

**SUPERIOR EAST O.P.P.
DETACHMENT BOARD**

BY-LAW NO. 2024-02

BEING A BY-LAW to adopt the Superior East OPP Detachment Board Policy No. SEOPPB-02: Abuse, Harassment and Violence.

WHEREAS it is an insurance requirement for the Superior East OPP Detachment Board to adopt an abuse policy;

NOW THEREFORE BE IT RESOLVED THAT the Superior East OPP Detachment Board hereby enacts as follows:

1. **THAT** the Abuse, Harassment and Violence Policy No SEOPPB 2024-02, attached hereto as Schedule "A" and forming part of this by-law, is hereby adopted;
2. **THAT** this by-law shall come into force and take effect upon the final passing thereof.

READ a first, second and third time this 12th day of November 2024.

Paul Bernier

PAUL BERNIER, CHAIR

MAURY O'NEILL,
RECORDING SECRETARY

SUPERIOR EAST O.P.P. DETACHMENT BOARD

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1. Policy Statement

The Superior East O.P.P. Detachment Board (hereinafter referred to as the Board) recognizes the potential for abuse, violence and harassment in the workplace. The Board is committed to providing a safe, healthy and supportive work environment by treating others with respect, fairness and sensitivity. It will make every reasonable effort to identify all potential sources of such risk to eliminate or minimize them through our workplace abuse, violence and harassment prevention program. The Board will not tolerate any form of abuse, violence or harassment within the workplace or during work-related activities. The Board is committed to allotting whatever time, attention and authority and resources necessary to ensure a safe and healthy working environment for all. The Board will take every reasonable precaution to protect an employee from physical injury if it becomes aware of or believe that domestic violence is at risk.

2. Purpose

The purpose of the policy is:

- a) To maintain an environment that is free from harassment or abuse
- b) To identify the behaviours that are unacceptable
- c) To establish a mechanism for receiving complaints
- d) To establish a procedure to deal with complaints

3. Definitions

- a) **Abuse** is any action, act omission or incident in which an employee, Board members, visitors, volunteers or independent contractors are abused, threatened, harmed, injured, or assaulted in circumstances arising from his or her employment or volunteering, as a direct or indirect action or omission of another employee, volunteer or third party. Some examples include, but are not limited to: threats (verbal/physical), assaults(verbal/physical/sexual), property damage, bullying, intimidation aggressive behaviour, mobbing (a collective effort), the application of force (with or without a weapon) stalking, inappropriate pranks, or horseplay.
- b) **Workplace harassment** 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; or workplace sexual harassment.
- c) **Physical assault:** is any physical force or threat of physical force to create fear and control another person. Some examples include: hitting, blocking, shoving, choking, slapping or biting, or pulling hair; "caring" for the victim in an abusive way, threats of violence, and using a weapon or other objects to threaten, hurt or kill.
- d) **Sexual assault:** is any unwanted sexual act done by one person to another. Examples include: kissing or forcing/coercing the person into kissing; touching the person's body

with or without clothes on; forcing/coercing the person to masturbate; sexual intercourse (anal or vaginal), penetrating with an object; causing bodily harm; removing or attempting to remove clothing; taking advantage of a position, trust or authority to get sex; and threatening to harm someone else if the person does not agree to do any of these things.

- e) **Threat (verbal or written):** is a communicated intent to inflict physical or other harm on any person or to property by some unlawful act. A direct threat is a clear and explicit communication distinctly indicating that the potential offender intends to do harm, for example, “I am going to make you pay for what you did to me.” A conditional threat involves a condition, for example, “If you don’t leave me alone you will regret it.” Veiled threats usually involve body language or behaviour that leave little doubt in the mind of the victim that the perpetrator intends to harm.
- f) **Verbal/Emotional/Psychological abuse:** is a pattern of behaviour that makes someone feel worthless, flawed, unloved, or endangered. Like other forms of abuse, it is based on power and control. Examples include swearing, put-downs/name calling over a period of time, labelling the victim in a derogatory way such as stupid, crazy or irrational, acts of humiliation, extreme jealous behaviour, attacking the victim’s self-esteem in other ways.
- g) **Workplace Bullying:** repeated and persistent negative acts towards one or more individuals, which involve a perceived power imbalance and create a hostile work environment.
- h) **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 or
 - 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
- i) **Workplace violence is:**
 - the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
 - an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker; or,

- a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker.

