

WPHVP for Employees Course Script

Slide 2.1 Welcome

Welcome to Harassment and Violence Prevention at the TransX Group of Companies

Title: How to navigate this presentation?

This is a self-guided presentation.

Scroll through each page to navigate...

between sections by use of the...

next and previous buttons.

In the resources panel above, you will find our TransX Group of Companies Violence and Harassment Policy,...

applicable regulations, and helpful links.

Click the speaker icon for audio content!

Narration S21

The audio narration will highlight and emphasize key points of this presentation to support the auditory type of learner. If you easily feel a cognitive overload when you have to read and listen at the same time, feel free to skip this feature as it will not contain any additional info you could not read yourself.

Slide 2.2 Objectives

Title: Objectives

We will cover the following:

- The definition of workplace harassment and violence?
- Known risk factors for WPHaV
- How to identify occurrences of WPHaV
- Steps to take when involved in or witnessing WPHaV
- The relationship between WPHaV and prohibited grounds of discrimination set out in the Canadian Human Rights Act
- How to minimize the risk for and prevent WPHaV
- **Do we talk about reporting incidents on HV**
- Roles and responsibilities of the employer and employees

- Key elements of WPHaV prevention policy at the TransX Group of Companies

Q1: What do you think

What do you think of when speaking about Workplace Harassment and Violence?

Text field for plain text entry [any entry possible]

Feedback:

We may think of a physical assault between employees or persons yelling at each other in anger. However, Workplace Harassment and Violence Prevention starts with an awareness of the wide range of actions, conduct or comments that may abuse, threaten, intimidate or harm a person and fall under the legal and regulatory definition of Workplace Harassment and Violence.

Slide 2.3 Definition

Title: What is Workplace Harassment and Violence?

Harassment and Violence is defined by the Canada Labour Code, Part II as "any action, conduct or comment, including of a sexual nature, that can reasonably be expected to cause offence, humiliation or other physical or psychological injury or illness to an employee, including any prescribed action, conduct or comment;" [CLC, s. 122 (1)]

This definition recognizes:

- The impact – a person has taken offence, been humiliated, or has experienced another physical or psychological injury or illness
- The act can be any action, conduct or comment, including those of a sexual nature
- All occurrences directed toward an employee in the workplace

Included are occurrences directed toward an employee:

- In the workplace
- When working at another location
- When travelling for work or
- When working alone

Behaviours commonly associated with WPHaV include:

- Threatening behaviour - physical intimidation, shaking of fists, banging tables or walls, throwing an object, property destruction, or anger-related acts
- Physical attacks - hitting, pushing, kicking, punching, physically assault

- Verbal abuse and intimidation - comments or gestures that demean, embarrass or humiliate

Harassment and Violence can arise from any person:

- Within the organization - co-worker or manager
- Related to the function of the workplace - customer, client, contractor
- With indirect relationship to the workplace - former employee, spouse, partner
- Unrelated to the workplace - member of the public, person with criminal intent

Narration S23

Canada Labour Code defines Workplace Harassment and Violence as any action, conduct or comment, that can reasonably be expected to cause offence, injury or illness

it may occur at the workplace but also while traveling for work, working alone or at a different location

Important is the impact it has on an affected person for instance feeling humiliated, offended or attacked etc.

It can occur in form of threats, physical attacks or verbal abuse and practically come from any person within or outside of the organization, a customer or client, former employee, spouse, or any person with criminal intent.

Q2: Which are Elements

Which of the following are elements considered in the definition of Workplace Harassment and Violence?

- It can include any action, conduct, or comment
- Acts or comments of sexual nature are considered
- When a person has taken offence or been humiliated
- The experience of physical or psychological injury
- All of the above

Correct Feedback:

Great, you took the first step!

Prevention of Workplace Harassment and Violence starts with awareness of: "...any actions, conduct, or comments... reasonably expected to cause offence..." etc.

Slide 2.4 Domestic Violence

Title: Family or Domestic Violence

Family or Domestic Violence is a form of violence that occurs in all sectors of society.

It is defined by a family or intimate relationship and the intent of the aggressor to gain control or power over the affected individual.

Domestic Violence becomes a workplace issue when the aggressor:

- affects the employees ability to work
- comes to the workplace
- misleads the employer
- damages company property or
- becomes a risk to other employees

Do you know the signs of Domestic Violence?

