

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 28, 2022

Item 6, Report No. 30, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 28, 2022.

6. RESPECTFUL WORKPLACE POLICY AND WORKPLACE VIOLENCE POLICY UPDATES

The Committee of the Whole recommends approval of the recommendations contained in the report of the Deputy City Manager, Corporate Services, City Treasurer and Chief Financial Officer and Deputy City Manager, Legal and Administrative Services & City Solicitor, dated June 21, 2022:

Recommendations

1. That the revised Respectful Workplace Policy (Human Rights and Anti-Discrimination/Harassment), as substantially set out in Attachment 1 be approved.
2. That the revised Workplace Violence Policy, as substantially set out in Attachment 2 be approved.
3. That the new policy statement for members of the public, *The City of Vaughan's Commitment to Human Rights, Equal Access to City Services and a Respectful Environment*, set out in Attachment 3 be approved.

Committee of the Whole (2) Report

DATE: Tuesday, June 21, 2022

WARD(S): ALL

**TITLE: RESPECTFUL WORKPLACE POLICY AND WORKPLACE
VIOLENCE POLICY UPDATES**

FROM:

Michael Coroneos, Deputy City Manager, Corporate Services, City Treasurer and Chief Financial Officer

Wendy Law, Deputy City Manager, Legal and Administrative Services & City Solicitor

ACTION: DECISION

Purpose

To seek approval on amendments to the City's Respectful Workplace Policy and Workplace Violence Policy, as well as a new and separate commitment to members of the public through *The City of Vaughan's Commitment to Human Rights, Equal Access to City Services and a Respectful Environment*.

Report Highlights

- The City of Vaughan is committed to ensuring a respectful work environment, free from harassment and discrimination as well as providing a safe work environment.
- The existing Respectful Workplace Policy and Workplace Violence Policy have been reviewed and revised following consultations with Staff to ensure on-going compliance with all relevant legislative requirements under the *Occupational Health and Safety Act* and the *Ontario Human Rights Code*.
- Changes under the Respectful Workplace Policy include a DEI focus, expanded definitions, clearer timelines, roles/responsibilities, and reporting. As well, there is a separate commitment to members of a public through *The City of Vaughan's Commitment to Human Rights, Equal Access to City Services and a Respectful Environment*.
- Changes under the Workplace Violence Policy include housekeeping changes as well as expanded/new definitions and clearer direction around reporting workplace violence.

Recommendations

1. That the revised Respectful Workplace Policy (Human Rights and Anti-Discrimination/Harassment), as substantially set out in Attachment 1 be approved.
2. That the revised Workplace Violence Policy, as substantially set out in Attachment 2 be approved.
3. That the new policy statement for members of the public, *The City of Vaughan's Commitment to Human Rights, Equal Access to City Services and a Respectful Environment*, set out in Attachment 3 be approved.

Background

The City of Vaughan has established Respectful Workplace and Workplace Violence programs to prevent and address Workplace Harassment, Discrimination and Violence through proactive measures. These programs ensure that the City effectively addresses and responds to complaints or incidences of discrimination, harassment, or workplace violence in accordance with the *Occupational Health and Safety Act* and the *Human Rights Code*. The *Occupational Health and Safety Act* requires employers to have these policies and to review them as often as necessary and at least annually. These programs include detailed policies, procedures for implementation and training for all staff.

Previous Reports/Authority

Updates to the Respectful Workplace Policy (Human Rights and Anti-Discrimination/Harassment) and Workplace Violence Policy were previously presented to the Finance, Administration and Audit Committee on April 1, 2019, and approved by Council on May 1, 2019. [Click here](#) to view the April 1, 2019 report.

Analysis and Options

Staff have reviewed the existing programs and have updated the attached policies and respective procedures to reflect the updates. The amendments to the policies and procedures are not necessarily substantive in nature but reflect important changes and housekeeping updates in the spirit of continuous improvement and to comply with Ontario's *Occupational Health and Safety Act* (OHSA) and the Ontario *Human Rights Code*.

1. Respectful Workplace Policy (Human Rights and Anti-Harassment/Discrimination)

Key Updates:

- The Policy has been amended to reflect new language and terms, including the City's commitment to protect human rights and maintain a respectful environment
- The Policy has also been updated to include reference to a Guide & Procedure that provides detailed information on what is discrimination and harassment

including Code-based and race-based harassment and sets out the process for filing a complaint and the investigation process.

- The amendments also reflect an increased time limit from 6 months to one-year for filing complaints, and a provision that findings of the investigation will be shared with the respective parties.
- The Policy outlines the roles and responsibilities of People Leaders, Management, Human Resources, and employees, and mentions consultation with the Diversity and Inclusion Officer for Code-based complaints
- An annual report will be provided to the City Manager and Diversity and Inclusion Officer outlining complaints received by the City so the City can ensure it is taking appropriate steps to address discrimination and harassment.
- Overall, the policy updates are user-friendly, better, and more inclusive definitions and the program focuses on remedial action to address workplace harassment including restorative justice and training, where appropriate.

2. Workplace Violence Policy

Key Updates:

- Policy updated to reflect new definitions and legislative requirements
- Overall, policy updates represent minor/housekeeping changes

3. The City of Vaughan's Commitment to Human Rights, Equal Access to City Services and a Respectful Environment

- This is a new policy statement for members of the public outlining the City's commitment to human rights, equal access to City services and a respectful environment.
- Complaints from members of the public who feel discriminated or harassed by a City employee(s) are to be directed to Access Vaughan. A procedure will be developed where the respective Department and Human Resources is contacted to investigate any complaints.

