

CIVIC THEATRES TORONTO

EMPLOYMENT POLICY/PROCEDURE

<u>Title</u>	<u>Effective Date</u>	<u>Policy Number</u>
Workplace Violence Policy and Guidelines	August 2018 Review Date: August 2019	[TBC]

1. POLICY

CTT is committed to working with its employees to provide a safe work environment. CTT will not tolerate any acts of violence and will take all reasonable and practical measures to prevent violence and protect employees from acts of violence. Appropriate remedial, disciplinary, and/or legal action will be taken according to the circumstances.

2. PURPOSE

The Workplace Violence Policy and its supporting guidelines are intended to:

1. Maintain a work environment free from workplace violence.
2. Provide a definition of workplace violence.
3. Identify the responsibilities of the workplace parties to maintain a workplace free of actual, attempted or threatened violence.
4. Establish measures and procedures for summoning immediate assistance when workplace violence occurs or is likely to occur.
5. Establish measures and procedures for workers to report incidents of workplace violence and for CTT to investigate and deal with incidents or complaints immediately.
6. Provide guidance to Departments and establish a workplace violence program.

3. SCOPE

The Workplace Violence policy applies under any circumstances in which CTT employees experience workplace violence, as defined below. It applies to all employees, contractors of CTT, volunteers, students, clients of CTT services, any person engaged in business with CTT, and visitors/patrons to CTT properties.

CTT's Respectful Workplace Policy should be consulted regarding issues of incivility/harassment and discrimination.

4. Definition

For the purpose of this policy, violence includes:

- 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 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.

CTT's *Respectful Workplace Policy* addresses harassment (as protected by the Ontario *Human Rights Code* and the Ontario *Occupational Health and Safety Act*), which protects against comments or conduct that is known or ought reasonably to be known to be unwelcome (i.e. behaviours that demean, embarrass or humiliate).

5. ROLES AND RESPONSIBILITIES

All Employees are responsible for preventing and reporting acts of violence that threaten or perceive to threaten a safe work environment.

CTT will:

- Take reasonable preventative measures to protect employees and others in CTT workplaces from workplace violence.
- Ensure that workplace violence risk assessments are completed and reported.
- Post this policy in a conspicuous location in each workplace.
- Establish and maintain a process for reporting and responding to incidents of violence.
- Ensure that the process for reporting and responding to incidents of violence is communicated, maintained and followed.
- Ensure that this policy is reviewed at least annually.

Management will:

- Understand and uphold the principles of this policy.
- Communicate this policy and its procedures to all employees.
- Conduct workplace violence risk assessments to determine whether the nature of the workplace, the type of work or conditions of work may place employees at risk of violence.
- Consult with CTT Joint Health & Safety Committees and Human Resources in conducting risk assessments and develop practical measures and procedures to control identified risks.

- Take all reasonable and practical measures to minimize or eliminate risks identified through the risk assessment process, workplace inspections, or the occurrence of a workplace violence incident.
- Conduct further risk assessments at intervals of time appropriate to the specific conditions and circumstances of the jobs performed.
- Review risk assessments annually, or as changes to job responsibilities or environments occur, and revise the assessment as needed.
- Maintain and follow a process for reporting, investigating, documenting, and debriefing incidents of violence.
- Respond promptly to all reports of violence, address immediately all incidents of workplace violence and not condone or permit any behaviour contrary to this policy.
- Ensure that all known incidents of workplace violence are investigated. To the extent appropriate based on the nature of each incident and the actual or potential threat it posed to worker safety:
 - Consult with other parties (i.e. Stage Door Security, Human Resources, Joint Health and Safety Committees and Toronto Police Services);
 - Take all reasonable and practical measures to minimize or address risks identified by the incident;
 - Document the incident, its investigation and corrective action taken.
- Take all reasonable and practical measures to protect workers, acting in good faith, who report workplace violence or act as witnesses, from reprisal or further violence.
- Take every precaution reasonable in the circumstances for worker protection if they become aware, or ought reasonably to be aware, that domestic violence that would likely expose a worker to physical injury may occur in the workplace.
- Review annually, in conjunction with review of risk assessments, the effectiveness of actions taken to minimize or eliminate workplace violence and make improvements to procedures, as required.
- Provide information to workers, including appropriate personal information, related to a risk of workplace violence from a person with a history of violent behaviour.
- Provide workers with information and instruction appropriate for the worker on CTT's Workplace Violence Policy.

