts or threatens to inflict damage to property, serious harm, injury or death to others at the workplace.

Threat: The implication or expression of intent to inflict physical harm or actions that a reasonable person would interpret as a threat to physical safety or property.

Intimidation: Making others afraid or fearful through threatening behavior.

Zero-tolerance: A standard that establishes that any behavior, implied or actual, that violates the policy will not be tolerated. This standard is set by the employer.

Court Order: An order by a Court that specifies and/or restricts the behavior of an individual. Court Orders may be issued in matters involving domestic violence, stalking or harassment, among other types of protective orders, including Temporary Restraining Orders.

Risk Factors for Workplace Violence

- Having direct contact with clients
- Handling cash
- Working alone or in small numbers
- Working with unstable or volatile people
- Working in a community-based setting
- Working in high-crime areas
- Securing or protecting valuable goods
- Transporting people and/or goods



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What is Workplace Violence?

- Physical attack
- Verbal abuse and Intimidation
- Harassment
- Verbal or written threats (Direct, Conditional, Veiled)
- Threatening behavior (shaking a fist, throwing items)



We will discuss Harassment in a few minutes, as it is enforceable under the Human Rights Act and the Human Rights Commission. Any harassment that includes any of the above, may be enforceable under the Occupational Health and Safety Act and the Criminal Code.

Under the OHSA, workplace violence means

- 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; or
- 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.

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Examples of Workplace Violence

Zero
Tolerance of
Workplace
Violence

- Murder
- Arson
- Sexual Implications
- Anger-related incidents
- Psychological trauma
- Physical assault
- Theft
- Pushing
- Sabotage
- Vandalism
- Property damage
- Arguments
- Pranks
- Verbal abuse
- Swearing
- Rumours

Test your Knowledge

1. Bill 168 only applies to Ontario? T or F
2. Zero Tolerance, means the employer sets the standard in the workplace?
T or F
3. "I only pointed my finger at my Supervisor and slightly raised my voice to get my point across!" This would not be considered workplace violence?
T or F
4. Standing in front of someone to prevent them from being able to move is considered workplace violence?
T or F
5. A verbal threat could be a direct threat, a conditional threat or a veiled threat?
T or F

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Domestic Violence

Bill 168 requires the employer to be aware of domestic violence and its potential impact on the workplace. While often originating in the home, can significantly impact workplace safety and the productivity of victims as well as co-workers.

"Domestic Violence" is defined as abuse committed against an adult or fully emancipated minor. Abuse is the intentional reckless attempt to cause bodily injury, sexual assault, threatening behavior, harassment, or stalking, or making annoying phone calls to a person who is in any of the following relationships:

- Spouse or former spouse;
- Domestic partner or former domestic partner;
- Cohabitant or former cohabitant and or other household members;
- A person with whom the victim is having, or has had, a dating or engagement relationship.
- A person with whom the victim has a child.

The employer must do everything reasonable to provide a protected and safe place for us to work. We've all heard the term "going postal" This refers to an incident in August 1986 when a US postal employee named Patrick Sherrill shot 14 people to death before shooting himself in an Edmond, Oklahoma post office.

In a 2000 Postal Service Commission report, the phrase "going postal" was called a "myth" because employees in other industries were more likely to be victims of workplace homicide than postal workers. The threat of violence and injury on the job involve issues creating workplace stress such as...

workplace bullying, workplace domestic violence, intimidation, verbal and emotional abuse, stalking.

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Mitigating Measures

Incidents which threaten the security of employees shall be mitigated as soon as possible following their discovery. Mitigating actions include:

- Notification of law enforcement authorities when a potential criminal act has occurred.
- Provision of emergency medical care in the event of any violent act upon an employee.
- Post-event trauma counseling for those employees desiring such assistance.

The following are some of the things employees CAN DO to protect themselves.

