



# WORKPLACE VIOLENCE + HARASSMENT POLICY

## **PHILOSOPHY + GOAL**

Camp Kirk is committed to providing a work environment in which all individuals (staff and volunteers) are treated with respect and dignity. This Workplace Violence and Harassment Policy is intended to 1) strengthen protections for employees and volunteers from workplace violence and workplace harassment, 2) to ensure all employees and volunteers understand the meaning of workplace violence and harassment, 3) provide a means to summon assistance and make complaints, and 4) outline Camp Kirk's procedures for investigating and dealing with allegations of harassment and/or violence in the workplace.

## **DEFINITIONS**

### **Workplace means:**

- Camp Kirk buildings (whether owned or leased), including the surrounding perimeter such as any parking lots or driveways that are under the control of Camp Kirk
- Off-site locations where Camp Kirk employees or volunteers are performing work
- Locations where Camp Kirk-sponsored functions or recreational or social events occur, whether taking place on Camp Kirk grounds or elsewhere
- Locations where Camp Kirk employees and volunteers travel to perform work

### **Workplace Violence means:**

- The exercise of physical force by a person against an employee or volunteer, in a workplace, that could cause physical injury to the employee or volunteer
- An attempt to exercise physical force against an employee or volunteer, in a workplace, that could cause physical injury to the employee or volunteer
- A statement or behaviour that it is reasonable for an employee or volunteer to interpret as a threat to exercise physical force against the employee or

volunteer, in a workplace, that could cause physical injury to the employee or volunteer.

**Workplace Harassment means:**

- Engaging in a course of vexatious comment or conduct against an employee or volunteer in a workplace that is known or ought reasonably to be known to be unwelcome, or
- workplace sexual harassment

Workplace harassment may include bullying, intimidating, embarrassing, insulting, demeaning or otherwise offensive behaviour, including offensive jokes or innuendos, displaying or circulating offensive pictures or materials, offensive or intimidating phone calls or other inappropriate conduct that is known or ought reasonably to be known to be unwelcome. Workplace harassment includes, but is not limited to, harassment on the basis of race, ancestry, place of origin, colour, ethnic origin, sex, citizenship, creed, age, record of offences, marital status, family status or disability.

Workplace harassment does not include the exercise of reasonable performance management or progressive discipline. This Policy does not limit or constrain the reasonable exercise of management functions in the workplace such as progressive discipline.

**Workplace Sexual Harassment is a form of Workplace Harassment, and means:**

- engaging in a course of vexatious comment or conduct against an employee or volunteer in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
- making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to an employee or volunteer and the person knows or ought reasonably to know that the solicitation or advance is unwelcome

Comments or conduct that will constitute Workplace Sexual Harassment includes, but is not limited to:

- Sexual advances, unwanted or inappropriate touching, lewd gestures, inappropriate staring, leering or whistling, repeated unwelcome requests for dates
- Requests for sexual favours or offers for actual or promised job benefits
- Threatening to penalize or otherwise punish an employee or volunteer if they refuse a sexual advance
- Use of sexual language; inappropriate references to male or female anatomy; written or verbal references to sexual conduct

- Assault or coerced sexual activity
- Telling sexual jokes or gender-related comments about an individual's physical characteristics or mannerisms.
- Offensive literature, posters, drawings, email messages, graffiti and any other visual materials, derogatory comments or other activities based on sexual characteristics that intrude upon a person's dignity or that create an intimidating, hostile or offensive atmosphere.

## **VIOLENCE RISK ASSESSMENT**

Camp Kirk will assess the risks of workplace violence that may arise from the nature of the workplace, the type of work or the conditions of work. Camp Kirk will engage in re-assessments as often as are necessary. Measures and procedures to control these risks will be included in the workplace violence program.

## **DOMESTIC VIOLENCE**

If Camp Kirk becomes aware that domestic violence may occur in the workplace, Camp Kirk will take every precaution reasonable in the circumstances to protect an employee or volunteer at risk of physical injury. If an employee or volunteer becomes aware of a situation of domestic violence that may cause violence in the workplace (whether involving themselves or another employee or volunteer), the employee or volunteer is expected to report the situation to their supervisor or to the Executive Director as soon as possible so appropriate action can be taken.

## **WORK REFUSAL**

Employees and volunteers have the right to refuse work if they have a reason to believe that workplace violence is likely to endanger themselves. An employee or volunteer engaging in a work refusal is required to promptly report the circumstances of the refusal to their supervisor or the Executive Director. The employee or volunteer is required to remain at work in a safe location while an investigation is undertaken and remain available to Camp Kirk for the purposes of the investigation. If the employee or volunteer is not satisfied with the result of the investigation, they can bring the matter forward to the Ministry of Labour in accordance with the requirements under the *Occupational Health and Safety Act*, as amended from time to time.

