

## Appendix H

# Section 7: Workplace Harassment and Violence Prevention – Policy and Procedures

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## Purpose

**Rainy River First Nations (RRFNS)** is committed to providing a work environment in which all individuals are treated with respect and dignity. **RRFNS** will take proactive measures to prevent workplace harassment and violence and will take whatever steps are appropriate to protect employees from potential risks associated with workplace harassment and violence.

**RRFNS** has developed this policy and outlined procedures to prevent and respond to workplace harassment and violence of any type, and effectively address any incidents that might occur. Workplace harassment and violence will not be tolerated by any person in the workplace.

## Application

This policy and procedures applies to all employees and contractors of **RRFNS** who are engaged in work, work-related activities and/or work-related relationships both on company property and outside of company property, including all (current and applicable former) employees, contractors, interns, students, and volunteers, chief and council.

This policy applies to all incidents of workplace harassment and violence, including sexual harassment and sexual violence, family violence and third-party violence.

## Definitions

The *Canada Labour Code* (the Code) subsection 122(1) defines harassment and violence as “any action, conduct or comment, including of a sexual nature that can reasonably be expected to cause offence, humiliation or other physical or psychological injury or illness to an employee, including any prescribed action, conduct or comment.”

**Harassment:** can include, but is not limited to any of the following acts or attempted acts:

- spreading rumours or gossip about an individual or group
- cyber bullying (threatening, spreading rumours, or talking negatively about an individual online)
- threats made over the phone, by email, or through other medium to an employee,
- making offensive jokes or remarks
- playing unwanted practical jokes
- socially excluding or isolating someone
- stalking or inappropriately following a person
- tampering with someone’s work equipment or personal belongings
- vandalizing or hiding personal belongings or work equipment
- impeding a person’s work in any deliberate way
- persistently criticizing, undermining, belittling, demeaning, or ridiculing a person
- intruding on a person’s privacy
- public ridicule or discipline
- unwelcomed physical contact
- sexual innuendo or insinuation
- unwanted and inappropriate invitations or requests, including of a sexual nature
- displaying offensive posters, cartoons, images, or other visuals
- making aggressive, threatening, or rude gestures
- misusing authority, including:
  - constantly changing work guidelines
  - restricting information
  - setting impossible deadlines that lead to failure, and/or

- blocking applications for leave, training or promoting in an arbitrary manner
- engaging in any of the actions, conduct and comments outlined above against a person because of that person's:
  - race
  - national or ethnic origin
  - colour
  - religion
  - age
  - sex
  - sexual orientation
  - gender identity or expression
  - marital status
  - family status
  - genetic characteristics
  - disability, or
  - any of the other prohibited grounds that the *Canadian Human Rights Act* lists

**Harassment is not** any of the following:

- Reasonable management actions to carry out the day-to-day operations of the business, such as attendance monitoring, the assignment of tasks, performance management, progressive discipline actions, and dismissals;
- Workplace conflict itself does not constitute harassment;
- Difficult conditions of employment; and
- Consensual social relationships between colleagues. This includes consensual workplace jokes, banter, and interactions, unless these interactions are based on hurtful and/or offensive remarks.

**Violence:** can include but is not limited to the following acts or attempted acts:

- The use of (or attempt to use) physical force by a person against an employee while in the workplace or while conducting company business, that causes or threatens to cause physical injury.
- Any threat, behaviour, or action directed at an employee that could reasonably be interpreted to carry the potential to harm or endanger the safety of an employee.
- This includes threats of, or actual violence outside of the workplace (for example, domestic violence) that may create a risk of danger to the affected employee or other employees within the workplace.

Examples of workplace violence:

- verbal and/or physical threats or intimidation
- verbal abuse, including swearing or shouting offensively at a person
- contact/actions of a sexual nature
- kicking, punching, scratching, biting, squeezing, pinching, battering, hitting, spitting, or wounding a person in any way
- assault with any type of weapon

**Family Violence:** can include any conduct by a family member towards another family member that is violent, threatening or that constitutes a pattern of coercive and controlling behaviour or that causes that other family member to fear for their safety.

**Third Party Violence:** Violence perpetrated by persons outside the organization. This may be people with a direct link to the victim or the victims' employer (such as, customers, clients, patients, a patient's relative, or students), but also people who have no such relation.

