

MEMORANDUM

TO: All Staff

DATE: July 22, 2010

FROM: Gerry Mitchell, Director for Health and Safety

SUBJECT: Policies, Practices and Procedures to Prevent
Violence and Harassment in the Workplace

As you may know, the Ontario Government recently passed Bill 168: the Occupational Health and Safety Amendment Act (Violence and Harassment in the Workplace (2009)). Employers are required to implement policies and procedures to ensure that their organization is compliant with Bill 168's new requirements.

PML has prepared policies and procedures to address the changes made by the new regulation with respect to workplace violence and harassment.

As required by Bill 168, PML, in conjunction with the Joint Health and Safety Committee (JHSC), performed a risk assessment for potential workplace violence based on the nature of our workplace and the type of work we perform.

We have developed a program which includes measures and procedures to control the risks identified in the risk assessment. The procedures also include a framework for employees to report incidents of workplace violence and/or harassment to the employer and supervisor.

After reviewing the document, please complete the attached quiz, and associated sign off sheet, and return this information to your Branch Manager (or designate) by August 6, 2010.

If you have any questions or concerns, please speak to your Branch Manager.

**POLICIES, PRACTICES AND PROCEDURES TO PREVENT
VIOLENCE AND HARASSMENT IN THE WORKPLACE**

At Peto MacCallum Ltd. (PML), nothing is more important to us than the physical and mental health, safety, security, dignity, self-respect and well-being of our employees, managers, contractors, and that of our visitors, including vendors, suppliers and members of the general public. Employees and other internal and external stakeholders have a right to work and conduct their business at PML without fear of violence or anything that would disrupt our safe and respectful workplace.

Violence, intimidation, harassment and bullying in any form will not be tolerated on PML premises, at any PML event or while conducting PML business, for any reason whatsoever. We acknowledge our responsibility to support and assist persons subject to violence and harassment and that appropriate action will be taken, whether such conduct is perpetrated by an employee, manager, contractor, or a member of the public.

WORKPLACE VIOLENCE

Workplace violence is defined in the Occupational Health and Safety Act as the exercise, or the attempt to exercise, physical force by a person against a worker, in a workplace, that causes or could cause physical injury, or a statement or behavior that is reasonable to interpret as a threat to exercise physical force that could cause injury. PML recognizes that there is a potential for workplace violence to occur. We also acknowledge that physical and emotional harm can often arise out of such acts of violence. No forms of violence will be tolerated in the workplace, either on the part of employees, managers, contractors, suppliers or visitors. Every effort will be made by the Company to identify possible sources of violence and to implement procedures which eliminate or minimize the risks created by such situations. Any acts of violence or threats of violence in the workplace are unacceptable and will give rise to disciplinary sanctions, up to and including termination of employment. The Company is committed to the prevention of workplace violence and to responding appropriately if workplace violence does occur. All managers, employees and contractors are responsible for creating and maintaining a safe work environment free from violence, threats and intimidation. Workplace violence includes, but is not limited to, the following types of conduct:

- Actual and attempted acts of physical violence, including actions such as hitting, punching, slapping or kicking.
- Threats of physical violence or intimidation.
- Sexual assault.
- Other acts of physical aggression, such as the deliberate destruction of, or damage to, property especially where such actions are meant to intimidate one or more individuals.

Employees who are victims of violent incidents in the workplace are advised to consult a physician for treatment and/or referral for counseling. PML will not discriminate or retaliate against an employee because he or she has been or is perceived to be a victim of workplace violence.

Workplace Violence Prevention Program

At PML we have taken specific measures to implement this Workplace Violence Policy. These measures are referred to as our Workplace Violence Prevention Program. The Program includes specific measures and procedures to control risks of workplace violence, as identified in the section on the Workplace Violence Risk Assessment below. Such measures include the following:

- Implementing procedures for summoning immediate assistance when workplace violence occurs or is likely to occur.

- Implementing procedures for reporting incidents of workplace violence.
- Implementing procedures for investigating and dealing with alleged incidents of workplace violence.

Reporting and investigation procedures are detailed in the policy (page 11) entitled "What to Do in Cases of Violence or Harassment."

This Workplace Violence Policy will be reviewed on an annual basis, or more frequently where necessary.

Workplace Violence Risk Assessment

We have conducted a workplace violence risk assessment and will reassess the risks of workplace violence as often as necessary. The results of these assessments are communicated to affected employees and to the Joint Health and Safety Committee Representatives. The risks of violence which are assessed relate both to the potential for violent acts perpetrated by employees as well as by visitors and members of the public. When conducting these assessments, the following factors are taken into consideration:

- Circumstances specific to our workplace and/or specific roles within the organization.
- Circumstances that would be common to similar workplaces.

In the past, incidents of workplace violence have primarily occurred while conducting inspections on construction sites (off-site).