- visible injuries
- economic abuse
- technology facilitated abuse
- restrained mobility
- feeling trapped and unhappy at home
- threats regarding children, property or pets
- stalking

Narration S24

Domestic Violence is a form of violence between intimate partners or family members where often the aggressor tries to gain power and control over the affected person.

It becomes a workplace issue when it affects an employee's ability to work, or if the aggressor comes to the workplace, Family violence can become a risk to other employees.

Affected persons often show visible injuries, report economic abuse, or feel trapped and unhappy at home. It is important that we act on signs of domestic violence and support affected employees to ensure a safe workplace

Q3: Domestic Violence

True or false?

Domestic Violence can become a Workplace Issue when it affects a worker's ability to perform their job or occurs at the workplace.

- True
- False

Slide 2.5 Criminal Code & Human Rights

Title: Human Rights Act and Criminal Code

At the workplace or not - It might be criminal!

Some behaviours considered to be Workplace Harassment and Violence may also fall under the Criminal Code of Canada:

- Stalking
- Unwanted text messages or phone calls
- Uttering threats
- Hostage-taking
- Sexual assault
- Assault
- Murder

Harassment can also be prohibited discrimination!

The Canadian Human Rights Act protects employees in the federal jurisdiction against unfair treatment on so-called prohibited grounds.

Prohibited grounds of discrimination include:

- Race
- National or ethnic origin
- Colour
- Religion
- Sexual orientation
- Gender identification or expression
- Marital or family status
- Genetic characteristics or disability

Narration S 25

Stalking, sexual assault and unwanted text messages are examples of criminal behaviour under the Criminal Code of Canada, the fact that they occur at the workplace does not change the fact that they are also criminal.

The Canadian Human Rights act prohibits discrimination and unfair treatment on prohibited grounds including national origin, gender identification, and disability

So, in short, some forms of Workplace harassment and Violence can also be considered criminal or violate human rights

Q4: Discrimination

True or false?

An incident of Workplace Harassment can also violate the Canadian Human Rights Act, which prohibits discrimination based on protected grounds, including race, sexual orientation, colour, gender identity, disability, etc.

True

False

Q5: Criminal

True or false?

Any behaviour considered to be an occurrence of Workplace Harassment or Violence CANNOT fall under the Canadian Criminal Code and be considered a criminal offence.

True

False

Slide 2.6 Key Terms

Key Term of the Regulations

The Work Place Harassment and Violence Prevention (WPHVP) Regulations define the following key terms: [WPHVP Regs., s. 1]

Occurrence - means an Occurrence of Harassment and Violence in the workplace

Principal Party - means an employee or employer who is the object of an Occurrence

Responding Party - means the person who is alleged to have been responsible for an Occurrence

Applicable Partner – TransX Policy Committee

Witness - means a person who witnessed an Occurrence or is informed of an Occurrence by the Principal Party or Responding Party

Designated Recipient - means a work unit or person designated by the employer to receive Notice of an Occurrence

At TransX, the Human Resources Department

Narration S 26

The important terms defined in the Workplace Harassment and Violence Prevention Regulations are Principal Party, Responding Party, Applicable Partner, Designated Recipient and Witness.

The Principal party is the person affected by the occurrence of workplace Harassment or violence and the Responding party is alleged to be responsible for it, while a witness may have noticed the incident or later learned about it.

The applicable partner at TransX is our Policy Committee and the designated recipient is the Human Resources Department, HR is designated to receive reports and notices of occurrence of Harassment and Violence at TransX.

You will learn more about these terms as we progress through the course.

Q6: Designated Recipient

At TransX, who acts as the Designated Recipient?

- The Safety Department
- The manager of my department
- The Human Resources Department

Slide 2.7 Risk Assessment

Title: Prevention Policy & Risk Assessment

The Regulations require the Employer and the Applicable Partner to jointly identify risk factors and develop a Workplace Harassment and Violence Prevention policy.
[WPHVP Regs., s. 8 and 10(1)]

TransX, in conjunction with the Policy Committee, will assess the risk of Workplace Harassment and Violence based on:

- organizational structure
- Client characteristics
- Physical work environment
- Work activity and culture
- Job factors
- External factors including family violence which could give rise to harassment and violence in the workplace

The risk assessment will take circumstances of the workplace into account, such as:

- Layout and design
- Geographical location
- Work carried out and conditions of work
- Protective and security measures
- Past violent incidents
- Activities or circumstances that may increase the risk of workplace violence

TransX, together with our Applicable Partner, will develop measures and procedures to control risks likely to expose a worker to violence or harassment within 6 months of the identification of the risk.

