Rideau Lake ATV Club

Workplace Violence, Harassment, and Sexual Harassment Policy – Ontario

Policy # RLTVC -01

Approval Date:

Year of Next Review: 2027

Note: This document complies with the Occupational Health and Safety Act, including changes made by Bills 168 and 132.

Intent

Rideau Lake ATV Club (RLATVC) is committed to building and preserving a safe, productive, and healthy working environment for its employees, free from violence and harassment. The organization will take all reasonable measures to ensure job candidates, employees, managers, volunteers and clients are not subject to any form of violence or harassment. This commitment applies to all areas of business, including training, performance, assessment, promotions, transfers, layoffs, remuneration, and all other employment practices and working conditions.

Acts of violence or harassment against or by any RLATVC employee, will not be condoned or tolerated by the organization. This policy outlines the RLATVC violence and harassment program, including how incidents of violence and harassment will be handled and investigated.

Definitions

Employee: For the purposes of this policy, an employee is either an individual who is financially compensated for a specific role or position within the RLATVC OR an individual who is volunteering their time without compensation to the RLATVC

Complainant: A person who has made a complaint about another individual who they believe committed an act of violence or harassment against them.

Respondent: A person whom another individual has accused of committing an act of violence or harassment.

Workplace harassment: 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, or workplace sexual harassment.

Workplace sexual harassment: 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.

Workplace violence: The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker; an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker; or a statement or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

Guidelines

This policy has been developed in consultation with staff and the health and representative. It will be reviewed annually, or more frequently, if necessary, to ensure that it accurately represents the RLATVC prevention program.

RLATVC will provide all employees, volunteer, Board of Directors (BOD) with appropriate training and information regarding the company's violence and harassment prevention practices and procedures. All parties mention above are responsible for adhering to this policy and should report every incident of violence or harassment immediately to management. This includes any incidents that have been witnessed, experienced by, or reported to an employee.

For the purposes of this policy, workplace harassment or violence can occur:

- At the workplace;
- At employment-related social functions;
- In the course of work assignments outside the workplace;
- During work-related travel;
- Over the telephone, if the conversation is work-related; or
- Elsewhere, if the person is there as a result of work-related responsibilities or a work-related relationship.

Reasonable day-to-day actions by a manager that help manage, guide, or direct workers or the workplace and appropriate employee performance reviews, counselling, or discipline by a manager do **not** constitute harassment.

Violence Risk Assessment

RLATVC will conduct a risk assessment of the work environment to identify potential risks that could affect the organization and the health and safety of employees and will institute measures to eliminate or control any identified risks to employee safety.

The following factors will be considered during the assessment:

- Past incidents of violence;
- The interactions that occur in the course of performing work; and
- The physical location and layout of the workplace.

The risk assessment may include reviews of records, security reports, employee incident reports, health and safety inspection reports, first aid records, or other related records. Areas that will be considered and may contribute to risk of violence include but are not limited to contact with the public, exchange of money, and working alone or at night.

The Executive Director/President will provide the Executive Committee with a written copy of the assessment and advise on the results.

The company will disclose information to workers who are likely to encounter a known person with a history of violence in the performance of their job duties, or if there is a potential risk of workplace violence as a result of interactions with the person with a history of violence. However, the company will only disclose personal information that is deemed reasonably necessary to protect the worker from physical harm.

Workplace Violence and Harassment Program

<u>Reporting Incidents of Workplace Violence and Harassment</u>

An employee who believes they have been subject to violence or harassment should submit a complaint to their immediate Supervisor. The complaint should be made as soon as possible following the incident and must include the following information:

- The date and time of the incident;
- The name of any persons involved in the incident;
- The name of any persons who witnessed the incident; and
- A thorough description of what occurred.

An employee, volunteer or BOD who believes they have been subject to harassment may also choose to confront the harasser without filing a formal complaint. They can confront the harasser directly or through writing, detailing the unwelcome behaviour and requesting it to stop.

If the alleged harasser is the employee's manager, or in a position of power, the complainant is welcome to file a complaint with the President, or another member of the Executive Committee.

