
**BARRIE PUBLIC LIBRARY
WORKPLACE VIOLENCE POLICY/PROGRAM**

MOTION #18-54

Revised June 28, 2018

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1. POLICY STATEMENT

- 1.1 The Barrie Public Library is committed to providing a safe and secure workplace for its employees, free from threats and violence. The Library considers workplace violence to be serious misconduct and will not tolerate any form of threatening remark or gesture against an employee of the Library while at the workplace. All reports of incidents will be taken seriously and dealt with appropriately. Employees who are found to have engaged in such conduct shall be subject to disciplinary action.
- 1.2 All library employees have a responsibility to respect the safety of their co-workers and the public they serve. Managers have additional responsibilities. Managers are obligated to discourage violence in the workplace; to take reasonable steps to prevent it; and to take appropriate corrective action to deal with workplace violence if and when it occurs.
- 1.3 This policy was written in accordance with Bill 168, an Act to amend the *Occupational Health & Safety Act*.

2. APPLICATION OF PROGRAM

- 2.1 This violence in the workplace program applies to all employees of the library, as well as to volunteers, co-op placements, students, agents of the library, consultants, contractors and the Board in dealings with employees, volunteers, co-op placements, students, agents, consultants, contractors, and the Board of the Library.
- 2.2 Members of the public, visitors to the library or individuals conducting business with the Library are expected to adhere to the Program, including refraining from committing acts of violence against employees, members of the library board, or persons acting on behalf of the library. If such violence occurs, the library will take any steps available to ensure a violence free workplace, including barring the individual who is the subject of a report from its facility, where appropriate, or discontinuing business with that individual.

3. OBJECTIVES

- To demonstrate and promote the library's commitment to providing a workplace that ensures employee safety and security
- To prevent or lower the probability of violence to library employees in the workplace
- To respond swiftly and appropriately to the threat of violence or actual incidents of violence
- To aid in the prevention of violence in the workplace
- To provide an impartial and efficient investigation procedure
- To ensure that all incidents are dealt with confidentially and objectively and that the rights and dignity of all parties are respected

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- To provide employees and Managers in all departments of the Library with fair and consistent procedures for preventing and dealing with workplace violence.

4. DEFINITIONS

4.1 Violence

For the purpose of this policy/program, violence is defined as any conduct, threatened or actual, by any person in a workplace, against a worker or such other person as described in Article 2.1 above, that causes or is likely to cause injury, and includes any threatening statement or behaviour that gives an employee reasonable cause to believe that he/she is at risk of injury.

Some of the types of violence that workers could experience in the workplace include hitting, pushing, physical assault, sexual assault, stalking, criminal harassment, robbery or threats of violence.

4.2 Domestic Violence

Domestic violence is a pattern of behaviour used by one person to gain power and control over another person with whom he/she has or has had an intimate relationship. This behaviour may include physical violence, sexual, emotional, and psychological intimidation, verbal abuse, stalking and using electronic devices to harass and control. Domestic violence can have serious consequences. Behaviours such as emotional and psychological intimidation and harassment can be disruptive and harmful to the victim and can quickly turn into physical violence.

If the employer is aware or ought to be aware that domestic violence that is likely to expose a worker to physical injury may occur in the workplace, the employer must take every reasonable precaution to protect the worker.

Employers are expected to balance their obligations between respect to privacy and their health and safety obligations to protect workers.

4.3 Workers with a history of violent behaviour

The employer is required to provide information to workers relating to the risk of workplace violence from a person with a history of violent behaviour if it is expected that the worker could encounter that person at work, and if the risk of workplace violence is likely to expose the worker to physical injury.

5. EARLY WARNING SIGNS

To ensure early identification and prevention of violence in the workplace, all employees are responsible for reporting to their Manager any incident committed by an employee, volunteer, co-op placement, student, agent of the library, consultant, contractor, member of the Board, or a member of the public that constitutes a potential or actual threat of violence towards a library employee.

These may include:

- Threatening statements to do harm to self or others
- References to other incidents of violence
- Intimidating behaviour, such as insubordination, open defiance, pestering or confrontational behaviour
- History of violent, reckless or anti-social behaviour
- Recent marked decline in performance
- Major change in personality, mood, behaviour or standards of personal grooming
- Obsessions with persons or things, particularly weapons
- Experiencing what appears to be serious stress in personal life
- Substance abuse.

6. RIGHT TO REFUSE WORK

A worker has the right to refuse to work if the worker has reason to believe that they are in danger of being a victim of workplace violence.

7. RESPONSIBILITIES OF EMPLOYEES

Employees have a duty under the Occupational Health and Safety Act to report workplace violence promptly in order to protect themselves and their colleagues.

All employees shall:

- Comply with this program
- Report any early warning signs of a potentially threatening situation which arouse concern and any instance of threatening behaviour which was directed at them or at any other employee of the library to their Supervisor or the Manager of Human Resources
- Endeavour to defuse the situation without danger to themselves
- Call on other staff for assistance
- If possible move the victim to a quieter location
- Use appropriate stress defusing behaviour
- If stress defusing behaviours do not work, disengage from the situation, politely if possible

- Call Library Security and/or Police at the numbers shown on the Phone List
- Administer or obtain first aid for any injuries
- Write down the description of the suspect
- Get contact information from any witnesses
- Serve a notice of trespass
- If staff is injured, fill out Staff Accident Report Form
- Co-operate fully in any fact gathering interviews which are designed to assess the risk of violence in the workplace and keep all information concerning the matter confidential to the fullest extent possible
- Ensure any investigation remains confidential.

