

# Workplace Harassment and Violence Prevention

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# Workplace Harassment and Violence Prevention

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Applicable to: All Subsidiaries and Divisions of the Company

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## POLICY STATEMENT

The Company is committed to ensuring, to the best of its ability, that our employees, business associates, vendors, contractors, customers, volunteers, and the public-at-large experience a healthy and safe workplace that is free of violence and harassment, in accordance with the applicable legislative jurisdiction.

The Company promotes and creates a healthy and safe work environment by defining Workplace violence, Workplace harassment (including sexual harassment), abusive and aggressive behaviour, and providing a process for reporting, investigating, and responding to such occurrences. The Company will address factors that may contribute to Workplace violence in order to prevent and protect against it, and educate employees on these factors.

Employees who are covered by a union or association will be subject to the terms and provisions of the applicable collective agreement, where legislation permits.

## RESPONSIBILITY

1. The Company is responsible to make every reasonable effort to ensure that employees are not subjected to Workplace harassment, violence, or abusive or aggressive behaviour.
2. The Chief Human Resources Officer (CHRO) (or designate) is responsible to interpret this Policy and ensure the Policy is reviewed annually and that any changes are communicated and implemented throughout the Company.
3. The Vice President, Human Resources (VP, HR) (or designate) is responsible to investigate and respond to complaints and reported instances of Workplace harassment, violence, or abusive or aggressive behaviour. The VP, HR is to inform Health and Safety and/or the Chief Medical Officer of any complaints/instances, as appropriate.
4. The Account Executive and/or a senior member of the clinical leadership team of the Family Assistance Plan Provider is responsible to immediately notify the Company through the Rogers National Emergency Management Centre (416-935-7535) in the event that an employee is considered an imminent threat to the safety of other employees, contractors, volunteers, visitors, customers, vendors, and/or the general public, or where it is understood that an employee reveals to an EFAP counsellor that 1) they are the target of Domestic Violence and 2) they have reason to believe that they, or other employees, contractors, volunteers, visitors, customers, vendors, and/or the general public, are at risk of becoming a target in the Workplace as a result of a hostile domestic or personal relationship. Further details are also given under the Domestic Violence section of this Policy.

5. Managers are responsible to:

- Be aware of, understand, comply, and enforce the terms and conditions of this policy;
- Take action upon being advised of a specific situation and/or through the Annual Risk Assessment to prevent harassment/violence from occurring, including, but not limited to, identifying and intervening in inappropriate Workplace behaviour as defined by this policy;
- Communicate and enforce this policy with business associates, visitors, customers, vendors, volunteers, and contractors, as necessary, to ensure the Workplace is free of violence, or abusive or aggressive behaviour.

Note: For the purpose of this policy, “manager” refers to any person who is deemed a person of authority or senior representative of the Company who directly supervises another employee.

6. Employees are responsible to:

- Be aware of, understand, and comply with the terms and conditions of this policy;
- Be aware that all complaints are handled with as much discretion and confidentiality as possible to ensure the protection of the Complainant;
- Be aware that any form of retaliation or threats of reprisal against a Complainant or a witness for taking part in an investigation of a complaint is strictly forbidden and will result in disciplinary action against the individual found to be retaliating or threatening reprisal, up to and including termination of employment.

## COMPLAINANT’S AND RESPONDENT’S RIGHTS

The Complainant has the right to:

- File a complaint in good faith without fear of reprisal by the Company;
- Ensure that no written complaint is filed in their personal employee file;
- Access the Employee and Family Assistance Program;
- Receive information relating to the status of any investigation of the complaint, the findings of the investigation, and whether any disciplinary action was imposed on the Respondent, subject to the applicable legislation regarding the protection of personal information; and
- Be treated fairly.

The Respondent has the right to:

- Be informed that a complaint has been filed against them;
- Be provided with the written allegations and have the opportunity to respond to the allegations;
- Access the Employee and Family Assistance Program;
- Receive information relating to the status of the investigation of the complaint and any findings of the investigation, subject to the applicable legislation regarding the protection of personal information; and
- Be treated fairly.

