DRAFT STATEMENT of POLICY and PROCEDURE			
Chapter:	Administration & Human Resources	SPP No.	HR 6.12.0KIB
Section:	Policy Manual Administration	Drafted:	JAN 20 2021
Subject:	WORKPLACE HARASSMENT AND VIOLENCE PREVENTION POLICY	Approved:	Sept. 13, 2021
Issue to:	All Manual Holders	Page:	1 of 17
		Amended:	

#### WORKPLACE HARASSMENT AND VIOLENCE PREVENTION POLICY

#### 1 PURPOSE

1.01 The purpose of this Policy and Procedure is to establish and ensure the implementation of a comprehensive, cohesive, and effective workplace harassment and violence prevention strategy for all OKIB Employees.

### 2 POLICY

2.01.1 OKIB is committed to providing a work environment in which all individuals are treated with respect and dignity and will take proactive measures to prevent workplace harassment and violence. OKIB will take whatever steps are appropriate to protect Employees from potential risks associated with workplace harassment and violence, including the protection of the privacy of the persons involved in an Occurrence.

#### 3 SCOPE

- 3.01 This policy applies to:
  - all Employees and contractors of the OKIB who are engaged in work, work-related activities or work-related relationships on or off Reserve; and
  - all incidents of workplace harassment and violence, including sexual harassment and sexual violence, family violence and third party violence.

### 4 RESPONSIBILITIES

- 4.01 It is the responsibility of the OKIB to:
  - take reasonable preventative measures to protect Employees and others from workplace harassment and violence:
  - ensure that a workplace violence assessment is conducted;
  - ensure that all Employees are trained in this policy;
  - post this policy in a conspicuous place in the workplace;
  - ensure that this policy is communicated to contractors and other persons who attend workplaces;
  - select a work unit as the "Designated recipient";
  - establish a process for reporting and responding to incidents of workplace harassment and violence;
  - ensure the process for reporting and responding to incidents of workplace harassment and violence is communicated, maintained and followed; and
  - ensure that this policy is reviewed at least annually.
- 4.02 The responsibility of Managers and Supervisors includes:
  - to understand and abide by the requirements of this policy;
  - to communicate and review this policy with the Employees they supervise or manage;
  - to verify that all contractors and others who attend workplaces are aware of this policy;
  - to adequately train Employees in procedures that address workplace harassment and violence risk(s) applicable to the Employee;
  - to encourage Employees to report incidents of workplace harassment and violence;

DRAFT STATEMENT of POLICY and PROCEDURE			
Chapter:	Administration & Human Resources	SPP No.	HR 6.12.0KIB
Section:	Policy Manual Administration	Drafted:	JAN 20 2021
Subject:	WORKPLACE HARASSMENT AND VIOLENCE PREVENTION POLICY	Approved:	Sept. 13, 2021
Issue to:	All Manual Holders	Page:	2 of 17
		Amended:	

- to respond to all complaints or incidents of workplace harassment and violence in a professional manner appropriate for the circumstances of the complaint or incident;
- implementing the preventive measures developed by the Workplace Committee at the local workplace level; and
- to promptly report all complaints or incidents of workplace harassment and violence they receive or Witness to the Designated recipient.
- 4.03 The responsibilities of Employees (Including Managers and Supervisors) includes:
  - refraining from committing harassment and violence;
  - where appropriate and safe, informing a person committing harassment and violence that their actions are inappropriate and unwelcomed;
  - reporting all incidents of harassment and violence to their supervisor or the Designated recipient when they experience or Witness it;
  - where appropriate, making every reasonable effort to resolve an Occurrence of workplace harassment or violence through negotiated resolution if they were a party to an Occurrence;
  - cooperating with an investigator and the investigation process related to an Occurrence;
  - refraining from retaliatory behaviour against the Principal party, Responding party, Witnesses and any other individuals who are involved in the resolution process for an Occurrence; and
  - respecting the confidentiality of the information shared throughout the resolution process of an Occurrence.
- 4.04 The responsibility of the Workplace Committee includes:
  - jointly reviewing and, when necessary, updating this policy with OKIB at least once every 3 years or following any change to an element of this policy;
  - jointly conducting the workplace assessment with OKIB and making recommendations to OKIB regarding changes that should be made;
  - jointly monitoring and, when necessary, updating the work place assessment with OKIB when there is either a change to the risk factors identified, or a change to the effectiveness of the preventive measures that have been developed and implemented:
  - jointly reviewing and, when necessary, updating with OKIB the workplace assessment every 3 years;
  - jointly developing the emergency procedures with OKIB;
  - jointly reviewing and, when necessary, updating the emergency procedures with OKIB;
  - jointly identifying with OKIB appropriate workplace harassment and violence training;
  - jointly reviewing and, when necessary, updating the training with OKIB at least once every 3 years and following any change to an element of the training;
  - jointly developing a list of investigators with OKIB;
  - where appropriate, checking in with OKIB, if necessary, ensuring continuous compliance with the Canada Labour Code and Regulations;
  - jointly reviewing and updating with OKIB the workplace assessment:

