

Grey Highlands Public Library

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Policy Title:	Policy to prevent Violence, Harassment and Discrimination in the Workplace	Policy Approval Date:	Sept. 2, 2010
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Chairperson's
Signature

Policy Review Date: Sept.21/16

Purpose

This policy addresses the prevention of workplace violence and harassment, sexual harassment and discrimination as part of the Grey Highlands Public Library's responsibility for worker health and safety under the ***Occupational Health and Safety Act and Ontario Human Rights Code***. This policy is for the mutual protection of staff, family members of staff, volunteers, visitors and library users from violence or threats of violence, harassment and discrimination.

The Grey Highlands Public Library Board is committed to providing a safe and healthy work environment where all individuals are treated with respect and dignity. It is recognized that actual or threatened workplace violence or harassment or discrimination undermines an employee's ability to work effectively and impacts their quality of life.

Violence, threats, harassment, and intimidation with physical intent and other fear inducing behaviour in our workplace will not be tolerated. This policy includes measures and procedures to protect workers from workplace violence, harassment and discrimination and a means of summoning assistance, and a process to report incidents and raise concerns. All reports of incidents will be taken seriously and will be investigated promptly upon being reported and dealt with appropriately by staff, the library board, and appropriate authorities.

Section 1: Definition

1. The Grey Highlands Public Library recognizes the definition of violence as set out in the ***Occupational Health and Safety Act***. Workplace violence means:

- 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,
- 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

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2. Violence in the workplace may include but is not limited to:

- a) verbally threatening to attack a worker
- b) leaving threatening notes or sending threatening e-mails to the workplace
- c) shaking a fist in a worker's face
- d) hitting or trying to hit a worker
- e) throwing or kicking an object
- f) sexual violence against a worker

3. Violence in the library or on library property also includes but is not limited to:

- a) intentionally or recklessly damaging of the property of another person without permission
- b) intentionally causing alarm
- c) recklessly creating a risk by fighting
- d) creating a hazardous condition or danger by recklessly engaging in conduct which creates a substantial risk of serious physical injury
- e) intentionally placing or attempting to place another person in fear of imminent serious physical injury
- f) wielding a weapon

4. The Grey Highlands Public Library recognizes the definition of harassment as set out in the Ontario **Human Rights Code** and the **Occupational Health and Safety Act** both of which defines harassment as engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome.

Prohibited harassment in the library workplace includes that which is in relation to grounds under the Ontario **Human Rights Code** (race, ancestry, place of origin, colour, ethnic origin, citizenship, creed (religion), sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability).

The **Occupational Health and Safety Act** does not prescribe the nature of harassment however, prohibited harassment in the library workplace includes that which is personal in nature and not based on identification with a recognized group.

Harassment may include but is not limited to:

- a) making remarks, jokes or innuendos that demean, ridicule, intimidate, or offend
- b) displaying or circulating offensive pictures or materials in print or electronic form
- c) bullying
- d) repeated offensive or intimidating phone calls or e-mails
- e) inappropriate sexual advances, suggestions or requests
- f) engaging in a course of vexatious comment or conduct against a worker 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

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- g) 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 the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome
5. Uninvited sexual touching will be considered assault and reported to police.

Section 3: Discrimination

1. The Ontario **Human Rights Code** states that “Every person has a right to equal treatment with respect to employment without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability”. HRC R.S.O. 1990, CHAPTER H. 19 s. 5.1

Discrimination may include abuse of authority or position of power as follows:

- a) to endanger an employee’s job
- b) to undermine the performance of that job
- c) to threaten the economic livelihood of an employee
- d) to interfere with or influence the career of an employee in any way

Section 4: Responsibility and Response

1. The CEO or designate must develop and maintain a workplace violence and harassment program. See Appendix A, B, C
The program will set out:
 - a) a process for assessing the risk of violence in the workplace
 - b) measures to control risk including those from domestic violence
 - c) procedures for reporting incidents of violence and harassment
 - d) the process for dealing with, and investigating incidents of violence, harassment and complaints
 - e) lockdown procedures
2. All complaints, reports or advisements will be thoroughly investigated by the CEO or designate.
3. Physical or sexual assault or threat of physical violence will be reported to the police.
4. The library will provide staff with information on the risk of violence in the library and training workshops on a periodic basis dealing with various issues of violence and harassment in the workplace such as “dealing with difficult people”.
5. Any one experiencing or witnessing imminent danger or actual violence involving weapons or personal injury should call the police.

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6. Workplace violence should be reported immediately to the most senior staff member available.
7. Employees are encouraged to report behaviour that they reasonably believe poses a potential for violence as described above.
8. The Grey Highlands Public Library, at the request of an employee, or at its own discretion, may prohibit members of the public, including family members, from seeing an employee on library property in cases where the employee suspects that an act of violence will result from an encounter with said individual(s).