## DOS

### Employees

1. DO complete the online company training program (Violence in the Workplace: Recognize the Risk and take Action) under myHR/SuccessFactors/Learning and any other associated training programs that support this Policy.
2. DO treat fellow employees with respect and dignity and ensure that your behaviour in the Workplace is free of violence, including abusive or aggressive behaviour.
3. DO make your disapproval known to any employee demonstrating violent, abusive, or aggressive behaviour if you perceive that you have been subject to such behaviour or if you have observed it happening to another employee.
4. DO assist in the implementation and enforcement of this Policy by promptly, and in good faith, reporting violations to your immediate manager, second level manager or Human Resources Manager;
5. DO provide your full cooperation during investigations relating to Workplace violence or abusive or aggressive behaviour.

### Managers

1. DO provide employees, to the best of your ability, a Workplace that is free of violent, abusive, or aggressive behaviour;
2. DO demonstrate a willingness to discuss and address concerns with any employee regarding Workplace violence or abusive or aggressive behaviour;
3. DO ensure that retaliatory action or threats of reprisal are not taken against employees who initiate complaints or participate in investigations;
4. DO immediately contact security staff or the police (if on-site security is not available) in the event of a perceived or actual threat, assault, injury, or damage to any person or property.

## DON'TS

### Employees

1. DO NOT confront an employee who you believe to be demonstrating violent, abusive or aggressive behaviour toward you or another employee if you think this would put you in danger. Immediately inform your direct manager, second level manager or Human Resources Manager of the incident.
2. DO NOT hesitate to report a violation of this Policy out of concern for reprimand or retaliation. All complaints will be treated with sensitivity, discretion and confidentiality (to the extent possible).

## Our Workplace Harassment and Violence Prevention

1. The Company clearly and unequivocally prohibits harassment and violence in the Workplace as defined in this Policy by any person(s), including, but not limited to, employees, visitors, volunteers, customers, vendors, and contractors.
2. This Policy and emergency notice procedures to summon assistance where immediate assistance is required in response to Workplace harassment or violence are to be displayed on a notice board that is accessible to all employees at each location.
3. The Company is committed to providing employees with a work environment free of harassment, violence, or abusive or aggressive behaviour and makes every reasonable effort to ensure that employees are not subjected to these behaviours.
4. This Policy is not meant to forbid relationships based on mutual consent or normal social contact between employees in the Workplace.
5. In the event that you are either directly affected by or witness harassment or violence in the Workplace, it is important that the incident is reported immediately. Report any harassment, violence or potentially violent situation immediately to your manager or Human Resources.

### Confidentiality

6. Information concerning allegations of harassment or violence and any subsequent investigation, including the name of the Complainant and the circumstances related to the complaint, are not to be disclosed. Except where disclosure is necessary, information will be shared on a need to know basis only for the purposes of:
  - Investigating the complaint;
  - Taking disciplinary action in relation to the complaint;
  - Protecting other employees or other individuals;
  - Legal actions in defense of the Company and/or its managers; and/or
  - Law enforcement.

### Domestic Violence

7. If you believe that domestic violence may occur in the Workplace and would likely expose you or another employee to physical injury, report the matter to Human Resources. The Company recognizes and respects the sensitivity and confidential nature of this information. The Company is committed to reducing the risk of domestic violence in the Workplace and needs the help of all employees. Employees who believe they are at risk of domestic violence are supported by Human Resources and provided with appropriate and confidential outside support as appropriate.

### Lodging a Complaint

8. The Complainant should consider discussing the incident with the Respondent with a view of finding an appropriate resolution, if they feel comfortable in doing so.
9. If the Complainant is not comfortable with directly approaching the Respondent, or if this first step is unsuccessful, the Complainant should then confidentially discuss the incident with their manager or Human Resources Manager (contact the myHR Support Centre to confirm the HR Manager or the VP, Human Resources for the area) with a view to resolving the issue.
10. A report will be completed and an investigation conducted as required, if any of the following incidents of Workplace harassment, violence, or abusive or aggressive behaviour are reported to the Company, including, but not limited to:
  - a. If an employee is in any way assaulted, abused, threatened, intimidated, or harassed by other employees, contractors, volunteers, visitors, customers, vendors, and/or the general public or vice versa;

b. If the Company is contacted by an employee's treating physician advising that an employee may be violent or has a high potential for violent behaviour; and/or,

c. If Company property is damaged.

11. When lodging a complaint, you must provide the name of the individual(s) committing the act, details of the incident(s), including date, time, and place, and any witnesses who either observed or can substantiate the allegation(s).

12. Any employee who is found to have brought forward a vexatious or bad faith complaint may be subject to disciplinary action, up to and including termination of employment for just cause.