In addition to staff required to inspect construction sites, we have identified the following positions as having some increased risk of workplace violence:

- Receptionist/Switchboard
- Credit and Collections Representative
- Managers
- Staff travelling for business
- Staff working off hours

We will notify staff of risks of violence which are specific to your work location, job or shift through training programs or by direct contact with your supervisor or manager.

Individuals with a History of Violence

Under the *Occupational Health and Safety Act*, we have an obligation to warn employees of the identity and personal details of an individual with a history of violent behavior where there is a risk of workplace violence being perpetrated by that person. Such information will only be provided where the employees concerned could reasonably be expected to encounter that person at work, and where the risk of workplace violence is likely to expose those employees to injury. Confidentiality will be maintained wherever possible. Information which relates to potentially violent individuals will be shared with employees only on a need to know basis. Employees are therefore expected to maintain confidentiality where they are in receipt of this type of sensitive personal information.

Workplace Violence Awareness Training

PML requires all new hires, as part of their Orientation program, to undergo workplace violence awareness training (reviewing and understanding this document). In addition, where we identify specific risks pertaining to your position, work location or shift, you will be provided with additional guidance and instruction. From time to time, we will also conduct training or provide referrals for one or more specific individuals where they require anti-violence awareness or anger management, training as part of a Corrective Action Plan, or as identified through training needs analysis.

Right to Refuse Unsafe Work

With certain exceptions, under the Occupational Health and Safety Act, a worker has the right to refuse unsafe work where he or she has reason to believe that work is unsafe. The right to refuse unsafe work includes situations where workplace violence is likely to endanger the employee concerned. In all cases, the belief that the work is unsafe must be reasonably held.

All work refusals will be investigated by the employee's supervisor/manager and the Joint Health and Safety Committee Representative. During a work refusal investigation, employees must remain in a safe place which is as near as possible to their workstations, making themselves available for the purposes of the investigation.

Robbery • Fighting • Violent / Illegal Acts

At PML, we urge you not to get involved in any actions meant to thwart or deter a robbery, violent act or other serious criminal activity while on PML property or while conducting PML business.

If you do encounter such activities, do not try to stop the robbery, violent act or crime. As soon as you and your co-workers are safe, notify your immediate supervisor or manager immediately.

If a fight breaks out in the workplace, do not try to physically intervene. Instead, notify your supervisor or manager immediately, and phone 911, if appropriate.

All serious criminal activities must be reported immediately to the proper authorities.

Procedures

The following are some procedures to consider in the event you are faced with a potentially violent situation:

1. **Signs that a person may be becoming violent**

Sometimes it is not what a person says, but what their body is "doing". Use caution if you see someone who shows one or more of the following "non-verbal" signs or body language.

- Red-faced or white-faced
- Sweating
- Pacing, restless, or repetitive movements
- Trembling or shaking
- Clenched jaws or fists
- Exaggerated or violent gestures
- Change in voice
- Loud talking or chanting

- Shallow, rapid breathing
- Scowling, sneering or use of abusive language
- Glaring or avoiding eye contact
- Violating your personal space (they get too close)

2. How to end a "negative interaction"

It is important to know how to safely and effectively end a conversation or interaction before the situation escalates. Here are some tips:

- Interrupt the conversation firmly but politely.
- Do not do anything to encourage an escalation in tension.
- Tell the person that you:
 - Do not like the tone of the conversation.
 - Will not accept abusive treatment.
 - Will end the conversation if necessary.
- Tell the person that you will ask him or her to leave (the building, your office, etc.) or that you will leave.
- If the behaviour continues, end the conversation. Ask the person to leave, or leave yourself.
- If the person does not agree to leave, remove yourself from the scene and inform your manager or supervisor immediately.
- Do not return to the meeting if you believe the person may be a physical threat.
- Tell other staff and have them leave the immediate area as well.
- Call security or your local police.
- File an incident report.

3. What to do if you feel threatened

Politely and calmly end the interaction in a non-threatening way, if possible. Know what back-up and advice (e.g. from your manager, supervisor or a co-worker) is available to help you when handling a difficult individual.

Get help

- Send for security or someone more senior.
- Use a silent alarm.
- Use or page (over the intercom) a pre-arranged code word.

If you have threatened to call the police or security, be sure that you do.

4. For Staff Working Off-Site

- Always take your cell phone with you and keep it in a place you can access quickly.
- Be alert and make mental notes of your surroundings when you arrive at a new place.
- Maintain a 'reactionary gap' between yourself and the client (e.g., out of reach of the average person's kicking distance). Increase the gap by sitting across from each other at a table, if possible.
- If you are referring to written material, bring two copies so that you can sit across from the client, not beside.

