

14.¹ POLICY TO ADDRESS WORKPLACE VIOLENCE

14.1 Policy Statement

This policy is applicable to all persons in the CYM organization; those employed by the organization, those contracted for services to the organization and those working in a voluntary capacity.

- 14.1.1 CYM is committed to working with its staff and volunteers to provide a safe workplace. Any threat or act of violence committed by or against a staff member, contractor or volunteer is unacceptable conduct that will not be tolerated. CYM will take all reasonable and practical measures to prevent and protect staff, contractors and volunteers from acts of violence. CYM will assess the workplace for safety on an ongoing basis and identify factors that contribute to workplace violence.
- 14.1.2 This Policy applies to all CYM staff, contractors and volunteers, regardless of tenure or position, including without limitation staff, supervisors and clerks. The Policy applies to all programs and activities that occur while on CYM premises or while at other location(s) where a staff member or volunteer may be located as a result of his or her employment, or while he/she is engaging in CYM business, gatherings, activities or social events. If children are involved, please consult the *Safe Nurture of Children in our Care* policy. If an incident involves only visitors, partners or participants, please follow the guidelines in Appendix “PP-D”, concerning the role of Continuing Meeting of Ministry and Counsel (CMMC) in addressing those incidents.

14.2 Definitions

- 14.2.1 **Complainant:** the person who files a formal complaint in writing pursuant to this Policy.
- 14.2.2 **Staff member:** an individual in an employment relationship with CYM or a contractor who is paid for services to CYM.
- 14.2.3 **Volunteer:** an individual who performs work or supply services to CYM for no monetary compensation, **including those who serve on employing committees.** For the purposes of this Policy only, “staff member” may include “volunteer” or a “contractor for services”, where appropriate.
- 14.2.4 **Respondent:** the individual against whom allegations that could constitute a violation of this Policy have been made.

¹ The numbers refer to the Section and sub-sections in the CYM Personnel Policy.

14.2.5 **Workplace:** any place where CYM work-related activities are conducted. It includes, but is not limited to, the CYM national office, Camp NeeKauNis, the location of CYM’s annual sessions and gatherings and events sponsored by CYM standing committees, the physical work premises, work-related social functions, work assignments off work premises, work-related travel and work-related conferences or training sessions. See Appendix “PP-C” for a list of locations and relevant supervisors.

14.2.6 **Workplace violence** is defined in the *Ontario Health and Safety Act (OHSA)*² as the threat, exercise, or attempted exercise, of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker. Examples of workplace violence include, but are not limited to:

- (a) Threatening behaviour such as shaking fists, destroying property or throwing objects;
- (b) Verbal or written threats that express an intent to inflict harm;
- (c) Physical attacks; and
- (d) Any other act that would arouse fear in a reasonable person in the circumstances.

14.3 Responsibilities of Staff, CYM clerks, Standing, Employing and Personnel Committees

14.3.1 Staff and volunteers are expected to:

- (a) Act respectfully towards other individuals while at work and while participating in any work-related activity;
- (b) Ensure their own immediate physical safety in the event of workplace violence, then to report the incident to the police or a supervisor or a clerk as the situation warrants and as outlined below;
- (c) Report any incident of workplace violence that they have knowledge of;
- (d) Understand and comply with this Policy and all related procedures;
- (e) Co-operate with any efforts to investigate and resolve matters arising under this Policy; and

² For a full definition, consult: http://www.labour.gov.on.ca/english/hs/pubs/ohsa/ohsag_part3-01.php

- (f) Participate in education and training programs and be able to respond appropriately to any incident of workplace violence.

14.3.2 Clerks of CYM, its Standing, Employing and Personnel Committees are expected to:

- (a) Ensure training and education of all staff with respect to this Policy;
- (b) Implement the program to address workplace violence;
- (c) Promote a violence-free working environment;
- (d) Take all reasonable precautions in the circumstances for the protection of a staff member if the employer becomes aware of a domestic violence situation that would likely expose a staff member to physical injury in the workplace;
- (e) Review all reports of workplace violence in a prompt, objective and sensitive manner, respecting the privacy of all concerned as much as possible; and
- (f) Facilitate medical attention and appropriate support for all those either directly or indirectly involved in a workplace incident.

14.4 Risk of Workplace Violence from a Person with a History of Violent Behaviour

14.4.1 CYM will provide staff with any known information, including personal information, about a person with a history of violent behaviour if the staff member can be expected to encounter such a person in the course of his or her work and the risk of workplace violence is likely to expose the staff member to physical injury. The employer will not disclose more information than is reasonably necessary for the protection of a staff member from physical injury.

14.5 Reporting Incidents of Workplace Violence

14.5.1 If the incident is of an urgent and serious nature, staff should first contact 911 and ensure they are in a safe place before following the steps below.

