

## CORPORATE POLICY



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Code of Conduct for Members of Council  
Corporate Employee Code of Conduct Policy  
Corporate Health and Safety Policy Statement  
Corporate Respectful Behaviour Policy  
Corporate Respectful Workplace Policy and Program  
Corporate CCTV Protocol and Procedures  
Corporate Hazard and Incident Reporting Procedure  
Corporate Work Refusal Procedure  
Form – Access to Security Information Request (FDM)  
Form – Security Incident Report (FDM)  
[Criminal Code of Canada](#)  
[Occupational Health & Safety Act \(OHSA\)](#)  
Key Word(s): domestic violence, workplace violence

### **POLICY STATEMENT:**

The City of Waterloo is committed to ensuring that all employees feel safe and secure in the workplace by providing and maintaining a workplace that is free of threatened, attempted or actual violence. The City will not tolerate workplace violence committed by or against employees and will take reasonable steps to prevent workplace violence by assessing risks; developing and implementing control measures to protect workers; and investigating and resolving reports of workplace violence.

### **PURPOSE:**

The purpose of the *Workplace Violence Policy and Program* is to set expectations of appropriate behaviour, prevent workplace violence, and outline the steps required to report and resolve incidents of workplace violence. This is a companion policy to the *Respectful Workplace Policy and Program*, which addresses workplace disrespectful behaviour, harassment and discrimination.

**Mandatory Policy, *Municipal Act*: No**  
**Policy Administration Team, Review Date April 14, 2023**  
**Corporate Management Team, Review Date May 10, 2023**

**DEFINITIONS:**

**Complainant(s)** is the person(s) who alleges they have been subjected to workplace violence.

**Contractor** is any person(s) or firm(s) that provides goods and/or services to the City under terms specified in a contract or other agreement and is not paid through the City's payroll.

**Domestic Violence** is threatened, attempted or actual violence by a spouse or former spouse, current or former intimate partner or a family member. Commonly referred to as domestic abuse or intimate partner abuse, domestic violence/abuse can take many forms:

- physical,
- sexual,
- emotional,
- psychological,
- economical/ financial,
- spiritual and/or,
- neglect.

**Investigator** is the person responsible for ensuring a timely, thorough and fair investigation of a workplace violence incident. The investigator may be someone from the City or an external third party.

**Mediation** is a tool used to address conflict by having a neutral person assist the parties in reaching a mutually acceptable solution.

**Psychological safety** is the absence of harm and/or threat of harm to mental well-being that a worker might experience.

**Respondent(s)** is the person(s) who the allegations of workplace violence have been made against.

**Supervisor** is a person who has charge of a workplace or authority over a worker. *For the purpose of this policy and program, 'supervisor' includes employees with the titles of Supervisor, Manager, Director, Commissioner, CAO or equivalent.*

**Support Person** is the person who may be present in an interview to provide support to the interviewee but cannot respond to questions or interfere with the proceedings of the investigation. A support person cannot be someone who is a potential witness in an investigation.

**Volunteer** is a person who performs tasks and/or services without compensation or expectation of compensation.

**Witness(es)** is a person(s) believed to have observed the alleged workplace violence and/or who is believed to have any information that may assist in the investigation.

**Worker** is a person who performs work (also known as employee) or supplies services for monetary compensation (as defined under the *Occupational Health and Safety Act* (OHSA)). It also includes all secondary or post-secondary students who perform work or supply services for no monetary compensation under a work experience program operated by or approved by a secondary or post-secondary institution.

**Workplace** is any land, property, structures, facilities, premises, location, City vehicle and equipment owned, leased, operated or otherwise controlled by the City or any other place at, upon, from or near which an employee works in the course of their duties. This may include social functions, training and conferences, during travel, at restaurants, hotels or meeting facilities being used for business purposes, during telephone, email or other electronic communications such as texting and instant messaging, and social media.

**Workplace violence** is defined in the OHSA as:

- a) the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
- b) an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker; and/or
- c) 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.

#### **SCOPE:**

This policy applies to all workers, members of council, students, contractors and volunteers. It also applies to members of the public and other visitors while at a City workplace.

Examples of where this policy applies includes, but is not limited to:

- the workplace;
- during work-related travel;
- at restaurants, hotels or meeting facilities that are being used for business purposes;
- in corporation owned or leased facilities;
- during telephone, email, electronic meetings, hybrid meetings and other communications, including but not limited to social media;
- during meetings of Council;
- dialogue that extends from the workplace related to work or workplace relations as well as comments made on social media pertaining to or associated with workers, work or the workplace;
- at any work-related social event, whether or not it is sponsored by the City; and,

- violence which occurs outside the workplace but which may adversely impact workplace relationships or the workplace, which may be workplace violence.

### **POLICY COMMUNICATION:**

This policy will be made available to staff through the City's website, intranet and provided in the new hire orientation package. In accordance with the *OHSA*, this policy will also be posted to all facility health and safety boards.