8. RESPONSIBILITY OF MANAGERS

Managers shall:

- Take all reasonable measures to prevent violence in the workplace
- Ensure that all employees are aware of the contents of this zero-tolerance for violence policy and their role in helping to prevent workplace violence
- Support this program and not ignore workplace violence in order to let their staff know that they take the issue of workplace violence seriously
- Promote enrolment in training courses in these areas that are available to employees
- Ensure their own skills in these areas are current
- Be aware of and use appropriate stress-defusing measures when dealing with clients and members of the public, and when conducting performance reviews or engaging in discipline and termination of employees
- Take immediate action when necessary, including but not limited to, calling the Police, Barrie Fire and Emergency, Ambulance service and summoning employees certified in first aid
- Immediately report to the CEO, or Manager of Human Resources
- Ensure that proper procedures are followed when a report of an incident is received, that the report is investigated promptly and fairly, that confidentiality is protected, that the rights, dignity and privacy of all parties are respected and a confidential personal record of all discussions is kept. Managers must consult with the Manager, Human Resources prior to disclosing any information relating to an informal action, a formal complaint, its investigation and or resolution to anyone
- Coordinate general training for employees in consultation with the Manager of Human Resources
- Report to the CEO and/or the Manager of Human Resources any direct or veiled threats of violence made to any employee and any action taken
- Cooperate with the investigating team and act as a member of the investigating team if required.

9. REPORTING PROCESS

9.1 Obligation to Report

- An employee must report a situation that he/she feels is workplace violence. A report may be made by the actual victim of alleged violence, by a co-worker who witnessed the incident or by a third party reporting on behalf of the victim(s)
- Employees who, with good intentions, provide information about behaviour or actions which they perceive as threatening or potentially violent will not be subject to disciplinary action or other repercussion if their perceptions are not substantiated. However, if it is learned that an employee intentionally made a false report or provided false information regarding the report, disciplinary action shall be taken.

9.2 How to make a report

- A report should normally be made as soon as possible after the relevant action or behaviour occurred
- An employee may choose to make a verbal report; however, it is in the best interest of all concerned to provide a written report, containing a brief account of the incident, time, and persons involved. The report should be signed and dated
- The report is to be submitted to the employee's Supervisor, the Manager of Human Resources, the CEO or any other Manager.

9.3 Appointing an Investigator

- An investigator will be assigned.
- In situations where the issues are complicated, or there are many individuals involved, or there is a concern over the neutrality of an internal investigator, an outside investigator is preferred
- If the alleged offender is a senior employee of the organization, an outside investigator will be appointed
- The investigator must be independent and competent and be perceived as such within the organization, whether they are internal or external.

9.4 Investigation

- To the extent possible, the investigator shall ensure that the incident is investigated promptly and fairly in a discreet and confidential manner.

- As soon as reasonably practical, the person assigned shall initiate the investigation by meeting with the individual who made the report. The individual has the right to be accompanied by an appropriate support person. The investigator shall confirm receipt of the report, clarify details and apprise the individual of the steps that will be taken
- After speaking with the appropriate Manager, the investigator has the authority, subject to applicable laws, to talk with anyone, examine any documents, and enter any work location. If Police Services are involved and request the library not investigate the situation until after the police investigation has been completed, the investigator will seek the approval of the CEO prior to continuing the investigation.
- An employee who is the subject of the report and who refuses to discuss potentially violent behaviour or cooperate with investigations to assess or defuse the risk of violence shall, if information is uncovered through fact-finding to establish a reasonable possibility of risk, be suspended without pay and benefits until he/she agrees to cooperate and provides proof of cooperation. Continued or unreasonable refusal to cooperate may result in dismissal.
- Interventions that may form part of a risk assessment or plan of action for a library employee who is the subject of a report or investigation may include referral to the employee's physician, use of short term disability, temporary leave of absence, referral to counseling and other services through the employee assistance program.
- Depending on the circumstances, the Manager and CEO may determine it is appropriate to physically and operationally separate the employees (if two employees are involved) for the duration of the investigation.

9.5 Findings and Recommendations

When the investigation is complete:

- The investigator will submit a confidential written document to the CEO summarizing the findings and conclusions and will recommend corrective action if appropriate.

9.6 Discipline

- Actions that warrant consideration may include changes to physical work space, changes to work schedules, changes to procedures, withdrawal of services, police intervention and the use of appropriate court orders.
- Employees found to be at risk of engaging in violent conduct or who have engaged in violent conduct shall be subject to discipline up to and including suspension and or dismissal if warranted.
- The appropriate disciplinary action imposed, if any, shall be determined by the CEO.

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10. POLICY REVIEW

The Ministry of Labour requires that this policy be reviewed annually.

Motion #10-20	Approved April 22, 2010
Motion #11-16	Revised April 28, 2011
Motion #13-33	Reviewed July 24, 2013
Motion #14-36	Revised November 27, 2014
Motion #15-27	Reviewed June 25, 2015
Motion #16-34	Reviewed June 23, 2016
Motion #17-35	Revised June 22, 2017
Motion #18-54	Reviewed June 28, 2018