The TransX Group of Companies Violence and Harassment Policy includes:

- Mission statement and commitment

- Description of roles and responsibilities
- Description of risk factors
- Summary of training to be provided
- Description of the resolution process
- When the risk assessment will be reviewed
- Emergency procedures
- How privacy of all parties will be protected
- Description of available support measures

Q7: Our Policy

Our TransX Group of Companies' Violence and Harassment Policy does:

- Describe how occurrences will be reported and investigated
- Express our commitment to preventing Violence and Harassment
- Describe how the privacy of all persons involved will be protected
- All of the above

Narration S 27

Our Applicable Partner, the TransX Policy Committee will conduct a Risk Assessment for Harassment and Violence based on internal and external factors including our organizational structure, work activities and client characteristics and considering circumstances like layout and design of workplaces, geographical location, and security measures.

The TransX Group of Companies Violence and Harassment Policy expresses our strong commitment to prevent Harassment and Violence at the workplace, it describes roles and responsibilities, the reporting and resolution process, risk factors and emergency procedures, support measure and training as required by the regulations.

Please feel free to access our policy in the resources panel of this presentation.

Slide 2.8 Reporting

Title: Report Harassment & Violence

Report any occurrence of Harassment or Violence!

Your Report is our chance to help the affected individual and prevent future occurrences.

Report orally or fill out a Complaint/Notice of Occurrence form, including:

- The names of parties involved, if known
- The date of the occurrence(s)
- A detailed description of the occurrence(s)

Witness or Principal Party can report to:

- Your manager or supervisor
- The Designated Recipient (HR Department)

Without fear of retaliation...

At TransX, we ensure your right to make a complaint or to enforce your rights regarding Workplace Harassment and Violence without retaliation or the fear of retaliation.

Q8: Reporting

You notice a change in behaviour of a co-worker, who started to arrive late for work, act irritably, seems to lose focus frequently, and now begins to cry at their desk. What should you do?

- A Nothing; it's personal and none of my business. Nothing it's personal....
- B) I ask that person to behave more professionally.
- C) I ask that person whether they are alright and offer help.
- D) I discretely make my manager aware of the situation.
- F) Both C and D.

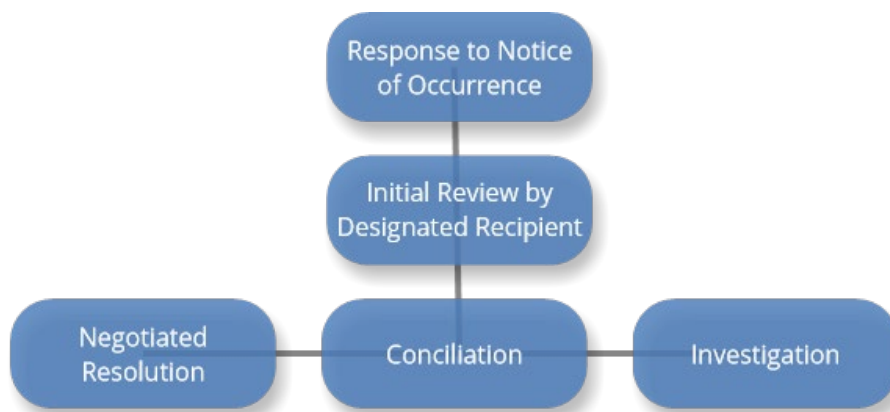
Correct Feedback: Right on, that's the culture of respect and safety we want at our workplace; everyone shall get the support they need when they need it. Good job! Click to continue...

Narration S28

A report is a chance to manage. That's why it is so important to report any occurrence of Harassment or Violence at TransX. Unsafe circumstances are not likely to improve by themselves, but together we can help an affected person, prevent a situation from escalating or an event from re-occurring.