- Always inform management of concerns dealing with being secure and safe.
- Alert the employer in writing about any incidence that violates workplace security immediately.
- Education on how to identify the hazards, stay away from and minimize situations that could become violent.
- Participate in company programs involving workplace violence safety.
- Be aware of unsafe areas and don't travel alone.
- Don't have large amounts of money when doing business with the community.

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Mitigating Measures Continued

A quick response will give the assurance that incidents are handled in accordance with the Workplace Violence Prevention policy.

- Requesting your Company attorney file a restraining order as appropriate.
- As an employee you have an obligation to inform your employer of any restraining orders that you may have against any person/s who should not be coming into your workplace. This allows the employer to make the appropriate security adjustments by orienting applicable staff and thereby preventing potential violence in the workplace.



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What is Workplace Harassment?



Discrimination and Harassment

- Harassment is any unwanted physical or verbal conduct that offends or humiliates you. Such conduct can interfere with your ability to do a job or obtain a service.
- Harassment is a type of discrimination. It can take many forms, such as:

threats, intimidation, or verbal abuse; unwelcome remarks or jokes about subjects like your race, religion, disability or age; displaying sexist, racist or other offensive pictures or posters; sexually suggestive remarks or gestures; inappropriate physical contact, such as touching, patting, pinching or punching; physical assault, including sexual assault.



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What is Workplace Harassment? (Continued)

Discrimination and Harassment

- Harassment can consist of a single incident or several incidents over a period of time.
- Harassment can create a negative or hostile work environment which can interfere with your job performance and result in your being refused a job, a promotion or a training opportunity.
- The harasser, who could be of the same or opposite sex as the person harassed, may be a supervisor, a co-worker, or someone providing you with a service, such as a bank officer or a clerk in a government department.
- Harassment will be considered to have taken place if a reasonable person ought to have known that the behavior was unwelcome.



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What can you do about it?

Don't ignore harassment.

Report it. If you are harassed, there are several steps you can follow:

- Make it clear to the harasser that his or her actions are not welcome.
- Document your case. Keep a written record of the incidents, including times, places and witnesses.
- If you are harassed at work, contact the appropriate person identified in your employer's harassment policy. Your employer is required to have a Violence and Harassment committee in place, and they are required to investigate complaints.
- If you are harassed by the provider of a service, complain to the management.



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Reporting Acts or Threats of Violence

An employee who is the victim of violence, or believes they have been threatened with violence, or witnesses an act or threat of violence towards anyone else shall take the following steps:

- If an emergency exists and the situation is one of immediate danger, the employee shall contact the local police officials by dialing 9-1-1, and may take whatever emergency steps are available and appropriate to protect himself/herself from immediate harm, such as leaving the area.
- If the situation is not one of immediate danger, the employee shall report the incident to the appropriate supervisor or manager as soon as possible and complete the Workplace Violence Incident Report Form.

My obligations as an employee include:

6. Notifying my employer of a restraining order for domestic violence?
T or F
7. Report threats of violence to my employer, who may investigate the complaint?
T or F
8. To disregard jokes that offend me, and do nothing about it, as no-one in the workplace will bother to do anything about it anyway?
T or F

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Test your Knowledge

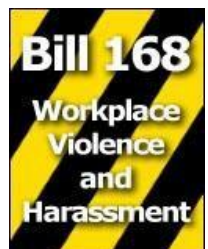
9. The first response for the employer, if a co-worker physically assaults another co-worker would be?
 - a.) Investigates the complaint
 - b.) Talks to the alleged accused and explains the companies' zero tolerance policy.
 - c.) Calls the police and the police will investigate.
10. After I report a complaint to my employer, I should document on the Companies' Workplace Violence Incident Report Form:
 - a.) Date
 - b.) Time
 - c.) Incident
 - d.) Witnesses
 - e.) All the above
11. If the situation is not one of immediate danger, the employee shall report the incident to the appropriate supervisor or manager as soon as possible and complete the Workplace Violence Incident Report Form.

T or F
12. Harassment can be a onetime incident for it to be considered harassment and a risk to you the worker?