Otherwise, staff who believe that they have been subject to, have witnessed, have knowledge of, or have a reason to believe workplace violence may occur, shall:

- (a) Immediately report such information verbally to the relevant clerk for the location wherein the incident occurred. See Appendix “PP-C” for a

list of locations and relevant supervisors. If there is a serious and immediate threat, staff will receive information and instructions from the relevant clerk and, depending on the nature of the workplace violence, the appropriate law enforcement agency may be summoned;

- (b) Complete the Workplace Violence and Harassment Incident Report at Appendix “PP-E” and submit it to Clerk of Personnel Policy Committee (personnel-clerk@quaker.ca) or designate, or in their absence the Clerk of CYM (cym-clerk@quaker.ca) or designate, once the immediate threat has been addressed. Non-emergencies that may include threats or threatening behaviours must also be reported, and the Workplace Violence and Harassment Incident Report must be completed as soon as possible and the staff member must provide it to those named above; If an incident involves only visitors, partners or participants, the report will also be forwarded to the Clerk of Continuing Meeting of Ministry and Counsel (CMMC) (cmmc-clerk@quaker.ca) or designate.
- (c) Make detailed notes of the incident(s) as soon as possible including the date, time, and nature of incident(s) and names of any witnesses and include this information on the Workplace Violence and Harassment Incident Report.

14.6 Investigation of Complaints

- 14.6.1 All reports of workplace violence or potential incidents will be taken seriously and documented. If the allegations constitute a violation of this Policy, they will be investigated. The form of investigation will depend on the circumstances and may involve appropriate law enforcement or other competent persons as determined by the CYM Clerks, taking into consideration the nature of the workplace violence and the concerns of staff who experienced or witnessed the workplace violence.
- 14.6.2 Upon receipt of the completed Workplace Violence and Harassment Incident Report, outlining the formal complaint of workplace violence, the CYM Clerks will assign the investigation to an internal or external person to investigate. In a situation involving only visitors, partners or participants, the investigation could be referred to CMMC. More detailed information is provided in Appendix “PP-D”.
- 14.6.3 The investigation may include interviewing the Complainant and the Respondent as soon as possible, interviewing any witnesses, reviewing relevant documents and other materials and producing a final report detailing findings and recommendations (if any).
- 14.6.4 Following the investigation, the investigator may make a finding of:
 - (a) sufficient evidence to support a finding of violation of this Policy;

(b) insufficient evidence to support a finding of violation of this Policy;
or

(c) no violation of this Policy.

14.6.5 Upon being advised of the investigator's findings, the CYM Clerks will determine whether any action is required, which may include preventive, corrective and/or disciplinary action.

14.6.6 Please note that the appropriate law enforcement agency may conduct its own independent investigation.

14.7 Confidentiality

14.7.1 Confidentiality is required to properly investigate an incident and to offer appropriate support to all parties involved: only those on a "need to know" basis will be advised of the complaint and/or the investigation. CYM will endeavour to maintain confidentiality to the extent possible; staff are advised that gossiping about an incident will not be tolerated. Those with questions or concerns should speak to the Clerk of Trustees

14.8 Record Keeping

14.8.1 The documents corresponding to any investigation will be kept on file in a secure location, separate from any staff member's personnel files, for as long as necessary. Records of any remedial action taken will be placed in the appropriate staff member's personnel file.

14.9 Consequences

14.9.1 No staff or any other individual affiliated with CYM shall subject any other person to workplace violence or allow or create conditions that support workplace violence. A staff member that subjects another staff member to workplace violence or otherwise violates this Policy may be subject to disciplinary action, up to and including immediate dismissal for just cause.

14.9.2 Additionally, discipline, up to and including immediate dismissal for just cause may be imposed on staff who have made a false accusation under this Policy, knowingly or in a malicious or bad faith manner.

14.10 No Reprisals

14.10.1 CYM will not tolerate reprisals or retaliatory measures against a staff member who, in good faith, raises a complaint of workplace violence

within the meaning of this Policy. These protections apply to anyone who cooperates in the investigation of the complaint. Disciplinary action may be taken against any person who takes any reprisal against a person who reports workplace violence.

14.11 Monitor and Review

14.11.1 The CYM Personnel Policy Committee will review this Policy and the effectiveness of its workplace violence prevention measures at least every **twelve (12) months** and after any critical incident of violence in the workplace.

APPENDIX “PP-C”

INCIDENT REPORTING REQUIREMENTS FOR HEALTH AND SAFETY AND WORKPLACE POLICIES TO ADDRESS VIOLENCE, HARASSMENT AND DISCRIMINATION

Given that there are multiple workplaces and locations for gatherings, with site specific needs, the responsibility for the following tasks will rest with the relevant body within Yearly Meeting, in consultation with their employees, contractors and volunteers:

- assessment of risks
- implementation of measures and procedures to control the risks
- development of measures and procedures for summoning immediate assistance
- report of an incident for investigation

The following are the relevant Clerks or designated supervisor for the different locations:

- CYM national office – CYM Office Management Committee (cym-clerk@quaker.ca)
- Camp NeeKauNis – Camp NeeKauNis Committee (neekaunis-clerk@quaker.ca)
- Location of Yearly Meeting’s annual sessions – CYM Programme Committee (program-clerk@quaker.ca)
- Other employing committees, e.g., Canadian Friends Service Committee, Camp NeeKauNis Committee, Education and Outreach Committee, Publications and Communications Committee and those committees hosting events will need to develop procedures to fulfil the requirements of Sections 12, 13 and 14 of the CYM Personnel Policy.

