

OLG Internal

Prevention of Violence in the Workplace Procedure

People and Culture

Purpose

Ontario Lottery and Gaming Corporation (OLG) is committed to providing a safe, healthy and supportive work environment free of workplace violence. Violence in the workplace is unacceptable in any form and from any source and each employee has an obligation to do their part to ensure the workplace is safe and healthy.

OLG will take all reasonable measures for the prevention of workplace violence and to identify and assess all potential sources of workplace violence that may arise based on the nature of the workplace, the type of work conducted in the workplace and the conditions of work, in order to eliminate or minimize such risks. Any act of workplace violence will not be tolerated and may result in discipline, up to and including termination of employment. This includes domestic violence that may adversely impact a worker in the workplace by exposing them to injury or harm in the workplace.

Employees have the right to a workplace free from violence. The purpose of this Procedure is to:

- Establish a framework for the prevention of workplace violence and effectively responses to issues of workplace violence in compliance with the Occupational Health and Safety Act (OHSA).
- Provide direction on compliance with statutory requirements for health and safety regarding workplace violence in compliance with OHSA.

Definitions

Workplace Violence as per the Occupational Health and Safety Act is defined 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; or
- a statement or behaviour that it 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

Examples of behaviour that might constitute workplace violence include but are not limited to:

- use of physical force against or by a worker that could cause physical injury, including but not limited to, physical acts such as punching, hitting, kicking, pushing, damaging property or throwing objects
- the attempted use of physical force against or by a worker that could have caused physical injury
- an action or statements (or series of actions or statements) reasonably believed to be a threat of physical harm or as a threat to safety or security in the workplace, e.g. shaking a fist in someone's face, throwing an item at someone
- verbally threatening a worker or leaving threatening notes or sending threatening emails to a workplace
- wielding a weapon at work

Worker: refers to any person covered under this Policy.

Workplace: the workplace is not confined to OLG's office and buildings. Protection against acts of workplace violence extends to incidents occurring at or away from OLG's offices and buildings, during or outside normal working hours. This includes a) any location and all facilities where the business of OLG is being carried out (i.e., meeting rooms, etc.); and b) other locations and situations, such as the telephone, in OLG vehicles, office parties, after hours social activities or other activities or other locations where the prohibited behaviour may have a subsequent impact on the work relationship, environment or performance. This may include electronic communications.

Requirements

1. Reporting and Investigation

- 1.1. Employees are to report all violence-related incidents or perceived threat of violence to management or Human Resources Business Partner immediately. OLG will make every effort to maintain confidentiality, some information may have to be shared in order to ensure the safety of others and prevent recurrence (e.g., contents of a police report).
- 1.2. Incidents of violence or alleged violence will be investigated by OLG in accordance with the Complaint Resolution and Investigation Policy.
- 1.3. The report of the incident should include the following information:
 - o Name(s) of the worker who allegedly experienced workplace violence and contact information:
 - Name of the individual who engaged in the alleged violent behaviour, position and contact information (if known)
 - Names of the witness(es) (if any) or other person(s) with relevant information to provide about the incident (if any) and contact information (if known)
 - Details of what happened including but not limited to: (a) date, frequency and location(s) of the alleged incident(s), (b) any supporting documents the worker who complains may have in their possession that are relevant to the complaint; (c) list of any documents a witness, another person or the individual accused of the behaviour may have in their possession that are relevant to the complaint.
- 1.4. Where an incident may involve a member of management, employees are encouraged to report such incidents to a Human Resources Business Partner.
- 1.5. The Manager and/or Human Resources Business Partner receiving the report will immediately investigate any complaints of actual, threatened or suspected violence and will take appropriate action which may include, depending on the circumstances:
 - Removal of the individual from OLG's premises.
 - Notification of law enforcement authorities.
 - If the threat is posed by an OLG employee, termination, suspension or other disciplinary action, or medical/psychiatric evaluation, as the Manager and/or Human Resources Business Partner deems appropriate.
- 1.6. No report of workplace violence or risks of violence may be the basis of reprisal against the reporting employee.
- 1.7. OLG reports all injuries to Workplace Safety and Insurance Board (WSIB) as required by the *Occupational Health and Safety Act* and *Workplace Safety and Insurance Act*.

