



CORPORATION OF THE MUNICIPALITY OF Morris-Turnberry

BY-LAW No. 57- 2010

**“Being a by-law to adopt the Workplace Violence Prevention Policy
for the Municipality of Morris-Turnberry.”**

WHEREAS, Bill 168 – Chapter 23- Statues of Ontario, 2009, Part 111.0.1 states that an employer shall

32.0.1 (a) prepare a policy with respect to workplace violence and
(c) review the policies as often as is necessary , but at least annually.

32.0.1 (2) The policies shall be in written form and shall be posted at a conspicuous place in the workplace.

32.0.2 (1) An employer shall develop and maintain a program to implement the policy with respect to a workplace violence.

AND WHEREAS, the Council of the Corporation of the Municipality of Morris-Turnberry has prepared a **Violence Prevention Policy**;


NOW THEREFORE, the Council of the Corporation of the Municipality of Morris-Turnberry enacts as follows:

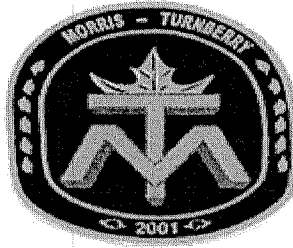
1. THAT the Violence Prevention Policy is hereby attached as Schedule ‘A’ of this by-law;
2. THAT the Mayor and Clerk are hereby authorized to sign and execute the by-law and policy;
3. THAT this by-law and policy comes into force and effect on the final passing thereof and may be cited as the ‘Violence Prevention Policy’.

Read a First Time and Second Time 22nd day of June, 2010

Read a Third Time and Finally Passed 22nd day of June, 2010


Mayor Dorothy Kelly


Administrator Clerk- Treasurer Nancy Michie



MUNICIPALITY OF MORRIS-TURNBERRY

WORKPLACE VIOLENCE PREVENTION POLICY

PURPOSE:

To create and foster a work environment free from violence in the workplace, to provide a definition of workplace violence, to establish and detail the responsibilities of all persons in the MUNICIPALITY OF MORRIS-TURNBERRY's workplaces, to maintain a workplace free of actual, attempted or threatened violence, to ensure that incidents of workplace violence are reported to management and /or to law enforcement as appropriate, and to ensure that complaints of workplace violence are handled in a timely and equitable manner by the Municipal.

POLICY:

A. Scope

1. To ensure the MUNICIPALITY OF MORRIS-TURNBERRY is committed to providing a safe and healthy workplace free from actual, attempted or threatened violence.
2. To recognize that any form of workplace violence is a health and safety issue within the Occupational Health and Safety Act.
3. To ensure that the MUNICIPALITY OF MORRIS-TURNBERRY takes reasonable precautions to prevent workplace violence and protect employees engaged in work-related activities.
4. To apply to all MUNICIPALITY OF MORRIS-TURNBERRY employees and elected officials regardless of position, classification or employee membership.
5. To apply to all persons who attend a Municipal workplace including, but not limited to, all visitors, contractors, vendors and delivery persons.

6. For purposes of this policy the workplace includes all places where the MUNICIPALITY OF MORRIS-TURNBERRY does business, including:
- All Municipal facilities (whether owned or leased) and surrounding perimeters including parking lots, sidewalks and driveways;
 - Company vehicles;
 - Off-site locations where Municipal business occurs;
 - Municipal-sponsored functions and recreational or social events, whether taking place on Municipal grounds or elsewhere; and
 - Travel for Municipal business.

B. Definition

B. 1 **The Workplace** refers to any location where Morris-Turnberry employees are located during the working hours or for work related reasons, including employer sponsored social activities.

B. 2 **Workplace violence includes but is not limited to mean:**

- 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 behavior 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.

B. 3 **Assault** means an intentional application of force to another person, or an attempt to threaten to apply physical force to another person, without that person's consent.

B. 4 **Bullying** means interpersonal hostility that is deliberate, repeated and sufficiently severe as to harm the targeted person's health or economic well being.

B. 5 **Threat** means a demonstrated intention to cause harm or injury.

B. 6 **Violence** is broadly defined as an act of aggression that could result in injury to a person, or damage to property. This includes an expressed threat to destroy property or physically injure a person.

C. Zero Tolerance

The MUNICIPALITY OF MORRIS-TURNBERRY values the health and safety of its employees and expects that its workplaces will be free of workplace violence and harassment.

The Municipality will not tolerate incidents of workplace violence perpetrated against or by any employee, ratepayer, a member of the general public, customer, vendor, contractor, visitor or any other person at a Municipal workplace or involved in Municipal business.

D. Workplace Violence Program

There is a workplace violence program that implements this policy. It includes measures and procedures to protect workers from workplace violence, a means of summoning immediate assistance and a process for workers to report incidents, or raise concerns.

Morris-Turnberry, as the employer, will ensure this policy and the supporting program are implemented and maintained and that all workers and supervisors have the appropriate information and instruction to protect them from violence in the workplace.

E. Responsibilities and Obligations

1. It is the responsibility of the MUNICIPALITY OF MORRIS-TURNBERRY:
 - To take reasonable preventive measures to protect employees and others in Municipal workplaces from workplace violence;
 - To ensure that a workplace violence risk assessment is conducted;
 - To develop procedures to address the workplace violence risks identified in the violence risk assessment;
 - To ensure that all employees are trained in this policy;
 - To post this policy in a conspicuous place in the workplace;
 - To ensure that this policy is communicated to contractors and other persons who attend Municipal workplaces;
 - To establish a process for reporting and responding to incidents of workplace violence;
 - To ensure the process for reporting and responding to incidents of workplace violence is communicated, maintained and followed; and
 - To ensure that this policy is reviewed at least annually.