Senior Management/Human Resources will:

- Implement this policy and initiate the annual review of the policy and procedures.

Joint Health and Safety Committees will:

- Review the Workplace Violence Risk Assessment results and provide recommendations to management to reduce or eliminate the risk of violence.
- Review all reports forwarded to the JHSC regarding workplace violence and other incident reports as appropriate pertaining to incidents of workplace violence that result in personal injury or threat of personal injury, property damage, or police involvement.
- Participate in the investigation of critical injuries (i.e. incidents that place life in jeopardy, result in substantial blood loss, fracture of leg or arm, etc.).
- Recommend corrective measures for the improvement of the health and safety of workers.
- Respond to employee concerns related to workplace violence and communicate these to management.
- Participate in the review of the policy and guidelines for continuous improvement.

In addition, Joint Health and Safety Committees/Human Resources may participate in the investigation of reported incidents that result in personal injury or have the potential to result in injury.

The Joint Health and Safety Committees will:

- Review annually the effectiveness of the policy and guidelines and make changes as required by consulting with management staff and employee representatives.

All Employees will:

- Maintain a safe work environment, whenever possible.
- Not engage in or ignore violent, threatening, intimidating or other disruptive behaviours.
- Report promptly to their supervisor or a member of the Senior Managements Team, any incident where the employee is subjected to, witnesses, or have knowledge of workplace violence, or has reason to believe that workplace violence may occur.

6. Reprisal

This policy prohibits reprisals against individuals, acting in good faith, who report incidents of workplace violence or act as witnesses. Management will take all reasonable and practical measures to prevent reprisals, threats of reprisal, or further violence. Reprisal is defined as any act of retaliation, either direct or indirect.

VIOLENCE GUIDELINES

1. Purpose

These guidelines are intended to assist CTT in meeting Occupational Health and Safety Act and Workplace Violence Policy obligations. The procedures that are developed by different Departments of CTT will form part of the CTT's overall health and safety program. It is recommended that these procedures be developed and implemented in cooperation and consultation with Human Resources, Joint Health and Safety Committees, and where appropriate, Stage Door Security.

The potential for workplace violence and the nature of the workplace violence risk experienced within CTT Departments is expected to vary based on the nature of the workplace and work performed. To ensure clarity, it is recommended that Departments describe their interpretation of the definition by using examples of inappropriate behaviours and acts among employees and among the clients and public/patrons with whom they come into contact.

The nature and extent of the program will be based on the risk factors/hazards and potential hazards identified by the risk assessment and should include the following elements:

a) Workplace Violence Risk Assessment

Conduct an evaluation to determine whether a risk of violence exists due to the nature of the workplace, the type of work or the conditions of work. A Workplace Violence Risk Assessment Form is provided (Appendix A). Departments may add questions to this Form, if needed, to ensure all aspects of workplace violence within their workplaces and work operations are addressed. Management is encouraged to involve Human Resources and Joint Health and Safety Committees in the evaluation.

The risk assessment could include a review of:

- past incidents;
- past employee complaints;
- past Joint Health and Safety Committees or Human Resources' reviews and recommendations;
- employee concerns identified through interviews or surveys;
- current work situations with potential for violence;
- physical premises.

The steps may include:

- Reviewing past incident, injury and other reports (e.g., Stage Door Security, Ministry of Labour orders) regarding incidents of violence and identifying the potential for violence, the circumstances contributing to the cause of the incident(s) and any recommendations made.
- Reviewing past employee complaints or concerns regarding workplace violence and actions that were taken or that should be taken to address these concerns.
- Reviewing past Joint Health and Safety Committees or Human Resources discussions and recommendations regarding workplace violence.
- Consider interviewing staff to ascertain their experiences of workplace violence, to ascertain whether workplace violence controls are in place, are adequate or are in need of enhancement.
- Reviewing work situations that may place employees at risk of workplace violence and identifying risk factors.
- Reviewing physical premises (the workplace) to identify risk factors that may result in workplace violence.
- At the end of the Workplace Violence Risk Assessment, work locations/work operations will have identified workplace violence risk factors that will require controls. These controls may already be in place or may need to be introduced and implemented.