This policy will be:

- a) reviewed annually by the Board
- b) posted in the staff room along with the Violence Prevention Program – See Appendix A

Section 5: Confidentiality and False Reports

1. The CEO will develop and maintain a workplace discrimination and harassment program in consultation with the health and safety representative.
2. The workplace discrimination and harassment program will set out:
 - a) the process for dealing with and investigating complaints including how parties involved will be made aware of outcomes and corrective action and how confidentiality will be maintained
 - b) procedures for reporting incidents of workplace discrimination and workplace harassment including measures for reporting incidents to an outside source if necessary
 - c) A formalized training program, as required by Bill 132 and
 - d) the system for maintaining all associated records should an inspection by the Ministry of Labour or employee inquiries occur, and
3. All investigations, interviews and deliberations shall be conducted in strict confidence to the extent possible. The documents will be stored in a locked file cabinet and access to these records will be restricted.
4. Employees who are found to have made false or malicious complaints of will be subject to disciplinary action

Section 6:

Nothing in this policy prevents or discourages a worker from filing an application with the Human Rights Tribunal on a matter related to Ontario's Human Rights Code within one year of the last alleged incident. A worker also retains the right to exercise any other legal avenues that may be available

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Related Documents:

Grey Highlands Public Library Board Personnel Policy

Grey Highlands Public Library Board Working Alone Policy

Grey Highlands Public Library Board Emergency Policy

Grey Highlands Public Library Health and Safety Policy

Human Rights Code, R.S.O. 1990, chapter H.19, section 5 (1).

Occupational Health and Safety Act R.S.O. 1990, CHAPTER O.1

Bill 168 An Act to amend the Occupational Health and Safety Act with respect to violence and

Harassment in the workplace and other matters. R.S.O. 2009 Chapter 2

Bill 132: An Act to amend various statutes with respect to sexual violence, sexual harassment, domestic violence and related matters (Statutes of Ontario, 2016, Chapter 2)

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Appendix A – Workplace Violence Program

Plan for Maintaining Security in the Library

1. The library staff will conduct a Worksite Assessment as often as necessary to ensure measures for violence prevention are effective. The assessment will:

- a) identify jobs or locations with the greatest risk
- b) identify high risk factors
- c) conduct a physical workplace security audit
- d) evaluate the effectiveness of existing security measures

2. The CEO, or designate, will annually review the history of past incidents to identify patterns or trends.

Recognized areas of higher risk in the library include:

- a) contact with the public
- b) working alone or in small numbers
- c) the circulation desk where money is kept
- d) secondary entrances to the library
- e) closing the library at night
- f) public washrooms

Measures for reducing the risk

1. General

- a) Designate areas (rooms with phone and doors that lock) as emergency safe rooms.
- b) Keep all secondary entrance doors locked.
- c) If working alone, Staff will wear personal alarm device.
- d) The exterior lights around the building will be kept in good working order.

2. Recognize the Signs of Violence

Early identification and prevention of violence in the workplace is encouraged. Potential threats of violence that should be reported could include the following:

- a) threatening statements to do harm to self and others
- b) reference to other incidents of violence
- c) confrontational behaviour
- d) major change in personality, mood or behaviour
- e) substance abuse

3. Steps to Increase Your Personal Safety

- a) Notice your surroundings and report any unsafe or dangerous situation to the most senior staff member.
- b) If you feel uncomfortable about a person who has entered the library, trust your instincts. Inform other staff.

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- c) Use a buddy system when leaving work.
- d) When working alone follow procedures according to working alone policy(See Working Alone Policy)
- e) Know the nearest exit or room with a lock.
- f) Domestic Violence: Steps to Increase Your Personal Safety
- g) Tell someone at work about your situation.
- h) Make up a “code word” for co-workers so they know when to call for help.
- i) Ask your co-workers to screen your calls and visitors.
- j) Ask a co-worker to call the police if your abuser bothering you.

5. Threatening Behaviour:

- a) Do not argue with a threatening person. Identify yourself as a library staff member. Remain calm and keep your voice low and firm.
- b) Do not put yourself or others in danger. Keep a distance of four feet.
- c) Be friendly but firm, introduce yourself, look at the person while you talk to him/her, and let the person talk, clarify the problem and offer solutions.
- d) Get assistance from another staff person.
- e) Advise him/her that the police will be called if the threat does not stop.
- f) If the behaviour doesn't change call the police.
- g) Notify the CEO or designate and complete an incident report form.