**Designated Recipient:** A work unit in a workplace (that is, a team of individuals), or an individual within the workplace, that is designated by the employer to receive harassment and violence complaints.

**Applicable Partner:** The Applicable Partner is a general term used to describe the workplace's required regulatory body in regard to workplace health and safety. The Applicable Partner is based on overall size of workplace, as follows:

Workplace Health and Safety Committee: > 20 employees

Workplace Health and Safety Committee members are as follows:

1. Juanita Hunter-Connon-Community Health Coordinator, contact: [j.connon@bellnet.ca](mailto:j.connon@bellnet.ca), 8074822479 ext. 232
2. Kyle Kellar-Public Works Coordinator, contact: [k.kellar@rrfns.com](mailto:k.kellar@rrfns.com), 8074822479 ext. 222
3. Tyrone Taylor-Addictions Early Intervention/Aftercare Worker, contact: [t.taylor@rrfns.com](mailto:t.taylor@rrfns.com), 8074822479 ext. 231
4. Andrea Mcleod-Child In Care Worker, contact: [a.mcleod@rrfns.com](mailto:a.mcleod@rrfns.com), 8074822479 ext. 259

**Occurrence:** An incident of workplace harassment or violence.

**Principal Party:** An employee or employer who is the object of an occurrence.

**Responding Party:** The person who is alleged to have been responsible for an occurrence of workplace harassment or violence.

**Witness:** A person who witnessed an occurrence of workplace harassment or violence, or a person who is informed of an occurrence by the principal party or the responding party.

**Workplace:** Any place where an employee is engaged in work for their employer, as per section 122(1) of the Canada Labour Code.

## Roles and Responsibilities

**RRFNS** is responsible for ensuring a violence and harassment free workplace. All workers are expected to comply with this policy and the associated workplace harassment and violence procedures and to report any concerns, incidents, or complaints.

Additional responsibilities, as they pertain to harassment and violence in the workplace, are outlined below.

**RRFNS is responsible for:**

- Taking all reasonable and appropriate measures to protect against and prevent workplace harassment and violence;
- Fostering a workplace culture that is harassment and violence free and setting an example of appropriate workplace behaviour;

- Ensuring the company has assigned an Applicable Partner and Designated Recipient;
- Jointly reviewing and, when necessary, updating this policy with the Applicable Partner at least once every three (3) years or following any change to an element of this policy;
- Jointly conducting an initial workplace assessment with the Applicable Partner, followed by jointly monitoring, reviewing, and, when necessary, updating the workplace assessment with the Applicable Partner;
- Jointly developing, reviewing and when necessary updating the emergency procedures with the Applicable Partner; and deploying the workplace emergency procedures whenever an incident, including an incident of family violence or domestic violence, poses an immediate danger to the health and safety of an employee or there is a threat of such an incident;
- Jointly with the Applicable Partner, developing, reviewing and when necessary updating or harassment and violence prevention training - at least once every three (3) years and following any change to an element of the training;
- Delivering harassment and violence training to all employees and the Designated Recipient;
- Ensuring the Designated Recipient correctly follows the resolution process that is outlined in the *Workplace Harassment and Violence Prevention Regulations* (the Regulations);
- Following an investigation into an occurrence of harassment and violence, providing a copy of the investigator's report to the principal party, responding party, and workplace committee;
- Jointly determining with the Applicable Partner which recommendations from the investigator's report should be implemented, and implementing the jointly determined recommendations from the investigator's report;
- Ensuring the resolution process is completed within one (1) year after the day on which a notice of an occurrence is received;
- Reporting to the Labour Program employee deaths resulting from occurrences of harassment and violence, within twenty-four (24) hours of becoming aware of the death;
- Providing the Labour Program by March 1 of every year an annual report summarizing the data on all occurrences of harassment and violence in the previous calendar year;
- Complying with all other aspects of the Regulations and the Code as it relates to harassment and violence;
- Providing the appropriate budgets and resources to provide a safe workplace;
- Effectively distributing this policy to all employees;
- Ensuring employees are trained on and understand this policy and its associated employment procedures and practices;
- Ensuring this policy is applied in a timely, consistent, and confidential manner.