- Ask a Supervisor to come with you if something makes you feel uneasy. Tell your supervisor about any feelings of discomfort or apprehension about an up-coming meeting.
 - Keep records and indicate if the client is known to be aggressive, hostile or potentially violent and provide this information to your Supervisor. Do not leave out incidents that make you feel apprehensive.
 - Do not enter any situation or location where you feel threatened or unsafe.
 - Do not be afraid to leave the situation
 - Do not carry weapons of any type, including pepper spray. Weapons can be easily used against you and are illegal in some jurisdictions.
 - Be conscious of any events where alcohol is served and individuals can become more aggressive.
5. Staff Working Off Hours
- Ensure your vehicle in the parking lot remains locked when unattended.
 - Look around and look in the vehicle (particularly the back seat) prior to entering the vehicle.
 - Maintain the premises locked while you are in the building.
 - Keep your cell phone handy
 - If using public transportation, use well lit areas.
6. Travelling During the Course of Work
- Keep your car locked at all times
 - If threatened, call 911. Do not provoke an attacker and do as requested – hand over any valuables when requested.
 - Be aware of Road Rage and do not provoke anyone.

DOMESTIC VIOLENCE

According to Statistics Canada, in 2004, approximately 7% of all women had been victims of domestic violence during the previous five years. While women are much more likely than men to be the victims of serious domestic assaults, both men and women, in either opposite or same-sex relationships, and in married, common law or dating relationships, can be victims of such abuse. Domestic violence, which affects people of all ages and all ethnic, racial, religious, educational and socioeconomic backgrounds, is defined as violent, threatening or extremely coercive behavior perpetrated by one partner in a current or formerly intimate relationship on the other. It can consist of a pattern of ongoing abuse lasting years or one single isolated incident.

Domestic violence includes, but is not limited to, the following types of behavior:

- Actual or threatened physical violence or harm, up to and including incidents of serious assault and even homicide.
- Sexual assault (forcing someone into sexual activities against their will is a crime even where the parties are married to one another).
- Stalking and other forms of harassment and intimidation.
- Threats of harm or actual harm perpetrated against others (e.g., the victim's children, friends, family, co-workers, etc.).
- Damaging, destroying, or threatening to destroy, property belonging to the victim or individuals who are closely associated with the victim.

Domestic violence is a crime. While psychological, financial and emotional abuse are not crimes per se, such conduct is also unacceptable. The same can be said for extremely controlling behavior (e.g., controlling what the victim wears, not allowing him or her to see certain people, leave the house or socialize with others, limiting the victim's right to free speech, etc.).

At PML, we have the utmost respect for your privacy and do not wish to intrude into the personal lives of our employees. However, where we are aware of the existence of domestic violence, or where such violence is suspected, and the consequences of domestic violence are likely to spill over into the workplace, we have a legal and moral obligation to intervene in the interests of the individual concerned and other employees.

Our obligations in this area are as follows:

- To take measures protecting the employee who is a victim of domestic violence from his or her current or former partner while at work;
- To protect other employees from acts of domestic violence occurring in the workplace; and
- To warn other employees of the identity and personal details of an individual with a history of violent behavior where there is a risk of workplace violence being perpetrated by that person.

Information on potentially violent individuals includes, but is not limited to, the identities, personal histories and descriptions of current or former partners of PML employees. In the interests of being respectful and sensitive towards victims of domestic violence, confidentiality will be maintained wherever possible. Information which relates to actual or suspected domestic violence, or violent individuals, will be shared with others only on a need to know basis.

No one should ever be required to put up with violent, intimidating or abusive conduct in the workplace including violence at the hands of one's current or former spouse or partner. PML aims to help ensure that the workplace remains a safe haven, free from the dangers of domestic violence and abuse. In order to facilitate this, we have implemented several specific measures designed to help combat domestic violence, as noted below under "Our Responsibilities".

We are also prepared to take other measures to help individual employees, either on request of that individual, or where it becomes clear that there is a likelihood of that person becoming a victim of domestic violence in the workplace. Finally, there are also specific things you can do to protect yourself. Some of these are listed below, under "Actions Employees Can Take."

Our Responsibilities:

Some of the measures we have implemented to help combat domestic violence include:

- Developing this Domestic Violence Policy.
- Ensuring that the concerns of employees who report incidents of domestic violence are taken seriously, that such information is shared only with other employees who need to know about these issues, and that appropriate measures are taken to minimize the possibility of acts of domestic violence occurring in the workplace.
- Performing a violence risk assessment of our premises and our business and implementing security measures designed to combat violence in the workplace.

On request of an employee, or where it becomes clear to management that there is a potential for acts of domestic violence to occur in the workplace, the Company is also prepared to take some or all of the following measures, as appropriate:

- Notifying reception of the identity and/or description of an abuser, with the direction that under no circumstances will that individual be allowed to contact the employee while he or she is at work.
- Banning an individual from the premises and calling the police, if necessary.
- Moving an employee's workstation to a less public and/or more secure area of the building.
- Removing an employee's name from the PML telephone directory.
- Providing a security escort to an employee's vehicle or to public transit.
- Changing an employee's mailing address, emergency contact details and home telephone number, and ensuring that such information remains confidential.
- Allowing for changes in hours, flexible hours, time off and job-protected leaves of absence where required for reasons connected with the issues of domestic violence and abuse.
- Reassigning the employee to a different work location, or, where possible, to a non-customer facing role.
- Providing information to other employees about an individual with a history of violence where those employees are likely to encounter that person in the course of their work and where there is risk of physical injury.