Slide 3.1 Response & Resolution

TransX will respond to every Notice of Occurrence as prescribed by the Work Place Harassment and Violence Prevention Regulations [WPHVP Regs.]



Narration 31

This is the resolution process of any occurrence of Harassment and Violence as prescribed by the regulations. Select each of these boxes to learn more about the resolution procedures and to continue with the presentation.

Slide 3.2 Responding – Lightbox 1 *{will open when user clicks the respective box in the chart}*

Title: Response to Notice of Occurrence

After receiving a Notice of Occurrence, The Designated Recipient at TransX, the HR Department, will: [WPHVP Regs., s. 20, 21, 22]

- Contact the Principal Party to confirm a notice was received or they have been named by a witness within 7 days
- Within 45 days, the Designated Recipient will attempt to resolve the issue through Negotiated Resolution or Conciliation.
- Ensure the complaint is resolved as soon as reasonably possible and no later than 1 year from the Notice
- Provide monthly status updates to the Principal and Responding Parties
[refer to TransX V & H Policy for more detail]

Narration 32

HR, our Designated Recipient at TransX, will contact the Principal Party within 7 days of receiving a notice of occurrence and try to attempt a resolution by Negotiated Resolution or Conciliation within 45 days. They will ensure the complaint is resolved within 1 year and update Principal and Responding parties about the process monthly.

Slide 3.3 Initial Review – Lightbox 2

Title: Initial Review by Designated Recipient

The Designated Recipient at TransX, the HR Department, will conduct an Initial Review to determine whether: [WPHVP Regs., s. 19(1)]

- Required info is missing, can it otherwise be determined
- Other Notices of Occurrence relate to the same occurrence

Narration 33

The regulations require the Designated Recipient to review any notice of occurrence for missing information, and to determine whether other notices refer to the same occurrence.

Slide 3.4 Negotiated Resolution – Lightbox 3

Title: Negotiated Resolution

The Principal Party has the option to:

- Continue with Negotiated Resolution
- Pursue Conciliation or
- Request an Investigation

Negotiated Resolution is an informal resolution where the Designated Recipient meets with the Principal Party to: [WPHVP Regs., s. 23]

- Discuss the Occurrence
- Clarify what was submitted in the Notice of Occurrence, and
- Attempt to reach resolution [refer to TransX V & H Policy for more detail]

Narration 34

The Principal party has the right to choose between: Negotiated Resolution, Conciliation or Investigation.

Negotiated resolution is an informal resolution. The Designated Recipient will discuss the occurrence and the information provided in the notice with the Principal Party and offer options for resolution.

Slide 3.5 Conciliation – Lightbox 4

Title: Conciliation

If Principal Party and Responding Party agree, they can engage in Conciliation. Both need to: [WPHVP Regs., s. 24]

- Agree on a person who will facilitate the Conciliation

- Only proceed if an investigator has not provided a final Investigation Report
- Inform the Designated Recipient of their desire to participate in Conciliation

[refer to TransX V & H Policy for more detail]

Narration 35

When the Principal and the Responding party agree to continue with Conciliation they need to agree on a person acting as facilitator and inform the HR department of their decision.

It is important to notice that conciliation is no longer an option after an investigator has provided a final Investigation report.

Slide 3.6 Investigation – Lightbox 5

Title: Investigation

The Principal Party may request an investigation by informing the Designated Recipient, which will then:

[WPHVP Regs., s. 25–27, 30]

- Provide notice of an investigation to the Principal Party and Responding Party
- Select an Investigator without any conflict of interest

The Investigator will provide the Principal Party, Responding Party, Company, and Workplace Committee with a report outlining:

- A general description of the Occurrence
- Their conclusion, and
- A recommendation on how to prevent a similar Occurrence

[refer to TransX V & H Policy for more detail]

Narration 36

If requested by the Principal Party, the Designated Recipient must select a qualified person for an investigation and provide notice of an investigation to the Principal and Responding Party.

The investigator will then provide a final report containing a description of the occurrence, a conclusion and a recommendation on how to prevent a similar occurrence.

Q9: Resolution

Which party has a right to agree to pursue Negotiated Resolution or Conciliation or request an Investigation?