**The Designated Recipient is responsible for:**

- Receiving and handling complaints related to workplace harassment and violence;
- Responding to all notices of an occurrence within seven (7) days of receiving the notice;
- Initiating negotiated resolution with the principal party within forty-five (45) days after the day on which the notice of an occurrence is received;
- Conducting a review of every notice of an occurrence with the principal party and determining whether allegations of harassment are substantiated, as evaluated against the definition of harassment and violence provided for under subsection 122(1) of the Canada Labour Code;
- Making every reasonable effort to resolve an occurrence of harassment and violence for which a notice of an occurrence is provided; Allowing the principal and responding parties the option of participating in conciliation if they both agree to participate and on who will facilitate the conciliation;
- Providing notice of an investigation to the principal and responding parties if the principal party requests an investigation;

- in the case of an investigation, selecting a person to act as an investigator from the list of investigators developed jointly by **RRFNS** and Applicable Partner; and providing investigators all the information that is relevant to the occurrence;

**The Applicable Partner jointly with RRFNS is responsible for:**

- Developing, implementing and maintaining this policy;
- Reviewing and updating this policy, as required (and at least once every three (3) years);
- Completing a workplace assessment that identifies risks of harassment and violence in the workplace, and ensuring on-going monitoring and updating as required (and at least once every three (3) years);
- Developing and/or implementing preventive measures for any identified risks;
- Identifying or developing workplace harassment and violence training programs that suit the company's training needs and updating training plans at least once every three (3) years (or as required);
- Developing a list of qualified investigators;
- Determining which recommendations proposed by an investigator are appropriate to implement following a workplace investigation; and
- Ensuring emergency protocols are established and updating these procedures as required.

**Managers and Supervisors are responsible for:**

- Upholding the standards and intentions set forth in this policy and supporting programs;
- Fostering a workplace culture that is harassment and violence free and setting an example of appropriate workplace behaviour;
- Communicating the process for investigating and resolving workplace violence and harassment complaints;
- Alerting the Designated Recipient or the Employer to any violent persons or hazardous situations;
- Diligently dealing with workplace harassment and violence situations immediately upon becoming aware of them;
- Taking appropriate action during a workplace harassment and violence investigation, including separating the parties and determining alternate work arrangements, if needed;
- Maintaining the confidentiality of anyone involved in a workplace harassment or violence incident or details of such incident, if aware; and
- Ensuring employee participation in the required training.

**Employees are responsible for:**

- Complying with this policy and all related procedures for both their personal protection and the protection of others within the workplace;
- Immediately reporting any incidents or threats of harassment or violence in the workplace that the employee has either witnessed or been directly involved in, to the Designated Recipient, to the supervisor, or to the Employer;
- Towards resolving instances and preventing incidents, (and in instances where it is safe and appropriate to do so), informing a perpetrator of harassment and violence that their actions are inappropriate and/or unwelcome;
- Informing management of any identified potential or real workplace risks or hazards;
- Cooperating to resolve complaints during the resolution process and/or fully cooperating with any investigation of complaints or incidents of workplace harassment or violence;
- Refraining from retaliatory behaviour against the principal party, responding party, witnesses and any other individuals who are involved in the resolution process for an occurrence;
- Respecting the confidentiality of the information shared throughout the resolution process of an occurrence; and

- Treating others with respect in the workplace and refraining from perpetrating harassment and violence in the workplace.

## Risk Assessment

**RRFNS**, together with the Applicable Partner, will carry out regular workplace risk assessments in accordance with the legislative requirements outlined in the Canada Labour Code. The comprehensive risk assessments will take into consideration the following:

- the culture, conditions, activities, and organizational structure of the workplace;
- circumstances external to the workplace, such as family violence, that could give rise to harassment and violence in the workplace;
- any reports, records and data that are related to harassment and violence in the workplace;
- the physical design of the workplace; and
- the measures that are in place to protect psychological health and safety in the workplace.

**Frequency:** **RRFNS** will review or update the workplace assessment every three (3) years. An update may occur sooner if there is a change to any risk factors or to the effectiveness of any preventative measures. It will also be reviewed if the resolution process is stalled, ended by the principal party before resolution takes place, or if the responding party is not an employee or the employer.

Risks identified through assessment are outlined in the next section of this policy.

## Internal and External Risk Factors

**RRFNS** has identified the following internal and external risks to be present in the **RRFNS**.

They are given in Appendix 2.