Actions Employees Can Take:

Employees who find themselves in the unfortunate position of being victims of domestic violence and abuse can take actions to protect themselves. It is important to realize that you are not alone and that help is available. Some of the things you can do include:

- Talk to friends and family about your concerns.
- Inform your supervisor or manager.
- Talk to your doctor or obtain the advice of a family lawyer.
- Contact a women's shelter, an organization such as Victim Crisis Assistance and Referral Services (VCARS) or the Victim Support Line (VSL).
- Preserve evidence of instances of abuse and note dates and times of specific incidents.
- Call the police. Domestic violence is a crime, as is criminal harassment (i.e., "stalking"). In addition to possibly arresting the abuser, police officers are trained to provide guidance, support, assistance and referrals to victims of domestic violence and criminal harassment.
- Obtain a peace bond or a restraining order against the abuser from a court. If you are married, you may also be able to obtain an order from a court granting you exclusive possession of the family home.
- Apply to a court to have access to children denied to the abuser where the children are also victims of domestic violence and/or abuse. Where domestic violence impacts children, it is also a good idea to inform your child's school or daycare provider.
- Consider basic personal security measures such as moving, obtaining an unlisted telephone number, changing locks, purchasing an alarm system, obtaining a cell phone, avoiding isolated areas, taking a self-defense course, etc.

WORKPLACE HARASSMENT

Workplace harassment is defined in the *Occupational Health and Safety Act* as 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. While PML's Workplace Harassment Policy is not meant to stop free speech or to interfere with everyday social relations, harassment can be distinguished from normal, mutually acceptable socializing in that it is offensive, insulting, intimidating, hurtful and malicious. It creates an uncomfortable work environment and has no place in employment relationships at our Company.

Guiding Principles:

- What one person finds offensive, others may not. Generally, harassment is considered to have taken place if the person knew, or ought to have known, that the behavior is unwelcome.
- For the purpose of this Policy, retaliation against someone for invoking this Policy, for participating and cooperating in any investigation under this Policy, or for associating with a person who invoked this Policy, will be treated as a form of workplace harassment in itself.
- Our Policy applies to all our employees, managers and contractors, and extends to all PML activities.
- It is both your responsibility and ours to keep each other informed of matters that infringe upon these rights. These matters must be brought to the attention of your supervisor or manager.
- While harassment is usually based on an ongoing pattern of abuse, in some instances a single incident can be sufficiently serious to constitute harassment.
- In the interests of being respectful and sensitive towards victims of workplace harassment, confidentiality will be maintained wherever possible. Exceptions will only be made where disclosure is necessary for the purposes of conducting a proper investigation or taking appropriate disciplinary/corrective measures, or where required by law.

Workplace harassment includes, but is not limited to:

- Workplace bullying, which includes making rude, degrading or offensive remarks, discrediting the person, spreading rumors, ridiculing him or her, humiliating the person, calling into question their convictions or their private life, shouting abuse, etc.
- Sexual or racial harassment, or harassing someone based on any ground prohibited by human rights legislation, including race, color, sex, sexual orientation, pregnancy, civil status, age, religion, political convictions, language, ethnic or national origin, social condition or disability.
- Refusing to speak to or work with someone or treating that person differently because of their ethnic or racial background, sexual orientation, social condition, religion, political convictions, first language, etc.

While harassment in any form will not be tolerated, we have specific policies below dealing with three types of workplace harassment: (1) sexual harassment; (2) racial/ethnic harassment; and (3) bullying. The inclusion of specific policies must not, however, be taken to mean that we will ignore other forms of harassment. Rather, these three policies are included here because such conduct is regrettably still too common in today's workplaces.

At PML, we take all allegations of harassment in the workplace very seriously, regardless of the identity of the victim, the grounds for the harassment, or whether such harassment is perpetrated by a person's manager, co-worker, subordinate, or by a supplier, consultant, or member of the general public. As an employee, manager or contractor at our Company, you have certain responsibilities in our workplace as detailed below, under "What to Do in Cases of Violence or Harassment."

We expect all of our employees, managers and contractors to help us maintain a workplace free of harassment. Failure to do so will give rise to disciplinary sanctions, up to and including termination of employment. We will not discriminate or retaliate against an employee because he or she has been or is perceived to be a victim of workplace harassment.

Workplace Harassment Prevention Program

At PML we have taken specific measures to implement this Workplace Harassment Policy. These measures are referred to as our Workplace Harassment Prevention Program. Such measures include the following:

- Implementing procedures for reporting incidents of workplace harassment.
- Implementing procedures for investigating and dealing with alleged incidents of workplace harassment.

Reporting and investigation procedures are detailed in the policy below entitled "What to Do in Cases of Violence or Harassment."