6. Violence/Assault

- a) If you hear raised voices or sounds of a scuffle investigate.
- b) If you witness violence or an assault call the police and describe the situation.
- c) Recruit other staff to move others out of the way to a safer location.
- d) Do not block exits to prevent a threatening/violent person from leaving the building.
- e) Do not invade the personal space of the threatening person.
- f) Do not try to break up a physical fight.
- g) Notice details so you can describe the situation to the authorities.
- h) Notify the CEO and complete an incident report.

7. Lockdown

Lockdown is the procedure used in response to a major incident or threat of violence within the library, or in relation to the Library.

All people in the library are to take refuge in a secure location when it is unsafe to evacuate the building. Staff must ensure that they call 911.

The library will co-ordinate mutual communication procedures with the schools in Flesherton and Markdale should lockdown occur at either of the respective premises.

Types of Lockdown and Procedures

.1 Shelter-in-place

An environmental threat is present outside and it is not possible to evacuate the library (Air Contamination). Staff should inform all persons about the situation; move all persons to a designated space until it is safe to exit; close all windows and doors; monitor

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radio/television stations for updates; allow all persons to exit the building after the all clear signal has been given.

.2 Full Lockdown

Physical threat is either outside or inside the library. Staff should inform all persons about the situation; close windows, blinds and drapes; lock doors; turn off all lights; protect all persons from leaving or entering a danger zone; have all persons move to a designated area away from windows; have all persons sit on the floor; advise all persons to make as little noise as possible; have all persons turn off cell phones, pagers, radios, Blackberries, etc.

8. How to report

1. A report should be made as soon as possible after an action or behaviour has occurred.
2. An informal, verbal complaint may be brought forward to the CEO. It is in the best interest of all concerned that a report be written.
3. If a formal complaint is requested, the employee must file a written report with the CEO.
4. The report should include a brief statement of the incident, when it occurred, where it occurred, date and time it occurred, the person(s) involved and the names of any witnesses if any.

Investigation and Dealing with Incidents or Complaints

- 1) Within 2 working days of receiving a report the CEO or her designate will complete an investigation. This will include interviews with the employee, the alleged perpetrator and any witnesses.
- 2) The results of the investigation will be held with the employee to discuss the results and present recommended preventative actions and/or resolutions.
- 3) A separate meeting will be held with the alleged perpetrator.
- 4) If the findings do not support the allegations the CEO will recommend that no further action is necessary and that the matter be closed.
- 5) Should the investigation conclude that there is evidence of misconduct the CEO will prescribe a resolution that may include police intervention.
- 6) Employees who are found to have made false or malicious complaints of will be subject to disciplinary action.

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Appendix B

WORKPLACE VIOLENCE HAZARD ASSESSMENT FORM

This form is designed to help the Library Board conduct an assessment of the potential risks of violence associated with the activities carried out by the library, and to respond to any identified risks. A copy of the completed form is to be forwarded to the Grey Highlands Health and Safety Committee

Part 1: Work Area

Describe the department/area and the types of activities/functions performed by employees in the department/area.

Part 2: History

1. Have there been incidents when employees in this area have experienced or been threatened with physical violence? NO, YES, please describe incidents.

2. Have there been incidents when employees in this area have experienced verbal abuse i.e. shouted at, obscene language, threats, or obscene phone calls?
 NO, YES, please describe incidents.

Part 3: Activities Which Might Expose Employees to Risk of Violence

1. Do employees in this area work with money or other valuables? NO, YES
2. Do employees in this area deal with people who may be under the influence of drugs or alcohol? NO, YES
3. Do employees in this area deal with people who are deeply troubled or distressed? NO, YES
4. Do employees in this area monitor or regulate the activity of others or carry out procedures or make decisions which adversely affect others? NO, YES, please describe
5. Are employees in your department involved with activities that may elicit a negative or confrontational response? NO, YES, please describe
6. Are there other aspects of the work in your department that might spark a violent response? NO, YES, please describe

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Part 4: Factors That Increase the Risk of Violence

1. Do any of your employees work alone during normal working hours? NO, YES, please describe

2. Do any of your employees work alone after normal working hours? NO, YES, please describe

3. Please describe any precautions already taken to safeguard employees of your department who work alone.

4. Please describe other factors which you feel might increase the risk of violence.

Part 5: Reducing the Risk of Violence

1. Please describe policies or procedures already in place to reduce the risk of violence in your department.

2. In light of your responses to the questions in this assessment:
 - a) Do you consider that all reasonable steps have been taken to prevent or reduce the risk of violence? NO, YES

 - b) What further steps would you recommend?

 - c) What assistance do you need to accomplish any of the above steps? Specify:

Completed by:

Name: _____

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Position: _____

Date: _____

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APPENDIX C: Incident Reporting Form

Date: _____ Location: _____ Times: _____

Person recording: _____

Event: (be brief, concise, specific, and include names where appropriate):

How did you respond?