## Harassment and Violence Prevention Training

**RRFNS** is committed to creating a safe workplace and to equipping workers with the knowledge and information required to successfully prevent and navigate instances of workplace harassment and violence. As such, **RRFNS**, along with all employees and Designated Recipients, will undergo training specific to the **RRFNS** in accordance with the Workplace Harassment and Violence Prevention Regulations.

Employees and Chief and Council will receive training within three (3) months of commencing employment with **RRFNS**. All members of the company will undergo subsequent training at least once every three (3) years.

Employees will receive additional training following any training updates or upon assignment to a new activity or role for which there is an increased or specific risk of workplace harassment and violence.

**The training employees will receive includes the following:**

- Elements of the workplace harassment and violence prevention policy.
- The relationship between workplace harassment and violence and the prohibited grounds of discrimination under the Canadian Human Rights Act.
- How to recognize, minimize and prevent workplace harassment and violence.

Developing and/or identifying harassment and violence prevention training, reviewing, and (if necessary) updating training is a joint responsibility shared by **RRFNS** and the Applicable Partner.

The Designated Recipient will receive training prior to assuming any related duties and every three years thereafter.

## Emergency Procedures

If an emergency situation arises that poses an immediate danger to an employee, or where there is a threat of such an occurrence, **RRFNS**, together with the Applicable Partner, have developed the following emergency procedures:

### Violence in the workplace

If you witness or experience violence at work:

- remove yourself from the situation if you can
- inform your supervisor or seek help from a co-worker immediately
- if your supervisor is the perpetrator, notify another supervisor in the line of authority
- if your physical security or well-being is threatened, press your panic button and if possible, call 911
- contact your direct supervisor as soon as you are able to do so

If you are dealing with a violent person:

- stay calm
- try to calm the other person or diffuse the situation
- avoid saying or doing anything that could aggravate the situation
- avoid eye contact or sudden movements that can be perceived as threatening
- respect the person's personal space
- continue the conversation with the person only if the person calms down
- tell the person that you understand the reason for their anger
- if the behavior persists, end the conversation
- politely notify the person that you will leave the work area or ask them to do so
- notify your supervisor or seek help from a co-worker immediately
- if the person refuses to leave the premises and the situation escalates call 911 and contact your direct supervisor

### Active shooter

If you witness an incident involving an active shooter outside the building:

- stay out of sight (away from windows) and warn colleagues, clients, and visitors
- leave the area at risk
- when safe to do so, call 911, your direct supervisor and other building occupants
- if you cannot evacuate the building safely, lock outside doors and close the blinds and curtains
- wait for instructions from first responders

If you witness an incident involving an active shooter inside the building:

- stay calm
- if you can do so safely, leave the area immediately
- warn as many others as possible without attracting the attention of the assailant
- if you can do so safely, call 911 and notify your direct supervisor and other building occupants

- lock the doors or barricade yourself in a room using furniture
- block the windows; close the office blinds and curtains
- if the workspace has no door, hide under your desk or where you cannot be seen
- if you are in a washroom, remain there if safe to do so
- silence your cellphone, turn off radios and computers
- if you cannot escape, remain silent and hide until first responders arrive
- wait for instructions from first responders

## **Bomb threat**

If you are made aware of a bomb threat by telephone:

- listen to the caller calmly and do not interrupt them
- try to get as much information as possible, such as:
  - when the bomb is supposed to explode
  - where the bomb is located
  - description of the device
  - reason for the call or motivation for the threat
  - telephone number on the display screen (if possible)
- Remember any details you can about the caller, such as:
  - approximate age
  - gender
  - accent
  - level of nervousness
  - any background noises
- call 911 and inform your supervisor and your direct supervisor
- remain available to provide information to first responders

If you are made aware of a bomb threat by e-mail:

- save the email (or letter)
- send it immediately to your direct supervisor

If a bomb alert is activated (for example, over intercom):

- visually inspect your immediate work area including:
  - wastepaper baskets
  - storage areas
  - dislodged suspended ceiling panels
  - furniture that has been moved
  - closets
- inform your supervisor of the results of your search
- if you find a suspicious package, do not touch it, and inform your direct supervisor immediately
- do not evacuate the building until the security services authorize you to do so

Following any situation in which emergency procedures are implemented, **RRFNS** 's Applicable Partner, together with senior leaders, will jointly review the emergency procedures and update them if necessary.