DRAFT STATEMENT of POLICY and PROCEDURE			
Chapter:	Administration & Human Resources	SPP No.	HR 6.12.0KIB
Section:	Policy Manual Administration	Drafted:	JAN 20 2021
Subject:	WORKPLACE HARASSMENT AND VIOLENCE PREVENTION POLICY	Approved:	Sept. 13, 2021
Issue to:	All Manual Holders	Page:	3 of 17
		Amended:	

- o in situations where the Principal party chooses to end the resolution process but the Occurrence is not resolved, or
- o in situations where the Responding party is not an Employee or the employer (for example, clients, contractors, former partners); and
- jointly determining with OKIB which of the investigator's recommendations from the investigator's report are appropriate to implement.
- 4.05 The Designated recipient's responsibilities include:
  - responding to all notices of an Occurrence within 7 days of receiving the notice;
  - initiating negotiated resolution with the Principal party within 45 days after the day on which the notice of an Occurrence is received;
  - reviewing every notice of an Occurrence with the Principal party against the definition of harassment and violence outlined the Canada Labour Code. Note: subsection 122(1) of the Canada Labour Code defines harassment and violence as "any action, conduct or comment, including of a sexual nature that can reasonably be expected to cause offence, humiliation or other physical or psychological injury or illness to an Employee, including any described action, conduct or comment";
  - making every reasonable effort to resolve an Occurrence for which a notice has been provided;
  - allowing the Principal and Responding parties the option of participating in conciliation if they both agree to participate and on who will facilitate the conciliation;
  - providing notice of an investigation to the Principal and Responding parties if the Principal party requests an investigation;
  - in the case of an investigation, selecting a person to act as an investigator from the list of investigators developed jointly by OKIB and the Workplace Committee
  - ensuring selected investigators have the necessary knowledge, training and experience required by the Canada Labour Code Regulations;
  - ensuring investigators provide a written statement indicating they are not in a conflict of interest with respect to the Occurrence;
  - providing investigators all the information that is relevant to their investigation; and
  - providing monthly status updates to the Principal and Responding parties on the status of the resolution process.
- 4.06 Employees who have a complaint of harassment or bullying raised by another Employee will participate in the resolution process of the complaint.
- 4.07 Employees who believe they have legitimate complaints or concerns are encouraged to use these procedures without fear of reprisal.

## 5 DEFINITIONS

"Designated recipient" means the OKIB's Human Resources Department;

DRAFT STATEMENT of POLICY and PROCEDURE			
Chapter:	Administration & Human Resources	SPP No.	HR 6.12.0KIB
Section:	Policy Manual Administration	Drafted:	JAN 20 2021
Subject:	WORKPLACE HARASSMENT AND VIOLENCE PREVENTION POLICY	Approved:	Sept. 13, 2021
Issue to:	All Manual Holders	Page:	4 of 17
		Amended:	

"Employee" includes full and part-time Employees, casual Employees, dependent contractors, permanent and temporary Employees, and any Employee with a defined contract;

"Occurrence" means an Occurrence of workplace harassment or workplace violence;

"Principal party" means an Employee or employer who is the object of an Occurrence;

"Responding party" means the person who is alleged to have been responsible for the Occurrence in a notice of an Occurrence provided to the Designated recipient;

"Witness" means an individual who witnessed an Occurrence or someone who is informed of an Occurrence by the Principal party or Responding party;

"Workplace Committee" means management and Employee representatives of the OKIB's Occupational Health and Safety Committee.

