

HIV/AIDS Resources & Community Health [ARCH] supports a work environment that respects and protects the rights of employees, clients, members, service users, and volunteers as guaranteed by the Occupational Health & Safety Act, the Canadian Charter of Rights and Freedoms, the Human Rights Code, the Criminal Code and other applicable legislation that protects the rights of all individuals.

ARCH recognizes that violence and aggression can be committed by any person including staff, clients, members, service users, volunteers or the public. Every individual is entitled to protection from abuse, violence and aggression, and, if subjected to abuse, violence or aggression in the workplace, each person has the right to immediate protection and support.

With respect to the prevention of violence in the workplace as set out in the Occupational Health & Safety Act, ARCH is committed to the following”

1. To proactively identify and prevent violence in the workplace.
2. To minimize the risk of violence by assessing work practices, through education and communication with workers and, by implementing workplace practices that will minimize and reduce the risk of a violent incident occurring
3. To maintain privacy and confidentiality of the individual(s) concerned wherever possible.
4. To review the “Preventing Workplace Violence” policy at least once each calendar year.
5. ARCH will not discriminate or retaliate against persons because they are or are perceived to be victims of workplace violence.
6. Workplace violence will not be tolerated, on ARCH premises, while conducting ARCH business, or at ARCH functions or social events, whether such violence is perpetrated by management, volunteers, board members, employees, contractors, clients, visitors or members of the general public.
7. Ensuring that all employees behave in a manner that is professional, courteous and respectful. Employees must not act in ways that would threaten, bully, harass, coerce, or intimidate another individual.

We are pleased to support a workplace where safety comes first. This statement of commitment is reflected in our policy “Preventing Workplace Violence” and can be accessed in the Personnel Policies manual.

POLICY OVERVIEW

It is the policy of the to provide a work environment that respects and protects the rights of employees, clients, members, service users, and volunteers as guaranteed by The Canadian Charter of Rights and Freedoms, The Ontario Human Rights Code, The Criminal Code of Canada and other legislations that protect the rights of all individuals. ARCH is committed to be proactive in preventing, recognizing and addressing violence and aggression in the workplace. ARCH recognizes that violence and aggression can be committed by employees, clients, members, service users, volunteers or the public. For purposes of this policy, the term “worker” refers to employees, volunteers and students who are working with ARCH.

The purpose of this policy is:

1. To recognize and define workplace violence as means of control and/or abuse of power.
2. To ensure the dignity, respect and safety of each individual through prevention of violence and aggression.
3. To provide a process for recognizing and reporting all abusive, violent and aggressive actions encountered in the workplace or any place ARCH provides services.
4. To provide a procedure for reporting abuse, violence and aggression to the appropriate external agencies and authorities as required.

ROLES AND RESPONSIBILITIES

Executive Director and/or Immediate Supervisor, Manager:

1. To ensure that every worker is aware of his or her rights and responsibilities under this policy.
2. To identify which positions/type of work require vulnerable sector screening or criminal background checks and, ensuring that those individuals are screened prior to their first day of work, in order to minimize the risk of violence.
3. To ensure appropriate training for all workers in the methods of prevention, recognition and addressing all types of abuse, violence and aggression, including but not limited to physical, verbal, mental and financial abuse.
4. For investigating all complaints.
5. To alert workers who may be impacted by potentially volatile or violent persons and other hazardous situations that could put them at risk for violence, abuse or aggression.

Employees, Volunteers and Students:

1. To report all incidents of abuse, violence and aggression to their immediate supervisor/manager or the Executive Director. Any time that there is the potential for abuse, violence or aggression or, if a situation or work activity appears unsafe, it is to be reported to the supervisor/manager or the Executive Director.
2. For ensuring that false or misleading allegations of violence, abuse or aggression are discouraged and not reported.
3. The employees who participate on the Joint Health & Safety Committee (or Representatives) are responsible for tracking and trending reported incidents along with making recommendations for prevention initiatives.

POLICY GUIDELINES

General:

1. ARCH workers shall at all times behave in a manner that is professional, courteous and respectful and must not act in ways that would threaten, coerce, harass or intimidate another individual.
2. In accordance with this policy, every worker is entitled to protection from abuse, violence and aggression, and, if subjected to abuse, violence or aggression in the workplace, each person has the right to immediate protection and support.
3. Every individual is allowed to make a complaint without fear of reprisal.
4. Every individual who is alleged to have committed an act of abuse, violence or aggression is presumed innocent until an investigation proves otherwise.

Duty to Warn:

1. ARCH workers must be warned about persons who are known to present a risk of violence (based on a past history of violence).
2. Persons working with individuals who are known to be potentially violent will be informed of this (in advance) through client profiles, orientation processed and formal meetings with management.
- 3.

Reporting & Investigating:

1. All allegations of violence, abuse or aggression shall be investigated immediately and documented by the Executive Director (or designate) within 48 hours of the report.
2. In cases where the Executive Director is the subject of such allegations, the individual(s) making the complaint should report the allegation/incident directly to a designated member of the Board of Directors. If a Board member is the subject of such allegations then the individual should report to the Executive Director.
3. All allegations of violence or aggression will be thoroughly investigated and documented in order to determine whether or not external authorities should be contacted.
4. Should an ARCH employee or volunteer witness an incident of abuse/violence/aggression while providing services, an incident report must be filed immediately with the Executive Director or designate.