## Reporting Occurrences

### How to Report:

Complaints about a workplace harassment or violence incident can be made in-person, by phone or in writing to **RRFNS** 's Designated Recipient:

- **Human Resources Manager, RRFNS at Harassment@rrfns.com or 807-482-2479 ext.263**

When reporting a complaint in writing, employees should use **RRFNS** 's [complaint form](#) – attached as **Appendix A**. If reporting in person or by phone, the Designated Recipient will complete the complaint form.

If the complaint is against Chief/Council member then the Designated Recipient will coordinate with Chief/Council taking into consideration there is no conflict of interest to get it resolved.

If the complaint is against Manager of Administration(MOA) or Chief Financial Officer(CFO) then the Designated Recipient will coordinate with Chief/Council taking into consideration there is no conflict of interest to get it resolved.

If the complaint is against Designated Recipient then MOA/CFO will resolve it.

When reporting an occurrence, employees will be asked to reveal:

- The name of the principal party and the responding party (if known);
- The date of the occurrence;
- Any witnesses to the occurrence; and
- A detailed description of the occurrence.

Employees filing a complaint may also submit any related evidence.

A witness may provide notice of an occurrence anonymously. Occurrences that are reported anonymously by a witness will be treated with the same seriousness as other complaints.

The employer or Designated Recipient must conduct an initial review of every notice of an occurrence. Following the initial review, the occurrence is deemed to be resolved if the notice does not contain the name of the principal party or otherwise allow their identity to be determined.

**RRFNS** is prohibited from revealing the identities of the parties involved in the resolution process to the Applicable Partner without the consent of the parties.

The identities of parties to the complaint may be revealed to each other as part of the resolution process.

***Employees are encouraged to report an incident promptly so that the incident can be effectively responded to and addressed.***

## Resolution Process

**RRFNS** is committed to meaningfully addressing employee complaints regarding workplace harassment and violence and to participating in negotiated resolution, conciliation, and/or investigation processes, as

appropriate. The goal is to make every meaningful effort to resolve complaints in a respectful, collaborative, and timely manner in accordance with the Workplace Harassment and Violence Prevention Regulations.

Within seven (7) days of receipt of the notice of an occurrence, the principal party, or witness who submitted the [complaint form](#), and the accused, will be contacted. The resolution process will begin as promptly as possible but no later than forty-five (45) days after the day on which notice is provided.

The resolution process at **RRFNS** is a progressive process that is inclusive of the following steps:

- Negotiated Resolution
- Conciliation
- Investigation

### **Representation**

An employee may be accompanied or represented by a support person of their choosing, at any time during the resolution process.

### **Negotiated Resolution**

Negotiated Resolution involves a process by which the principal party meets with the employer or the Designated Recipient to discuss the occurrence and to attempt to reach a resolution to the complaint.

The employer and Designated Recipient will review the details of the occurrence to assess the conflict and determine if the occurrence meets the definition of harassment and violence, as defined by section 122(I) of the Canada Labour Code.

If both the employer and/or the Designated Recipient and the principal party agree that the occurrence does not meet the definition of workplace harassment and violence as set forth under the Canada Labour Code, then the occurrence will be determined to be resolved.

If the employer and/or the Designated Recipient and the principal party are not able to agree as to whether the occurrence meets the definition, the principal party may continue with the resolution process if they choose to do so. The principal party reserves the right to proceed with a negotiated resolution, conciliation and/or a formal investigation – and may end the resolution process at any time by informing the employer or Designated Recipient that they choose not to continue with the process.

If the principal party wishes to continue with negotiated resolution, they must inform the employer and/or the Designated Recipient. At this point, a series of meetings with the principal party (and, where applicable, the responding party) will be scheduled to discuss the occurrence and attempt to reach a resolution.

The responding party does not have to be informed of the principal party's notice of occurrence or be involved at this stage of the resolution process if the principal party does not wish for them to be notified and/or involved.

Every reasonable effort will be made to resolve an occurrence through negotiated resolution by way of individual discussions with involved parties or facilitated discussion between parties.

### **Conciliation**

If an occurrence cannot be resolved in the negotiated resolution stage, parties will be asked to participate in a conciliation. A principal and responding party may also engage in conciliation at any time over the course of

the resolution process. However, conciliation can only proceed prior to an investigator providing their final investigation report.

The principal and responding party are required to inform the Designated Recipient of their desire to participate in conciliation. The Designated Recipient will then facilitate discussion around the selection of a conciliator who is agreeable to both parties. The Designated Recipient will also schedule time for both parties to meet with the conciliator.