"workplace harassment" for the purpose of this policy, includes but is not limited to:

- The use of vexatious comments or engagement in conduct against an Employee, in the
  workplace or while conducting company business, which is known, or ought to be reasonably
  known, to be unwelcome. This includes unwelcome words or actions that are known or should be
  known to be offensive.
- Sexual harassment is the use of vexatious comments or engagement in conduct against an
  Employee, in the workplace or while conducting company business, because of sex, sexual
  orientation, gender identity, or gender expression, that is known, or ought to be reasonably
  known, to be unwelcome. It is also making a sexual solicitation or advance against a person to
  confer, grant, advance or deny an employment benefit and where it is known, or ought to be
  reasonably known, that the solicitation is unwelcome.

Workplace harassment is not any of the following:

- consensual workplace banter and interactions (unless it includes hurtful remarks about others, especially if they pertain to any of the prohibited grounds listed above)
- reasonable management action carried out in a fair way, such as day-to-day actions by a supervisor or manager related to:
  - o performance;
  - o absenteeism;
  - o assignments;
  - o discipline; and
  - o dismissal (unless the management action is abusive or discriminatory).

"workplace violence" includes but is not limited to:

• The use of (or attempt to use) physical force by a person against an Employee while in the workplace or while conducting company business, that causes or threatens to cause physical injury.

DRAFT STATEMENT of POLICY and PROCEDURE			
Chapter:	Administration & Human Resources	SPP No.	HR 6.12.0KIB
Section:	Policy Manual Administration	Drafted:	JAN 20 2021
Subject:	WORKPLACE HARASSMENT AND VIOLENCE PREVENTION POLICY	Approved:	Sept. 13, 2021
Issue to:	All Manual Holders	Page:	5 of 17
		Amended:	

- Any threat, behaviour, or action directed at an Employee that could reasonably be interpreted to carry the potential to harm or endanger the safety of an Employee.
- Threats of, or actual violence outside of the workplace (for example, domestic violence) that may create a risk of danger to the affected Employee or other Employees within the workplace.

Workplace violence examples:

- shaking fists;
- spitting at a person;
- destroying property;
- · throwing objects;
- assault with any type of weapon;
- verbal threats or intimidation;
- verbal abuse, including swearing or shouting offensively at a person;
- contact of a sexual nature; or
- kicking, punching, scratching, biting, squeezing, pinching, battering, hitting or wounding a person in any way.

# 6 REFERENCE and RELATED STATEMENTS of POLICY and PROCEDURE

- Bill C-65 an Amendments Act: Canada Labour Code, Parliamentary Employment & Staff Relations, Budget Implementation Act
- Canada Labour Code
- Work Place Harassment and Violence Prevention Regulations
- Canadian Human Rights Act
- Policy HR2.02.OKIB-Behavioural Competencies
- Policy HR5.03.OKIB-Respectful Work Environment

## 7 TRAINING

- 7.1 OKIB will provide all of its Employees with a workplace harassment and violence training course. This course will cover:
  - elements of the workplace harassment and violence prevention policy
  - the relationship between workplace harassment and violence and the prohibited grounds of discrimination under the Canadian Human Rights Act; and
  - how to recognize, minimize and prevent work place harassment and violence.
- 7.2 OKIB Supervisors, Managers, Directors and Workplace Committee members will receive and must take training on their obligations in relation to workplace harassment and violence at least once every 3 years.
- 7.3 All new OKIB Employees will receive a 1-day workplace harassment and violence training course within their first three months of employment. This course will cover:
  - elements of the workplace harassment and violence prevention policy;
  - the relationship between workplace harassment and violence and the prohibited grounds of discrimination under the *Canadian Human Rights Act*; and
  - how to recognize, minimize and prevent workplace harassment and violence.

DRAFT STATEMENT of POLICY and PROCEDURE			
Chapter:	Administration & Human Resources	SPP No.	HR 6.12.0KIB
Section:	Policy Manual Administration	Drafted:	JAN 20 2021
Subject:	WORKPLACE HARASSMENT AND VIOLENCE PREVENTION POLICY	Approved:	Sept. 13, 2021
Issue to:	All Manual Holders	Page:	6 of 17
		Amended:	