These risk assessments are to be reviewed at least annually, as well as when there are changes to the nature of the workplace, the type of work or the conditions of work. Further risk assessments are also to be completed when an increase in the number and/or severity of workplace violence incidents is noted, in order to ensure that appropriate measures are in place to minimize or eliminate risks identified during investigation of these incidents.

The risk assessment document should be revised to reflect changes identified as needed through the review process. The results of workplace violence risk assessment reviews and the measures in place to minimize or eliminate risks should be communicated to all employees to whom the assessment and protective measures apply.

b) Develop and implement appropriate violence prevention procedures

Where the need is identified through a risk assessment, Departments should develop and implement the procedures to:

- Establish a communication/warning system to alert employees of potentially violent or disruptive persons in the context of the work environment, potentially dangerous work locations, or job duties based on the findings from the risk assessment.
- Describe the organizational and security controls introduced to prevent incidents of violence.

- Establish well defined limits of employee responsibility in carrying out their duties.
- Provide direction to employees on safe response methods to potentially violent individuals.
- Describe how incidents are to be responded to, reported, documented, investigated, and addressed.
- Describe the interpretation of the definition of violence including unacceptable behaviours within the context of the work environment of the Department's employees. To the extent possible, provide examples of workplace violence and examples of code of conduct violations.
- Define and document the appropriate remedial or disciplinary/legal action to be taken against a perpetrator of violence and a perpetrator of reprisal against an employee according to the nature of the incident.
- Post the policy and Department procedures at each work location where a violence hazard or the potential for violence has been identified. Ensure that the posted version of the policy is current (dated within a one-year period).

c) Develop and implement a process for responding to, investigating, and reporting incidents

Where a potential risk factor/hazard is identified through the risk assessment, a procedure for responding to emergencies and other incidents of violence is required.

All workplace violence incidents must be reported, investigated and acted upon, as appropriate.

Management Response, Investigation and Reporting:

- In the event of an emergency, contact Police and Paramedic Services (9-911 for internal phones or 911 for external phones), state the nature of the emergency and indicate that the Police (and if there are injuries), Paramedic Services are required.

Three documents have been developed to assist with the investigation and reporting process:

1. A Workplace Violence Incident Report (Appendix B);
 2. A Workplace Violence Investigation Checklist (Appendix C).
- In accordance with the Criminal Code, physical violence or threats of physical violence must be reported to the Toronto Police Services. Depending on the circumstances, management or the assaulted/threatened employee will file this report. [Note: Toronto Police Services may prefer or expect that the report be made by the person directly involved]. In the event that management and the employee who reported an incident are in disagreement on whether the reported

incident constitutes workplace violence, either party has the right to contact the police to report the incident should they believe it appropriate to do so.

- Ensure all security related incidents are reported promptly to Stage Door Security.
- Other actions that may be taken in investigating and responding to a workplace violence incident are:
 - Consult Human Resources and Joint Health and Safety Committees regarding the investigation and identification of causation and corrective measures.
 - Consult the Employee Assistance Program (where available) to discuss an appropriate plan of response for critical incidents and ensure that support services are offered to victims and witnesses of violence.
 - Debrief staff of the incident, actions taken, and further steps that can be taken to prevent a recurrence.
 - Departments must establish an internal communication process to ensure workers are informed of the potential for violent behaviour among the clients they service. Additionally, consideration is to be given to notification of other Departments whose staff may be at risk if Departments encounter members of the public or clients with a history of violent behaviour.

In addition to the Joint Health and Safety Committee, the applicable union(s) are to be notified of the following types of workplace violence events:

- A shooting at, or impacting, a CTT building.
- A lockdown where police are involved and whereby external doors are locked.
- A building evacuated for workplace violence reason.
- Any incident involving an assault where police are contacted.
- Use or threatened use of a weapon, including a firearm.
- The nature of the incident means that media are involved or are likely to be involved.
- The incident is sufficiently significant to be escalated to senior management.

Management (either directly involved or delegated) are to notify the applicable union(s) via e-mail as soon as practicable and no longer than 3 business days after the incident. Joint Health and Safety co-chairs are to be copied on the e-mail. A copy of the Workplace Violence Incident Report is to be provided.