### **POLICY AND PROGRAM:**

This policy and program contains the following sections:

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- 3.0 [VIOLENCE PREVENTION](#)
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  - [APPENDIX A: VIOLENCE RISK ASSESSMENT – DETERMINING RISK LEVEL](#)
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## 1.0 GENERAL POLICY

All individuals have the right to work and/or access services in a safe environment free from threatened, attempted, or actual workplace violence. Violence refers to a broad range of behaviours that can generate concern for one's physical and psychological safety.

Some examples of **workplace violence** are:

- verbally threatening to attack a worker;
- leaving threatening notes at or sending threatening e-mails to a workplace;
- shaking a fist in a worker's face;
- wielding or implying you have a weapon at work;
- hitting or trying to hit a worker;
- throwing an object at a worker;
- sexual violence against a worker;
- destroying workplace property;
- kicking an object the worker is standing on such as a ladder; and/or,
- trying to run down a worker using a vehicle or equipment such as a forklift.

The City prohibits workplace violence from all workers, members of council, students, contractors, volunteers or other visitors to City workplaces including members of the public, and considers any behaviour in contravention of this policy as serious and may respond with reasonable corrective and/or disciplinary action up to and including termination of employment where necessary.

## 2.0 RESPONSIBILITIES

**All Employees (including supervisors)** are responsible to:

- promote a violence-free workplace;
- adhere to the requirements in the *Workplace Violence Policy and Program*;
- immediately report any suspected, threatened, attempted or actual workplace violence in accordance with this policy and program;
- contact 9-1-1 and/or security when there is an imminent risk to yourself or any other individuals within the workplace; and,
- actively participate in investigations where required.

The above responsibilities apply with necessary modifications to volunteers, contractors, members of the public and other visitors to City workplaces.

**Supervisors** are responsible to:

- support a safe work environment that is free from violence by actively promoting a positive environment and intervening when issues arise;
- ensure all employees are aware of and appropriately trained on the *Workplace Violence Policy and Program*;

- participate in the assessment and re-assessment of workplace violence risks as often as necessary;
- respond to potential threats, escalating situations, and incidents of violence immediately;
- actively participate in investigations where required;
- take every precaution reasonable in the circumstances to protect a worker if the employer becomes aware, or ought reasonably be aware that domestic violence would likely expose a worker to physical injury that may occur in the workplace;
- in accordance with divisional protocols, provide information to a worker related to a risk of workplace violence from a person with a history of violent behaviour if the worker can be expected to encounter that person at work and the risk of workplace violence is likely to expose the worker to physical injury (but disclose personal information only to the extent it is reasonably necessary to protect the worker from physical injury); and,
- refrain from penalizing or disciplining any employee who has filed a report of workplace violence in accordance with this policy or program or participated in a workplace investigation.

**The City** is responsible to:

- implement and maintain the *Workplace Violence Policy and Program*;
- assess the risks of workplace violence and re-assess risks as often as is necessary to ensure that our policy and program continue to protect workers from workplace violence;
- address and/or investigate incidents, complaints or reports of workplace violence;
- actively participate in investigations where required;
- implement reasonable corrective and/or disciplinary actions as a result of breaches to the policy where necessary;
- take every precaution reasonable to ensure that information about an incident/report of workplace violence remains confidential except to the extent necessary to protect workers, investigate the incident, to take corrective action or as otherwise required/permitted by law;
- prevent employees from being penalized or disciplined for filing a report of workplace violence in good faith or participating in a workplace investigation;
- take every precaution reasonable in the circumstances to protect a worker if the employer becomes aware, or ought reasonably be aware that domestic violence would likely expose a worker to physical injury that may occur in the workplace;
- in accordance with divisional protocols, provide information to a worker related to a risk of workplace violence from a person with a history of violent behaviour if the worker can be expected to encounter that person at work and the risk of workplace violence is likely to expose the worker to physical injury (but disclose personal information only to the extent it is reasonably necessary to protect the worker from physical injury);
- lead the annual review of the *Workplace Violence Policy and Program*

which involves Council, Leadership, unions/ association and the Joint Health and Safety Committees (JHSCs); and,

- ensure all employees are aware of and appropriately trained on the *Workplace Violence Policy and Program*.

**Members of Council** are responsible to:

- promote a violence-free workplace;
- adhere to the requirements in the *Workplace Violence Policy and Program*;
- immediately report incidents of suspected, threatened, attempted or actual workplace violence to the City Clerk and Chief Administrative Officer; and,
- actively participate in investigations where required.

### 3.0 VIOLENCE PREVENTION

#### 3.1 VIOLENCE RISK ASSESSMENTS

For each City owned or operated workplace, the City is responsible for assessing the risks of workplace violence that may arise from the nature of the workplace, the type of work or the conditions of work. This is achieved through completion and maintenance of Violence Risk Assessments, which take into account circumstances common to similar workplaces, circumstances specific to the workplace, and any implemented control measures.