Immediate Assistance Procedures

The following measures and procedures should be followed when an incident of violence has occurred or is likely to occur and immediate assistance is required:

- Place an immediate call to emergency services by dialling 911.
- Notify the immediate Supervisor for additional assistance.

Investigation Procedures

Once a complaint has been received, the RLATVC will complete a thorough investigation. The organization will ensure that, where practicable, the investigation is completed within 90 days of the complaint being filed.

The investigation will include:

- Informing the respondent of the complaint;
- Interviewing the complainant and any persons involved in the incident;
- Identifying and interviewing any witnesses; and
- Obtaining statements from all parties involved.

All of the above information will be documented and used to determine whether an incident of violence or harassment occurred. If necessary, RLATVC may employ outside assistance or request the use of legal counsel. The Board of Directors as a whole will not be involved in investigations and will not be provided with any identifying information of the parties involved.

A copy of the complaint detailing the complainant's allegations will be provided to the respondent, who will be invited to reply in writing to the complainant's allegations. The reply will be made known to the complainant before the case proceeds.

The company will take all measures to prevent any disclosure of the incident and the identities of the parties involved, unless the disclosure is necessary for the investigation, for taking corrective action or required by law.

Results of Investigation

Upon completion of an investigation, RLATVC will provide both the complainant and respondent a written summary of the findings of the investigation and any corrective action that has been or will be taken as a result of the investigation. This written notification will be provided within (3 weeks) of the investigation being completed and will not include the investigation report unless required by law.

Control Measures

Where RLATVC determines that violence or harassment has occurred, control measures will be implemented to eliminate or control the risk of violence or harassment to a worker as a result of the investigation. These control measures will be determined on a case-by-case basis, depending on the situation investigated. Any control measure enacted will be communicated to the complainant and respondent, as well as any other employees the measure effects.

Disciplinary Measures

Any disciplinary action will be determined by the Executive Committee and will be proportional to the seriousness of the behaviour or action involved in the incident.

If the organization determines that an employee has been involved in an incident of violence or harassment towards another employee, immediate disciplinary action will be taken, up to and including immediate dismissal.

Domestic Violence

If RLATVC becomes aware that domestic violence is likely to expose an employee to physical injury in the workplace, the company will take every precaution reasonable in the circumstances for the protection of the worker.

Recommendations to Victims

The company will provide appropriate assistance to any employee who is a victim of violence or harassment. RLATVC recommends that a worker who has been harmed as a result of an incident of violence at the workplace consult their health care provider for treatment or referral for post-incident counselling, if appropriate.

The Right to Refuse Unsafe Work

Employees have the right to refuse work if they have a reason to believe that workplace violence is likely to endanger them. Upon refusing to work, the employee must report the circumstance of the refusal to their manager. An investigation will follow in the presence of the health and safety representative or designated member of the Executive Committee as appropriate.

Fraudulent or Malicious Complaints

It is a violation of this policy for anyone to knowingly make a false complaint, or to provide false information about a complaint. Unfounded or frivolous allegations may cause both the respondent and the organization significant damage. Any employee who knowingly makes a false allegation related to violence or harassment will be subject to immediate disciplinary action, up to and including termination of employment.

Recordkeeping

RLATVC will ensure that appropriate records of complaints and investigations relating to incidents of violence and workplace harassment are kept, including:

- A copy of the complaint or details about the incident;
- Any records related to the investigation, including notes;
- A copy of the investigation report (if applicable);
- A summary of the investigation results, including the reports provided to the complainant and respondent; and
- A copy of any corrective action taken to address the complaint or incident.

Confidentiality

RLATVC will not disclose the name of a complainant or a respondent or the circumstances related to the complaint to any person except where disclosure is necessary to investigate the complaint or take corrective action with respect to the complaint or required by law. The company will only disclose the minimum amount of personal information or details necessary for these purposes.

All records of harassment, and subsequent investigations, are considered confidential and will not be disclosed to anyone except to the extent required by law. The RLATVC will do everything reasonably possible to protect the privacy of any individuals involved and to ensure that complainants and respondents are treated fairly and respectfully.

Policy Review

In accordance with the *Occupational Health and Safety Act*, this policy will be posted in a conspicuous place in the workplace and reviewed annually.

Approved: _____

President

Approved: _____

Secretary

Dated: _____