#### 8 RISK FACTORS

- 8.1 There are a number of factors that can contribute to workplace harassment and violence. These factors can be divided into 5 general categories:
  - a. Client characteristics: Working with clients that exhibit certain characteristics can put Employees at greater risk of workplace harassment or workplace violence. This can include working with clients, and their relatives, who may lash out at the closest person due to:
    - · being angry and frustrated with the system;
    - having a history of violence;
    - a mental health condition, emotional disorder, or a head injury;
    - racist, sexist, homophobic, transphobic or otherwise discriminatory attitudes and behaviors; and
    - being under the influence of drugs or alcohol.
  - b. Physical work environment: Certain work environments and workplace designs can result in additional risks that may lead to workplace harassment or workplace violence. These can include:
    - working alone, in small numbers or in isolated or low-traffic areas (for example, isolated reception areas, washrooms, storage areas, utility rooms);
    - having a mobile workplace;
    - working in a poorly designed client area, such as a cramped room or a room that has poor visibility of clients;
    - working in an overcrowded environment; and
    - working in an environment with high noise levels.

# c. Work activity/culture

- working with the public;
- handling money, prescription medication or items of significant value;
- working in an environment that tolerates or promotes racist, sexist, homophobic or otherwise discriminatory attitudes and behaviours;
- working in the same workplace with an (ex) partner who is abusive;
- working with volatile persons (for example, criminal justice system Employees who work with inmates);
- working on premises where alcohol is served; and
- working during periods of intense organizational change (for example, strikes, privatization, restructuring, downsizing).
- d. Job factors: Aspects specific to a job, such as mental and physical demands of the job, can result in additional hazards that may lead to workplace harassment or workplace violence. This can include:
  - lack of control over how work is done;

DRAFT STATEMENT of POLICY and PROCEDURE			
Chapter:	Administration & Human Resources	SPP No.	HR 6.12.OKIB
Section:	Policy Manual Administration	Drafted:	JAN 20 2021
Subject:	WORKPLACE HARASSMENT AND VIOLENCE PREVENTION POLICY	Approved:	Sept. 13, 2021
Issue to:	All Manual Holders	Page:	7 of 17
		Amended:	

- excessive workload;
- unreasonable or tight deadlines leading to high stress;
- · confusing, conflicting or unclear job or roles;
- · ambiguous or complicated reporting structures; and
- · lack of job security.

#### e. Other external factors

• Family violence or domestic violence, such as between a family member, partner, or ex-partner.

#### 9 PROCEDURE

- 9.01 OKIB is committed to the protection of the privacy of the persons involved in an Occurrence. As such:
  - (a) the Workplace Committee are not permitted any involvement in the resolution process of an Occurrence.
  - (b) Only trained Human Resources Department (Designated recipient) staff will engage in the resolution process with the Principal party and the Responding party. Further, OKIB will not permit an investigator to disclose in any report it produces and distributes the identity of any of the persons involved in an Occurrence or the resolution process for an Occurrence. This includes the Principal party, Responding party, Witnesses and any other individuals interviewed by the investigator.
- 9.02 OKIB's commitment to protecting its Employees also includes false accusations. Notices of Occurrences that are identified throughout the resolution process as having been made in bad faith may be subject to disciplinary action.
- 9.03 An outline of the resolution process is included below. It includes how an Employee/Principal party, or Witness, can submit a notice of an Occurrence.

# (a) Notice of an Occurrence

You are encouraged to notify the Human Resources Department (the Designated recipient) if:

- you are an Employee who is experiencing or have experienced workplace harassment or workplace violence, or
- you are an individual (Employees or non-Employees) who <u>witnessed</u> an incident of workplace harassment or workplace violence.

You may notify the Human Resources Department by telephone or email. After being contacted, a Human Resources Department staff member (Staff Member) will ask the Employee or Witness to fill out a <u>Notice of an Occurrence Form</u> (Form), in which they provide the following information:

DRAFT STATEMENT of POLICY and PROCEDURE			
Chapter:	Administration & Human Resources	SPP No.	HR 6.12.0KIB
Section:	Policy Manual Administration	Drafted:	JAN 20 2021
Subject:	WORKPLACE HARASSMENT AND VIOLENCE PREVENTION POLICY	Approved:	Sept. 13, 2021
Issue to:	All Manual Holders	Page:	8 of 17
		Amended:	

- the name of the Employee/Principal party and the Responding party (if known)
- the date of the Occurrence
- a detailed description of the Occurrence

If an Employee or Witness is not able to provide this information in a written format, they may provide this information to the Staff Member verbally. The Staff Member will then transcribe the information for them on the Form.