There are two types of violence risk assessments completed at the City including:

1. *General Physical Environment Assessment* – this assessment focuses on the risk of violence with a facility’s physical environment and security measures. The assessments are coordinated by the Corporate Security & Life Safety section (Facility Design and Management) and retained within the Facility Design and Management division.
2. *Divisional Violence Risk Assessment* – this assessment focuses on the risks of violence based on the work being performed in the division and takes into consideration the following violence risk factors:
  1. Communicating decisions that may not be well received and/or have a negative impact on the recipient
  2. Direct physical contact with non-City staff in City facilities
  3. Driving a vehicle and/or travelling via public transit for work primarily between City locations or other buildings
  4. Driving a vehicle for most of the workday with minimal presence in a City facility
  5. Handling cash or valuables
  6. Involved in work where domestic disputes and/or domestic violence (family violence) commonly arise
  7. Involved in work that may result in public unrest/ resistance
  8. Performing enforcement duties

9. Serving alcohol in City facilities or at other events
10. Transporting people or valuables
11. Working alone or in small numbers in City facilities during regular hours or at times of increased vulnerability (early mornings, night or quiet times of day)
12. Working alone or in small numbers outdoors during regular hours or at times of increased vulnerability (early mornings, night or quiet times of day)
13. Working on commercial, industrial, residential or public properties (indoors or outdoors)
14. Working with and/or encountering unstable or volatile non-City staff

Risk levels are determined based on the probability and severity ratings in Appendix A: Violence Risk Assessment – Determining Risk Level. The risk levels then provide guidance on the level of preventative action required to control the risk.

These assessments are completed jointly between workers and supervisors with support from the Health, Safety and Wellness Team (Human Resources) and in consultation with the Joint Health and Safety Committees (JHSCs). The completed assessments are retained in the Human Resources division and posted to the City's intranet.

Violence Risk Assessments will be reviewed at least every two years or as otherwise necessary when:

- the workplace moves or the existing workplace is renovated or reconfigured;
- there are significant changes in the type of work;
- there are significant changes in the conditions of work;
- there is new information on the risk of workplace violence; or,
- a violent incident indicates a risk related to the nature of the workplace, type of work, or conditions of work which was not identified during an earlier assessment.

### 3.2 CONTROL MEASURES

The City will take every precaution reasonable in the circumstances to protect workers from workplace violence by implementing appropriate engineering, administrative and personal protective equipment controls including, but not limited to:

- installing barriers, security systems and panic buttons
- developing and implementing corporate procedures and training programs which instruct workers on safety protocols related to specific violence risk factors e.g., working alone
- encouraging employees to exercise their right to refuse unsafe work when the employee has reason to believe that workplace violence is likely to



endanger them, except where limitations apply for certain workers (e.g., Fire Fighters) where:

- the danger is inherent or a normal part of the job; or
- the refusal to work would directly endanger the life, health or safety of another person

*Refer to the Work Refusal Procedure for further information on the process for refusing unsafe work.*

- supporting divisions in developing and implementing standard operating procedures on safety protocols that are unique to the circumstances and particular risk factors of the division
- protecting employees when the City becomes aware, or ought reasonably be aware that domestic violence would likely expose a worker to physical injury that may occur in the workplace. *Refer to section 4.3 Domestic Violence*
- in accordance with divisional protocols, provide information to employees related to a risk of workplace violence from a person with a history of violent behaviour if the worker can be expected to encounter that person at work and the risk of workplace violence is likely to expose the worker to physical injury

#### **4.0 REPORTING WORKPLACE VIOLENCE**

Employees are required to report any suspected, threatened, attempted or actual workplace violence immediately after experiencing or witnessing the behaviour(s) and/or action(s) as below.

Supervisors have the responsibility of supporting a work environment free of violence, which includes intervening when issues are brought to their attention or when there is a noticeable change in an employee's behaviour, regardless of whether there is a formal report and/or the individuals involved report to that supervisor. Supervisors are required to report suspected, threatened, attempted or actual workplace violence to HR.

##### **4.1 IMMINENT RISK**

Employees may on occasion interact with individuals who are agitated and/or confrontational. It is important that employees are aware of the physical signs of potentially violent persons so that caution can be exercised when those signs are exhibited – physical signs may include:

- sweating
- pacing, restless, or repetitive movements
- signs of extreme fatigue (e.g., dark circles under the eyes)
- trembling or shaking
- clenched jaws or fists
- flushed or pale face
- exaggerated or violent gestures

- change in voice
- loud talking or chanting
- shallow, rapid breathing
- scowling, sneering or use of abusive language
- glaring or avoiding eye contact
- violating your personal space (they get too close)

Where it is not possible to verbally de-escalate the individual or there is an imminent risk to the health and safety of an individual, the situation must be treated as an emergency. Employees are not to place themselves at risk or jeopardize anyone's safety when dealing with any perceived or real situation of violence and have a right to refuse unsafe work associated with workplace violence.