## ROLES AND RESPONSIBILITIES

**Employees and Volunteers:** It is the responsibility of every employee and volunteer to:

- Observe and adhere to this Policy by treating all co-workers, supervisors and managers with dignity and respect, free from harassment or violence
- In the case of an imminent threat of physical harm to themselves or any person from workplace violence, immediately move to a safe location and contact the police
- Participate in training regarding this Policy
- File a report with their supervisor or Executive Director as soon as possible if they are subjected to or witness harassment or violence in the workplace
- Fully cooperate in any investigation of complaints or incidents of workplace violence or harassment, or any alleged breaches of this Policy

**Supervisors:** Supervisors have the same responsibilities as employees and volunteers, and as well are expected to:

- Communicate and review this Policy with the staff and volunteers they supervise or manage
- Advise an employee or volunteer of information related to a risk of workplace violence from a person with a history of violent behaviour if the employee or volunteer can be expected to encounter that person in the course of his or her work, and the risk of workplace violence is likely to expose the employee or volunteer to physical injury
- Take a report of workplace violence or harassment seriously
- Report incidents to their supervisor or the Executive Director immediately for further action and/or investigation

**Executive Director:** The Executive Director must:

- Take measures and procedures to control the risks of workplace violence identified in Camp Kirk's risk assessment as likely to expose an employee or volunteer to physical injury
- Ensure that a workplace violence risk assessment is conducted as often as is reasonably necessary as set out in this Policy
- Develop measures and procedures for summoning immediate assistance when an incident of workplace violence occurs or is likely to occur
- Ensure that employees and volunteers are trained in this Policy
- Post this Policy in a conspicuous place in the workplace
- Deal with all concerns, complaints, or incidents of workplace violence or harassment in a timely and fair manner while respecting employees' privacy, to the extent possible given the need to investigate and deal with incidents and complaints of workplace violence or harassment

## **COMPLAINT PROCEDURE**

Employees and volunteers are encouraged to report any incidents of workplace violence or harassment. Employees and volunteers should always contact police first in emergency situations, if threats or actual violence occurs at the workplace. In cases of non-emergencies, or once the emergency is under control:

- Employees and volunteers are expected and encouraged to report situations of workplace violence and harassment in a timely manner whether they have been subjected to such behaviour or whether they observe or know of a fellow employee or volunteer or group of employees or volunteers who have engaged in or been subjected to workplace violence or harassment
- Where appropriate, employees or volunteers who feel they have been subjected to harassment are encouraged to make their objections known to the offender, as this may stop the offending behaviour. If the employee feels it is not appropriate to raise the problem with the offender or, if they are not comfortable addressing their concerns directly with the offender or if the offensive conduct continues, the employee should report the conduct either to their supervisor or the Executive Director
- Camp Kirk will take all complaints of workplace violence or harassment seriously, and will investigate and deal with complaints in a fair and thorough manner
- Confidentiality will be maintained to the extent possible given the need to conduct a fair and thorough investigation and the obligation to disclose information as may be required by law. The respondent to a complaint will be apprised of the nature of the allegations, which may require the disclosure of witness names and statements, and informed of the steps in the investigation process including the opportunity to provide a response to Camp Kirk
- All employees and volunteers must cooperate fully in any investigation conducted on behalf of the Camp Kirk to determine whether a violation of this Policy has occurred
- If it is determined that an individual has violated this Policy, including retaliation, Camp Kirk will act promptly to eliminate such conduct and will take appropriate action as set out below

## **NO REPRISAL**

Workplace violence and harassment are serious matters. This Policy prohibits reprisals against employees and volunteers who have made good faith complaints or provided information to Camp Kirk in good faith regarding a complaint or incident of workplace violence or harassment. Employees or volunteers who engage in reprisals

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or threats of reprisals will be considered in violation of this Policy and will be subject to appropriate disciplinary action. A reprisal includes:

- Any act of retaliation or negative consequence that occurs because a person has complained of or provided information about a possible incident of workplace violence or harassment in good faith
- Intentionally pressuring a person to ignore or not report a possible incident of workplace violence or harassment
- Intentionally pressuring a person to misrepresent the truth or provide less than full cooperation with an investigation of a complaint or possible incident of workplace violence or harassment

An employee or volunteer who makes a false complaint or provides false information in the course of an investigation will be in violation of this Policy and will be subject to appropriate disciplinary action.

## **ENFORCEMENT**

Violence and harassment in the workplace is disruptive, hurtful and can create a poisoned, hostile or dangerous work environment. Everyone in the workplace must be dedicated to preventing workplace violence and harassment. Directors, supervisors, volunteers and employees are expected to uphold this Policy, and will be held accountable. Where Camp Kirk concludes that a violation of this Policy has occurred, Camp Kirk may, where it deems appropriate, take any, some, or all of the following actions:

- Remove the individual from the workplace, through the use of security or the police if necessary
- Report the individual of the perpetrator to the police
- Prohibit the perpetrator from attending any Camp Kirk workplace or event in the future, either for a certain period of time or indefinitely
- Where the individual is not a Camp Kirk employee or volunteer, advise the individual of their misconduct or report the conduct as appropriate to any authorities
- Where the individual is a Camp Kirk employee or volunteer, discipline the employee or volunteer, including a demotion, transfer, change in reporting relationships or termination from Camp Kirk
- Take any other action appropriate in the circumstances