Workplace Harassment Awareness Training

PML requires all new hires, as part of their Orientation program, to undergo workplace harassment awareness training (reviewing and understanding this document). In addition, from time to time we will conduct refresher sessions for all employees and may conduct sessions or provide referrals for one or more specific individuals where they require anti-harassment awareness training as part of a Corrective Action Plan, or as identified through training needs analysis.

Sexual Harassment

At PML we are committed to providing our employees with a work environment free from sexual harassment. All our employees have the responsibility to conduct themselves accordingly. Like other forms of harassment in the workplace, sexual harassment is against the law. It is also against our policy, which is to encourage respect and courtesy among us all. Also, such conduct creates a negative impact on work performance and creates an intimidating, hostile and/or offensive working environment. Examples of sexual harassment include, but are not limited to:

- Gender-related comments about an individual's physical attributes, mannerisms or characteristics.
- Unwelcome physical contact such as patting, touching, pinching, petting, etc.
- Suggestive or offensive remarks.
- Unwelcome propositions of physical intimacy.
- Gender-related verbal abuse, threats or taunting.
- Leering (e.g., a side glance expressive of malignity, amorousness or some unworthy feeling).
- Bragging about sexual prowess.
- Demands, for dates or sexual favors; making promotions or perks contingent upon the granting of sexual favors.

- Negative consequences (e.g., firing, demoting or assigning unpleasant work) as a result of spurned advances or a relationship gone sour.
- Offensive jokes or comments of a sexual nature about an employee.
- Displays of sexually offensive pictures.
- Unwelcome questions or discussions about sexual activities.
- Sexual assault (this is also considered to be a type of workplace violence).
- Unwelcome language related to gender.

Both male and female employees can be victims of sexual harassment, which can be perpetrated by members of the opposite sex as well as those of the same sex. While incidents of sexual harassment are often characterized by an imbalance of power in the workplace, this is not necessarily always the case, with a harasser's co-worker and even his or her manager sometimes being the victim.

Racial/Ethnic Harassment

According to [the Ontario Human Rights Commission, racial harassment is when someone bothers, threatens or treats another person unfairly because of his or her race, color or ancestry. Such forms of harassment can also be connected with one's place of origin, religion, citizenship or first language.] Examples of racial or ethnic harassment include, but are not limited to:

- Unwelcome remarks, jokes or innuendos about a person's racial or ethnic origin, color, place of birth, citizenship or ancestry.
- Displaying racist or derogatory pictures or other offensive material.
- Insulting gestures or practical jokes based on racial or ethnic grounds which create awkwardness or embarrassment.
- Refusing to work with someone because of his or her racial or ethnic origin.

Workplace Bullying

The Canadian Centre for Occupational Health and Safety (CCOHS) defines workplace bullying as acts, physical contact or comments which can have the effect of mentally hurting or isolating a person in a workplace. Like schoolyard bullying, workplace bullying usually consists of repeated incidents or a pattern of behavior that is intended to intimidate, offend, belittle or humiliate a particular person or group of people. Many bullies attempt to assert some type of power over their victims through inappropriate aggression, and therefore may or may not be in a position of formal authority over their victims.

Bullying can have many negative effects on the individual concerned, including stress, feelings of helplessness, fear, low productivity, physical illness and anxiety. It can also negatively impact an organization in terms of staff turnover and employee retention, and reduced morale and productivity. Therefore, PML will not tolerate workplace bullying in any form. Managers, employees and contractors who engage in such conduct will be subject to disciplinary action, up to and including termination of employment.

Workplace bullying (otherwise known as "psychological harassment") includes, but is not limited to, the following types of conduct:

- Character assassination; spreading rumors, gossip and
- Innuendo, especially that which is malicious, hurtful and untrue.
- Social isolation; ostracizing or ignoring an individual.

- Violence, intimidation or threats of violence.
- Deliberately undermining someone or stopping that person from completing his or her work.
- Belittling an employee's work or achievements or constantly taking credit for that person's accomplishments
- Removing responsibilities and accountabilities without reason.
- Constantly changing work requirements and/or standards.
- Assigning unreasonable duties or workload to an employee;
- Assigning demeaning and/or insulting work.
- Establishing impossible deadlines designed to set up an employee for failure.
- Withholding necessary information or deliberately giving false information.
- Making or forwarding offensive jokes, especially when the jokes are directed towards that person or to an identifiable group to which that person belongs.
- Spying on someone, stalking the person, sabotaging or tampering with his or her equipment or belongings, or otherwise invading that person's privacy.
- Regularly shouting or using profanity, especially when directed towards the individual concerned.
- Constantly or persistently criticizing an individual or regularly criticizing someone in public.
- Unwarranted, unjust or unreasonable punishment such as constantly threatening someone with being fired where termination is not warranted.
- Falsely accusing an employee of misconduct, criminal activities or harassment.
- Continuously blocking reasonable requests for training, leaves or transfers.
- Engaging in online or "cyber" bullying.