If required by the situation, the **employee involved** should:

1. Remove themselves from the situation and move to a safe location if possible;
2. Call 9-1-1 and notify emergency personnel of the building location, the type of emergency and the assistance required. Where appropriate, Security can also be contacted and will attend as quickly as possible as below;

Location	Phone Number
City Hall Security (for incidents at City Hall)	519 502 8995
Patrol Security (for incidents at all City facilities)	519 502 9032
Uptown Parkade Security (for incidents in the Uptown Parkade or Uptown core)	519 569 9945

3. Call for any available assistance to help direct employees and any members of the public to a safe area;
4. Seek appropriate medical attention (if required); and,
5. If not injured, make arrangements for first aid or medical treatment for anyone in need as soon as possible and when safe to do so.

If required by the situation **any employee bystander (employee or supervisor)** should:

1. Call 9-1-1 and notify emergency personnel of the building location, the type of emergency and the assistance required. Where appropriate Security can also be contacted and will attend as quickly as possible (see contact information in chart above);
2. Call for any available assistance to help direct employees and any members of the public to a safe area; and,
3. Make arrangements for first aid or medical treatment for anyone in need as soon as possible and when safe to do so.

After imminent risk has passed, a **supervisor** for the work area must:

1. Ensure individuals receive immediate medical attention where necessary;
2. Notify the Director of the Division and the Director of Human Resources (HR) or Manager of Health, Safety & Wellness;
3. Assist the employee in completing a full report of the incident using the **Security Incident Report** and submit to [corpsecurity@waterloo.ca](mailto:corpsecurity@waterloo.ca) – Corporate Security & Life Safety staff can also be contacted as follows:

Contact	Phone Number
Manager of Facility Operations and Corporate Security	519 465 3848
Supervisor of Corporate Security and Life Safety Systems	519 465 5534

4. Offer supports to any involved employees which may include a debrief of the situation and providing supportive resources, for example:
  - Distress Line Kitchener-Waterloo - 519 745 1166
  - Employee Family Assistance Program - 1 800 663 1142 - TTY: 1 888 384 1152
  - Here 24-7 - 1 844 437 3247 - TTY: 1 877 688 5501
  - Victim Services of Waterloo Region 519 585 2363, and;
5. Help facilitate a return to normal operations within the work area.

#### 4.2 NON-IMMINENT RISK

All employees are required to report incidents of suspected, experienced or witnessed workplace violence. Employees who believe they have been subject to workplace violence should complete the **Security Incident Report** and submit to [corpsecurity@waterloo.ca](mailto:corpsecurity@waterloo.ca). If the employee is unable to complete the **Security Incident Report** independently, they should contact their supervisor or Employee Relations representative for assistance. Alternatively, non-imminent risks can be reported directly to the Employee Relations Representative.

#### 4.3 DOMESTIC VIOLENCE

Any employee experiencing, suspecting or witnessing domestic violence that may create a risk of danger in the workplace is encouraged to report workplace violence to their supervisor and/or the Director of HR or Manager of Health, Safety & Wellness immediately. Supervisors made aware of domestic violence, must report the situation to HR.

The City will take every precaution reasonable in the circumstances for the protection of employees when it becomes aware or ought reasonably to be aware that domestic violence may occur in the workplace and would likely expose an employee(s) to injury.

Where necessary, safety plans will be created jointly by HR, the Corporate Security & Life Safety section (Facility Design and Management), the supervisor, the employee and union/ association representative (if applicable). Safety plans look at the steps that can be taken at different points in time or in various situations to protect the employee from domestic violence at work.

A safety plan may include some or all of the following measures:

- increased security measures for the individual while at work or travelling to and from work (panic buttons, caller identification, door security, code words, photo of abuser supplied to security, escorts to car or public transportation);
- record-keeping options for possible police evidence (e.g., threatening voicemails or e-mails); and,
- alternative work arrangements to adjust the worker's schedule or location in order to be less predictable or to otherwise increase the worker's safety.

The City recognizes the sensitivity of these issues and will endeavor to assist employees as discreetly as possible. Individuals experiencing domestic violence are encouraged to review Appendix B: Domestic Violence Safety Tips and Appendix C: Domestic Violence Resources. If further support is required, please contact your Employee Relations representative.

#### 4.4 EXTERNAL REPORTING OBLIGATIONS

##### 4.4.1 WORKPLACE SAFETY AND INSURANCE BOARD (WSIB)

Where an employee has sustained an injury or illness related to workplace violence that requires medical attention from a Health Professional, absence from work beyond the date of injury or modified duties beyond seven days, the incident will be reported to the WSIB in accordance with the *Corporate Hazard and Incident Reporting Procedure*.

##### 4.4.2 MINISTRY OF LABOUR, IMMIGRATION, TRAINING AND SKILLS DEVELOPMENT (MLTSD)

Where an employee or other individual sustains a critical injury or there is a fatality related to workplace violence, the critical injury/ fatality will be reported to the MLTSD in accordance with the *Corporate Hazard and Incident Reporting Procedure*.

