



GREATER SUDBURY POLICE SERVICE BOARD POLICY

SUBJECT: WORKPLACE VIOLENCE AND HARASSMENT	NUMBER: PSB010
ORIGINATING DATE: June 8, 2010	REVISED DATE: May 18, 2016 September 21, 2016 December 17, 2025
REPORTING REQUIREMENTS: Annual	

1.0 POLICY STATEMENT

- 1.1 The Greater Sudbury Police Service Board is committed to providing a safe and healthy work environment for the members of the Greater Sudbury Police Service and is committed to the prevention of workplace violence and workplace harassment.
- 1.2 The Board recognizes that unwanted behaviours in the workplace must be addressed early to minimize the potential for workplace harassment to lead to workplace violence.
- 1.3 Workplace violence and workplace harassment are serious conduct issues that may constitute a violation of the *Criminal Code*, the *Ontario Human Rights Code* or the *Occupational Health and Safety Act*.
- 1.4 The Board shall not ignore, tolerate, or condone workplace violence or workplace harassment and will take all reasonable steps to protect the members of the Service from workplace violence or workplace harassment and shall ensure that all incidents of workplace violence or workplace harassment are responded to in accordance with law.

2.0 DEFINITIONS

MEMBER/WORKER

All employees of the Greater Sudbury Police Service including temporary, contract, part-time staff, students, and volunteers.

PERSONAL OR EMOTIONAL HARASSMENT

An action or behaviour unrelated to the prohibited grounds of the Ontario *Human Rights Code* that causes a member to have anxiety or stress while at the workplace and affects the member's performance of their duties. Examples include, but are not limited to:

- a. Persistent verbal abuse;
- b. Unwelcome, unwanted, or inappropriate jokes;
- c. Taunting;
- d. Derogatory or dismissive comments;
- e. Displaying offensive or derogatory material;
- f. Gestures that are insulting or belittling;
- g. Bullying;
- h. Conduct that shuns or excludes the member;
- i. Persistently disrupting a member's work, workspace or equipment;
- j. Interfering with a member's personal property;
- k. Abuse of authority wherein a person with authority over the member improperly or unreasonably uses that power and authority to interfere with the member's performance, to threaten or negatively influence the member's career or job assignment or to threaten the economic livelihood of the member; and
- l. Any other conduct or behaviour that creates an intimidating, offensive or hostile work environment.

PROHIBITED GROUNDS

Under the Ontario *Human Rights Code* means race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, same sex partnership status, family status, or disability (handicap).

STEREOTYPING

Means making a generalization about a group, based on observations of one or only a small sampling of members of the group; alternatively, an assumption about a member of a group based on a generalized notion of the group as a whole. Stereotypes can be positive or negative, but especially if they are negative, they can result in serious discrimination if acted upon.

WORKPLACE

Any land, premises, location, or thing, at, upon, in or near which a worker works and includes any and all locations where business and social activities of the Greater Sudbury Police Service are conducted including external training facilities, any location of business travel and work-related social and/or business gatherings.

WORKPLACE HARASSMENT

- a. As defined by the *Occupational Health and Safety Act*, means:
 - i. Engaging in a course of vexatious comment or conduct against a worker in the workplace that is known or ought to be known to be unwelcome; or
 - ii. Workplace sexual harassment;
- b. Workplace harassment may be an action or behaviour related to the prohibited grounds under the *Ontario Human Rights Code*. Workplace harassment may also include harassment of a personal or emotional nature which is unrelated to the prohibited grounds of discrimination;
- c. A reasonable action taken by an employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment;
- d. Workplace harassment may be a onetime event or repeated incidents and may be committed deliberately or unintentionally; and
- e. Workplace harassment can include activities, comments, jokes, and/or slurs that are offensive, humiliating, intimidating, hurtful or malicious to any individual, even though they may not be offensive to others present and can also include persistent unwanted contact or attention after the end of a consensual relationship.