The process should also include the response to employee reports of workplace incidents associated with domestic violence (i.e., the abusive partner harasses, threatens, stalks, etc. a CTT employee). The consequences of ignoring the presence of domestic violence in the workplace can be very grave for the abused employee and co-workers.

d) Provide information and instruction to staff as appropriate to the extent of the hazards identified

Department management staff are to advise their employees of the results of workplace violence risks assessment and of the violence-related risks associated with their jobs. Employees at risk or potential risk and their supervisors must receive specific instruction in the identification of hazards and appropriate prevention and response procedures. Records of instruction must be maintained. The frequency of refresher instruction should be determined in consultation with the Human Resources.

It is also recommended that employees be informed that they can seek advice and assistance from their supervisor, Joint Health and Safety Committee, Human Resources, Employee Assistance Program (where available) or their union.

Information provided by employees to Human Resources will remain confidential and will only be released with their informed, written consent. The exceptions to this are situations where individuals may pose a serious threat to themselves or others, or where required by law (e.g. the mandatory reporting of suspected child abuse).

All employees are to have access to workplace violence information and instruction resources. Employees are encouraged to contact Human Resources for guidance.

e) Program Review

After the implementation of the policy, annual review of the policy is required to identify trends and focus H & S efforts for improvement.

- The Joint Health and Safety Committees will review CTT's policy annually. In doing so, the Joint Health and Safety Committees may establish working groups/committees to evaluate the implementation and effectiveness of the policy and procedures.
- Human Resources - will distribute each year an updated Workplace Violence Policy for posting in workplaces
- Management staff of Departments, with the assistance of Human Resources and their Joint Health and Safety Committees will annually review the effectiveness of this policy, and procedures and make improvements as required.
- Management will summarize all incidents/activities in a report to the Board on a quarterly basis.

Appendix A - Workplace Violence Risk Assessment Form

Conducting Risk Assessment

Step 1 - Workplace audit

- Determine the Risks Associated with your Workplace
- Determine any other prescribed elements that could be Risk factors, e.g. take into consideration any other elements that could arise, such as special and annual events, or special assignments.

Step 2 – Employee survey and/or interviews

Completing a thorough risk assessment is by gathering information from employees or others for specific information such as firsthand experiences and incidents to draw from. Use this information when completing the ranking, probability and consequences of the risks assessed.

Rank the Exposure

1 = Unlikely: A person is exposed to the hazard 1x per job or project

2 = Occasionally: A person is exposed to the hazard 2 x per job or project

3 = Often: A person is exposed to the hazard more than 3x to 5x per job or project

4 = Frequently: A person is exposed to the hazard 5 or more times per job or project

5 = Continuous: A person is exposed to the hazard continually

Determine the Probability of Occurrence

1 = Unlikely to occur

2 = Some chance

3 = Could occur

4 = Good chance

5 = Will occur if left unattended

Determine Potential Consequences

1 = Insignificant: a person receives a very minor injury, no damage to property

2 = First aid or minor property damage: a person administers first aid to self

3 = Injury results in lost time, seeking medical help or significant property damage

4 = Injury results in permanent disability, serious health effects or property damage

5 = Injury results in a fatality, or there is major property damage

Add the Numbers to Determine a Total Risk Rating

Serious (11 – 15) means the hazard must be attended to immediately, prior to the commencement of the job. Controls **must** be put into place. A safe job procedure **must** be in place prior to the commencement of the job.

Moderate (6 – 10) means the hazard requires attention. Controls **should** be put into place. A safe work procedure **should** be in place prior to the commencement of the job, but could be attended to once the job has commenced. Employees **must** be aware of the hazard. The safe work procedure **must** be in place prior to the completion of the job.

Low (3 – 5) means the hazard requires monitoring. Controls are recommended. A safe work procedure is recommended.

Hazard Controls

Depending on the risk rating, if the hazard cannot be eliminated, then controls must be implemented to reduce the risk.