##### 4.4.3 POLICE

The definition of workplace violence is broad enough to include acts that would constitute offences under the *Criminal Code of Canada* including assault, sexual assault, threats of bodily harm and behaviours such as

stalking. Where necessary based on the circumstances, police will be contacted.

## 5.0 INVESTIGATING REPORTS OF WORKPLACE VIOLENCE

Upon receipt of a report of workplace violence, HR will determine whether the issues falls within the *Workplace Violence Policy and Program* or a different policy (e.g., *Respectful Behaviour Policy, Respectful Workplace Policy and Program*). Where the report is not within the scope of this policy and program, details will be provided to the appropriate City staff.

Where the complaint is within the scope of the *Workplace Violence Policy and Program*, HR will complete a preliminary review to assess:

- whether an informal or formal investigation is appropriate to the circumstances; and,
- whether the police must be notified.

If the individual who is alleged to engage in workplace violence is not a City employee (third party), the issue will be addressed by divisional supervisors in partnership with the Corporate Security & Life Safety section to the extent possible in accordance with the *Respectful Behaviour Policy*. Divisional supervisors can contact HR as necessary where supports for the employee are required.

*Where security footage may be required as evidence of workplace violence, access to such footage will be provided in accordance with the Corporate Security Policy, CCTV Protocol and Procedures and/or other related policies, procedures and protocols.*

### 5.1 INFORMAL INVESTIGATION

An informal investigation may be appropriate in, but is not limited to, the following circumstances:

- the alleged behaviour, if substantiated, would not meet the legal threshold of workplace violence;
- the alleged behaviour is minor in nature;
- all the facts necessary for resolution are known without the need for further inquiry;
- no other resources or special expertise are required for an impartial and timely resolution; and/or,
- there is a willingness on behalf of the individuals involved to participate in an informal means of resolution.

In order to assess appropriate opportunities for informal resolution, HR may need to interview the parties involved and/or review documentary evidence, as necessary, to understand the scope of the situation and the willingness of the parties to actively participate in resolving the matter informally.

## 5.2 FORMAL INVESTIGATION

If informal attempts to resolve the workplace violence are not appropriate, prove ineffective or where the City determines further inquiry is warranted, a formal investigation will be conducted.

An appropriate HR representative will be assigned to lead the investigation. The assignment is determined by HR on a case-by-case basis. HR will also determine whether an internal or external investigator is appropriate depending on the nature and circumstances of the incident.

The investigation will commence promptly and may include, but is not limited to the following:

- conducting initial and subsequent interviews with the Complainant(s), Respondent(s), and any Witness(es) identified by the investigator, as necessary and relevant, in an attempt to collect the facts and circumstances relevant to the alleged behaviours that led to the complaint;
- reviewing evidence (documentary, physical, etc.) or other information submitted by any party interviewed or otherwise obtained during the investigation; and,
- reviewing relevant workplace policies and any other related legislation and regulations.

In all cases, the interviewee will have an opportunity to review the notes taken during their interview prior to submission to the investigation file.

At the conclusion of the investigation, the investigator will prepare a detailed report of the findings. The report will be submitted to the Director of HR or the HR Lead for review (as applicable). An executive summary of the allegations, findings and HR's recommended corrective actions will be prepared and submitted to the Corporate Management Team for consultation and approval.

Unless there are extenuating circumstances that result in a delay, the Complainant(s) and Respondent(s) will be provided with a written summary of the findings and corrective actions taken, if any, or that will be taken to prevent similar incidents within ten (10) business days of receipt of the investigation report. HR will determine the appropriate amount of information to be shared with the Complainant(s) and Respondent(s).

## 5.3 CORRECTIVE ACTIONS

Corrective actions that may be taken at the conclusion of an informal or formal investigation may include, but are not limited to, one or more of the following:

- coaching and/or formal referral for counselling;
- conflict mediation;
- education and training;
- reassignment or transfer;

- demotion or denial of promotion;
- updates to policies/ procedures/ processes;
- disciplinary action up to and including termination of employment, in accordance with the City's *Disciplinary Action Policy*; and/or,
- any other action deemed appropriate under the circumstances.

#### 5.4 SUPPORT FOR PARTIES

The City recognizes that involvement in a workplace violence incident or investigation may be stressful and emotionally disruptive. Involved parties are encouraged to access counselling services and support provided by the City's Employee Family Assistance Program or through other agencies.

**Employees represented by CUPE Local 1542, Staff Association or Waterloo Professional Fire Fighters Association who will be interviewed in an investigation can elect to have an executive member or legal representative observe their interview as a support person.** The executive member chosen cannot otherwise be involved in the investigation, which includes acting as a support person for other individuals involved in the investigation, wherever possible.

Employees not affiliated with a union or association can request to have a support person or legal representative attend their interview as well. The support person cannot be a City of Waterloo employee or be otherwise involved in the investigation.

The role of a support person is to provide support to the interviewee. They cannot respond to questions or interfere with the proceedings of an investigation. If a support person is being disruptive to the process, they may be asked by the investigator to leave the interview.