### **Investigation**

The principal party may request an investigation at any point during the complaint resolution process.

Alternatively, upon determining that neither negotiated resolution, nor conciliation can resolve the occurrence, an investigation will begin, and the following steps will take place:

- The principal and responding parties will be advised by the Designated Recipient or the employer that an investigation will be carried out and they will receive monthly updates on the status of the investigation.
- The investigator will be selected from a pre-determined list of qualified investigators that has been jointly developed with the Applicable Partner. Within 60 days, all parties must agree on the choice of the investigator.
- The investigator will be provided with any relevant information collected by the employer to date.
- The investigator will interview the principal party, the responding party, and any witnesses to the occurrence
- The employer has one year after the day on which the notice of occurrence is provided to complete the resolution process.

Upon conclusion of the investigation, the investigator will prepare a report that ensures the individual identity of the principal and responding parties are not revealed and that outlines:

- A general description of the occurrence;
- The investigator's conclusions, including those related to the circumstances in the workplace that contributed to the occurrence; and
- Their recommendations to eliminate or minimize the risk of a similar occurrence.

The employer will provide a copy of the investigator's report to the principal party, the responding party, and the Applicable Partner.

The employer and the Applicable Partner will jointly determine which of the recommendations outlined in the report will be implemented.

### **Resolution Process Conclusion**

The resolution process concludes when:

- The identity of the principal party is unknown;
- Any required updates to the workplace assessment are carried out;
- The occurrence is resolved;
- The investigator's recommendations (as applicable) are implemented.

## **Substantiated Occurrences**

Should an occurrence be substantiated, resolution for the principal party may include:

- An apology;
- Compensation for lost time;
- Medical or mental health support;
- Training and/or coaching

Corrective action for an employee found to have engaged in workplace harassment or violence will be consistent with **RRFNS** 's discipline or corrective action policy and practices and may include immediate dismissal.

## **Notices Submitted in Bad Faith**

Notices of harassment and violence that are identified as having been made in bad faith may be subject to disciplinary action.

## **Recourse**

If either party believes that the complaint is not being handled in accordance with this policy, the Canada Labour Code or the Workplace Harassment and Violence Prevention Regulations, they should contact the Chief and the Council.

Should the occurrence violate the Canadian Human Rights Act or the Criminal Code of Canada, employees can pursue direct recourse as applicable.

## **Privacy & Confidentiality**

**RRFNS is committed to the protection of the privacy of persons involved in an occurrence by:**

- Limiting the number of persons who have access to the specifics of incidents;
- Ensuring any information shared about the incident does not allow for identification of persons involved in the incident or the investigation;
- Ensuring all parties who participate in an investigation are aware of their obligation to maintain confidentiality;
- Removing any personal identifiers from reports;

The Applicable Partner is not permitted any involvement in the resolution process of an occurrence. Only the Designated Recipient will engage in the resolution process with the principal and responding party. **RRFNS** does not permit an investigator to disclose in any report produced and distributed the identity of the persons involved in and occurrence or the resolution process for an occurrence. This includes the principal party, responding party, witnesses and any other individuals interviewed by the investigator.

To ensure compliance with the Workplace Harassment and Violence Regulations, **RRFNS** will retain all records related to workplace harassment and violence investigations for a period of 10 years.

Should **RRFNS** be required to disclose any personal information as a result of a legal investigation arising from a workplace harassment and violence incident, **RRFNS** will comply with all Provincial and Federal Laws, including the Criminal Code and Personal Information Protection and Electronic Documents Act.

## Support

**RRFNS** is dedicated to ensuring that employees are receiving support following any instances of workplace harassment and/or violence. As such, **RRFNS** will provide employees affected by workplace harassment and/or violence with the following support:

- Community Health Program about medical, psychological, or other support services
- Providing access to the Employee Family Assistance Program for confidential counselling

Employees who are victims of workplace violence or harassment are encouraged to seek assistance through these programs, or others. Any company provided or referred support will remain completely confidential.

## Reprisals

This policy prohibits reprisals against employees, acting in good faith, who report incidents of workplace harassment or violence or who are involved in an investigation. Management will take all reasonable and practical measures to prevent reprisals, threats of reprisal, or further harassment and violence. Employees who experience any form of workplace retaliation, or threat of retaliation from any individual within or outside of the workplace are encouraged to inform the employer, a supervisor, or the Designated Recipient immediately.