5. ARCH employees and volunteers are to report all violence-related incidents or hazards to their supervisor or the Executive Director. This report can be made confidentially, at the person's request, with the exception of when there is a need to ensure the safety of others and prevention of recurrence.
6. Investigation of alleged violence, abuse or aggression shall be undertaken in a manner that is sensitive to the confidentiality of the person who has reported the allegation or a person who is alleged to have committed a violent or aggressive act. In the event of a violation of the Criminal Code, ARCH may also advise the complainant to notify the police or appropriate authorities.

Disciplinary Action:

1. The Executive Director or designate will suspend an employee or volunteer who is alleged to have committed violence or abuse, pending the outcome of an internal investigation. If a client is involved the Executive Director or designate will arrange for alternative service provision and/or assistance to the client to access community supports to deal with the alleged abuse.
2. Disclosure of any details of the situation to anyone not appropriately directly involved, either during or after the investigation, will result in disciplinary action up to and including termination.
3. An employee or volunteer who falsely alleges abuse/violence/aggression will be subject to disciplinary action up to and including termination of employment or volunteer position.
4. A client who falsely alleges abuse/violence/aggression will be subject to a review of their service agreement and appropriate action taken which may include a written warning up to and including termination of the service agreement.

Domestic Violence:

1. ARCH will endeavour to deal with disclosures by workers that they are victims of domestic violence with as much confidentiality as is possible. However, attempts to preserve confidentiality will not be allowed to supercede ARCH's responsibility to warn employees of the risk of violence when, providing such warning is warranted.
2. Employees and Volunteers are required to report to the Executive Director, any concerns they have about domestic violence involving themselves or a co-worker, which has the potential to affect the workplace.
3. ARCH will take all reasonable steps necessary to keep employees and volunteers safe from domestic violence when they are on duty (when ARCH becomes aware that an employee or volunteer is at risk of domestic violence).

Education:

1. Workers are to receive education and training with respect to this policy and any related prevention protocols prior to commencement of regular duties, during their new hire orientation and/or when there is a change in jobs such as a transfer or promotion.
2. Each worker is required to understand the potential risks and prevention protocols that are associated with their respective positions.
3. Workers are to be notified immediately of any incidents or changes that could increase the risk for potential violence and, are to receive education and support that will reduce or remove the risk.

POLICY DEFINITIONS:

Violence is defined as any actual, attempted or threatened conduct of a person that causes or is likely to cause physical and/or psychological harm/ injury/illness or that gives a person reason to believe that s/he or another person is at risk of physical or psychological harm/ injury/illness, including, but not limited to, any actual or attempted assault (including sexual assault, physical attacks); threats; verbal, psychological or sexual abuse and harassment or acts of aggression. For the purpose of this policy; the terms aggressive behaviors, assault and violence can be used interchangeably.

Assault: any intent to inflict injury on another, coupled with an apparent ability to do so; any intentional display of force that causes the victim to fear immediate bodily harm.

Harassment: engaging in any vexatious comment or conduct, such as bullying that is known or ought reasonably to be known to be unwelcome, and causes the person to believe their health and safety are at risk.

Near Miss: an act of striking out, but missing the target.

Physical attack: an act of aggression resulting in a physical assault or abuse with or without the use of a weapon. Examples include hitting, shoving, pushing, punching, biting, spitting, groping, pinching, or kicking the victim, unwelcome displays of affections or inciting a dog to attack.

Psychological abuse: an act that provokes fear and diminishes an individual's dignity or self worth or that intentionally inflicts psychological trauma on another.

Sexual abuse: any unwelcome verbal or physical advance or sexually explicit statement, pinching, brushing against, touching, patting or leering that causes the person to believe their health and safety is at risk.

Sexual assault: the use of threat or violence to force an individual to touch, kiss, fondle or have sexual intercourse with another.

Threat: a communicated intent (verbal or written) to inflict physical or other harm on any person or to property by some unlawful act. A direct threat is a clear and explicit communication distinctly indicating that the potential offender intends to harm, for example, "I am going to make you pay for what you did to me." A conditional threat involves a condition, for example, "If you don't leave me alone you will regret it." Veiled threats usually involve body language or behaviours that leave little doubt in the mind of the victim that the perpetrator intends to harm.

Verbal abuse: the use of vexatious comments that are known or that ought to be known, to be unwelcome, embarrassing, offensive, threatening or degrading to another person (including swearing, insults or condescending language) which causes the person to believe their health and safety is at risk.

Workplace: defined as any place where ARCH employees deliver services.

REPORTING INCIDENT FORM

Section 1 – Identifying Information

Your Name:		Incident Date:	
Your Position:		Incident Time:	
Phone Number:		Incident Location:	
Are you the complainant or did you witness to incident?			

Was medical attention obtained? YES NO If YES, describe the medical attention provided:

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Section 2 – Incident Details

Provide a description of the event or incident:

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Section 3 – Witnesses:

Witness #1 name and number:	
Witness #2 name and number:	
Witness #3 name and number:	
Witness #4 name and number:	

Section 4 – Additional Relevant Information (please use reverse side if needed):

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