T or F

Bill 168 requires the employer to

- Prepare policies with respect to workplace violence and workplace harassment.
- Develop and maintain a program to implement the policy.
- Conduct a risk assessment.
- Educate and train employees.



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Develop and maintain a program to implement the policy.

Policy and Procedure Integration will include:

- Employee Handbooks
- Work Refusal Process and Investigation
- On-Going Safety Talks
- Establish Core Rules
- Enforcement of those Rules
- Establishment of a Violence and Harassment Committee
- Reporting Systems
- Showing your Zero Tolerance Policy at Work

Evaluate and Monitor your program.



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Conduct a risk assessment.

You may find the following tool helpful:

Developing Workplace Violence and Harassment

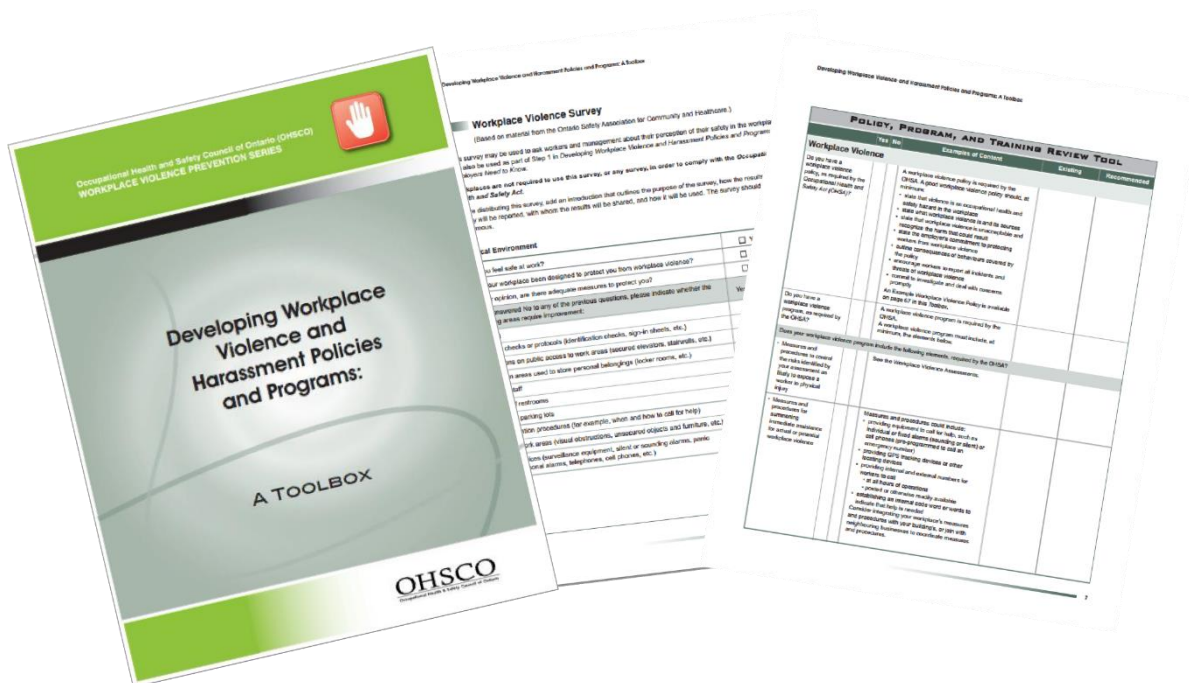
Policies and Programs: A Toolbox

http://www.labour.gov.on.ca/english/hs/pdf/wvps_toolbox.pdf

Also completing Employee Surveys

Which is also found in the above toolbox tool entitled

“Workplace Violence Survey”



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Additional Training and Instruction may be required:

- On general workplace security practices.
- Supervisors are responsible for ensuring that all employees are provided training and instruction on job specific workplace security practices.

Workplace security training and instruction includes, but is not limited to the following:

Preventive measures to reduce the threat of workplace violence, including procedures for reporting workplace security hazards.