Unless an individual has been unfairly singled out for especially harsh treatment, workplace bullying generally does **not** include situations such as the following:

- Holding people accountable for their performance through the provision of routine coaching and feedback, fair and objective performance appraisals, performance improvement plans, or through appropriate and justifiable disciplinary action.
- Providing fair and reasonable constructive feedback or evaluation of the work completed by a colleague or a direct report.
- A manager assigning additional work of a reasonable scope and quantity to his or her direct reports, or requesting an employee to work reasonable overtime hours when required.
- Minor differences of opinion and/or the occasional workplace conflict which does not get out of hand.
- Occasionally showing slight frustration or annoyance, where such behavior is justified and displayed in a respectful manner with no threat of violence, intimidation or other reprisals.

WHAT TO DO IN CASES OF VIOLENCE OR HARASSMENT

At PML, we are committed to providing a workplace free from violence and harassment in which everyone can expect to be treated with dignity and respect. Workplace violence and harassment will not be tolerated for any reason; they are serious matters which will give rise to disciplinary sanctions, up to and including termination of employment. This includes violence and harassment both at and away from the actual work site, as long as there is some connection with the work relationship. Instances of workplace violence and harassment include those which occur during business travel, at off-site conferences and training, in the cafeteria and at work-related social gatherings, etc.

In this Policy, "complainant" normally refers to the person who is the victim of the alleged violence or harassment, but can also refer to another individual who files a complaint on behalf of the victim, such as a witness or the victim's supervisor, manager or colleague. "Respondent" refers to the person who has allegedly committed acts of violence or harassment. The process described below applies to complaints of either violence or harassment, except where otherwise indicated.

All claims of workplace violence and harassment will be dealt with fairly, promptly and confidentially.

Roles and Responsibilities

We all have a role to play in preventing workplace violence and harassment and in dealing with such allegations when they do occur. Some of the specific roles and responsibilities of the relevant stakeholders are detailed below.

Employees and Contractors:

- To treat everyone in the workplace with dignity and in a manner that is respectful and free of violence, threats, intimidation and harassment.
- To make changes to their own behavior where they become aware that there is potential for such behavior to harm, intimidate, threaten or cause offence to others.
- To refuse to accept violent or harassing behavior from others, regardless of whether that behavior is perpetrated by one's manager or co-workers, or by a supplier or member of the public.
- To intervene and/or report instances of inappropriate behavior on the part of others which could amount to workplace violence or harassment.
- To be supportive of others who are victims of workplace violence or harassment.
- To cooperate fully with any and all workplace violence and harassment investigations.

Supervisors and Managers:

- To maintain a workplace free from violence and harassment.
- To take allegations of violence or harassment seriously and follow-up appropriately.
- To maintain confidentiality wherever possible.
- To be familiar with the requirements of the Violence and Harassment in the Workplace Policy.
- To be aware of the signs of workplace violence and harassment and be prepared to intervene when appropriate.
- To refer victims or perpetrators of violence or harassment to appropriate resources where applicable.
- To set a good example and maintain a high standard of conduct in all dealings with others.

Complainants/Victims of Violence or Harassment:

- In cases of harassment, to clearly inform the harasser that his or her behavior is unacceptable and that it must stop immediately. In cases of violence or in other cases where the complainant is not comfortable informing the respondent personally, this may be done by a supervisor or manager.
- To preserve evidence and document dates, times and the names of any witnesses, as well as any attempts to resolve the situation.
- To cooperate fully with any and all workplace violence or harassment investigations.

Respondents/Employees Accused of Violence or Harassment:

- To cooperate fully with any and all workplace violence or harassment investigations.
- To preserve evidence related to instances of alleged violence or harassment, documenting dates, times and the names of any witnesses - especially that which would help prove that any alleged incidents did not occur, or that such events did not constitute violence or harassment.

Management

- To educate employees about workplace violence, harassment and domestic violence.
- To assist managers and employees in investigating allegations of workplace violence and harassment.
- To inform employees and managers of their rights and responsibilities and of their right to obtain legal advice and/or representation from a qualified lawyer independent from the Company.
- To mediate workplace disputes involving workplace harassment, where appropriate, to facilitate the finding of a mutually acceptable solution.
- To assist employees in filing complaints of workplace violence and harassment.
- To provide referrals and information about assistance that may be available through the Employee Assistance Program.

Investigators:

- To carry out fair and impartial investigations into allegations of workplace violence and harassment. An investigator is a specially trained person who is appointed to investigate a formal complaint of workplace violence or harassment. An investigator would normally be a member of the Joint Health and Safety Committee or a neutral third party.

Joint Health and Safety Committee/Health and Safety Representative:

- To be informed where incidents of workplace violence occur which result in personal injury. Wherever possible, the identities of the individuals concerned will be protected.
- To participate in an investigation where there is a work refusal as a result of workplace violence.
- To conduct or obtain the results of workplace violence risk assessments.
- To provide recommendations in relation to policies, procedures and programs with regard to the prevention of workplace violence and harassment.
- To respond to employee concerns related to workplace harassment or bullying.

