

PETERBOROUGH PUBLIC HEALTH

Board of Health

POLICY

Section: Board of Health	Number: 2-92	Title: Workplace Violence and Harassment Prevention
Approved by: Board of Health		Original Approved by Board of Health On (YYYY-MM-DD): 2011-11-09
Signature: _____		Author: Medical Officer of Health
Date (YYYY-MM-DD): 2021-12-08		
Reference: <ul style="list-style-type: none">• Occupational Health and Safety Act, Section 32• Bill 168 - Occupational Health and Safety Amendment Act (Violence and Harassment in the Workplace) 2009; and• Bill 132 -Sexual Violence and Harassment Action Plan Act (Supporting Survivors and Challenging Sexual Violence and Harassment), 2016• National Standard on Psychological Health and Safety in the Workplace• Board of Health Policy 2-90, Human Rights and Discrimination• Board of Health Policy 2-280, Complaints• Complaints- Employee 12-100• Workplace Violence and Harassment Prevention 12-380		

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POLICY

The Peterborough Public Health (PPH) Board of Health is committed to the prevention of workplace violence and harassment and is ultimately responsible for employee health and safety. We will take all reasonable steps to protect our employees from workplace violence and harassment from all sources.

The Board of Health for PPH is committed to providing a positive and professional work environment in which all individuals are treated with respect and dignity. In accordance with the Occupational Health and Safety Act, R.S.O. 1990, c.0.1, Bill 168 and Bill 132, workplace violence and harassment will not be tolerated by PPH. Further, the Board of Health believes in a psychologically healthy workplace and supports the National Standard on Psychological Health and Safety in the Workplace. No employee of PPH is required or expected to tolerate workplace violence or harassment.

PPH recognizes the potential for violent acts, threats and harassment directed against employees by internal and external individuals. Work-related violence and harassment can occur on-site and at off-site work-related activities.

PPH is committed to protecting all staff, students, volunteers, clients and visitors from workplace violence and harassment by providing information, training, identifying possible sources of violence and harassment through risk assessments and implementing procedures to eliminate or minimize the

risk. Everyone is expected to uphold this policy and work together to prevent workplace violence and harassment and will be held accountable by the employer.

Harassment

Harassment which is often called “psychological harassment” or “personal harassment” may also relate to a form of discrimination as set out in the [Ontario Human Rights Code](#), which states that “Every person who is an employee has a right to freedom from harassment in the workplace by the employer or agent of the employer or by another employee because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, record of offences, marital status, family status or disability.”

Sexual harassment, including solicitation, is also prohibited under the Human Rights Code. Please refer to Board policy 2-90, Human Rights and Discrimination, for further details.

Nothing in this policy prevents or discourages an employee from filing an application with the [Ontario Human Rights Tribunal](#) on a matter related to the [Ontario Human Rights Code](#) within one year of the last alleged incident. An employee also retains the right to exercise any other legal avenues available.

There is a workplace violence and harassment prevention procedure (Organizational Procedure 12-380) that implements this policy and complies with Section 32 of the [Ontario Occupational Health and Safety Act](#). It includes measures and procedures to protect employees from workplace violence, a means of summoning immediate assistance and a process for employees to report incidents, or raise concerns. The procedure outlines how the employer will investigate and deal with all incidents or complaints of workplace violence or harassment and any other elements prescribed in the regulation.

Employees are encouraged to report any incidents of workplace violence or harassment. Please refer to Organizational Procedure 12-380, Harassment Workplace, to report these incidents. The Board of Health will ensure that there will be no negative consequences or repercussions for reports made in good faith. Management and/or Human Resources will investigate and deal with all concerns, complaints, or incidents of workplace violence or harassment in a timely and fair manner while respecting employees' privacy, to every extent possible.

The PPH Board of Health, as the employer, will ensure that this policy and any supporting organizational policy and procedures are implemented and reviewed on a regular basis. The PPH Board of Health as the employer will ensure that all employees and supervisors have the appropriate information, training and instruction to protect them from violence or harassment in the workplace.

Supervisors will adhere to this policy and the supporting procedure. Supervisors are responsible for ensuring that measures and procedures are followed by employees and that employees have the information that they need to protect themselves.

Clients of PPH should follow Board of Health policy 2-280, Complaints, to report any incidents of violence and/or harassment experienced while accessing PPH programs or services.

