POLICY ON WORKPLACE VIOLENCE AND HARASSMENT

A policy dealing with preventing and responding to violence and harassment, including sexual harassment in the workplace and Community
BURNHAMWOOD CO-OPERATIVE HOMES INC

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1. Policy Statement

Burnhamwood Co-operative Homes Inc. is committed to the safety of its workers. Co-op staff should enjoy a workplace that is free from violence and harassment, including sexual harassment.

No worker, volunteer or any other individual associated with the co-op shall subject any other person to workplace violence or harassment or allow or create situations that allow workplace violence or harassment to occur. The co-op will:

- support and promote a program on the prevention of workplace violence and harassment;
- regularly assess the risks of workplace violence;
- identify possible sources of violence and harassment; strive to eliminate or reduce the risk of workplace violence and harassment.
- investigate and deal with all incidents and complaints of workplace violence and harassment in a fair and prompt manner.

2. Purpose of Policy

The purpose of this policy is to:

- identify roles and responsibilities when violence or harassment take place in the workplace/or community
- set out how the co-op will respond to reports of violence or harassment in the workplace.

3. Definition of Workplace/Community Violence and Harassment

Workplace/Community violence

Under the Occupational Health and Safety Amendment Act 2009, workplace violence means:

- the exercise of physical force by a person against a worker or any other person in the community, in a workplace or on property that causes, or could cause, physical injury to the worker / or member of the community.
- an attempt to exercise physical force against a worker / or member of the community, in a workplace or property that could cause physical injury to the worker or member of the community.

- a statement or behaviour that is reasonable for a worker or member of the community to interpret as a threat to exercise physical force against the worker, in a workplace or on the property that could cause physical injury to the worker or member of the community.

Workplace harassment
Under the Occupational Health and Safety Amendment Act 2009, workplace harassment means engaging in a course of vexatious comment or conduct against a worker in a workplace that is known, or ought reasonably to be known, to be unwelcome.

Workplace sexual harassment
Under the Occupational Health and Safety Act, workplace sexual harassment means:

- engaging in a course of vexatious comment or conduct against a worker in a 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

- making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

4. Definition of Worker

For the purposes of this policy, a worker means a person who performs work or services for monetary compensation at the co-op and includes all full-time and parttime employees, casual workers, individual contractors and employees or staff of any contractor or service provider carrying out business for the co-op.

Where co-op staff are employees of property management or service companies, the board may decide that incident reports, complaints and other matters referred to in this Policy can be adequately dealt with under corresponding policies, programs and procedures of the property management or service company rather than the co-op.

5. Not Workplace Harassment

A reasonable action taken by an employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment. Criticism of the job performance of staff is not harassment if it is made in a reasonable and constructive way.

6. Implementation of the Policy

Burnhamwood Co-operative Homes inc. is committed to the prevention of workplace/community violence and harassment, including sexual harassment, entering the workplace, and supports the following program to protect its workers:

1. A Policy has been adopted by the board of directors. All workers and members of the community, as defined in the Policy, shall be given a copy of the Policy. The Policy will be formally reviewed by the board and management staff annually and revised as necessary.

2. The co-op will provide training and instructional resource material to all staff and management on the nature of workplace violence and harassment, and the co-op's Policy for preventing and responding to it.

3. Risk assessments will be annually conducted by the co-op, or after any incident of workplace or community violence. The board will designate a person to co-ordinate the assessment. The assessment will include:

   a) Employee/member survey.

   b) review of the physical premises with regard to employee/member safety;

   c) review of any incidents of violence.
   The results of the assessment will be shared with workers.

4. The co-op will put in place any reasonable measures identified by workers/members to increase their safety in the workplace/community and reduce the risk of workplace/community violence or harassment. These include:

   a) safe cash handling protocols;

   b) buddy systems and personal communication devices for workers that work alone;

   c) limiting access to the office or other areas of the co-op by persons who may pose a threat to workers;

   d) improvements in physical environment such as better lighting;

   e) designated safe areas for emergency situations;

   f) training on dealing with violent people;

   g) hiring security personnel as required.

5. In the case of a person with a history of violent behavior, as verified in a previous complaint investigation by the co-op:

   a) the co-op is required to provide information to a worker about the person if the worker could be expected to encounter the person in the course of his/her work, and there is a risk of workplace violence that may expose the worker to physical injury;

   b) information shall only be disclosed as is reasonably necessary to protect the worker from physical injury;

   c) the board will seek legal advice from the co-op's lawyer before disclosing any information.

6. The co-op will investigate and promptly deal with all incidents and complaints of violence or harassment. The board will designate a person to investigate the incident or complaint and advise the board on appropriate actions.

7. The co-op will offer an Employee Assistance Program to allow employees subject to workplace violence or harassment, or those with personal problems, to seek help.

8. The co-op will keep detailed records of any workplace violence or harassment reports, investigations or work refusals.

9. The co-op will review and evaluate procedures and outcomes of recent workplace complaints of violence or harassment (if any) on a regular basis to improve results.