13. Managers who receive a complaint must advise the Complainant that the Company takes allegations seriously and treats each complaint with sensitivity, discretion, and confidentiality (to the extent possible). Where the complaint involves a customer, vendor, contractor, volunteer and/or visitor, and the complaint has been directed against an employee, the complaint will be dealt with in the same manner.

14. Managers and/or Human Resources must immediately report all complaints to the Vice-President, Human Resources (or designate).

15. To protect the Complainant and to encourage the reporting of violence and harassment in the Workplace, the following provisions apply:

a. All complaints will be handled with discretion and in as confidential a manner as possible;

b. Any form of retaliation or threats of reprisal against a Complainant or a witness for taking part in an investigation of a complaint is strictly forbidden and will result in disciplinary action against the individual found to be retaliating or threatening reprisal, up to and including termination of employment for just cause;

c. A complaint will be promptly investigated with the objective of completing the investigation and implementing the necessary corrective action as soon as possible or within thirty (30) days of receipt of the complaint; and

d. Where evidence is found to support the complaint, the results of the investigation will include disciplinary action up to and including termination of employment for just cause for the perpetrator of the Workplace violence.

16. Complainants may file a complaint directly with the appropriate human rights commission or labour standards commission. In Quebec, the Québec Labour Standards Act provides recourse in the event of psychological harassment at work, which is available to every employee, whether unionized, non-unionized, or at the senior managerial level. The Act sets a 90-day period to file a complaint.

### Investigation

17. A thorough and impartial investigation of the complaint will be conducted by a competent individual(s) designated by the VP, Human Resources and Health and Safety.

18. The investigation is to include an interview with the Complainant, the Respondent, and relevant witnesses, and a review of any pertinent records. Notes of these interviews and investigative actions are to be documented in the Workplace Violence Investigation Procedures and Report (available from Human Resources) and maintained in a confidential human resources file. A Hazardous Occurrence Report ([Health and Safety Zone > Incident Reporting and Investigation](#)) must also be completed by managers with the assistance of a health and safety committee member. Identities are not to be disclosed in order to ensure confidentiality.

19. The investigator's findings regarding the complaint, together with the appropriate recommendations regarding corrective action, are to be communicated to and agreed upon with the VP, Human Resources. The VP, Human Resources is to review the results with the CHRO and the Chief Medical Officer, as required.

20. The Complainant and the Respondent will be informed in writing as to whether the complaint has merit.

21. Where evidence is found to support the complaint, the Respondent will be informed in writing of the determination and the corrective measures to be taken. Corrective measures may include suspension without pay, instigating a probationary period or a demotion, the removal from a position of authority, a public or private apology, or any action up to and including termination of employment for just cause.

These corrective measures may be applied to:

- a. Any employee who is found to have committed Workplace harassment or violence as defined in this policy;
- b. Any employee who does not provide full cooperation during investigations relating to Workplace harassment or violence;
- c. Any employee who is unwilling to accept and carry out appropriate treatment or undergo mandatory testing;
- d. Any manager who does not take action to prevent harassment or violence from occurring, including, but not limited to, identifying and intervening in inappropriate Workplace behaviour as defined by this policy;
- e. Any manager who demonstrates a lack of willingness to discuss and address concerns with any employee regarding Workplace harassment or violence.

22. If necessary, the VP, Human Resources will communicate the corrective actions to be taken to the CHRO, who will decide what information, if any, needs to be communicated and to whom, in order to properly implement the corrective action (e.g., the necessary information to be provided to Security, IT, Facilities, etc.).

23. The complainant and the Respondent will be informed, in writing, of the findings of the investigation.

24. Employees who are not satisfied with the investigation or the resolution process may bring the matter to the attention of the VP, Human Resources, who will make a determination on any additional measures that may be required.

25. If disciplinary action is taken, corrective action is to be maintained on the Respondent's employee file for an indefinite period of time and taken into consideration should further violation of this policy occur. All other documentation of the full investigation is to be maintained in a separate investigation file, which must be kept, managed, and made accessible in accordance with [SEC 6 Privacy Employee and Customer Personal Information](#), [LEG 1 Retention of Records](#) and as dictated by applicable legislation.

### **Fraudulent/Malicious Complaints**

26. Unfounded/frivolous allegations of harassment or violence result in significant harm and damage to the well-being and reputation of the Respondent, co-workers, and the Company. Making a false complaint or providing false information about a complaint is a violation of the policy and will not be tolerated. If it is determined that any employee has knowingly made a false complaint regarding an incident of harassment or violence, immediate disciplinary action, up to and including termination of employment for just cause, will be taken.