Please note that, in order to proceed with the resolution process, it is mandatory to provide the name or identity of the Principal party who was involved in the Occurrence. If you do not provide the name or identity of the Principal party, the Occurrence will not be further reviewed.

Within five days of receiving the Notice of an Occurrence, the Staff Member will provide a copy of the Form to the Responding party and encourage the Responding party to ensure accuracy and to prepare a response to the Notice of an Occurrence.

Neither the OKIB nor the Designated recipient can reveal the identities of the parties involved in the resolution process for an Occurrence to the Workplace Committee without the consent of the parties. However, the identities of the parties may be revealed to each other as part of the resolution process.

## (b) Negotiated resolution

Negotiated resolution is a form of informal resolution where the Principal party meets with the Designated recipient to:

- discuss the Occurrence;
- clarify what was submitted in the notice of Occurrence; and
- attempt to reach a resolution.

During a negotiated resolution, the Staff Member will ask the Principal party to meet, either in person or by phone, with a Staff Member. This meeting is for an initial discussion regarding the Occurrence. During this discussion, the Staff Member and the Principal party will review the notice of Occurrence that they received against the definition of workplace harassment and violence. Together, they will try to determine whether the Occurrence meets the definition. If both the Staff Member and the Principal party agree that the Occurrence does not meet the definition, then they will deem the Occurrence as resolved. If the Staff Member and the Principal party do not agree as to whether the Occurrence meets the definition, and the Principal party wishes to continue with the resolution process, then the Principal party has the option of either:

- continuing with negotiated resolution;, or
- pursuing conciliation and/or an investigation.

If the Principal party wishes to continue with negotiated resolution, they must inform the Staff Member of this decision. The Staff Member will schedule a series of meetings with the Principal party. At the meetings, where applicable, the Responding party will discuss the Occurrence and attempt to achieve

DRAFT STATEMENT of POLICY and PROCEDURE			
Chapter:	Administration & Human Resources	SPP No.	HR 6.12.0KIB
Section:	Policy Manual Administration	Drafted:	JAN 20 2021
Subject:	WORKPLACE HARASSMENT AND VIOLENCE PREVENTION POLICY	Approved:	Sept. 13, 2021
Issue to:	All Manual Holders	Page:	9 of 17
		Amended:	

resolution. The Responding party does not have to be informed of the Principal party's notice of Occurrence or be involved at this stage of the resolution process. This is only if the Principal party does not wish for them to be notified or involved. The Staff Member can arrange for any of the following meetings:

- with only the Principal party and a Staff Member;
- with the Principal party, Responding party and a Staff Member; or
- between the Principal party and a Staff Member with concurrent but separate meetings between the Responding party and a Staff Member.

# (c) Conciliation

A Principal party and Responding party may engage in conciliation at any time during the resolution process. However, conciliation can only proceed if both the Principal party and the Responding party agree to engage in conciliation. They must also agree on the person who will facilitate the conciliation. However, conciliation can only proceed if an investigator has not provided their final investigation report.

The Principal party and Responding party are required to inform a Staff Member of their desire to participate in conciliation. The Staff Member will then facilitate discussion around the selection of a conciliator who is agreeable to both parties. The Staff Member will also schedule time for both parties to meet with the conciliator.

## (d) Investigation

The Principal party may request an investigation at any time during the resolution process. If the Principal party wishes to proceed with an investigation, they must inform the Staff Member. The Staff Member will then:

- provide notice of an investigation to the Principal party and Responding party, and
- select an investigator from the list that has been jointly developed with the Workplace Committee

The selected investigator will investigate the Occurrence and provide OKIB a report outlining:

- a general description of the Occurrence;
- their conclusion: and
- their recommendation to eliminate or minimize the risk of a similar Occurrence.

OKIB will then provide a copy of this report to the Principal party, Responding party and the Workplace Committee.

The report will not reveal, directly or indirectly, the identity of the persons who were involved in the Occurrence or the resolution process for the Occurrence.

DRAFT STATEMENT of POLICY and PROCEDURE			
Chapter:	Administration & Human Resources	SPP No.	HR 6.12.0KIB
Section:	Policy Manual Administration	Drafted:	JAN 20 2021
Subject:	WORKPLACE HARASSMENT AND VIOLENCE PREVENTION POLICY	Approved:	Sept. 13, 2021
Issue to:	All Manual Holders	Page:	10 of 17
		Amended:	

OKIB and the Workplace Committee will then meet to determine which of the recommendations in the investigator's report are to be implemented. OKIB will implement those recommendations within 1 year of receiving the notice of Occurrence.