4. Roles and Responsibilities of Parties

a) Board

- Train all new members and staff on the Abuse, Violence and Harassment Policy.
- Ensure compliance by all who have a relationship with the Board, such as visitors, volunteers, or independent contractors.
- Make a copy of this policy available.
- Conduct regular risk assessments.
- Establish and deliver training and education to employees, if any.
- Integrate safe behaviour into day-to-day operations.
- Develop a reporting process for incidents of workplace violence and harassment.
- Investigate all workplace violence allegations and contact the police as required.
- Facilitate medical attention and support for those involved directly or indirectly.
- Take corrective action and provide response measures.
- Identify and alert staff to violent persons and hazardous situations.
- Immediately report a death or critical injury to an MOL inspector, and the police (as required). Report the circumstance to all parties in writing within 48 hours. Include information and particulars prescribed by the regulations.
- Issue a report to the employer and WSIB on all lost-time accidents where a worker requires healthcare, earns less than regular pay for regular work or requires modified work. Ensure any deaths or critical injuries are reported to a Ministry of Labour (MOL) inspector, and the police (as required).
- Ensure the workplace violence and harassment policy and program is reviewed annually.

b) Employees:

- Participate in education and training programs and fully understand the Abuse, violence and harassment policy, signing an annual acknowledgement form.
- Understand and comply with the violence and harassment prevention policies and related procedures.

- Report all incidents or injuries of violence/harassment or threats of violence/harassment to your supervisor immediately. Complete a Workplace Violence Incident Report.
- c) Contribute to risk assessments.
- Seek support when confronted with violence/harassment or threats of violence.
 - At least once a year, participate in a review of the workplace violence and harassment prevention policy and program.

5. Reporting and Investigation

- a) Employees are to report all violence-related incidents or hazards to their supervisor. This report can be made confidentially at the employee's request, however, sharing information to ensure the safety of others and prevent recurrence may be necessary (e.g., contents of a police report).
- b) The Board Chair receiving the report arranges for an investigation and ensures that measures are taken to safeguard employees and curtail the violence or harassment. No report of workplace violence/harassment or risks of violence may be the basis of reprisal against the reporting employee.
- c) The employer reports all injuries to the MOL and WSIB as required by the *Occupational Health and Safety Act* and *Workplace Safety and Insurance Act*.

6. Response Procedures

- a) The Board Chair or designate is required to document all reports of workplace violence/harassment, hazards and measures taken to address them.
- b) If the resolution of the incident is beyond the authority of the Board Chair, she/he must make the Board aware of the report. The Board may require outside assistance to have the matter investigated (e.g., when the incident involves a member of the Board).
- c) The Board reviews all incident reports, monitors trends and reviews recommendations for prevention and enhancements to the workplace violence and harassment prevention program and training program.
- d) The Board or party who investigates the reported incident, warns any persons who might be affected about dangerous situations. They also tell the reporting employee about the outcome of the investigation to help minimize the chance of similar incidents. e. If a violent incident results in a critical injury to a worker, the Board reports the incident or injury (Section 9(31) OHSA) and reports it to the MOL.

7. Support for employees affected by workplace violence

The Board will respond promptly, assess the situation and ensure that appropriate interventions are followed which may include:

- facilitation of medical attention;
- debriefing (by skilled professional);
- referrals to community agencies or treating practitioner;
- completion of incident reports, WSIB reports, reports to MOL (critical injury or fatality); and
- reporting to police (as required).

8. Risk assessment

The Board, with employee involvement, must assess workplace violence hazards in all jobs, and in the workplace. It must review risk assessments annually, as well as when new jobs are created or job descriptions are changed substantially.

9. Education

New employees will receive both general and site-specific orientation to the workplace violence and harassment prevention program. In addition, all employees will receive an annual review of the program's general and site-specific components.