Reported to: (Supervisor, CEO, Board Chair, Police, etc.):

Comments (Your assessment of the situation, concerns generated, background information, etc.):

Staff Signature: _____

Name of witness (if needed): _____

Phone and/or e-mail address: _____

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Appendix d

Workplace Harassment Program

Reporting Incidents of Workplace Harassment

The Grey Highlands Public Library encourages any staff member or volunteer who believes that he or she has been subjected to harassment to discuss the situation with the CEO.

In the event that there is a complaint against the CEO or a conflict of interest, a complaint shall be filed with the board chair. The Board may conduct an investigation or designate an individual to investigate and issue a report.

At any time during a meeting or interview concerning a complaint, the staff member lodging the complaint has the right to be represented and accompanied by a person of his or her choice. The same right is also granted to the person against whom the complaint has been lodged.

The staff member with a complaint must provide written notes about the events leading up to the complaint which include:

- a) What happened – a description of the events or situation
- b) When it happened – dates and times
- c) Where it happened
- d) Who saw the incident, if anyone

As well, any related documents or materials having to do with the complaint are to be made available.

3. Complaint Resolution Procedures

If the staff member chooses to pursue the Complaint Resolution Procedure, the CEO will advise the person against whom the complaint has been lodged.

The CEO begins a confidential investigation immediately and finishes within 30 days. Throughout the process, the investigator keeps all parties informed, interviews the staff concerned and witnesses, collects evidence, prepares a report and informs the parties in writing of the decision and the underlying reasons.

The CEO is responsible for imposing any disciplinary or corrective measures.

Any staff member may file a complaint with the Ontario Human Rights Commission when the

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harassment or discrimination is related to one or more of the Human Rights Code's prohibited grounds - race, ancestry, place of origin, colour, ethnic origin, citizenship, creed (religion) sex, sexual orientation, disability, age, marital status, family status, receipt of public assistance, record of offences.

Workplace Discrimination and Harassment Program

1. Awareness about Workplace Discrimination and Harassment Policy and Program

The human rights policy, which addresses both workplace discrimination and harassment, in addition to being included in the library's policy binder will be posted in the staff room along with the Workplace Discrimination and Harassment Program.

2. Training on Discrimination and Workplace Harassment Policy and Program

All employees and volunteers will receive information and instruction on the contents of the policy and the related program, as part of the initial orientation and renewed on an annual basis. Each person will sign off that they received this training and this information will be included in the training records for library staff.

3. Reporting Incidents of Workplace Discrimination and Harassment.

Any employee or volunteer subjected to discrimination or harassment should discuss the situation with the CEO.

In the event that there is a complaint against the CEO or a conflict of interest, a complaint shall be filed with the board chair. The library board may conduct an investigation or designate an individual to investigate and issue a report.

At any time during a meeting or interview concerning a complaint, both the employee lodging the complaint and the person against whom the complaint has been lodged has the right to be represented and accompanied by a person of his or her choice.

The employee with a complaint must provide written notes about the events leading up to the complaint which include:

- a) What happened – a description of the events or situation
- b) When it happened – dates and times
- c) Where it happened
- d) Who saw the incident, if anyone

As well, any related documents or materials having to do with the complaint are to be made available. In the case of harassment, information about the incident or complaint, including identifying information about any individual involved will be kept confidential unless disclosure is necessary for the purpose of investigation or taking corrective action, or required by the law.

4. Complaint Resolution Procedures

Human Rights - Discrimination and Harassment (Continued)

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An investigation that is appropriate in the circumstances will be conducted into incidents and complaints of harassment. The CEO will advise the person against whom the complaint has been lodged of the investigation. The library recognizes and acknowledges that, under Bill 132, an inspector from the Ontario Ministry of Labour has the power to order the library board, as employer, to have an impartial third party conduct an investigation, at the library's expense, and report the outcome of their findings to the complainant.

If the employee chooses to pursue the Complaint Resolution Procedure, the CEO will advise the person against whom the complaint has been lodged.

The CEO, or his or her designate, initiates a confidential investigation immediately and finishes within 30 days. Throughout the process, the investigator keeps all parties informed, interviews the employee concerned and witnesses, collects evidence, prepares a report and informs the parties in writing of the decision and the underlying reasons for the decision.

The CEO is responsible for imposing any disciplinary or corrective measures.

Any employee may file a complaint with the Ontario Human Rights Commission when the harassment or discrimination is related to one or more of the Human Rights Code's prohibited grounds - race, ancestry, place of origin, colour, ethnic origin, citizenship, creed (religion) sex, sexual orientation, gender identity, gender expression, disability, age, marital status, family status, receipt of public assistance, record of offences.