## WORKPLACE VIOLENCE AND HARASSMENT PREVENTION POLICY

[Organization Name] is committed to ensuring the health and safety of all employees by preventing and addressing all forms of workplace violence and harassment. This policy outlines the responsibilities of employers, supervisors, and employees in identifying, preventing, responding to, and reporting incidents of workplace violence and harassment in the workplace.

DEFINITIONS

“Violence” is defined as: The attempted or actual exercise of physical force to cause injury to a worker and includes threatening statements or behaviour which gives a worker reason to believe that they are at risk of injury.

“Harassment” is defined as: Inappropriate vexatious conduct or comment by a person to a worker that the person knew or ought to have known would cause the worker to be humiliated, offended or intimidated.

Source: The *Occupational Health And Safety Regulations* of Newfoundland and Labrador.

SCOPE

This policy applies to all [Organization Name] employees, managers, volunteers, and contractors.

POLICY

[Organization Name] recognizes its responsibility to prevent and address hazards in the workplace and to ensure the health, safety, and well-being of all employees, managers, and members of the public. In accordance with the Occupational Health and Safety Regulations, [Organization Name] will implement measures to identify and control these hazards by conducting risk assessments and developing workplace violence and harassment prevention plans.

Risk Assessment

[Organization Name] (the “Employer”) will:

* Conduct a workplace risk assessment to evaluate the potential for violence and harassment which considers:
	+ Previous incidents and experiences at the workplace;
	+ Occupational experiences from similar workplaces;
	+ The locations and circumstances in which work may be performed;
	+ Workplace characteristics such as demographics, organizational culture, and presence of new or vulnerable workers;
	+ Issues or concerns raised by the Occupational Health and Safety Committee, Worker Health and Safety Representative, or Designate.
* Keep personal information collected during risk assessments confidential, and only disclose such information if necessary for an investigation or required by law.

Violence Prevention Plan

Where a risk of violence or injury to workers from violence is identified through the risk assessment, [Organization Name] (the “Employer”) will:

* Develop and implement procedures, policies, and work environment arrangements to eliminate the risk of violence to workers.
* Where elimination is not possible, minimize the risk through all reasonable means.
* Take every precaution reasonable in the circumstances to protect a worker when aware, or reasonably expected to be aware, that family violence could expose them to physical harm in the workplace, in accordance with the Family Violence Protection Act.
* Inform all workers who may be exposed to the risk of violence about:
	+ The nature of the risk;
	+ Precautions that may be taken.
* Where applicable, provide workers with information related to the risk of violence from persons with a history of violent behaviour whom they are likely to encounter during their work.

Harassment Prevention Plan

Workplace harassment includes many actions that are known, or would be expected, to be unwelcome and cause a worker to be humiliated, offended or intimidated. Some examples include:

* Unwelcome conduct, comments, gestures, or contact which cause offense or humiliation;
* Misusing power or authority;
* Physical or psychological bullying which creates fear or mistrust, or which ridicules or devalues the individual;
* Excluding, intimidating or isolating individuals;
* Making inappropriate gestures or comments;
* Cyber bullying such as posting offensive or intimidating messages through social media or e-mail; and
* Making inappropriate sexual advances.

[Organization Name] will develop, implement, and maintain a written harassment prevention plan in consultation with the Occupational Health and Safety Committee, Worker Representative, or Designate.

The plan will:

* State that every worker is entitled to employment free from workplace harassment.
* Affirm the employer’s commitment to eliminating, or where elimination is not possible, minimizing workplace harassment.
* Include worker obligations to:
	+ Not engage in bullying or workplace harassment;
	+ Report experiences or observations of bullying or workplace harassment;
	+ Comply with the harassment prevention plan.
* Include supervisor obligations to:
	+ Ensure the health and safety of workers under their supervision;
	+ Apply and comply with the harassment prevention plan.
* Outline procedures for workers to report harassment to:
	+ A supervisor or the employer; or
	+ A designated external third party if the alleged harasser is the employer or supervisor.
* Outline procedures for how workplace harassment complaints will be received and investigated.
* Include a statement that any personal or sensitive information obtained during investigations will remain confidential unless disclosure is:
	+ Required for the investigation,
	+ Necessary for corrective actions,
	+ Required by law.
* Include procedures for:
	+ Informing involved parties of the investigation steps and outcome;
	+ Describing actions to be taken as a result of findings.
* Affirm that the plan does not discourage a worker from exercising their legal rights under:
	+ The Newfoundland and Labrador *Human Rights Act, 2010*,
	+ The Canada Criminal Code,
	+ Any other provincial or federal legislation.
* State that the employer will:
	+ Protect workers from retaliation;
	+ Provide appropriate support to any worker affected by harassment.
* The harassment prevention plan will:
	+ Be made accessible to all workers;
	+ Be reviewed at least once annually or as necessary;
	+ Be implemented and enforced in good faith.

[Organization Name] will investigate all complaints of workplace harassment. If an Occupational Health and Safety Officer determines it is necessary, they may order an impartial third party to investigate a complaint. The employer is responsible for all costs associated with this investigation.

Note: Any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.

Training

[Organization Name] will:

* Ensure that the employer/employer’s representatives participate in harassment prevention training.
* Provide all employees with training that includes:
	+ An overview of the harassment prevention plan;
	+ Definitions and examples of workplace harassment;
	+ Reporting and complaint procedures;
	+ Investigation process and confidentiality obligations;
	+ Workers’ and supervisors’ responsibilities.

Employer Responsibilities

[Organization Name] (the “Employer”) will:

* Conduct and maintain workplace violence risk assessments.
* Develop, implement, and review violence and harassment prevention plans.
* Consult with the Occupational Health and Safety Committee, Worker Representative, or Designate on plan development.
* Provide training to all workers on violence and harassment prevention.
* Maintain confidentiality of personal information, unless disclosure is legally required or necessary for investigation or corrective action.
* Respond to known or foreseeable threats, including risks related to family violence.
* Ensure affected workers are protected from retaliation and provided with support appropriately.

Supervisor Responsibilities

Supervisors will:

* Take all reasonable precautions to ensure the health and safety of workers under their supervision.
* Enforce and comply with the violence and harassment prevention plans.
* Monitor the work environment for potential risks or concerns.
* Respond to all reports of violence or harassment and follow reporting and investigation protocols.
* Treat all reports with sensitivity and confidentiality.
* Cooperate fully with internal and third-party investigations.

Employee Responsibilities

Employees must:

* Take reasonable care to protect their own health and safety and that of others.
* Not engage in workplace violence, bullying, or harassment.
* Participate in any provided violence and harassment prevention training.
* Comply with the violence and harassment prevention plan and related procedures.
* Promptly report incidents or observations of violence or harassment.
* Cooperate fully with all investigations.