There are three types of controls: Engineering, Administrative and Personal Protective Equipment (PPE). Some examples of the controls include:

Engineering Controls

- Design of a workplace
- Isolation/enclosure
- Implementation of Security Measures including surveillance and/or access cards

Administrative Controls

- Policies and procedures
- Training
- Organizing and planning work
- Rotation of workers
- Safety plan/procedure

Personal Protective Equipment (PPE)

- Access to alarms
- Communication devices

Violence Assessment Form

This Form must be completed in accordance with the established guidelines for hazard identification and assessment.

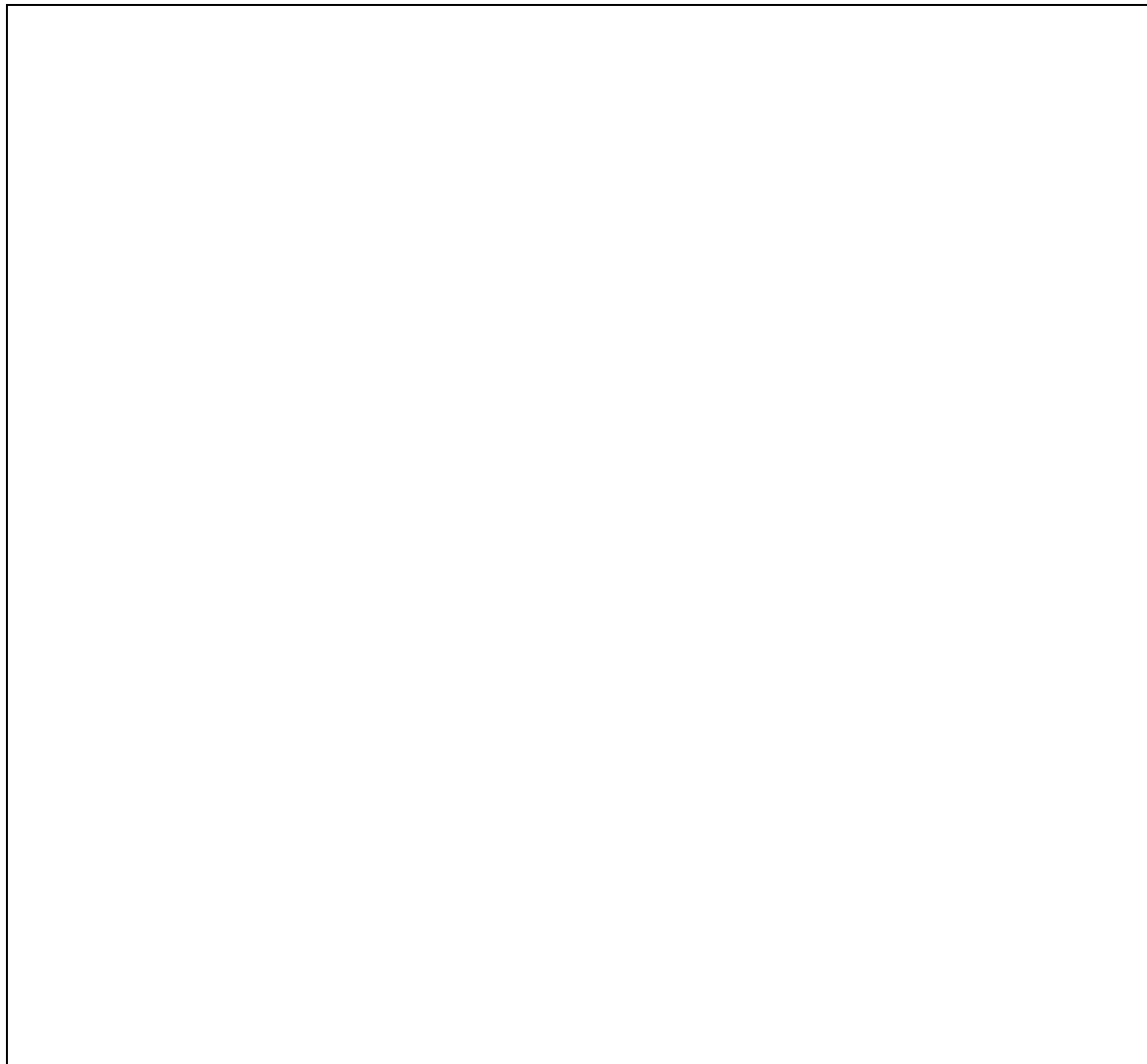
Description of work area:	Assessment performed by:	Date:
	Name: _____	
	Signature: _____	

Description of Hazard (condition/circumstance)	Exposure (1 –5)	Probability (1 – 5)	Consequences (1 – 5)	Total	Rating	Controls (EC/AC/PP E)

Appendix B – Workplace Violence Incident Report

All CTT workers are required to report all incidents of workplace violence to Human Resources. This form may be completed, or alternatively, used as a guideline to assist in reporting the appropriate information; written submission in any form will be accepted. Refer to the Workplace Violence Policy for further info.

