

Topic: Workplace Health & Safety

7.1 Appendix E - Violence and Harassment Procedures: Reporting / Raising Concerns (including Complaint Resolution Procedures)

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Signature of Board Chairperson (and Date):

Support for Employees Affected by Workplace Violence and/or Harassment

Workers, whether a victim or a witness must report all violence-related incidents, or harassment to the CEO/Librarian immediately. This allows the incident to be investigated in a timely manner. The CEO/Librarian will respond promptly, assess the situation and ensure that these interventions are followed:

- if there is an immediate threat to any person's safety, call 911
- facilitation of medical attention
- ensures that measures are taken to safeguard employees and curtail the violence
- debriefing (by skilled professional if required)
- team debriefing (as required)
- completion of incident reports, WSIB (Worker's Safety Insurance Board) reports, reports to MOL (Ministry of Labour), (for critical injury or fatality)

Protection from Reprisal

The NKPL will not tolerate retaliations, taunts or threats against anyone who complains about harassment or violence or takes part in an investigation. Any person who taunts, retaliates against or threatens anyone in relation to a harassment or violence complaint may be disciplined up to and including dismissal from employment.

Reprisal includes:

- Any act of retaliation, including threats of retaliation, that occurs because a person has complained of or provided information about an incident of workplace violence or harassment.
- Intentionally pressuring a person to ignore or not report an incident of workplace violence or harassment.

- Intentionally pressuring a person to lie or provide less than full cooperation with an investigation of a complaint or incident of workplace violence or harassment.

An employee who makes a false complaint or otherwise abuses this policy may be disciplined up to and including dismissal from employment. Such discipline is not a reprisal or breach of this policy.

Informal Procedure

If you believe that you are being discriminated against or harassed, the first thing to do is to tell the person to stop. Do so as soon as you receive any unwelcome comments or conduct. Although this may be difficult to do, telling the person you don't like their actions is often enough to stop the behaviour.

If the behaviour continues after you have confronted the individual, you may want to provide them with a written statement of the situation. Include specific details of the behaviour you consider to be harassing, your request to the harasser to stop and your expectations that they will stop. Provide details of the next steps you plan to take if the harassment does not stop e.g., filing a formal complaint. Make sure you keep a copy of this statement for yourself.

It helps to keep a record of any incident(s) that you experience. This includes when the harassment started, what happened, whether there were any witnesses and what was your response.

If you believe that someone who is not a member of the organization, e.g., a customer, supplier, etc., has harassed or discriminated against you, please report the incident to the CEO/Librarian or the Board Chair. Although the NKPL has limited control over third parties, we will do our best to address the issue and prevent further problems from occurring.

The complainant shall bring his/her concern immediately to the attention of the CEO/Librarian in an attempt to resolve the complaint without the necessity for a written complaint.

Any employee is able to escalate their complaint to another level (employee – CEO/Librarian and/or Health and Safety Representative – Library Board Chair – Library Board)

Employees may contact the CEO/Librarian or the Health and Safety Representative or Board Chair for clarification of this policy.

Formal Procedure

If the situation persists, or if the complainant feels unable to approach the CEO/Librarian and/or the Health and Safety Representative, the complainant may bring their concern immediately to the attention of the Board Chair. Whoever receives the complaint shall act as the Advisor / Mediator.

If the incident or complaint involves a North Kawartha Public Library Board member, an external person qualified to conduct a workplace violence and/or harassment investigation who has knowledge of the relevant workplace violence and/or harassment laws, will be retained to conduct the investigation.

When reporting an incident or complaint in writing, the report of the incident should include the following information:

- I. Name(s) of the worker who has allegedly experienced workplace violence and/or harassment and contact information.
- II. Name of the alleged harasser(s), position and contact information (if known).
- III. Names of witness(es) (if any) or other person(s) with relevant information to provide about the incident (if any) and contact information (if known).
- IV. Details of what happened including date(s), frequency and location(s) of the alleged incident(s). Any supporting documents the worker who complains of violence and/or harassment may have in their possession that is relevant to the complaint.
- V. List any documents a witness, another person or the alleged harasser may have in their possession that is relevant to the complaint.

Complaint Resolution Procedure

There are many different scenarios in which staff, volunteers or Library Board members could be involved in incidents. In some cases, a complainant may wish to pursue an informal process either to attempt to resolve the issue prior to escalation or to discuss whether or not the incident is considered harassment or violence under the Occupational Health and Safety Act.

Employees need to be made aware of the difference between discipline and harassment and should have an opportunity to inquire with the Advisor/Mediator prior to making a formal complaint. These can be sensitive issues in a workplace and professionalism and impartiality are key.

Prior to accessing the Complaint Resolution Procedure an employee who feels that they are experiencing unwelcome and unwanted behaviour which falls within the definition of harassment or violence should attempt to address the issue directly with the individual involved by politely advising the individual that their conduct is unwelcome and unwanted. Written notes should be kept by all parties.

In the event that advising the individual that their conduct is unwelcome does not work, or if the circumstances are such that the employee feels unable to address the issue directly with the individual, then the employee may proceed directly to the Complaint Resolution Procedure.

Every attempt should be made to eliminate conflict at the earliest sign of discord. These situations must be addressed in order to prevent escalation with more serious results and to prevent a poisoned work environment. The goal is to resolve smaller incidents before serious situations arise in order to protect the physical and mental health and the safety of our workers.

Confidentiality

All incidents or complaints of workplace violence and/or harassment shall be kept confidential except to the extent necessary to protect workers, to investigate the complaint or incident, to take corrective action or otherwise as required by law.