HR representatives will remain a neutral party in all investigations and will support all parties by answering questions on the investigation process and directing employees to resources as required.

#### 5.5 INTERIM MEASURES

Where necessary, HR will work with the employee and relevant management to determine the measures required to protect and support the employee which may require immediate implementation of measures. In some circumstances, the Corporate Security & Life Safety section and/ or police may be involved in the implementation of interim measures. Interim measures may include but are not limited to temporarily relocating either party to an alternate work location, providing a leave of absence during the investigation, modifying schedules, or providing alternate reporting relationships.

Interim measures will be implemented on a case-by-case basis and will be reasonable in consideration of the specific circumstances required to maintain a physically and psychologically safe workplace.

## 6.0 LEGAL REQUIREMENT TO INVESTIGATE

The *OHSA* places a legal obligation on employers to conduct an investigation appropriate in the circumstances of incidents and complaints of workplace violence. As a result, the option to pursue informal action may not be available depending on the circumstances.

If informal action would not be appropriate in a given situation, HR will notify the parties that a formal investigation will proceed in accordance with section **5.2 Formal Investigation**. Additionally, if the employer becomes aware of workplace violence which has not been reported and/or the employee who was on the receiving end of the violence is not willing to report, the employer may still have an obligation to act.

Where criminal proceedings are initiated against a respondent based on allegations of workplace violence that fall within the scope of this policy and program, HR may conduct its own independent investigation into the allegations in accordance with this policy and program.

## 7.0 DISCRETION REGARDING INVESTIGATIONS

Subject to any legal obligations to investigate, the City may decide not to act or investigate, or discontinue an informal action or investigation in appropriate circumstances, including, but not limited to where:

- the alleged behaviour, if true, would not be a breach of this policy;
- the complaint is anonymous and there is insufficient information to warrant any further steps;
- the complaint is vexatious or made in bad faith;
- another reporting avenue has been pursued or engaged regarding the same or related concern/ complaint; and/or,
- having regard to all of the circumstances, further investigation of the matter is unnecessary.

The HR representative will provide a rationale for refusing to act or investigate in writing to the Complainant(s), supervisor and union (if applicable) in a timely manner. Human Resources will work with the employee to ensure appropriate supports are provided, where possible.

## 8.0 REPRISAL

Every person has a right to a workplace free of violence. No person shall be subject to retaliation or reprisal for reporting workplace violence in good faith, providing



information related to violence, or helping to resolve violence.

It is a violation of the *OHSA* and this policy and program to discipline, punish, or treat a person negatively because they have reported workplace violence in good faith, or otherwise been involved in the resolution process. Reprisal may be the subject of a complaint under the *Respectful Workplace Policy and Program* and persons engaging in reprisal are subject to corrective action and disciplinary measures, up to and including termination of employment.

If the investigator assesses that workplace violence was reported maliciously during the investigation and there is appropriate supporting evidence, the actions will be addressed with appropriate corrective actions and/or disciplinary measures up to and including termination of employment. If a respondent or anyone else involved in the investigation believes a complaint was made maliciously, they are encouraged to notify the investigator and submit any evidence they have to support. A malicious report is one that is knowingly false and may result in harm. Reports of workplace violence that are made in good faith, even if not substantiated, will not be considered malicious.

## **9.0 CONFIDENTIALITY**

Information about reports of workplace violence shall be kept confidential to the extent possible. Information obtained about an incident(s) made under this policy and program, including identifying information about any individuals involved, will not be disclosed unless disclosure is necessary to protect workers, to address or investigate the complaint or incident, to take corrective action or otherwise as required by law.

During and after the investigation, the Complainant(s), Respondent(s), and any Witness(es) should not discuss the incident(s) or investigation with each other or other employees at the City of Waterloo, with the exception of their union or association representative (where applicable), the HR Lead, or the investigator. The investigator may discuss the investigation and disclose the incident or incident related information only as necessary to conduct the investigation.

All records of the investigation will be kept confidential in an investigation file separate from the employee's file, in accordance with the City's retention by-law. Any corrective or disciplinary action issued as a result of the investigation will be added to the employee's file.

## **10.0 TRAINING**

A training program on the *Workplace Violence Policy and Program* will be maintained and updated in consultation with, and in consideration of the recommendations of the JHSCs.

All new hires will review this policy and program and complete the associated training as part of their new hire orientation. Supervisors must ensure that existing employees

have reviewed this policy and program and the associated training as directed by HR.

**11.0 REVIEW**

Human Resources will review this policy and program annually and reserves the right to evaluate on a regular basis and amend as necessary. Leadership, the unions/ association and the JHSCs will have the opportunity to participate in the review.

**COMPLIANCE**

In cases of policy violation, the City may investigate and determine appropriate corrective action.

Signed upon approval of Council and in accordance with the Occupational Health and Safety Act.