OKIB may take into consideration the findings in an investigator's report when applying disciplinary measures. However, disciplinary measures will also depend on the findings from a separate administrative investigation that the OKIB will conduct in some circumstances.

OKIB cannot use the findings in an investigator's report for any of the following purposes:

- replenishment of sick leave;
- · granting of any additional paid or unpaid leave; or
- monetary remuneration for damages.

However, the section "Resource Avenues"- (h) below - in this policy describes other recourse methods an Employee can pursue.

# (e) Representation

At any time during the resolution process, an Employee may be accompanied or represented by a:

- friend:
- partner;
- colleague; or
- person of their choosing.

#### (f) Protection against reprisal

Parties involved in an Occurrence are prohibited from seeking retaliation. If you experience any retaliatory action or threat of retaliatory action from the Responding party, Witnesses, management, or other people within or outside the organization, please inform the Human Resources Department immediately.

- (g) Workplace assessment review and update
  - (i) The OKIB and the Workplace Committee will conduct a joint review and, if necessary, they will update the workplace assessment if an Employee submits a notice of an Occurrence and the resolution process cannot proceed for any of the following reasons:
    - the Principal party chooses to end the resolution process at any point during the resolution process but the Occurrence is not resolved; or
    - the Responding party is not an Employee or the employer (for example, the Responding party is a member of the public, a client, or an (ex)partner or family member).
  - (ii) The purpose of the review and update of the workplace assessment is to:

DRAFT STATEMENT of POLICY and PROCEDURE			
Chapter:	Administration & Human Resources	SPP No.	HR 6.12.0KIB
Section:	Policy Manual Administration	Drafted:	JAN 20 2021
Subject:	WORKPLACE HARASSMENT AND VIOLENCE PREVENTION POLICY	Approved:	Sept. 13, 2021
Issue to:	All Manual Holders	Page:	11 of 17
		Amended:	

- determine what happened, taking into account the circumstances of the Occurrence;
- determine whether all risk factors have been appropriately identified; and
- develop new preventive measures, if needed, to mitigate the risk of a similar Occurrence.

## (h) Resource Avenues

Employees can pursue multiple recourse avenues for their Occurrence; these include:

- pursuing recourse under the Canadian Human Rights Act, with the Canadian Human Rights Commission, or
- pursuing recourse under the *Criminal Code*.
- (i) Complaints related to employer non-compliance with the Canada Labour Code or Regulations

If you, as an Employee believe that there has been a contravention of the Code or Regulations as they relate to an Occurrence of workplace harassment or violence, you may make either a verbal or a written complaint to your supervisor or to the Director of the Human Resources Department.

# (j) Support measures

Employees can access a list of medical, psychological or other support services available from the Human Resources Department office. Supports and resources related to family violence are available on-line at: endingviolencecanada.org

## 9.04 Emergency procedures:

- (a) Violence at Work If you Witness or experience violence at work:
  - Remove yourself from the situation if you can
  - Inform your manager or seek help from a co-worker immediately
  - If your manager is the perpetrator, notify another manager that is next in the line of authority
  - If your physical security or well-being is threatened, press your panic button and if possible call 911
- (b) Violent Person If you are dealing with a violent person:
  - Stay calm
  - Try to calm the other person or diffuse the situation (if you can)
  - Avoid saying or doing anything that could aggravate the situation
  - · Avoid eye contact or sudden movements that can be perceived as threatening
  - Respect the person's personal space
  - Continue the conversation with the person only if the person calms down
  - Tell the person that you understand the reason for their anger
  - If the behavior persists, end the conversation
  - Politely notify the person that you will leave the work area or ask them to do so
  - Notify your manager or seek help from a co-worker immediately
  - If the person refuses to leave the premises and the situation escalates call 911 and contact your manager

DRAFT STATEMENT of POLICY and PROCEDURE			
Chapter:	Administration & Human Resources	SPP No.	HR 6.12.OKIB
Section:	Policy Manual Administration	Drafted:	JAN 20 2021
Subject:	WORKPLACE HARASSMENT AND VIOLENCE PREVENTION POLICY	Approved:	Sept. 13, 2021
Issue to:	All Manual Holders	Page:	12 of 17
		Amended:	