- Methods to diffuse hostile or threatening situations.
- Escape routes.
- Explanation of this Workplace Violence Prevention Policy.
- In addition, specific instruction shall be provided to all employees regarding workplace security hazards unique to their job assignment.



Escape route

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13. The employer is required to prepare the Violence in the Workplace Policy and a Program to implement that policy?
T or F
14. My obligations as an employee are to:
- a.) Adhere to all required company policies and procedures.
 - b.) Only abide to the policies that I feel pertain to me.
 - c.) Only apply written procedures when required, it will not be required daily.
 - d.) All of the above
 - e.) None of the Above
15. I may need additional training in security protocols or workplace specific risks?
T or F

Conclusion

We covered Bill 168, An Act to amend the Occupational Health and Safety Act with respect to violence and harassment in the workplace and its elements in both defining violence in the workplace and how to recognize it.

We also covered the requirement for written policies on dealing with both violence and harassment in the workplace as well as the development of programs which include required training to implement these policies.

Thank you for taking this workshop and lets continue to work together for a violence and harassment free workplace.



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Test your Knowledge

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3. "I only pointed my finger at my Supervisor and slightly raised my voice to get my point across!" This would not be considered workplace violence? T or F
4. Standing in front of someone to prevent them from being able to move is considered workplace violence? T or F
5. A verbal threat could be a direct threat, a conditional threat or a veiled threat? T or F

My obligations as an employee include:

6. Notifying my employer of a restraining order for domestic violence? T or F
7. Report threats of violence to my employer, who may investigate the complaint? T or F
8. To disregard jokes that offend me, and do nothing about it, as no-one in the workplace will bother to do anything about it anyway? T or F

9. The first response for the employer, if a co-worker assaults another co-worker would be?
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11. If the situation is not one of immediate danger, the employee shall report the incident to the appropriate supervisor or manager as soon as possible and complete the Workplace Violence Incident Report Form.
- T or F
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 - d.) All of the above
 - e.) None of the Above
15. I may need additional training in security protocols or workplace specific risks?
- T or F

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Answer Sheet

Name of Participant: _____ Date: _____

Score _____
15

1. ☐ T ☐ F
2. ☐ T ☐ F
3. ☐ T ☐ F
4. ☐ T ☐ F
5. ☐ T ☐ F
6. ☐ T ☐ F
7. ☐ T ☐ F
8. ☐ T ☐ F
9. ☐ A ☐ B ☐ C
10. ☐ A ☐ B ☐ C ☐ D ☐ E
11. ☐ T ☐ F
12. ☐ T ☐ F
13. ☐ T ☐ F
14. ☐ A ☐ B ☐ C ☐ D ☐ E
15. ☐ T ☐ F

Please complete the training feedback form.

Thank-You

Training Course Feedback Form

Course: _____ Course Date: _____

Instructor: _____ Company: _____

Rating: 1 = Very Poor 5 = Very Good

Administration

<i>Category</i>	<i>Rating</i>				
Course was scheduled at a good time	1	2	3	4	5
Course started on time	1	2	3	4	5
Course finished on time	1	2	3	4	5
Trainer took periodic breaks	1	2	3	4	5

Course Content

<i>Category</i>	<i>Rating</i>				
Course workbook was easy to understand	1	2	3	4	5
Course workbook was informative	1	2	3	4	5
Presentation was easy to understand	1	2	3	4	5
Presentation was informative	1	2	3	4	5

Instructor

<i>Category</i>	<i>Rating</i>				
Instructor presented material in ways that were easy to understand	1	2	3	4	5
Instructor answered questions clearly	1	2	3	4	5
Instructor encouraged active participation	1	2	3	4	5

Technology

<i>Category</i>	<i>Rating</i>				
I could clearly hear what the instructor was saying	1	2	3	4	5
I could clearly see what the instructor was doing	1	2	3	4	5
The technology was beneficial to the learning process, not a hindrance	1	2	3	4	5

**** Over All, This was a positive experience: 1 2 3 4 5**

Comments: _____
