

# Occupational Health and Safety Act (OHSA)

## VIOLENCE POLICY

### 1.0 DESCRIPTION

St James United Church is a Pastoral Charge of The United Church of Canada conducting Christian ministry in the province of Ontario.

### 2.0 POLICY

2.01 St James United Church takes a position of zero tolerance with regard to workplace violence. Should an employee perpetrate an act of workplace violence, St James United Church will exercise measures in response to that employee's behaviour, up to and including termination of employment.

2.02 The sub-Executive of Toronto Conference will address incidents of Workplace Violence by responding to incident reports, conducting investigations, decision making processes and prevention plans with the objective of promoting a safe and secure work environment for all employees.

### 3.0 DEFINITIONS

3.01 St James United Church, in compliance with the Ontario Occupational Health and Safety Act, defines Workplace Violence as:

- 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;
- a statement or behaviour that 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.

3.02 St James United Church defines domestic violence as the expression of physical force, an attempt to exercise physical force, or a threat to exercise physical force, that could cause physical injury and is perpetrated by one or more family members against one or more family members or significant other.

3.03 Acts of Violence can include but are not limited to:

- Punching

- Pushing, Shoving
- Throwing an object at someone
- Pushing an object into someone
- Cutting
- Shooting
- Biting and Scratching
- Tripping others deliberately
- Attempts to do physical harm,
- Verbal threats with intent to cause physical harm

#### **4.0 PURPOSE**

4.01 The purpose of this policy is to implement policies, measures, procedures and programs to reduce, manage and prevent violence in order to foster an environment of safety and mutual respect at all levels of the organization between all employees, co-workers, contractors, visitors, congregants and volunteers.

#### **5.0 PREVENTION**

5.1 Toronto Conference will regularly disseminate information about violence in the workplace covering the following topics:

- Clearly displaying a copy of the Violence Policy in a central location accessible and visible to all employees, such as a bulletin board.
- Educating all employees and new employees/volunteers/Board Members, etc. on all aspects of the legislation including:
  - What response is an employer required to provide all “workers” under this legislation?
  - Risk factors for violence in the particular church or workplace
  - How is your workplace vulnerable? How are your employees vulnerable?
  - New employer obligations and new employee responsibilities under the act
  - Definition of Violence
  - Examples of workplace violence
  - What to do if an incident of violence occurs in your workplace
  - Other aspects of the legislation defined and explained:

Domestic Violence in the Workplace – duty to report, response to the victim, protecting other employees

Duty to advise workers

Organizational limits to confidentiality

Right of refusal to work

Employer response to a refusal to work

Notice of violence causing injury

- Protection of evidence
- Emergency response procedures
- Duty of workers and supervisors to report
- Personal liability
- Corporate liability
- Providing written instructions on Workplace Violence procedures and measures.
- Regularly providing new and updated information to employees to ensure a consistent reinforcement of the importance of minimizing and preventing violence in the workplace.

5.2 St James United Church through a designated person or committee will implement an ongoing prevention program that involves all workers' cooperation to minimize violence in the workplace and create a safe and secure work environment.

5.3 St James United Church through a designated person or committee will implement annual "Workplace Violence and Harassment" surveys to identify risk factors and incidents.

5.4 St James United Church will emphasize safety, dignity and respect as core values of The United Church of Canada.

5.5 St James United Church through a designated person or committee will implement emergency procedures should violence or the threat of violence occur.

## **6.0 MEASURES**

6.01 St James United Church through a designated person or committee will ensure risk assessments are implemented and will survey and assess workplace vulnerabilities annually through safety and procedural checklists relating to violence issues as well as employee surveys.

6.02 Results from risk assessments will be reviewed by Toronto Conference.

6.03 St James United Church will take actions to address areas of risk identified in the assessments.

## **7.0 PROCEDURES**

7.01 The sub-Executive of Toronto Conference will investigate and respond to reports of violence as well as determine actions resulting from a decision.

7.02 Toronto Conference will make available written guidelines explaining how to report violence, and the procedures that will occur once an incident has been formally reported.

7.03 Toronto Conference will provide guidance and education on how to respond to an incident of violence.

7.04 St James United Church will advise employees of the right to refuse to work with a perpetrator or potential perpetrator of workplace violence.

7.05 St James United Church will provide workers with a list of whom to contact should an incident of violence occur.

7.06 Toronto Conference will respond to incidents of violence by:

- Ensuring the immediate and long term safety of all employees, as much as is possible under the circumstances.
- Immediately contacting the relevant authorities, such as 911, EMS, Police, Ambulance, Fire, etc., as required.
- Completing and filing a Violent Incident Report.
- Filing a report with the Ministry of Labour, when required.
- Providing appropriate resources and support to the victim(s), including facilitating access to necessary medical interventions.

7.07 Employees are encouraged to cooperate with the conducting of an investigation. This includes the accused, the victim and any witnesses.

7.08 Toronto Conference will conduct a thorough investigation through the following steps:

- Informing the Presbytery that a workplace harassment investigation is taking place.
- Contacting all the necessary authorities regarding the incident (police, Ministry of Labour).
- Consulting legal counsel for guidance as needed.
- Conducting interviews with complainants, accused and witnesses separately to obtain Incident Reports.
- Compiling all previous records of violence by the accused.
- Compiling police reports, if applicable.

- Compiling reports of the complainant.
- Compiling Statements and Response from the Accused.
- Reviewing all documentation.
- Engaging in a consensus decision-making process where applicable.
- Making a decision and/or recommendations regarding the accused and/or the incident that can include mediation, discipline or termination, as well as other options.
- Sharing its decision with the Presbytery and other relevant staff who will determine final actions.

## **8.0 RESPONSE**

Toronto Conference will:

8.1 Inform the accused of the judgment, support options and next steps.

8.2 Inform complainant of the judgment, support options and next steps.

8.3 Explain actions coming from the judgment to all relevant employees.

Further processes:

8.4 Employees who, with good intentions, provide information about actions they believe to be threatening or potentially violent will not be subject to disciplinary actions should an investigation prove their report to be unsubstantiated.

8.5 Employees who are found to have maliciously and/or intentionally wrongfully accused an individual of workplace violence may be subject to disciplinary action up to and including termination of employment, subject to any relevant requirements of *The Manual* of The United Church of Canada.

Similarly, volunteers who are found to have maliciously and/or intentionally wrongfully accused an individual of workplace violence may be subject to disciplinary action up to and including removal from office or membership, subject to any relevant requirements of *The Manual* of The United Church of Canada.

8.6 Employees who are found to be at risk of engaging in violent conduct or who have engaged in violent conduct may be subject to discipline, referral to professional program, suspension or dismissal.