- (c) Active Shooter If you Witness an incident involving an active shooter outside the building:
  - Stay out of sight (away from windows) and warn colleagues, clients and visitors
  - Leave the area at risk
  - When safe to do so, call 911, your manager and other building occupants
  - If you cannot evacuate the building safely, lock outside doors and close the blinds and curtains
  - Wait for instructions from first responders
  - If you Witness an incident involving an active shooter inside the building:
    - Stay calm
    - If you can do so safely, leave the area immediately
    - Warn others, as many as possible, without attracting the attention of the assailant
    - If you can do so safely, call 911 and notify the Executive Directors Office and other building occupants
  - Lock the doors or barricade yourself in a room using furniture
  - Block the windows, close the office blinds and curtains
  - If the workspace has no door, hide under your desk or where you cannot be seen
  - If you are in a washroom, remain there, if safe to do so
  - Silence your cellphone, turn off radios and computers
  - If you cannot escape, remain silent and hide until first responders arrive
  - Wait for instructions from first responders
- (d) Bomb threat If you are made aware of a bomb threat by telephone:
  - Listen to the caller calmly and do not interrupt them
  - Try to get as much information as possible, such as:
    - when the bomb is supposed to explode
    - where the bomb is located
    - description of the device
    - reason for the call or motivation for the threat
    - telephone number on the display screen (if possible)
  - Remember any details you can about the caller, such as:
    - approximate age
    - gender
    - accent
    - level of nervousness
    - any background noise
  - Call 911 and inform your manager
  - Remain available to provide information to first responders
  - If you are made aware of a bomb threat by e-mail
    - save the email (or letter)
    - send it immediately to your manager
- (e) Bomb threat alert If a bomb alert is activated (for example, over intercom):
  - Visually inspect your immediate work area including:

DRAFT STATEMENT of POLICY and PROCEDURE			
Chapter:	Administration & Human Resources	SPP No.	HR 6.12.0KIB
Section:	Policy Manual Administration	Drafted:	JAN 20 2021
Subject:	WORKPLACE HARASSMENT AND VIOLENCE PREVENTION POLICY	Approved:	Sept. 13, 2021
Issue to:	All Manual Holders	Page:	13 of 17
		Amended:	

- wastepaper baskets
- storage areas
- dislodged suspended ceiling panels
- furniture that has been moved
- closets
- Inform your manager of the results of your search
- If you find a suspicious package, do not touch it and inform your manager immediately
- Do not evacuate the building until the security services authorize you to do so

## 9.05 Staff Member Protocol

Hold meeting for initial discussion regarding the Occurrence. During this discussion, the Designated recipient and the Principal party will review the notice of Occurrence that they received against the definition of harassment and workplace violence in the Code.

As soon as the Staff Member receives a complaint of harassment, he or she will meet with the complainant to determine whether any changes in reporting relationships or work locations are necessary while the complaint is being investigated.

The Staff Member, within five days of receiving the complaint, provide a copy of the Notice of an Occurrence to the alleged harasser and encourage the alleged harasser to ensure accuracy and to prepare a response to the complaint.

The Staff Member will interview the complainant, the alleged harasser, and any Witnesses identified by either party as soon as possible after receiving the complaint. The individual conducting the investigation will then prepare the Negotiated Resolution Form summarizing their findings and making a determination as to whether harassment occurred. The report will be provided to the Executive Director within five days of the completion of the report.

The Staff Member in partnership with the Executive Director will review the report and within five days will:

- (a) Advise the complainant and the alleged harasser in writing that the OKIB accepts or rejects the report and that appropriate action will be taken, as warranted.
- (b) Take the warranted action recommended by the report.

If harassment is found to have occurred and the harasser is an Employee, the Discipline policy will be followed. If the harasser is a band member or member of the public, the following penalties will be imposed:

- (a) First Occurrence: the harasser will be warned in writing that such conduct is unacceptable and must not reoccur;
- (b) Second Occurrence: the harasser will not be permitted into the OKIB office or worksite for one month. During the one month period, any contact with the OKIB administration will be through a designated person;

DRAFT STATEMENT of POLICY and PROCEDURE			
Chapter:	Administration & Human Resources	SPP No.	HR 6.12.OKIB
Section:	Policy Manual Administration	Drafted:	JAN 20 2021
Subject:	WORKPLACE HARASSMENT AND VIOLENCE PREVENTION POLICY	Approved:	Sept. 13, 2021
Issue to:	All Manual Holders	Page:	14 of 17
		Amended:	

(c) Third Occurrence: the requirement to communicate with the OKIB administration through a designated person will be made permanent.