2. Response Procedures

- 2.1. The Manager or Human Resources Business Partner documents all reports of workplace violence or early warning signs of a potentially threatening situation and the measures taken to address them.
- 2.2. Management reviews all incident reports, monitors trends and makes recommendations for prevention and enhancements to the workplace violence policy and procedures in consultant with the Joint Health and Safety Committee.
- 2.3. Management investigating the incident will inform all staff who might be affected about unsafe situations and inform the reporting employee with the outcome of the investigation to minimize potential similar incidents.

3. Emergency Response Measures

- 3.1. In the event that a violent behaviour is imminent or requires immediate intervention, employees involved (including witnesses) must immediately notify their manager, if possible, or another management representative.
- 3.2. Immediate security service intervention can be obtained by dialing the direct telephone extension for Corporate Security. Corporate Security should be contacted immediately when an act of violence has occurred in the workplace or when someone in the workplace is threatened with violence.
- 3.3. In the event that there is an immediate risk or imminent threat of violence, serious harm or life-threatening conduct, employees should report this immediately to 911 or local police.

4. Risk Assessment

- 4.1. OLG will conduct periodic risk assessments to identify the risk of workplace violence and to institute measures to control any identified risks to employee safety. This information will be provided to the JHSC.

5. History of Violence

- 5.1. OLG recognizes its obligation under OHSA to provide employees with information in certain circumstances, which could include personal information related to a risk of workplace violence from a person with a history of violent behaviour if:
 - An employee can be expected to encounter the violent person in the course of their work; and
 - The risk of workplace violence is likely to expose the employee to physical injury.
- 5.2. In considering whether to disclose information about a person with a history of violent behaviour, OLG will consider a number of factors, including but not limited to:
 - when the violent behaviour occurred
 - where the violent behaviour occurred (i.e. did it occur at OLG's worksite)
 - whether the person is an employee
 - if the violent behaviour was perpetrated against an employee
 - the circumstances surrounding the violent behaviour
 - if the violent behaviour was premeditated
 - if the violent behaviour is an isolated incident or a pattern of repeated behaviour.

- 5.3. OLG will decide: (1) if information will be disclosed; and (2) the extent of the information disclosed. OLG will not disclose more information than is reasonably necessary to protect an employee from violence in the workplace.

6. Domestic Violence

- 6.1. If OLG becomes aware, or ought reasonably to be aware, that domestic violence that would likely expose an employee to physical injury may occur in the workplace, OLG shall take every precaution reasonable in the circumstances for the protection of the employee.

7. Protection from Reprisals

- 7.1. An employee who brings forward a complaint or participates as a witness in an investigation, in good faith, and regardless of the outcome of the investigation, will not be subject to any form of reprisal as a consequence of having taken such an action. If, however, it is found that the employee (complainant or witness) made a knowingly false complaint and/or brought forward a maliciously or in bad faith, appropriate measures will be applied. **Any action that may be considered reprisal may result in corrective and/or disciplinary action up to and including termination of employment.**

8. Violations

- 8.1. If it is determined that an OLG employee has been involved in workplace violence, disciplinary action will be taken. Such disciplinary action may involve counselling, a formal warning, or could result in immediate dismissal without further notice.
- 8.2. In cases where criminal proceedings are forthcoming, OLG will assist police, lawyers, insurance companies and courts to the extent required by law.

9. Confidentiality

- 9.1. All complaints will be investigated in a confidential manner to the extent possible and in accordance with this Policy and applicable law.
- 9.2. All reports and documentation of the investigation will be held in confidence, except where necessary to investigate the complaint and/or respond to any legal or administrative proceedings that may result from or relate to the complaint or otherwise required by applicable law.
- 9.3. No documentation is filed in the complainant's human resources file. However, if it is determined that a complainant made a false accusation, a written record will be included in the employee's human resources file to document the incident.
- 9.4. Where corrective action is taken, a permanent record of the results of the investigation will be placed in the respondent's human resources file.

