



## The Corporation of the Town of Tecumseh

Corporate Services & Clerk

**To:** Policies and Priorities Committee

**From:** Laura Moy, Director Corporate Services & Clerk

**Date to Council:** October 22, 2019

**Report Number:** CS-2019-33

**Subject:** Violence and Harassment in the Workplace Policy No. 68  
Annual Review

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### Recommendations

It is recommended:

**That** the Violence and Harassment in the Workplace Policy No. 68, as revised and appended to Report No. CS-2018-17, **be approved**;

**And that** the approved Violence and Harassment in the Workplace Policy No. 68 **be posted** in all Municipal Buildings.

### Background

Section 32.0.1(1) of the *Occupational Health and Safety Act, R.S.O. 1990, c.0.1. (Act)* states an employer shall “prepare a policy with respect to workplace violence and review the policy as often as is necessary, but at least annually.”

Section 32.0.6(1) of the Act requires an employer, in consultation with the Joint Health and Safety Committee, to develop and maintain a written program to implement the policy with respect to workplace harassment required under Section 32.0.1(b).

## Comments

### Violence and Harassment in the Workplace Policy No. 68

The Violence and Harassment in the Workplace Policy (Policy) was adopted and developed in accordance with the Act. The Policy states: The Corporation of the Town of Tecumseh (Corporation) is committed to early identification and prevention of workplace violence and workplace harassment and to taking all reasonable precautions to protect workers from the same.

All allegations of workplace violence will be investigated immediately. Any form or manner of workplace violence and/or workplace harassment will not be tolerated. Employees who are found to have engaged in such conduct will be subject to disciplinary action up to and including termination of their employment.

In the event the Corporation becomes aware of a domestic violence situation that may or would likely expose a worker to physical injury in the workplace, every precaution reasonable in the circumstances for the protection of the worker shall be taken.

A worker has the right to refuse work where the worker has reason to believe that workplace violence is likely to endanger the worker.

## Summary

In accordance with the Act, the Violence and Harassment in the Workplace Policy No. 68 is reviewed at least annually. The review is undertaken in consultation with the Joint Health and Safety Advisory Committee (JHSC) and the Corporation's Health & Safety Consultant, Dunk & Associates (Consultant).

As result of the 2018 review, in consultation with the JHSC, Consultant and Legal Counsel, the following recommended changes to the Policy were approved by Council, including:

1. Highlighting the definitions contained in the Policy are the definitions contained in Act;
2. Amending Compliance and Reporting, in compliance with a Ministry of Labour Order, and to provide greater clarity as to when it is determined that an unbiased investigation cannot be conducted internally and a qualified, experienced third party will be contracted to conduct the investigation;
3. Including a paragraph to recognize the Employer will at all times comply with the no reprisal provision contained in Section 50(1) of the Act;
4. Incorporating the obligation to inform any Complainant and Respondent, if he or she is a worker of the employer, in writing, of the results of an investigation and of any corrective action that has been taken, or will be taken, as a result of the investigation within ten (10) days, if possible; and
5. Other minor housekeeping amendments.

The Policy has been reviewed for 2019 in accordance with the Act, and in consultation with the JHSC and the Consultant. The only recommendation from the consultation is to add the following paragraph under “Scope” on Appendix A – Violence and Harassment in the Workplace Procedures:

- 3.1 The Corporation is committed to providing and maintaining a working environment that is based on respect for the dignity and right of its workers. It is the Corporation’s goal to provide a healthy and safe work environment and the Corporation is committed to fostering an environment that is free from any of the forms of harassment and/or violence which are prohibited under the Occupational Health and Safety Act, harassment and/or violence are unacceptable within the Corporation in any form and at any level.

[Attachment 1](#) is a copy of the Policy with the above recommended paragraph added, followed by numerical changes to the subsequent paragraphs.

## **Consultations**

Joint Health and Safety Advisory Committee  
Dunk & Associates, Health & Safety Consultant

## **Financial Implications**

There are no direct cost implications associated with these Policies. Good health and safety practices/procedures, as well as employee training, all help to prevent workplace injuries. Workplace injuries can create financial implications as a result of loss of work and employee health care.

## Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
<input checked="" type="checkbox"/>	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
<input checked="" type="checkbox"/>	Ensure that Tecumseh’s current and future growth is built upon the principles of sustainability and strategic decision-making.
<input checked="" type="checkbox"/>	Integrate the principles of health and wellness into all of Tecumseh’s plans and priorities.
<input checked="" type="checkbox"/>	Steward the Town’s “continuous improvement” approach to municipal service delivery to residents and businesses.
<input checked="" type="checkbox"/>	Demonstrate the Town’s leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

## Communications

Not applicable

Website

Social Media

News Release

Local Newspaper

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Laura Moy, Dipl. M.M., CMMIII HR Professional  
Director Corporate Services & Clerk

Recommended by:

Margaret Misek-Evans, MCIP, RPP  
Chief Administrative Officer

<b>Attachment Number</b>	<b>Attachment Name</b>
1	Policy No. 68 – Violence and Harassment in the Workplace