Worker Information	
Name:	Job Title:
Home phone:	Cell phone or alternate contact:
Please confirm the preferred method of contact: ☐ Phone ☐ Email ☐ Other: _____	Email address (optional):
Description of Incident(s) (attach additional sheets, if necessary)	
Please describe the incident (s) including the following: • names of individuals involved in the incident (if known), and/or description of individuals • location, date and time of the incident(s) • any witnesses, including names and contact information • details about the incident(s) (behavior and/or words used) Relevant documents/evidence Attach any supporting documents, such as emails, handwritten notes, or photographs. Physical evidence, such as vandalized personal belongings, can also be submitted. If you are not able to attach relevant documents, please list them. If someone else has relevant documents, please note that.	
Description of Incident(s) (attach additional sheets, if necessary)	



Signature of Individual reporting

Date

Received by (Employer representative)

Date

Appendix C - Workplace Violence Investigation Checklist

Obtain a Description of the Incident / Claim

- Listen to the employee, and ensure that they provide a full account of the incident(s).
- Ensure that you treat the matter seriously, using a professional manner and avoid discounting their difficulties in coming forward and telling the story.
- Contact the Human Resources where it appears that the situation may require legal action.
- Obtain a written, signed and dated statement from the claimant.
- Ensure that the employee is free from retaliation as a result of their coming forward.
- Ask the employee if there is a resolution that can be reached.
- Inform the employee that they may wish to file a complaint with the authorities.

Conduct an Investigation into the Incident / Claim

- Conduct your investigation immediately after learning of the complaint.
- Ensure that the investigation remains confidential, and that all information gathered remains confidential. Information should be shared only where necessary, and with appropriate parties. They must also be informed of the need to remain confidential.
- Investigate all claims seriously.
- Document all information appropriately.
- Contact the authorities where appropriate.

Interviewing the Complainant

- Obtain a full account of the incident, and document all details provided.
- Determine any potential pattern involved, or if the incident was a singular occurrence.
- Determine if the incident was influenced by any contextual factors.
- Identify any reporting relationships, or hierarchical structures that may have influenced the incident(s).
- Determine a timeline of events associated with the incident, and what the job duties of each party were at the time of the incident, and what their expected locations were.
- Examine the potential of a charge made under false pretenses, and any motivating factors that may be involved. Work to rule out these potential elements.
- Inform the complainant that a thorough investigation will take place.
- Obtain a written, signed and dated statement from the claimant.
- Ensure that the employee is free from retaliation as a result of their coming forward.

Interview the Accused

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- Obtain a written, signed and dated statement from the claimant.
 - Describe the details of the accusation, and ask for clarification on any discrepancies between the two stories.
 - Identify any reporting relationships, or hierarchical structures that exist between the parties.
 - Determine a time-line of events associated with the incident, and what the job duties of each party were at the time of the incident, and what their expected locations were.
 - Determine any potential for retaliation or reprisal, and inform the accused that this would be unacceptable.
 - Document all pertinent details of the interview, including observations of behaviour displayed and their account of the incident.

Interviewing Witnesses

- Obtain written, dated and signed statements from any witnesses.
- Ensure that the employee is free from retaliation as a result of their coming forward.

Resolve the Complaint

- Where a transfer is either requested or required, ensure that it does not create a negative impact on their employment.
- Where disciplinary action is required, determine the level of discipline based on the severity of the incident, previous action taken in similar circumstances, the employees previous history, and the frequency.
- Review, revise and re-communicate CTT Workplace Violence Policy.
- Place documentation of the complaint, investigation, rulings, discipline imposed, and any actions taken into confidential files.
- Follow up with the involved parties to provide details of the actions being taken in response to the findings of the investigation.