WORKPLACE SEXUAL HARASSMENT

- a. As defined by the *Occupational Health and Safety Act*, means:
 - i. 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 to be known to be unwelcome; or
 - ii. 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;
- b. Sexual harassment includes, but is not limited to:
 - i. Sexist or sexual jokes causing embarrassment or offence, told or carried out after the joker has been advised they are embarrassing or offensive, or that are by their nature clearly embarrassing or offensive;
 - ii. Lewd behaviour or gestures;
 - iii. The display of sexually offensive material, including magazines, graffiti or pictures;
 - iv. Derogatory or degrading remarks about a person's sexual preference, or of a sexual nature to anyone;
 - v. Sexually suggestive or obscene comments or gestures;
 - vi. Leering;
 - vii. Unwelcome sexual flirtations, advances, or propositions;
 - viii. Persistent unwanted contact or attention at the end of a consensual relationship;
 - ix. Requests or demands for sexual favours;
 - x. Unwanted touching; and

- xi. Sexual assault.

WORKPLACE VIOLENCE

- a. As defined by the *Occupational Health and Safety Act*, means:
 - i. The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
 - ii. An attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker; or
 - iii. A statement or behaviour that it 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.

3.0 WORKPLACE VIOLENCE AND HARASSMENT PROCEDURES

3.1 The Chief of Police shall:

- a. Ensure that this policy is posted in a conspicuous place in the workplace;
- b. Dedicate sufficient attention, resources, and time to identify and address factors that contribute to workplace violence and workplace harassment;
- c. Take all reasonable steps to protect members of the Service from workplace violence or workplace harassment;
- d. Ensure that the safety of all members is addressed during the course of an investigation into workplace violence. Members may be reassigned in the interests of safety;
- e. Ensure that members who have been exposed to workplace violence or workplace harassment are provided with appropriate assistance and support;
- f. Ensure stereotyping is not communicated through action, behaviours, use of language in verbal and written material and pictorial displays;
- g. Ensure a mechanism is in place to ensure that all internal and external communications produced/delivered do not – either overtly or subtly – reinforce stereotypes;
- h. Ensure that all members, including supervisors, understand their responsibility to ensure that stereotyping does not occur in the workplace;
- i. Ensure that no offensive or derogatory material is displayed in the workplace;
- j. Develop and implement written procedures with respect to workplace violence and workplace harassment and ensure the procedures are reviewed annually;
- k. Ensure that the members of the Service are educated with respect to the procedures;
- l. Ensure that the procedures address the circumstances under which a member may refuse to work when workplace violence is likely to endanger the member;
- m. Ensure that the right to refuse work is subject to Section 43(1) and 43(2)(a) of the *Occupational Health and Safety Act*, which stipulates that anyone

employed in a police service cannot assert the right to refuse work when the particular job or task is inherent in the worker's work; is a normal condition of the worker's employment; or when a refusal to work would directly endanger the life, health or safety of another person;

- n. Ensure that the operational policing duties in relation to an investigation into workplace violence are addressed in a manner that is free of any conflict of interest; and
 - o. Ensure that the response to an allegation against a sworn member is in compliance with Part X of the *Community Safety and Policing Act*.
- 3.2 The Chief of Police may appoint a member in the workplace to act as a workplace coordinator with respect to workplace violence and workplace harassment.
- 3.3 The Service shall ensure that Stereotyping does not occur in the workplace by ensuring that:
- a. Stereotyping is not communicated through action, behaviours, use of language in verbal and written material and pictorial displays;
 - b. A mechanism is in place to ensure that all internal and external communications produced/delivered do not – either overtly or subtly – reinforce stereotypes; and
 - c. All members, including supervisors, understand their responsibility to ensure that stereotyping does not occur in the workplace.

4.0 WORKPLACE VIOLENCE PROGRAM:

- 4.1 The Chief of Police shall develop and maintain a program with respect to workplace violence in accordance with the *Occupational Health and Safety Act* that shall include, but is not limited to:
- a. Measures and procedures to identify and control the risks identified in the workplace risk assessment as likely to expose a member to physical injury;
 - b. Measures and procedures to communicate to members any information in the Service's possession regarding factors contributing to workplace violence;
 - c. Measures and procedures for summoning immediate assistance when workplace violence occurs or is likely to occur;
 - d. Measures and procedures for members to report incidents or complaints of workplace violence to the employer or person in authority;
 - e. Set out how the Police Service will investigate and deal with incidents or complaints of workplace violence; and
 - f. Include any prescribed elements.
- 4.2 The Chief of Police shall provide a member with information and instruction that is appropriate for the member on the contents of the procedures and program with respect to workplace violence and any other prescribed information or instruction.