## Review & Distribution

**RRFNS** is committed to distributing the Policy, procedures, and training materials to all employees and to reviewing and updating the Policy, procedures, workplace assessment, and all other relevant elements of its workplace harassment and violence prevention program, if deemed necessary, annually, but no less than once every three years.

## Compliance

**RRFNS** has developed the Workplace Harassment and Violence Prevention Policy in accordance with the Workplace Harassment and Violence Prevention Regulations and in collaboration with **RRFNS's** Applicable Partner.

## Acknowledgement

I acknowledge that I have read and understand **RRFNS'** s Workplace Harassment and Violence Prevention Policy and Procedures. I agree to comply with this Policy and its guiding principles. I understand that if I violate any elements of this policy, I may face corrective action, up to and including termination of employment.

Name:

Signature:

Date:

## Appendix 1: Complaint Form

### Instructions for completion and handling:

All **RRFNS** employees may utilize this Complaint Form. You may seek assistance before completing this form.

- Place the completed form in a sealed envelope marked “Private and Confidential”. Forward the completed form to the Designated Recipient.
- A copy of the Complaint Form should be retained by the person making the complaint (known as the ‘Principal Party’).

<b>Name of Principal Party:</b>
<b>Position Title:</b>
<b>Supervisor:</b>
<b>Phone Numbers (home/cell/work):</b>
<b>Email Address:</b>

In your own words, please describe in as much detail as possible the details of your complaint. If you would like to provide more details than this form’s space will allow, please attach the information to this form.

Details should include a description of the incident(s) including what happened, what was said, dates, times, places, names of persons directly involved as well as the names of any witnesses.

Please also attach any supporting documents, such as emails, notes, screenshots, or photographs. Physical evidence, such as vandalized personal belongings, can also be submitted.

If you are not able to attach documents and they are relevant to your complaint, please list them in the complaint. If someone else has relevant documents, please note this as well.

## COMPLAINT DETAILS

Date of incident:
Time(s):
Location(s):
Name of individual(s) who are the subject of the complaint:
Position of individual(s) who are the subject of the complaint:
Contact information (if applicable)

Description of behavior, actions, conduct, etc. that is the subject of this complaint

Please indicate the section of **RRFNS's** Workplace Harassment and Violence Prevention Policy and Procedures that you believe has been breached by the individual(s) who are the subject of the complaint.

Please describe what actions (if any) you have taken to try and resolve this problem.

Has the Complaint been Reported Previously? Yes \_\_\_\_ No \_\_\_\_

If yes, please describe to whom, and what action was taken. (Attach further information if required)

List any witness(es) to the conduct described in this complaint, including their names and contact details

What resolution are you seeking to this complaint?

My signature indicates that I have read and understand **RRFNS's** Workplace Harassment and Violence Prevention Policy and Procedures.

I understand that:

- The filing of this complaint does not guarantee that an investigation will occur. The complaint will be reviewed, and an assessment made by **RRFNS** as to whether an investigation is warranted and/or whether an informal resolution process should be pursued.
- This document and any attachments provided while filing a complaint will be held in confidence. The complaint form and its attachments may be disclosed to the respondent named in the complaint and (if applicable) to an investigator appointed to assist with the resolution of this complaint.

Your signature confirms that you have been made aware and give permission for the above use of this information.

**Filing this complaint in no way limits your ability to consider other options such as a complaint under the Canada Human Rights Code.**

Principal Parties' Printed Name: \_\_\_\_\_

Principal Parties' Signature: \_\_\_\_\_

Date: \_\_\_\_\_

If you have attached additional documents to this complaint, please list them here for reference:

## **Appendix 2 – Factors that Contribute to Workplace Harassment and Violence**

### **Factors that Contribute to Workplace Harassment and Violence**

1. There are a number of factors that can contribute to workplace harassment and violence. These factors can be divided into six general categories: work conditions, workplace culture, workplace activities, organizational structure, organizational culture and personal situations.
2. Most risk factors are common across the organization. However, there are particular areas of the organization that may have additional risk factors due to the nature of the operations and/or geographic locations. These additional risk factors are identified separately under each category.