Filing a Complaint

Complaints of workplace violence or harassment should be filed as soon as possible. We take all allegations of violence and harassment seriously, but may have a difficult time investigating or proving allegations where a complaint is not filed within one year.

Where there is an extremely urgent and/or life-threatening situation in the workplace, particularly with regard to serious violence, the most important concern is the immediate safety and well-being of affected employees, contractors, visitors and other individuals. Depending upon the situation, the most immediate need could be to call the police, fire department or paramedics, summon medical attention, secure the location or evacuate the premises. Your safety and security is of paramount importance. Therefore, while the procedure outlined below is mandatory in instances of workplace violence and harassment, common sense must prevail. For example, in a life-threatening situation, or one where there is a genuine threat of serious bodily harm, there may be little sense in asking the perpetrator to stop, since doing so might just provoke that person even further.

Wherever possible, it is important to let a harasser or abuser know right away that his or her behavior is unacceptable and that it must stop immediately. Recall that what one person finds offensive, others may not. Therefore, in many cases of harassment especially, the person may not even be aware that his or her behavior is inappropriate. A simple warning from the person on the receiving end of such conduct or comments may be enough to correct the problem. Documentation is extremely important at this stage, even if the problem appears to have been resolved, but especially if the harasser does not stop or if the violence or harassment is serious and justifies a formal complaint.

Where an employee is not comfortable communicating directly with the harasser or abuser, or if efforts to resolve the situation between the parties have been ineffective, the employee has the option of speaking with his or her manager or supervisor. At that point, the employee can either file a complaint, or have his or her manager speak with the perpetrator.

All incidents involving workplace violence must be reported to the employee's manager or supervisor, even if the complainant believes that the problem has been resolved satisfactorily. If the employee does not wish to file a formal complaint of violence or harassment, the problem may be resolved informally or mediated through discussion with a supervisor or manager. Many disputes involving workplace harassment in particular can be successfully resolved through informal discussion and dialogue or some form of mediation.

If allegations of violence or harassment are serious, if efforts to resolve a dispute informally prove to be unsuccessful, or if the employee wishes to do so from the outset, a formal complaint can be filed. Formal complaints include:

- Filing a written complaint for internal investigation under this Policy normally by filling out and submitting a Workplace Violence and Harassment Incident Reporting Form. Completed forms, which must be signed and include details of the alleged incident(s), can be submitted to your immediate supervisor or manager. Where the respondent is your immediate supervisor, you may submit the complaint to the next level of management.
- Other legal remedies. Employees should seek independent legal advice for an explanation of their rights under the law.

Investigations

All formal complaints of workplace violence and harassment will be taken seriously by PML. If it is determined that an investigation is required, it will be handled by a senior member of the management team, Joint Health and Safety Committee Member, or by an external investigator. The purpose of an investigation is to gather evidence and interview both parties to the dispute as well as any witnesses. All relevant information will be gathered, including dates, times and the details of any alleged incidents.

It is our intention to conclude investigations as soon as possible and to give anyone accused of workplace violence or harassment an opportunity to provide a defense to the allegations and to present his or her side of the story. Both complainants and respondents have the right to seek independent legal advice and/or representation with respect to any investigation, and will be notified in writing of the outcome of the investigation.

Disciplinary/Corrective Action

Once it is determined that workplace violence or harassment has occurred, the PML Branch Manager or his/her designate will take such [disciplinary/corrective] action as is required under the circumstances, having regard to a variety of factors including, but not limited to:

- The seriousness of the complaint;
- The impact on the complainant;
- The persistence of the conduct complained of;
- The respondent's disciplinary record;
- The degree and aggressiveness of any physical contact;
- The wishes of the complainant;
- The degree, if any, to which the respondent misled a person investigating the incident; and
- The degree of a respondent's willingness to cooperate and to change his or her behavior.

PML reserves the right to take disciplinary/corrective action in the absence of a specific complaint, or where a complaint is initiated by a person other than the victim.

Confidentiality

The existence of complaints, both informal and formal, and any details pertaining to such complaints will be kept in confidence, except where disclosure of information is required to investigate the complaint, where such information is necessary for the respondent to defend against such allegations, or where we are required by law to do so, for example, as part of an investigation conducted by a law enforcement agency.

False and Unsubstantiated Complaints

No disciplinary action or reprisal can be made against a complainant who acts in good faith and exercises his or her rights under this Policy and under the law, even if the complaint turns out to be false, impossible to verify or if the behavior complained of does not amount to violence or harassment. A reprisal against such a complainant is itself a form of harassment and will not be tolerated. However, a false accusation made by a person who knows it to be false may also amount to harassment and would be subject to the procedures outlined above.

COMPLAINTS INVOLVING SUPPLIERS, VISITORS OR MEMBERS OF THE PUBLIC

This Policy applies to harassment and violence that may be perpetrated by and against people who are not employees of PML. This includes, but is not limited to, individuals such as contractors, suppliers, visitors, or other members of the public.