4.3 The Chief of Police shall consider and take action where necessary on the observations and recommendations of Command Staff, the Joint Health and Safety Committee and the members.

5.0 WORKPLACE ASSESSMENT OF RISKS OF VIOLENCE:

5.1 The Chief of Police shall ensure that a workplace risk assessment is undertaken. This assessment shall consider the risks of workplace violence that may arise from the nature of the workplace, the type of work or the conditions of work.

5.2 The Chief of Police shall ensure that the workplace risk assessment take into account the following considerations:

- a. Circumstances that would be common to similar workplaces;
- b. Circumstances specific to the workplace; and
- c. Any other prescribed elements.

5.3 The Chief of Police shall ensure the results of the workplace violence risk assessment are provided to the Joint Occupational Health and Safety Committee.

5.4 The Chief of Police shall reassess the risks of workplace violence at minimum, once annually or as often as is necessary to ensure that the related procedures and program continue to protect workers from workplace violence.

6.0 INTIMATE PARTNER VIOLENCE

6.1 The Chief of Police shall ensure that measures are in place to address the risk of intimate partner violence in the workplace.

6.2 The Chief of Police shall take every precaution reasonable in the circumstances for the protection of a member where another member becomes aware or ought reasonably to be aware of intimate partner violence that would likely expose a member to physical injury that may occur in the workplace.

7.0 WORKPLACE HARASSMENT PROGRAM

7.1 The Chief of Police shall, in consultation with the Joint Health and Safety Committee, develop and maintain a program to implement the workplace harassment procedure as prescribed by the *Occupational Health and Safety Act*.

7.2 The Chief of Police shall ensure the program includes, but is not limited to the following:

- a. Measures and procedures for members to report incidents of workplace harassment to the employer or supervisor;

- b. Measures and procedures for members to report incidents of workplace harassment to a person other than the employer or supervisor, if the employer or supervisor is the alleged harasser;
 - c. Set out how incidents or complaints of workplace harassment will be investigated and dealt with;
 - d. Set out how information obtained about an incident or complaint of workplace harassment, including identifying information about any individuals involved, will not be disclosed unless the disclosure is necessary for the purposes of investigating or taking corrective action with respect to the incident or complaint, or is otherwise required by law;
 - e. Set out how a member who has allegedly experienced workplace harassment and the alleged harasser, if he or she is a member of the Service, will be informed of the results of the investigation and of any corrective action that has been taken or will be taken as a result of the investigation; and
 - f. Any prescribed elements.
- 7.3 The Chief of Police shall ensure that members are provided with information and training with respect to the content of the procedure and program with respect to workplace harassment and any other information that is prescribed by law.
- 7.4 The Chief of Police shall ensure that a review is undertaken of the Workplace Harassment Program as often as necessary and at least annually.

8.0 DUTY TO DISCLOSE PERSONAL INFORMATION

- 8.1 The Chief of Police shall ensure that a member receives information, including personal information, related to a risk of workplace violence from a person with a history of violent behaviour if the member can be expected to encounter that person in the course of the member's work, and the risk of workplace violence is likely to expose the member to physical injury.
- 8.2 The Chief of Police shall ensure, if the circumstances require the disclosure of personal information, that no person in authority discloses more personal information that is reasonably necessary to protect the member from physical injury.
- 8.3 The Chief of Police shall ensure that any disclosure of personal information is in compliance with the provisions of the *Community Safety and Policing Act* and the *Municipal Freedom of Information and Protection of Privacy Act*.

9.0 TRAINING

- 9.1 The Chief of Police shall provide information, instruction and training on the factors that contribute to workplace violence, including but not limited to:

- a. The nature and extent of workplace violence and how members may be exposed to it;
- b. The communication systems established to inform members about workplace violence;
- c. Information on what constitutes workplace violence and on the means of identifying the factors that contribute to workplace violence;
- d. The workplace violence prevention measures that have been developed; and
- e. The Service's procedures for reporting on workplace violence or the risk of workplace violence.

10.0 REPORTING:

10.1 The Chief of Police shall report to the Board, on an annual basis, on

- a. The effectiveness of the Workplace Violence and Workplace Harassment Programs including the total number and type of complaints received and the disposition of such complaints; and
- b. The total number and types of complaints ordered investigated pursuant to an order received under Section 55.3(1) of the *Occupational Health and Safety Act* and the associated expenses.