### **Work Conditions**

3. Certain work environments and workplace designs can result in additional risks that may lead to harassment and violence. This can include:
  - a. working with the public;
  - b. handling money or items of significant value;
  - c. working on premises where alcohol is served;
  - d. working alone, in small numbers;
  - e. working in isolated or low-traffic areas (e.g. isolated reception area, washrooms, storage areas, utility rooms);
  - f. working late evenings, early mornings or outside of normal hours of operation;
  - g. working in community-based settings (e.g. home visitors);
  - h. having a mobile workplace;
  - i. working during periods of intense or confusing organizational change (e.g. labour disputes, restructuring);
  - j. working in an environment that tolerates or promotes racist, sexist, homophobic, ableist, or otherwise discriminatory attitudes and behaviours;
  - k. working in a poorly designed client area, such as a cramped room or a room that has poor visibility of clients;
  - l. working virtually;
  - m. working in an overcrowded environment (i.e. cubicle or small office with little to no privacy);
  - n. working in locations that are not built for company needs
  - o. working in the same workplace with a (ex)partner who is abusive.

- p. false sense of security because working on base; and
- q. inefficient or inadequate infrastructure or equipment for work requirements.

### **Workplace Culture**

- 4. The culture of the workplace may present additional risks that may lead to harassment and violence including:
  - a. Band members versus company culture and expectations;
  - b. Overhearing conversations in overcrowded environments (i.e. cubicle or small office with little to no privacy) or with few meeting spaces;
  - c. Use of technology over person to person contact (i.e. unclear emails, messaging, etc.); and
  - d. Assignment of cubicles or office spaces.

### **Workplace Activities**

- 5. There are activities within across workplaces for which risk factors may be present.
  - a. working with vulnerable populations;
  - b. performing inspections or carrying out enforcement duties;
  - c. serving customers who may be experiencing mental health issues;
  - d. serving customers who may be under a tremendous amount of stress;
  - e. sensitive or difficult conversations;
  - f. investigations or discipline discussions;
  - g. customer interactions involving financial information or transactions; and
  - h. disgruntled customers.

## **Appendix 2 – Factors that Contribute to Workplace Harassment and Violence**

### **Organizational structure**

6. Aspects specific to a job, such as mental and physical demands of the job, can result in additional hazards that may lead to harassment and violence. This can include:
- a. lack of control over how work is done or unrealistic deadlines;
  - b. excessive workload;
  - c. unreasonable or tight deadlines leading to high stress;
  - d. confusing, conflicting or unclear job or priorities;
  - e. unclear or complicated reporting structures;
  - f. lack of organizational communication leading to a sense of exclusion;
  - g. lack of organizational advancement;
  - h. short-staffed or a one-deep positions;
  - i. inconsistent distribution of work;
  - j. poor recruitment practices; and
  - k. lack of diversity in hierarchy.

## **Annex A – Factors that Contribute to Workplace Harassment and Violence**

### **Organizational Culture**

7. Aspects specific to the culture of the organization may present additional risks.
  - a. focus on higher education and qualifications versus reality or influence of the job;
  - b. conflicting values;
  - c. fear of retaliation resulting in condoned behaviours;
  - d. “helpful employee” leading to burnout and personal stress;
  - e. “Yes” culture or persecution when ideas do not match the “party line”;
  - f. operation tempo;
  - g. perceived pressure to deliver results at any cost;
  - h. inconsistent management styles; and
  - i. different processes between programs, divisions, field and headquarters.

### **Personal Situations**

8. Other external factors that can result in harassment and violence include:
  - a. family violence/domestic violence, such as a family member or (ex)partner:
    - i. threatening an employee or co-workers either verbally or over the phone/email,
    - ii. stalking the employee,
    - iii. verbally abusing the employee or co-workers,
    - iv. destroying the employee or organization’s property,
    - v. physically harming the employee and/or co-workers, and
    - vi. using work time or workplace resources to monitor or attempt to control the actions of an (ex)partner.

## **Annex A – Factors that Contribute to Workplace Harassment and Violence**

- b. informal social gatherings between colleagues or personal relationships that create perception of favouritism;
- c. inconsistent personal connections;
  - f. family hardships such as:
    - i. children experiencing difficulties;
    - ii. health issues or death in the family;
    - iii. drug or alcohol abuse; and
    - iv. financial hardships
- d. having more than one job (i.e. overworked); and
- e. reactions to world events.