Any incident of violence, harassment or discrimination involving employees, volunteers, visitors, partners, or participants will be reported immediately to the relevant Clerk for the location wherein the incident occurred, as the Clerk is responsible for initiating the process. Clerks will name another Friend to act with them in responding to an incident.

The above named Friends must maintain confidentiality. It is important that those not involved, do not circulate rumours, or seek to gain information to which they are not entitled.

When an employee is involved, the procedure outlined in the Personnel Policy Sections 13.4 & 13.5 and 14.5 & 14.6 will be followed. When a non-employee is involved the procedure in

Appendix “PP-D”, Role of Continuing Meeting of Ministry and Counsel (CMMC) will be followed.

Should the Clerks, who have responded to an incident, need support after they have initiated the reporting process, they are encouraged to contact Continuing Meeting of Ministry and Counsel (CMMC) (cmmc-clerk@quaker.ca)

When the investigation is completed, copies of the forms and a record of any steps taken by the investigator or the CMMC Investigating Committee will be kept in a confidential file at the CYM office.

The investigator or the CMMC Investigating Committee, will inform the Clerk(s) of CYM (cym-clerk@quaker.ca) and the Clerk of Trustees, (trustees-clerk@quaker.ca) (and if applicable the Clerk of CMMC) (cmmc-clerk@quaker.ca), of the finding of the investigation as per 13.5.5 or 14.6.4 of the Personnel Policy.

Those involved will complete an evaluation process to reassess and mitigate the risk to prevent a recurrence. That report will be submitted to the CYM Trustees.

APPENDIX “PP-D”

ROLE OF CONTINUING MEETING OF MINISTRY AND COUNSEL (CMMC) IN REPORTING AND ADDRESSING INCIDENTS INVOLVING NON-EMPLOYEES (VOLUNTEERS, VISITORS, PARTNERS AND PARTICIPANTS)

When a relevant Clerk or designate, as cited in APPENDIX “PP-C”, has received a report of an incident of workplace harassment, discrimination or violence as defined in Sections 13.2.6 and 14.2.6 of this policy, they will initiate the process outlined in 13.4.1 and 14.5.1.

If the incident involves only volunteers, visitors, partners, or participants, the relevant Clerk or designate will also inform the Clerk of Continuing Meeting of Ministry and Counsel (CMMC). (cmmc-clerk@quaker.ca) If the incident involves CFSC (clerk@quakerservice.ca) or Camp NeeKauNis (neekaunis-clerk@quaker.ca) volunteers, partners or participants, the Clerks of those bodies or designate will also be informed.

When the seriousness of the incident warrants it, the Clerks of CYM, or in their absence the Clerk of Trustees will contact the insurance provider.

The relevant Clerk or designate will be responsible for ensuring that the Workplace Violence and Harassment Incident Report is completed (This form is in Appendix “PP-E” and available to download from www.quaker.ca). The relevant Clerk or designate will collect the completed form as soon as possible and forward it to CMMC, when they are acting as the investigator.

Once filled out, this form is only seen by the CMMC investigating committee, unless it is needed by police or insurance.

With the transfer of the Incident Report to the CMMC Investigating Committee, the responsibilities of the relevant Clerk or designate related to this matter are completed and the following process begins:

1. The CMMC Investigating Committee will convene immediately to investigate the situation and determine next steps, including offering support for those involved and, as necessary, establishing appropriate consequences or boundaries to protect the alleged person(s) harmed, or witnesses or others.
2. The CMMC Investigating Committee will inform all persons involved in the incident of actions taken, taking care to respect confidentiality. This process will include the Clerks who reported the incident, as they will be responsible, once the investigation is concluded, for initiating a risk re-assessment to prevent a recurrence and reporting the results to the Trustees.
3. The CMMC Investigating Committee will offer Committees of Care to the person(s) allegedly harmed, person(s) who allegedly caused harm, and any witnesses, and will then contact the Clerks of the relevant Monthly Meetings to request the arrangement of such committees. A similar offer will be made to the reporting Clerks. CYM is not responsible for providing Committees of Care to those who are not members or attenders within Canadian Yearly Meeting. In such cases, the Investigating Committee will recommend that such individuals seek appropriate support, as necessary.
4. Copies of the forms and record of any steps taken by the CMMC Investigating Committee will be kept in a confidential file at the CYM office.
5. The person(s) harmed can pursue resolution through other means with his or her Committee of Care and/or the CMMC Investigating Committee.
6. The CMMC Investigating Committee will inform the Clerk(s) of CYM, (cym-clerk@quaker.ca) the Clerk of CMMC and the Clerk of Trustees (trustees-clerk@quaker.ca) of its finding as per 13.5.5 or 14.6.4 of the Personnel Policy.
7. The relevant Clerk for the location of the incident then forwards a report to the Trustees of the risk re-assessment, see #2 above.

A Resource to facilitate Restorative Justice will be developed.