2. It is the responsibility of managers and supervisors:
 - To understand and abide by the requirements of this policy;
 - To communicate and review this policy with the employees they supervise or manage;
 - To verify that all contractors and others who attend Municipal workplaces are aware of this policy;
 - To adequately train employees in Municipal procedures that address the workplace violence risks applicable to the employee;
 - To encourage employees to report complaints or incidents of workplace violence;
 - To respond to all complaints or incidents of workplace violence in a professional manner appropriate for the circumstances of the complaint or incident;
 - To promptly report all complaints or incidents of workplace violence they receive or witness to the Manager of Human Resources and the Health and Safety Committee.

3. It is the responsibility of employees:

- To comply with this policy at all times to protect themselves and others in the workplace from workplace violence;
- To immediately notify their supervisor or other designated person of any incident of workplace violence whether the notifying worker is the victim or not. In the case of an extreme or imminent threat of physical harm to themselves or any person from workplace violence, the worker should contact the police;
- To participate in training regarding this policy and Municipal procedures directed at workplace violence risks in the workplace; and
- To fully cooperate in any investigation of complaints or incidents of workplace violence or breaches of this policy.

4. Action for Violence by Third Parties:

Violence to employees by third parties may result in investigation and if required, notifying the Ontario Provincial Police.

F. Domestic Violence

Any employee experiencing violence outside of the workplace (i.e. domestic violence) that may create a risk of danger to themselves or others in the workplace is encouraged to report such violence so that the Municipal can take reasonable preventive steps.

G. Reporting and Investigating Workplace Violence

1. Reporting threats of workplace violence:

- All incidents of workplace violence or reprisal must be immediately reported to management or the Human Resources Manager.
- Any person subjected to workplace violence should, where appropriate, go to a safe location at the workplace and report the incident to their supervisor, a Municipal supervisor or manager, the Human Resources Manager, or through the Employee Assistance Program so that the incident can be investigated and addressed;
- All incidents of workplace violence or reprisal must be immediately reported to management or the Human Resources Manager;
- All complaints and incidents are to be recorded in writing by the reporting person / employee, the supervisor or manager receiving the report and the Human Resources Manager. The date, time, location, potential witnesses and nature of the incident should be documented.
- If the police have not previously been summoned, management or the Human Resources Manager will report all incidents of workplace violence to police;
- If an incident of workplace violence involves a person who is not an employee of the Municipal, management or the Human Resources Manager will report the incident to that person's employer and/or such

other person as the Municipal determines is appropriate in the circumstances.

2. Investigation:

- All complaints or incidents of workplace violence or reprisal will be promptly investigated by management or the Human Resources Manager. Where the perpetrator is a Municipal employee, the investigation will be conducted as quickly and confidentially as possible in the circumstances.
- The management or Human Resources investigation will include:
 - (a) A documented interview with the complainant and/or victim;
 - (b) A documented interview with the alleged perpetrator(s);
 - (c) A documented interview with any witnesses with relevant information to provide; and
 - (d) Any other step the investigator(s) deem(s) necessary to fully and fairly investigate the complaint or incident.
- At the conclusion of the investigation into an incident or complaint, management and/or the Human Resources Manager will prepare a written report of the findings of fact and – after evaluating existing policies, procedures, physical premises and devices, employee training – any suggestions to prevent a recurrence.
- Where the perpetrator is a Municipal employee, the supervisor of the perpetrator, in consultation with management and/or the Human Resources Manager, will take any necessary disciplinary action. The severity of the disciplinary action, which may include dismissal from employment, will be consistent with the seriousness of the conduct at issue such that more significant discipline will follow more serious conduct or repeated violations of this policy.

H. No reprisal

Workplace violence and this policy are serious matters. This policy prohibits reprisals against employees who have made good faith complaints or provided information regarding a complaint or incident of workplace violence. Employees who engage in reprisals or threats of reprisals may be disciplined up to and including dismissal from employment.

Reprisal includes:

- Any act of retaliation that occurs because a person has complained of or provided information about an incident of workplace violence;
- Intentionally pressuring a person to ignore or not report an incident of workplace violence; and
- Intentionally pressuring a person to lie or provide less than full cooperation with an investigation of a complaint or incident of workplace violence.

An employee who makes a false complaint or otherwise abuses this policy may be disciplined up to and including dismissal from employment. Such discipline is not a reprisal or breach of this policy.

I. Policy Review

This policy will be reviewed as often as necessary, but at least annually.

J. Training:

The Municipality of Morris-Turnberry has a duty to provide information and instruction that is appropriate for the worker.

The Municipality of Morris-Turnberry will provide a review of the policy for the employees and council members and will also provide a copy of the policy to any new employees and council members, following the date of this policy.


I. Review Schedule:

<u>Date of Review</u>	<u>Amendments to the Policy</u>

K. Approval:


The policy will be approved by the Council and dated and signed by the Mayor and the Administrator Clerk-Treasurer and will be posted in all work locations. This policy will be incorporated in the Municipal Health and Safety Policy.

June 22, 2010
Date



Mayor Dorothy Kelly

June 22, 2010
Date



Administrator Clerk-Treasurer- Nancy Michie