The threat of workplace violence or harassment poisons the work environment. It sabotages productivity and undermines a company's culture. It hurts a business financially because of the costs of violence-related injuries, government fines, disrupted work and decreased productivity. It affects the employer's relationship with its employees and it can damage the company’s reputation with clients as well as its employee retention and recruitment efforts.

**Violence & Harassment**

**Workplace Violence**

Violence and harassment can occur in any work environment. In Ontario, employers are required to have a workplace violence policy and program, as well as a workplace harassment policy and program.

**Requirement**

Policy

* Written and posted
* Signed and reviewed annually

Risk Assessment

* Reviewed by H&S Rep or JHSC

Program

* Measures to control risks
* Reporting and investigation procedure
* Training
* Precaution for person with history of violence
* Precaution for domestic violence in the workplace

**Definition**

The Occupational Health and Safety Act defines workplace violence as:

* the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
* the attempt to exercise physical force against a worker in a workplace, that could cause physical injury to the worker; and
* a statement or behaviour that a worker could reasonably interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker

Policy

Workplace violence policy states the employer’s commitment to take all reasonable measures to prevent work-related violent incidents. The workplace violence policy should:

* convey an your commitment to protect your workers from all possible types/sources of workplace violence
* outline roles and responsibilities of all workplace parties
* be dated and signed by the employer (or highest level of management at the workplace)

You must review the workplace violence policy annually and post it in a location that is accessible to employees. Your workplace violence and harassment policies may be rolled into your overall health and safety policy statement.

Work Refusals

Under the OHSA a worker can refuse to work if he or she has reason to believe their safety is at risk due to workplace violence. However, work cannot be refused on the grounds of workplace harassment.

There is a specific procedure that must be followed in a work refusal. It is important that all parties understand and follow this procedure. See Work Refusal Chart.

Program

The workplace violence program must include a risk assessment and measures to prevent or protect employees from violence. As the employer, you must establish a process to report and investigate incidents, including work-related domestic violence. Your workers have to be trained and you must provide information about a person with a violent history.

Risks Assessment

A risk assessment will identify potential sources of violence that can pose a risk to your employees. Circumstances that may increase the risk of violence include:

* Serving alcohol
* Working alone
* Handling cash and valuables
* Dealing with the public
* Working with a high risk population
* Working in a high crime area
* High-pressure environments
* Transporting people and goods
* Mobile workplaces

The OHSA does not specify how to conduct a violence risk assessment. Examples of assessment tools include:

* Employee surveys
* Physical site assessments
* Job hazard analysis

Your risk assessment should consider:

* The potential for violence and harassment based on the nature of the workplace, the type of work or the work conditions
* The circumstances of the specific workplace and other similar workplaces
* The measures and procedures that will control the identified risks

Remember that activities and risk levels may change over time, so be sure to reassess your violence risks as appropriate.

* As a minimum, you are required to review your risks annually
* This assessment must be shared with your health and safety representative or the JHSC (for workplaces with 20+ employees)

Measures to Control Risks

With the risk assessment, you will understand how workplace violence can impact your employees. Now it is important to develop the safe work practices to control the risks. For example, you may need a procedure for “Working Alone” or “Robbery Prevention”. If you serve alcohol, ‘Smart Serve’ training and a policy on limiting the number of drinks sold to patrons, would be an example of measures to reduce the risk of alcohol-related violence.

Incident Reporting

Workers should be encouraged to report incidents or threats of violence that they experience or witness so you will have to establish the incident reporting process. It should include:

•who to report the incident to;

•how to report the incident;

•and any documentation that is required.

In a violent situation, workers will need to know how to notify police immediately.

Incident Investigation

You must have a process for investigating workplace violence incidents thus you will need to consider who can conduct the investigation and what information needs to be recorded.

History of a Person with Violent Behaviour

Employers and supervisors must provide workers with information, including personal information, related to a risk of workplace violence from a person with a history of violent behaviour.

However, this duty is limited and applies only when the:

1. Worker can be expected to encounter the violent person in the course of his or her work; and the
2. Risk of workplace violence is likely to expose the worker to physical injury.

Employers and supervisors must not disclose more information than is reasonably necessary for the protection of a worker from physical injury.

Domestic Violence

Domestic violence is considered to be any form of abuse, mistreatment or neglect that a person experiences from a family member, or from someone with whom they have an intimate relationship.

Domestic violence is considered workplace violence when the abuse happens in the workplace.

Sometimes, an employee may be the victim of non-work-related violence that may create a risk of danger to them or others in the workplace. Your policy should encourage employees to report such violence, or knowledge of the situation, to the owner or supervisor so that necessary preventative measures may be taken to protect all employees.

Training

All workers need to be trained on the workplace violence policy. It is important they know what is expected of them to maintain a respectful workplace. The training should include specific examples of violent behaviour that will not be tolerated in the workplace.

Also, this is the time to inform employees how they can report work-related violence. They need to understand there is a process for summoning assistance, for reporting violent complaints and investigating incidents. You should convey that the process is intended to be objective, timely and confidential but some information may need to be shared with other parties, as appropriate.

Workplace violence training should be a part of the orientation program. It is good practice to provide refresher training (such as a tool-box talk) annually, to reinforce the policy and review key points for reporting and investigating incidents.

Review

The violence program must be reviewed annually, or as often as required to ensure that it is implemented effectively