Where a PML or supplier, visitor etc. has been asked to stop abusing or harassing an employee and does not, PML employees are authorized to tell the individual that his or her behavior is inappropriate, end telephone conversations, politely decline service or to ask the individual to leave the premises. You must also notify your supervisor or manager if such a situation arises.

If a third party is found to have violated this Policy, the Company has a duty to take reasonable steps to protect the safety, security and dignity of individuals affected by those actions and to resolve the situation. Remedies for these types of situations will depend on the particular circumstances of the complaint, but may include one or more of the following sanctions:

- Removing contractors, supplier, visitor or other workers who participate in harassment from the premises, and/or terminating their contracts.
- Barring the person from our facilities.
- Refusing service to that person.
- Notifying the police or other appropriate authorities.
- Taking legal action against the individual.
- In appropriate circumstances, re-assigning the complainant to avoid contact with the abuser or harasser.

WORKPLACE VIOLENCE AND HARASSMENT INCIDENT REPORTING FORM

DATE OF REPORT: _____ DATE / TIME OF INCIDENT: _____
DAY OF WEEK OF INCIDENT: _____ SIGNATURE: _____

EMPLOYEE

NAME: _____ JOB/POSITION: _____
WORK ADDRESS: _____
AGE: _____ ☐ MALE ☐ FEMALE
WHAT WERE YOU DOING AT THE TIME OF THE INCIDENT?

OFFENDER(S)

NAME: _____
ADDRESS: _____
AGE: _____ ☐ MALE ☐ FEMALE
DESCRIPTION: _____
RELATIONSHIP BETWEEN EMPLOYEE AND OFFENDER (IF ANY):
☐ CO-WORKER ☐ PATIENT ☐ CLIENT ☐ STUDENT ☐ MEMBER OF PUBLIC ☐ OTHER (SPECIFY) _____
OTHER DETAILS (E.G. USE OF DRUGS OR ALCOHOL, POSSESSION OF A WEAPON): _____
APPARENT MOTIVE: _____

WITNESS(ES)

NAME: _____ ADDRESS: _____
NAME: _____ ADDRESS: _____

DETAILS OF THE INCIDENT

TYPE OF INCIDENT: (PHYSICAL INJURY, VERBAL ABUSE, THREATENING BEHAVIOUR, VERBAL THREAT, WRITTEN THREAT, DAMAGE TO PERSONAL/OTHER PROPERTY)

LOCATION OF INCIDENT: (ATTACHED A SKETCH IF POSSIBLE)

OUTCOME: (ASSAILANT APPREHENDED, POLICE CALLED, FATAL INJURY, MEDICAL ASSISTANCE REQUIRED, FIRST AID TREATMENT REQUIRED, TIME LOST, EMOTIONAL SHOCK OR DISTRESS, LEGAL ACTION INITIATED)

OTHER RELEVANT INFORMATION: _____

POSSIBLE CONTRIBUTING FACTORS: _____

RELEVANT EVENTS WHICH PRECEDED THE INCIDENT: _____

SUGGESTED PREVENTIVE/REMEDIAL ACTIONS: _____

SUBMIT THIS REPORT TO:

NAME: _____ TITLE: _____
LOCATION: _____

Test Your Knowledge

Name: _____

Date: _____

1. Workplace violence is defined in the Occupational Health and Safety Act and requires that physical force causing injury must occur to be considered workplace violence.	True	False
2. Employees are always encouraged to try to stop a robbery, violent act or crime.	True	False
3. No one should ever be required to put up with violent, intimidating or abusive conduct in the workplace.	True	False
4. Both male and female employees can be victims of sexual harassment.	True	False
5. All complaints both informal and formal will be available to all employees.	True	False
6. If you feel threatened, protect yourself with a weapon.	True	False
7. PML site inspection personnel have an increased risk of being exposed to workplace violence compared to laboratory personnel.	True	False
8. Employers have an obligation to warn employees of the identity and personal details of an individual with a history of violent behavior where there is a risk of workplace violence being perpetrated by that person.	True	False
9. All claims of workplace violence and harassment will be dealt with fairly, promptly and confidentially.	True	False
10. Pacing, restlessness or repetitive movements are not considered to be signs that a person may become violent.	True	False
11. Bullying is not a form of workplace harassment.	True	False
12. This policy applies to PML staff only and does not apply to individuals such as contractors, supplies, visitors, or other members of the public.	True	False

**POLICIES, PRACTICES AND PROCEDURES TO PREVENT
VIOLENCE AND HARASSMENT IN THE WORKPLACE**

I _____ have reviewed the Peto MacCallum Ltd. "Policies, Practices and Procedures to Prevent Violence and Harassment in the Workplace" document dated July 2010 and have completed the quiz and acknowledge that I will abide by these Policies, Practices and Procedures when representing PML.

Signature _____

Date _____