<b>Name</b>	<b>Signature</b>	<b>Date</b>
Dorothy McCabe, Mayor		
Tim Anderson, Chief Administrative Officer		

**APPENDIX A: Violence Risk Assessment – Determining Risk Level**

The probability of violence occurring will be rated on the following scale:

Probability	Description
5 – Almost Certain	Expected to occur on a regular basis (daily, weekly, monthly)
4 – Likely	Expected to occur frequently (4 to 10 times per year)
3 – Moderate	Expected to occur occasionally (3 or less times per year)
2 – Unlikely	Expected to occur once every 2 to 5 years
1 – Rare	Expected to occur only under exceptional circumstances

The anticipated severity of injury/ property damage will be rated on the following scale:

Severity	Description
5 – Catastrophic	Death or significant property damage
4 – Major	Extensive injuries and/or lost time days, loss of service capability, major property damage
3 – Moderate	Medical treatment required, moderate property damage
2 – Minor	First aid treatment, low property damage
1 – Insignificant	No injuries, low property damage

Risk level will be determined by multiplying Probability x Severity wherein:

Risk Level	Description
High (15-25)	Significant Risk – Managing this risk is a priority and additional risk control measures are needed. Interim steps may be needed prior to implementing permanent solutions.
Medium (5-14)	Moderate Risk with Caution – Investigate if additional measures can reduce the risk even farther
Low (1-4)	Tolerable Risk – Monitoring is required to ensure controls are maintained and effective

## Appendix B: Domestic Violence Safety Tips

The following is a brief listing of [Domestic Violence Safety Tips from WRPS](#):

### Living Together

- If possible, leave home or call police before any violence starts.
- If you need to leave your home or workplace, know the best escape routes and practice your emergency exit plans. Teach children the escape routes (where applicable).
- Plan where to go if you need to leave. This needs to be a safe place for you and your children (where applicable) in a time of crisis.
- Keep your purse/wallet nearby in case you need to leave quickly.
- Keep spare keys for your home and car with you or in a safe place at all times.
- Keep copies of important documents and money in a safe place.
- Keep a small bag of clothes packed and hidden.
- Tell trusted friends, neighbours or relatives about the abuse and create a code word or signal with them to call the police if you need help.
- Have a code word with your children (where applicable) that will let them know to leave and get help. Let children know whose house they can run to.
- Let children (where applicable) know where the cordless phone or cell phone is and how to use them.

### Living Apart

- If possible, keep a charged cell phone with you at all times. Any charged cellphone will call 911. Even if you don't have a phone plan or minutes on your pay-as-you-go phone, 911 will still work.
- Tell a trusted neighbour to call police if they see your spouse near the residence if there are court ordered terms preventing your spouse from being near the house.
- Where applicable, ensure your children's school is aware of court orders, restraining orders, custody and access orders, as well as a picture of your partner.
- Accompany your children (where applicable) to school or the bus stop.
- If possible, change your daily routines.
- If possible, change your locks, install an alarm system, add window bars, secure locks on windows and doors and install outdoor lighting.
- Identify people before answering the door. A wide-angle viewer can be installed in all exterior doors.

**At Work**

- Once they are made aware of the potential of intimate partner violence in the workplace, employers are legally required to take every precaution reasonable to protect a worker at risk of physical injury.
- Make your supervisor and or co-workers aware of the situation and ask them to call police if they see the abuser in or around your workplace. Ask them not to give out any personal information about you or your routine.
- Arrange for a co-worker or security to walk you to and from your building to your car.

**In a Vehicle**

- If a problem happens when driving, use your cell phone to call police. If you don't have a cell phone, honk the horn continuously to gain attention and drive to a police station or a well-lit, heavily populated area.
- If you use public transit, try to sit close to the front by the driver. Arrange for someone to meet you at the bus stop and walk you home. Once at home, call a relative or friend and let them know you got home safely.

## Appendix C: Domestic Violence Resources

If you are experiencing abuse, it is important you protect your safety and the safety of your children (where applicable). Speak to someone you trust. Know that you are not alone, it is not your fault, and there is help. You do not have to leave your relationship to seek help.

- **In an emergency call the police at 9-1-1**
- **If you need to leave immediately:**
  - Anselma House (Kitchener-Waterloo) – Crisis: 519-742-5894
  - Haven House (Cambridge) – Crisis: 519-653-2422

### Resources from the [Region of Waterloo website](#):

- Check the [Where to Get Help](#) list with names and contact information for all available services in Waterloo Region
- The Emergency Departments at the following hospital are open 24 hours a day, seven days a week. *A nurse and social worker from the Waterloo Region Sexual Assault/ Domestic Violence Treatment Centre are available to help at the Emergency Departments of St. Mary's Hospital and Cambridge Memorial Hospital.*
  - **St. Mary's General Hospital** - 519-744-3311 – 911 Queen's Boulevard (Kitchener)
  - **Grand River Hospital** – 519-742-3611 – 835 King Street West (Kitchener)
  - **Cambridge Memorial Hospital** – 519-621-2330 – 700 Coronation Boulevard (Cambridge)
- The [Family Violence Project of Waterloo Region](#) (519-743-6333) is a collaborative of agencies that provides wrap-around, seamless service to victims of domestic violence- all from a single location.
- [Domestic Assault Review Team of Waterloo Region \(D.A.R.T.\)](#) is a community coordinating committee whose primary purpose is to facilitate a coordinated, seamless and effective approach to domestic violence within the Waterloo Region.