10. Training

- 10.1. All employees will be provided with a copy of this Policy and will be provided with information and instruction on the requirements and expectations under this Policy.

11. Additional Support

- 11.1. If an employee needs further assistance, they may contact their Human Resources Business Partner, or the Employee Family Assistance Program.

Roles and Responsibilities

Role	Responsibilities
OLG	<ul style="list-style-type: none"> ▪ Take reasonable preventative measures to protect employees and others in OLG workplaces from workplace violence. ▪ Ensure that workplace violence risk assessments are completed and reported. ▪ Provide training, with information and instruction on the prevention of workplace violence and ensure that all employees are trained on this Policy. ▪ Provide response measures and facilitate medical attention and support for those involved directly or indirectly. ▪ Review the Policy, related procedures with regards to workplace violence and the risk assessment annually and revise the Policy as necessary. ▪ Revise the Policy where deficiencies are identified. ▪ To post this Policy in a conspicuous place in the workplace.
Management	<ul style="list-style-type: none"> ▪ Read and understand this Policy. ▪ Create and maintain a violence-free workplace. ▪ Educate employees about workplace violence. ▪ Enforce policy and procedures and monitor employee compliance. ▪ Assess the risk of violence, minimize those risks where possible and inform any affected employee(s) and management of such risk or potential risk. ▪ Take allegations of violence seriously and respond appropriately. Where incidents cannot be addressed at the managerial level, managers are also responsible for ensuring that complaints are properly escalated to ensure an appropriate resolution. ▪ Report and document all such incidents immediately and provide appropriate documentation to Human Resources. This may involve assisting employees in filing complaints. ▪ Ensure that reasonable precautions are taken in the circumstances for the protection of the employee in the event of domestic violence entering the workplace. ▪ Facilitate medical attention for employee(s) as required. ▪ Maintain confidentiality in accordance with this Policy. ▪ Ensure that reasonable precautions are taken in the circumstances for the protection of the employee in the event of domestic violence entering the workplace.
People & Culture	<ul style="list-style-type: none"> ▪ Provide all employees with information and instruction on the contents of the Policy and program. ▪ Provide advice and guidance to address and resolve concerns, complaints and/or allegations. ▪ Investigate and handle all complaints or incidents of workplace violence in a fair, respectful and timely manner.

	<ul style="list-style-type: none"> Initiate the annual review of the policy, program and procedures in consultation with the Joint Health and Safety Committee. Coordinate the risk assessment of workplace violence as often as is necessary, for the continued protection of employees.
Joint Health and Safety Committee	<ul style="list-style-type: none"> Review the risk assessment results and provide recommendations to management to reduce or eliminate the risk of violence. Review all reports regarding workplace violence as appropriate pertaining to incidents of workplace violence that result in personal injury or threat of personal injury, property damage or law enforcement involvement. Participate in the investigation of serious/critical injuries. Recommend corrective measures for the improvement of the health and safety of employees. Participate in the review of the policy and procedures for continuous improvement. Provide input and recommendations to OLG Management for the improvement of the health and safety of employees. Respond to employee concerns related to workplace violence and communicate these to management.
Employees	<ul style="list-style-type: none"> Maintain a safe work environment. Act towards others in a respectful and professional manner at all times. Not engage in or ignore violent, threatening, intimidating or other disruptive behaviour. Refuse to accept violent behaviour from others, regardless of whether the behaviour is perpetuated by a manager, co-worker, supplier, guest or customer. Report promptly to their manager (or an appropriate alternative for example Human Resources Business Partner, another manager etc.) any incident where the employee is subjected to, witnesses, or has knowledge of workplace violence, or has reason to believe that workplace violence may occur. Co-operate with investigators, police or other authorities, as required during an investigation.
Corporate Security or Emergency Response at 911	<ul style="list-style-type: none"> Should be contacted when immediate assistance is required to deal with a situation involving workplace violence. Corporate Security may be required to notify local law enforcement as required (e.g., Police) if the complaints have criminal implications.

Related Policy Documents

- Prevention of Workplace Violence Policy

Procedure Owner

SVP, People and Culture

Procedure Approval

Approver	Date