- The Responding Party
- The Designated Recipient
- The Employer
- The Principal Party

Slide 2.9 Emergency Procedures

Title: Emergency Procedures

If physical security or well-being are threatened, in an emergency, imminent or ongoing acts of violence, or criminal threats of violence, call 911 and local or building security immediately.

If you witness or experience violence at work:

- Remove yourself from the situation if possible
- Inform your manager or seek help from a co-worker immediately
- If your manager is the perpetrator, notify another manager in the line of authority

Internal reports or complaints should only be made after an imminent threat has been addressed.

Q10: Emergency

If any person's physical security or well-being is threatened in case of imminent or ongoing acts of violence, you should try to:

- Remove yourself from the situation
- Raise the alarm and seek help
- Call 911
- Report to your manager or supervisor as soon as the imminent threat has been addressed
- All of the above

Correct Feedback:

That's right; we do what we can to protect ourselves and others, call 911 and then make a report.

Good job! Click to continue...

Narration 29

Life saving is the priority in any emergency. Call 911 when any person's physical security or well-being is in danger. Remove yourself from the situation, raise the alarm, seek help, report to your supervisor or manager only after the imminent threat has been addressed.

Slide 2.10 Responsibilities

Title: Employee Responsibilities

Employee responsibilities:

- Treat others with respect
- Ask the individual to stop when offensive behaviour occurs and if it is safe to do so
- Ask a manager, supervisor or employee representative to assist
- Report all occurrences of Harassment and Violence

Employees can expect:

- To be treated with respect
- Reported harassment will be dealt with in a timely, confidential and effective manner
- To have their rights to a fair process and to be confidentiality respected during a harassment investigation
- To be protected against retaliation for reporting harassment or cooperating with a harassment investigation

Narration 210

As employees we should treat others with respect, we should not look the other way when we notice Harassment and Violence at work but report it and make managers and supervisors aware of it.

We can also expect to be treated with respect.

We are protected against any retaliation for reporting harassment and violence or participation in an investigation. TransX will respond to any notice of occurrence and ensure a fair, confidential and timely resolution process.

Slide 2.11 Support

Title: Support Measures

How can you get support?

- Through our TransX Employee and Family Assistance Program or Insurance Benefits
- See your benefits booklet or contact human resources for more information
- Check out the resources panel of this presentation for helpful links to local resources in your area
- Talk to somebody you trust, let's manage together, you shall not be alone

How can you provide support?

- Listen and be supportive
- Believe the person, don't pass judgement
- Acknowledge their courage to talk about it
- Let them know of available assistance

- Consider accommodations
- Follow-up and monitor the situation
- Ensure confidentiality

Q11: Support

How can you access medical and psychological, and other support services?

- Through our TransX Insurance Benefits
- Through our TransX Employee and Family Assistance Program
- Consulting our benefits booklet for information
- Contact the Human Resources Department for information
- All the above

Narration 211

Everyone should get the support they need when they need it. Let's work together at TransX to make this true!

Insurance Benefits and the Employee and Family Assistance Program make medical, psychological and many other helpful services available to us and our families. Contact the Human Resources Department for more information and check out the resources panel of this presentation for helpful links to local resources in your area.

Talk to somebody, when you go through difficult times, you shall not be alone.

Listen, be supportive, don't judge, encourage others to seek help and let them know of available resources; to help someone in need ensure confidentiality.

Slide 2.12 Almost Done

Title: Almost done, congratulations!

Thank you very much for supporting our Culture of Respect and Safety at TransX

You now know how:

- To recognize Workplace Harassment and Violence
- It relates to the Canadian Human Rights Act and the Criminal Code of Canada
- To apply key terms of the regulation, including Principal Party
- To report occurrences of Harassment and Violence
- The resolution process works
- To respond to emergencies, including violence at work
- To access available support services and support others
- To apply employee rights and responsibilities regarding Violence and Harassment Prevention at TransX

Please click here to finish your training!

- A Google Form Quiz will open in another window
- Submission of this quiz will automatically mark the completion of your training

Narration 212

Thank you for supporting a Culture of Respect and Safety at TransX; I appreciate your time.

You now know how to recognize Workplace Harassment and Violence, you know the reporting and resolution process, how to respond to an emergency, and access or provide supportive measures.

Please select the textbox below to complete a short attendance documentation and quiz. A Google Form will open in another window in your browser, and submission of the completed form will document your training automatically.