Any training developed, established and provided will be done in consultation with, and in consideration of any recommendations arising from investigation reports.

10. Program Evaluation

Workers, supervisors and Board Members are accountable for establishing and implementing the policy and procedures related to workplace abuse, violence and harassment.

11. Accountability

All workplace parties are accountable for complying with the policy, program, measures and procedures related to workplace abuse, violence and harassment.

12. Records

All records of reports and investigations of workplace violence and harassment shall be kept for a six-year period, or as directed by the Board.

13. Policy Review

The Board Policy on abuse, violence and harassment and program shall be reviewed annually.
(Board Chair to Sign)

APPENDIX A

WORKPLACE VIOLENCE AND HARRASSMENT PROCEDURES

Any member of Superior East O.P.P. Detachment Board or employee, including contractors, that experiences or witnesses any workplace violence or harassment as defined in the Abuse, Violence and Harassment Policy must promptly report it and complete a Workplace Violence Incident Report.

When threatening or violent behaviour is connected to the Superior East O.P.P. Detachment Board, the affected individual(s) must report incidents immediately using the following procedure:

1. Report on the threat or violence to the Board Chair. If the Chair is involved in the act, the individual should contact the Vice Chair, or another member of the Board. In all cases, a written Incident Report must be completed.
2. If the perpetrator has no relationship with the organization or has a personal relationship with a Board member or employee, the Board Chair will contact the O.P.P.. The O.P.P. are also to be called in incidents involving serious, life-threatening injuries to any client or employee.
3. The Board Chair must investigate all reports of violence or refer to the Board or a third party.
4. The Board takes all reported incidents of violence seriously and will not ignore, condone or tolerate disruptive, threatening or violent behaviour by any member of the organization.
5. Board members, visitors, volunteers or outside contractors engaged in harassing or violent behaviour shall be removed from the premises as quickly as safety permits. Perpetrators may be banned to Board premises pending the outcome of an investigation.
6. The Board will do its best to preserve and protect the anonymity of those involved and confidentiality in the alleged case. However, it may not be possible to preserve confidentiality or anonymity of those involved as it may be necessary for the Board to take action, including consultation with others.
7. In no circumstances will any person who in good faith reports an incident of threats, intimidation or violence, or assists in an investigation, be subject to any form of retribution, retaliation or reprisal.
8. Any person who makes or participates in such retribution or retaliation, directly or indirectly, will be subject to disciplinary action, including dismissal. A person who believes they have been subjected to retribution or retaliation should immediately notify the Board Chair, or his/her designate.

Prevention Programs

The Board will provide training for recognition and prevention of harassment and violence through workshops and printed materials and review this policy and procedure annually.

SUPERIOR EAST O.P.P. DETACHMENT BOARD

APPENDIX B

Workplace Incident Report Form

IMPORTANT: Give this form to the Board Chair or designate immediately upon completion.

Name: _____ Date: _____

Please provide a detailed description of the behaviour or incident(s) regarding your complaint or attach a full description to this form. Include the following information and anything else that would help the investigator understand your complaint.

What Happened?

Who was involved?

When did the incident(s) occur?

Where did the incident(s) occur?

Who (if anyone) witnessed the incident(s)?

Please provide any other relevant information.

Attach any documents, emails, or other materials that support your complaint.

Date: _____

Signed: _____

APPENDIX C

VIOLENT INCIDENT REPORT FORM

IMPORTANT: Give this form to the Board Chair or designate immediately upon completion.

COMPLAINANT INFORMATION

Name: _____

Date and time of incident: _____

Location of Incident: _____

Type of Assault: _____

Medical Attention/First Aid Obtained? Yes No Police Called? Yes No

Action(s) Taken:

ASSAILANT INFORMATION

Customer Co-Worker Delivery Person Resident

Student Visitor Other - Please Specify: _____

Description (to the best of your ability) Male Female

Age: _____ Complexion: _____ Height: _____ Weight: _____

Name (if known) _____

INCIDENT INFORMATION

Explain the incident in detail: _____

Date and Time Completed: _____ Signed: _____

Date and Time Received by Board: _____ Signed: _____