## **MONITORING**

It is the responsibility of the Chief Human Resources Officer (or delegate) to monitor this policy, as required, and to ensure that it is implemented throughout the Company. Exceptions to this policy requires that person's prior approval.

## **DEFINITIONS**

Abusive or Aggressive Behaviour	Any act in which a person is abused, threatened, intimidated, harassed, or assaulted in their employment.
Complainant	A person who believes they have been the victim of violence or harassment in the Workplace and files a complaint in accordance with this policy.
Harassment	Any behaviour, including verbal, that is known or is reasonably expected to be known as unwelcome and causes fear, demeans or humiliates a person; creates what a reasonable person would consider a harmful or unsafe work environment; and negatively affects a person's dignity or psychological or physical integrity. Examples of harassment include, but are not limited to, words, gestures, actions, intimidation, bullying, or other inappropriate activities such as racial or sexual slurs, name calling, racist or sexist jokes, negative stereotyping, threats, physical assault, or demeaning  In addition, in Québec, the Québec Labour Standards Act provides that every employee

	<p>has a right to a work environment free from psychological harassment. The specific provisions of the Québec Labour Standards Act are applicable only to those employees working within a provincially regulated company with operations in Québec. For these employees, harassment also includes:</p> <ul style="list-style-type: none"> <li>• Any vexatious behaviour in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures, that affects an employee’s dignity or psychological or physical integrity and creates what a reasonable person would consider a harmful or unsafe work environment. This also includes a single serious incident of such behaviour that has a lasting</li> </ul> <p>Harassment must not be confused with the normal exercise of the employer’s management rights; in particular, the manager’s right to assign tasks and their right to counsel, reprimand or impose disciplinary sanctions. Insofar as a manager does not exercise these rights in an abusive or discriminatory manner, their actions do not constitute harassment. Accordingly, the following are examples of conduct excluded</p> <ul style="list-style-type: none"> <li>• Appropriate disciplinary or administrative measures imposed by</li> <li>• Actions including verbal and written counselling relating to absenteeism, performance issues, or behaviour;</li> <li>• Reasonable use of the right of management to ensure supervision, performance evaluation, work organization, and compliance with current Company policies;</li> <li>• Expressing disagreement of reasonable, but contrary, opinions.</li> </ul>
Respondent	A person alleged to have committed harassment, violence, or abusive or aggressive behaviour in the Workplace.
Prohibited Ground	Under the federal <i>Canadian Human Rights Act</i> , prohibited grounds of discrimination include race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability, and conviction for which a pardon has been
Workplace	All places where the Company’s employees or contractors provide services. Workplace harassment, violence, or abusive and aggressive behaviour is not limited to incidents that occur within a traditional Workplace. Work-related violence can occur at off-site business-related functions (conferences, trade shows), at social events related to work, in a customer’s home, or away from work but resulting from work (e.g., a threatening telephone call to an employee’s home from a co-worker).
Workplace Violence	Any action that causes fear, demeans, or humiliates a person in their employment, including, but not limited to: <ul style="list-style-type: none"> <li>• Physical attacks – assault, sexual assault, shooting, stabbing, kicking, hitting, pushing, or shoving that causes or could cause physical injury to</li> <li>• Verbal abuse – swearing, insults, or condescending language.</li> <li>• Threatening behaviours – any kind of threat, such as any expression of an intent to inflict harm, including verbal, written, or body language such as shaking fists, or actions such as damaging or destroying</li> <li>• Harassment – any behaviour that demeans, embarrasses, humiliates, annoys, alarms, or verbally abuses a person and that is known or would be expected to be unwelcome. This includes words, gestures, intimidation, bullying, or other inappropriate activities.</li> <li>• Psychological harassment – any vexatious behaviour in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures, that affects an employee’s dignity, psychological or physical integrity, and that results in a harmful work environment for the employee. This also includes a single serious incidence of such behaviour that has a lasting harmful</li> <li>• Sexual harassment – any vexatious comment or conduct in a</li> </ul>

Workplace because of sex, sexual orientation, gender identity, or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or that might, on reasonable grounds, be perceived by that employee as placing a condition of a sexual nature on employment or on any opportunity for training or promotion; or making a sexual solicitation or advance where the person making the solicitation or advance knows or ought reasonably to know that the solicitation or advance is

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