If the harasser is the Executive Director or Chief or Council member, Human Resources shall conduct an investigation with an independent investigator.

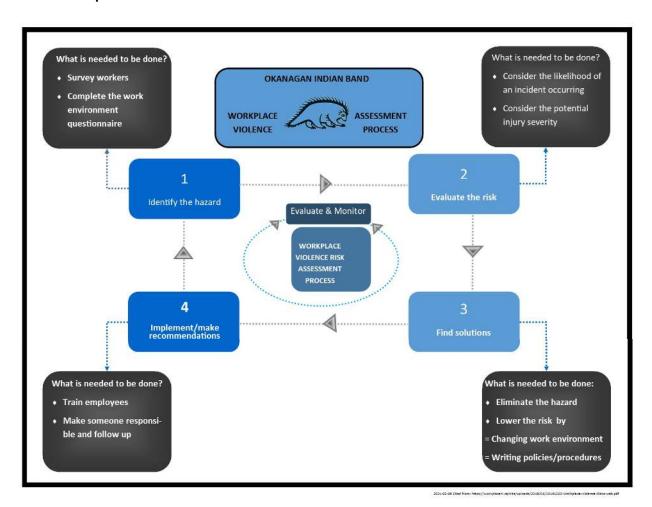
9.06 This policy does not preclude an Employee from filing a complaint of harassment under paragraph 8 of the Canadian Human Rights Act or seek any other legal remedies.

# 10 ATTACHMENTS

- OKIB Workplace Violence Assessment Process Flowchart
- Forms

DRAFT STATEMENT of POLICY and PROCEDURE			
Chapter:	Administration & Human Resources	SPP No.	HR 6.12.0KIB
Section:	Policy Manual Administration	Drafted:	JAN 20 2021
Subject:	WORKPLACE HARASSMENT AND VIOLENCE PREVENTION POLICY	Approved:	Sept. 13, 2021
Issue to:	All Manual Holders	Page:	15 of 17
		Amended:	

# **Workplace Violence Risk Assessment Process**



DRAFT STATEMENT of POLICY and PROCEDURE			
Chapter:	Administration & Human Resources	SPP No.	HR 6.12.0KIB
Section:	Policy Manual Administration	Drafted:	JAN 20 2021
Subject:	WORKPLACE HARASSMENT AND VIOLENCE PREVENTION POLICY	Approved:	Sept. 13, 2021
Issue to:	All Manual Holders	Page:	16 of 17
		Amended:	

# OKANAGAN INDIAN BAND NOTICE OF AN OCCURANCE FORM

Witness:		Date of Incident:	
Principle Party			
Responding Party		Department:	
Title			
(Employees only)	Is an incident report required	Yes	No 🗔
DETAILED DESCRIP	TION OF WHAT HAPPENED		
•			
•			
•			
•			
•			
•			
•			
•			
•			
•			
•			
EMPLOYEE SIGNATURE		HUMAN RESOURCES DIRECTO	R SIGNATURE
	Date		Data

DRAFT STATEMENT of POLICY and PROCEDURE			
Chapter:	Administration & Human Resources	SPP No.	HR 6.12.OKIB
Section:	Policy Manual Administration	Drafted:	JAN 20 2021
Subject:	WORKPLACE HARASSMENT AND VIOLENCE PREVENTION POLICY	Approved:	Sept. 13, 2021
Issue to:	All Manual Holders	Page:	17 of 17
		Amended:	

# OKANAGAN INDIAN BAND NEGOTIATED RESOLUTION FORM

Principal party			ite of cident:	
Title:				'
Responding party:		De	epartment:	
Title				
(Employees only)	Did you complete an inciden report?	t Ye	es 🔲	No 🔲
DISCUSSION OF OC	CURENCE			
•				
•				
CLARIFY INFORMAT	TION SUBMITTED/ FURTHER	QUESTIONS O	OCCURENCE	
•				
ATTEMP AT RESOLU	JTION			
•				
•				
EMPLOYEE SIGNATI	URE	HUMAN RESO	URCES DIRECTO	OR SIGNATURE
	Date			Date