The co-op will maintain and review, at least annually, the implementation of the Workplace Violence and Harassment Policy.

7. Rights and Duties

7.1 Workers' and Community Rights

Workers/Community have a right:

a) to report an incident of violence or harassment, including sexual harassment, or file a complaint without fear of retaliation.

b) to be told about the co-op's process for looking into the incident or complaint.

c) to choose a person to be with them during meetings about the incident or complaint. This can be a lawyer or other person.

d) to get information about the review of the incident or complaint.

e) to be treated fairly while the co-op is looking into the incident or complaint.

f) to get information about the action taken by the co-op because of the incident or complaint.

g) to refuse work if the worker has reason to believe that workplace violence is likely to endanger himself or herself.

7.2 Workers and Community Duties

Workers/Community have a duty:

a) to report any incidents of violence or harassment, including sexual harassment.

b) if they feel they have been harassed, to communicate clearly to the person who harassed them that the behaviour was unwelcome, unless it is unreasonable to expect them to do so.

c) after reporting an incident or file a complaint, to co-operate with the people who are looking into the incident or complaint.

7.3 Rights of the Person Accused of Violence or Harassment

A person accused of violence or harassment has the right:

a) to be told that a report or complaint has been filed.

b) to know who filed the report or complaint, unless the co-op decides that reprisals are an issue, in which case the name may be withheld. This should be done only in the most extreme circumstances.

c) to be told about the co-op's process for looking into the incident or complaint.

d) to choose a person to be with them during meetings about the incident or complaint. This can be a lawyer or other person.

e) to be treated fairly during the investigation process.

7.4 Duties of the Person Accused of Violence or Harassment

Anyone accused of violence or harassment has a duty to co-operate with the co-op in the investigation of the incident or complaint.

8. Reporting Workplace /Community Violence

When an incident of workplace/community violence occurs, the co-op will notify police or emergency responders for immediate assistance where necessary.

If the incident results in a person being killed or critically injured, the co-op will immediately notify a Ministry of Labour health and safety inspector, the co-op's health and safety representative and union, if any, and within 48 hours notify, in writing, a director of the Ministry of Labour.

9. Investigating Incidents and Complaints

The co-op will investigate all incidents and complaints about violence and harassment promptly:

a) If the incident or complaint is on human rights grounds, the co-op will follow the process set out in the Human Rights By-law.

b) An incident report or a complaint must be in writing and signed by the person filing the report or making the complaint unless this is unreasonable. The report or complaint should be given to the co-op manager. If the report or complaint is about the manager, it can be given to the President. If the report or complaint is about both the manager and the President, it can be given to any director.

c) The co-op will designate a person to look into the incident or complaint. This position may be called the Incident Investigator or the Complaints Officer. The designated person may or may not be a director or a staff member and may be from outside the co-op.

d) The designated person may be authorized to consult the co-op lawyer. Where there is a possible legal liability on the part of the co-op, the co-op lawyer will be consulted before proceeding further.

e) The investigation into the incident or complaint will include interviews with the parties and any others that may have knowledge of the incident or complaint. The investigation may include a review of co-op files and inspection of parts of the co-op as necessary. The designated person will submit a written report to the board.

f) The board will consider the report and take the appropriate action where there is evidence of violence or harassment. In determining the action to take, the board will consider the seriousness of the acts. Possible actions include:

- a letter of apology or a performance agreement, if the parties will agree to these;
- mediation between the parties or mandatory counselling.
- proceedings to remove someone from the board if the person at fault is a director;
- reprimand, suspension or dismissal if the person at fault is a worker.
- eviction, under Article 7 of the Occupancy By-law, if the person at fault is a resident of the co-op. However, in determining what to do, the board will be guided by the eviction process.
- establishing appropriate security measures as part of the workplace violence and harassment program.

10. Domestic Violence Brought into the Workplace/Community

Workers should bring domestic violence that may impact the employee in the workplace to the attention of the co-op. The co-op should take reasonable steps to protect the employee while at work. Workers may file a complaint about any failure by the co-op to do so.

11. Privacy

As far as possible, the co-op will keep all information relating to an incident or complaint confidential.

However, in order to investigate an incident or complaint, the person conducting the investigation may have to interview people in order to get at the facts. As far as possible in doing these interviews, that person will try to protect the identity of those involved, but this will not always be possible.

The Co-op will disclose information only on a need-to-know basis.

12. Action by Co-operative

While the incident or complaint is being investigated, the co-op will limit contact between the workplace parties involved in the incident or complaint.

13. Other Legal Rights

COMMUNITY HARASSMENT IS UNPLEASANT AND INTIMIDATING. Fear of retaliation, embarrassment or feelings of guilt may prevent members from complaining, however it is essential that members notify the Board of Directors in writing if they are being harassed. All members have the right to live without fear of harassment. Each member has a responsibility to protect that right.

CERTIFIED to be a true copy of a Policy passed by the Board of Directors at a meeting held on January 13, 2026. Approved by the Membership at a meeting Held on April 21/26.