### Resources from the [WRPS website](#):

For non-emergencies, WRPS non-emergency line 519-570-9777

- Women's Crisis Service of Waterloo Region (non-police) 519-748-5894
- Waterloo Regional Police Service Intimate Partner Violence Unit
  - Carizon Family and Community Services Building - 400 Queen Street South, Kitchener – 519-570-9777
- **Family Violence Project Partners**
  - Family Violence Project – A collaborative of agencies that provides wrap-around, seamless service to victims of domestic violence – all from a single location – Carizon Family and Community Services - 519-743-6333 [www.carizon.ca](http://www.carizon.ca)

- Women's Crisis Services of Waterloo Region – Empowers and supports women and children to move beyond violence by providing safe shelter, education and outreach services. Offers a free, confidential outreach program for women who are experiencing domestic violence but do not require emergency shelter – [www.wcswr.org](http://www.wcswr.org)
  - Kitchener-Waterloo (Anselma House) 519-742-5894
  - Cambridge (Haven House) 519-653-2289
- Victim Services of Waterloo Region – Provides immediate crisis intervention, emotional support and referrals to individuals affected by crime and tragic circumstances – 519-585-2363 – [www.vswr.ca](http://www.vswr.ca)
- Victim/ Witness Assistance Program (VWAP) – Provides information and assistance to victims and witnesses of crime during criminal court process – 519-741-3361 <https://www.ontario.ca/page/ministry-attorney-general>
- Waterloo Region Sexual Assault/ Intimate Partner Violence Treatment Centre – A 24/7 on-call team of nurses and social workers who respond to needs of individuals who have experienced sexual assault or domestic violence – 519-749-6994 <https://www.sascwr.org/resources.html>
- **Other Community Resources**
  - Canadian Mental Health Association Waterloo Wellington – 1-844-264-2993 – [www.cmhaww.ca](http://www.cmhaww.ca)
  - Child Witness Centre of Waterloo Region – 519-744-0904 – [www.childwitness.com](http://www.childwitness.com)
  - Community Justice Initiatives – 519-744-6549 – [www.cjiwr.com](http://www.cjiwr.com)
  - Community Mental Health Clinic – Cambridge Memorial Hospital – 519-740-4900 – [www.cmh.org/programs/mental-health-services](http://www.cmh.org/programs/mental-health-services)
  - Family & Children Services of Waterloo Region – [www.facswaterloo.org](http://www.facswaterloo.org)
    - Kitchener-Waterloo – 519-576-0540
    - Cambridge – 519-623-6970
  - Family Counselling Centre of Cambridge and North Dumfries – 519-621-5090 - [www.fcccnd.com](http://www.fcccnd.com)
  - The Healing of the Seven Generations – Counselling and Support – 519-570-9118 – [www.healingofthesevengenerations.ca](http://www.healingofthesevengenerations.ca)
  - John Howard Society Waterloo-Wellington – Partner Assault Response Program
    - Kitchener – 519-743-6071 – [www.johnhoward.on.ca/waterloo/](http://www.johnhoward.on.ca/waterloo/)
    - Cambridge – 519-622-0815 [www.cambridgecareerconnections.com](http://www.cambridgecareerconnections.com)
  - K-W Counselling – 519-884-0000 [www.kwcounselling.com](http://www.kwcounselling.com)
  - K-W Multicultural Centre – 519-745-2531 – [www.kwmulticultural.ca](http://www.kwmulticultural.ca)
  - Mary's Place Residence (YWCA) – 519-744-0120 – [www.ywcakw.on.ca/emergency-shelter/](http://www.ywcakw.on.ca/emergency-shelter/)
  - Region of Waterloo Social Services – 519- 883-2100 – [www.regionofwaterloo.ca/en/community-services.aspx#](http://www.regionofwaterloo.ca/en/community-services.aspx#)
  - Waterloo Wellington Local Health Integration Network – 519-748-2222/ 1-888-883-3313 – <https://kdchc.org/>
  - Wilmot Family Resource Centre – 519-662-2731 – <https://wilmotfamilyresourcecentre.wordpress.com/>

- Woolwich Community Services – 519-669-5139/ 1-800-661-7918 – [www.woolwichcommunityservices.org](http://www.woolwichcommunityservices.org)
- Woolwich Counselling Centre – 519-669-8651 – [www.woolwichcounselling.org](http://www.woolwichcounselling.org)

**Other Resources:**

- Kind Minds Family Wellness – 226-336-1988  
<https://kindmindsfamilywellness.org/>