

STAFF AND HUMAN RESOURCES POLICY

17.0

Policy Title: Violence in the Workplace

Last Approved: October 2023

BACKGROUND

The Association believes all employees have a right to work in a healthy and safe work environment free of violence as per Section 3-21 of *The Saskatchewan Employment Act* and section 3-26 of *The Occupational Health and Safety Regulations, 2020*.

Under *The Saskatchewan Employment Act*, employers are required to develop and implement a violence in the workplace policy within their workplace. This policy focuses on the rights and obligations set out in the Act and in *The Saskatchewan Human Rights Code, 2018*. The Association is expected to take all reports of violence, including threats of violence, in the workplace seriously. The Association is committed to implement, maintain, promote and further develop this policy in order to promote a productive and respectful workplace and to minimize and prevent violence in the workplace. This policy will be reviewed every three (3) years.

APPLICATION

This policy applies to all employees, executive members, contractors, , and visitors. The Association recognizes that its employees may be subjected to violence, including threats of violence, by others who attend Association activities or conduct business with the Association. In these circumstances, the Association acknowledges its responsibility to support and assist the person subjected to such violence.

For the purposes of this policy, violence, including threats of violence, can occur:

- At the workplace;
- At employment-related social functions;
- In the course of work assignments outside the workplace;
- During work-related travel;
- Over the telephone, if the conversation is work-related; or
- Elsewhere, if the person is there as a result of work-related responsibilities or a work- related relationship.

A. In the event of a conflict between any provisions of this policy and applicable law, the applicable law shall apply.

Nothing in this policy precludes an employee from accessing his or her rights pursuant to:

- a) *The Saskatchewan Human Rights Code, 2018*;
- b) *The Saskatchewan Employment Act* which includes requesting the assistance of an occupational health officer;
- c) *The Worker's Compensation Act, 1979*; and
- d) Any other legal avenue available.

B. This policy may be modified at any time by the Association and will be reviewed every three (3) years. Notice of any changes to this policy shall be communicated to employees.

C. Outsourcing

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1. The person who initiates the hiring of a contractor who will perform services for the Association shall ensure that all contracts include language requiring the contractor to comply with the provisions of this policy.

2. The person initiating and/or supervising the contract shall monitor compliance by the contractor with the policy and shall immediately report any breaches to Employee & Labour Relations.

POLICY STATEMENT

DEFINITIONS

The Association defines violence in accordance with *The Occupational Health and Safety Regulations, 2020 S.3-26 (1)* as “the attempted, threatened, or actual conduct of a person that causes or is likely to cause injury and includes any threatening statement or behaviour that gives a worker reasonable cause to believe that the worker is at risk of injury.”

VIOLENCE PREVENTION

The Association shall make every reasonable effort to minimize the potential for violence by implementing preventive measures including:

- i. Developing ways of recognizing potentially violent situations;
- ii. Developing procedures dealing with threats and incidents of violence which includes procedures for reporting threats and incidents, investigating incidents, and documenting incidents;
- iii. Ensuring employees are trained/made aware of the procedures in this policy to report threats and incidents in the workplace; and
- iv. Supporting employees through the process of reporting threats and violent incidents.

PROCEDURES

REPORTING INCIDENTS

The Association will intervene and take appropriate action when any acts of violence, threats of violence, or intimidation occur. All employees have a responsibility to ensure a safe workplace. If an employee feels their workplace is unsafe due to violence, they are to immediately communicate issues relating to violence as follows:

- i) Employees who believe they have been subjected to a violent incident that affects their safety in the workplace will report the incident to their Director immediately. This can include threatening messages via email, over the phone, or in person.
- ii) Employees who have been the victim of a violent incident should provide a written summary utilizing the 17.0-A Violent Incident Form and forward it to Employee & Labour Relations.
- iii) Employees who believe a colleague, Executive member, contractor or visitor to the workplace represents a danger to the safety of the workplace are to notify their Director immediately.
- iv) Directors are to inform the Executive Director of any potential threats and all reports of violent incidents. Specific employee information such as names, should only be shared if needed for safety or planning reasons.

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v) All violent incidents are to be investigated as soon as possible by Employee and Labour Relations within seven (7) working days following receipt of a complaint.

INVESTIGATION

The Senior Consultant, Employee & Labour Relations is to investigate all reports of violent incidents as follows:

- i) Review the 17.0-A Violent Incident Form submitted by the complainant;
- ii) Interview the complainant, alleged perpetrator(s) if possible, and any witnesses;
- iii) Permit the alleged perpetrator to provide a statement (if appropriate);
- iv) Advise the complainant of his or her right to report the complaint to police; and
- v) Complete a written report of the results of the investigation and forward it to the Executive Director and a copy sent to the OH&S Committee.

The complainant and alleged perpetrator, if a colleague, may choose to be accompanied by an employee representative or other person of choice at any stage in the investigation.

Following an investigation that confirms the occurrence of a violent incident:

- i) Where the alleged perpetrator is an employee of the Association, the Association will take appropriate supportive and disciplinary action.
- ii) Where the alleged perpetrator is an Executive member, contractor, or visitor, the Association will take appropriate supportive and if appropriate, disciplinary action.

Employees affected by a violent incident will be informed of the results of the investigation.

MEDICAL TREATMENT AND/OR COUNSELLING

Employees affected by a violent incident may be encouraged to seek medical treatment for any injuries. Employees will be encouraged to utilize the Association Employee & Family Assistance Program (EFAP).

REFERENCES

“The Saskatchewan Employment Act, Part III Occupational Health and Safety”

“The Occupational Health and Safety Regulations, 2020”