This policy is to be reviewed annually by the Board of Health and posted in the workplace.

Definitions

*Workplace violence*⁴:

- a) the exercise of physical force by a person against an employee, in a workplace, that causes or could cause physical injury to the employee;
- b) an attempt to exercise physical force against an employee, in a workplace, that could cause physical injury to the employee; and
- c) a statement or behaviour that it is reasonable for an employee to interpret as a threat to exercise physical force against the employee, in a workplace, that could cause physical injury to the employee.

Vexatious: An act by a person in order to annoy, embarrass or otherwise aggravate another person.

Examples of Workplace Violence could include but are not limited to:

- Verbally threatening to attack a worker, throwing objects trying to hit a co-worker.
- Leaving threatening notes at or sending threatening e-mails to a workplace or a co-worker.
- Shaking your fist in a co-worker's face.
- Sabotage of co-workers.
- Rumours, swearing, pranks.
- Property damage.

*Bullying*¹: A conscious, willful, and deliberate hostile activity intended to induce intimidation through the threat of further emotional or physical harm. It includes the following three elements:

- a) Imbalance of power: The bully can be older bigger, stronger, more verbally adept, higher up on the social ladder and/or decision-making ladder (i.e. people with authority over others), of a different race or of the opposite sex.
- b) Intent to harm: The bully means to inflict emotional and/or physical pain, and expects the action to hurt. Bullying is no accident, mistake, or slip of the tongue.
- c) A pattern of behaviour: The negative behaviour toward the victim has happened more than once and has caused fear in the victim that it will happen again.

*Workplace bullying*²: Persistent, offensive, abusive, intimidating or insulting behaviour, abuse of power or unfair penal sanctions which makes the recipient feel upset, threatened, humiliated or vulnerable, which undermines their self-confidence and which may cause them to suffer stress.

*Workplace harassment*³: Engaging in a course of vexatious comment or conduct against a worker, in a workplace, that is known or ought reasonably to be known to be unwelcome. Workplace harassment can involve unwelcome words or actions that are known or should be known to be offensive, embarrassing, humiliating or demeaning to a worker or group of workers. It can also include behaviour that intimidates, isolates or even discriminates against the targeted individual(s). Workplace harassment often involves repeated words or actions, or a pattern of behaviours, against a worker or group of workers in the workplace that are unwelcome.

Examples of Workplace Harassment could include but are not limited to:

- Making remarks, jokes or innuendos that demean, ridicule, intimidate, or offend.
- Displaying or circulating offensive pictures or materials in print or electronic form.
- Repeated offensive emails, texts or phone calls including messages on any social media platforms.

- Bullying which may include, isolating or excluding employees.
- Gossiping or spreading rumours.

Workplace Sexual Harassment

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. 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. The comments or conduct typically happen more than once. See Bill 132 for more information.

Reasonable action or conduct by an employer or supervisor that is part of their normal work function would not normally be considered workplace harassment. This is the case even if there are sometimes unpleasant consequences for a worker. Examples could include changes in work assignments, scheduling, job assessment and evaluation, workplace safety inspections, implementation of dress codes and any form of disciplinary action.

Differences of opinion or minor disagreements between co-workers would also not generally be considered workplace harassment.

This policy is not intended to limit or constrain the reasonable exercise of management functions in the workplace. These functions include management's right to:

- establish terms and conditions of employment;
- maintain order, discipline, and efficiency;
- hire, discharge, direct, transfer, classify, promote, demote or discipline employees; and
- generally, manage the organization.

All employees will follow the Workplace Violence and Harassment policy and procedure. All employees are expected to immediately report all workplace violence and harassment incidents to their Supervisor or Human Resources.

References:

¹Anoka-Hennepin School Board definition

²Amicus-MSF trade union

³Ontario Occupational Health and Safety Act

⁴Ontario Occupational Health and Safety Act

Review/Revisions:

On (YYYY-MM-DD): 2011-11-09

On (YYYY-MM-DD): 2014-11-12 (2-94 incorporated and retired)

On (YYYY-MM-DD): 2017-03-08

On (YYYY-MM-DD): 2019-12-11

On (YYYY-MM-DD): 2021-12-08

On (YYYY-MM-DD): 2022-12-19 (housekeeping)