Financial Impact

There is no financial impact associated with the approval and implementation of these policies outside the existing approved operating budget.

Broader Regional Impacts/Considerations

There are no regional impacts associated with these policies.

Conclusion

Updates to the attached Respectful Workplace Policy and Workplace Violence Policy were developed by Staff to ensure on-going compliance with relevant legislative requirements under the *Occupational Health and Safety Act*.

It is recommended that Council approve the updated policies and direct the Office of the Chief Human Resources Officer and appropriate staff to take the necessary steps to implement the policies effective immediately.

For more information, please contact:

Mark Bond, Acting Chief Human Resources Officer, ext. # 8327

Attachments

1. 13.C.01 Respectful Workplace Policy (Human Rights and Anti-Discrimination/ Harassment)
2. 13.C.03 Workplace Violence Policy
3. The City of Vaughan's Commitment to Human Rights, Equal Access to City Services and a Respectful Environment

Prepared by

Mark Bond, Acting Chief Human Resources Officer, ext. 8327

Approved by



Michael Coroneos, DCM Corporate Services, City Treasurer and Chief Financial Officer

Reviewed by



Nick Spensieri, City Manager



Wendy Law, Deputy City Manager
Legal and Administrative Services &
City Solicitor



CITY OF VAUGHAN

CORPORATE POLICY

POLICY TITLE: RESPECTFUL WORKPLACE POLICY (HUMAN RIGHTS AND ANTI-DISCRIMINATION/HARASSMENT)

POLICY NO.: 13.C.01

Section:	Human Resources		
Effective Date:	July 1, 2022	Date of Last Review:	
Approval Authority: Council	Policy Owner: Chief Human Resources Officer		

POLICY STATEMENT

The City of Vaughan is committed to ensuring a respectful work environment, free from harassment and discrimination. The City will not tolerate or condone discrimination or harassment. All Employees are responsible for respecting the dignity and human rights of others and the well-being of the community we serve.

The principles which guide the City in promoting a respectful workplace are as follows:

1. The City recognizes that the most effective way to deal with Harassment and Discrimination is through action, including education, awareness and, if required, investigation.
2. The City will promote a diverse, equal and inclusive work environment.
3. The City will take all reasonable steps to provide a healthy and safe workplace, free from any form of Discrimination or Harassment.
4. The City is committed to a work environment that respects the dignity, self-worth and human rights of every person and provides opportunities for each person to contribute to the City.
5. Employees and others must report Harassment or Discrimination to their Supervisor, Management or Human Resources. If the complaint involves a Member of Council, it should be directed to the Integrity Commissioner.
6. Retaliation against an individual for filing a complaint, participating in any investigation or otherwise exercising their rights will not be tolerated.

7. Employees who engage in Harassment and/or Discrimination will be subject to corrective action and may be disciplined up to and including termination of employment for cause.

PURPOSE

The Respectful Workplace Policy (Human Rights and Anti-Discrimination/ Harassment) (the “Policy”) provides for a healthy and respectful work environment and sets out steps to address an incident or complaint of Harassment and/or Discrimination.

This Policy outlines the expectations and appropriate behaviours in the City’s workplaces and requires corrective action or discipline up to and including termination to address discrimination or harassment or other violations of this Policy.

SCOPE

1. This Policy applies to all Employees (permanent, full-time, part-time, contract, seasonal, temporary), students, interns, volunteers, Members of Council, appointees, citizen members of committees and contractors. Roles and responsibilities are set out below.
2. This Policy applies to:
 - 2.1. Discrimination or Harassment involving an Employee or Member of Council that may occur at any Workplace or during any City business, activities and events, in-person or virtual.
 - 2.2. Discrimination or Harassment involving an Employee or Member of Council that occurs outside a Workplace but has a direct adverse effect on the work environment.
 - 2.3. Members of Council are governed by the Council Code of Ethical Conduct as well as this Respectful Workplace Policy (Human Rights and Anti-Discrimination/Harassment). Any complaints about the Mayor or Members of Council should be directed to the Integrity Commissioner.
3. This Policy does not apply to:
 - 3.1. Reasonable actions or conduct relating to the management and direction of employees (e.g. performance reviews).
 - 3.2. Members of the public who feel they have been discriminated in receiving City services or by City Staff. The City of Vaughan’s [Commitment to Human](#)

[Rights, Equal Access to City Services and a Respectful Environment](#) applies to Members of the public. Members of the public who feel discriminated or harassment should file a complaint with Access Vaughan and the City will take appropriate action.

LEGISLATIVE REQUIREMENTS

This Policy complies with the [Ontario Human Rights Code](#) (Code) and the [Occupational Health and Safety Act](#) (OHSA). Under the Code, every person has a right to equal treatment with respect to employment. Under OHSA, all employers are required to have a workplace harassment policy and program, as well as conduct an investigation appropriate in the circumstances into a complaint of workplace harassment.

DEFINITIONS

1. **Code-based Harassment:** engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome based on one or more of the Prohibited Grounds set out in the Code.
2. **Discrimination:** is any practice or behaviour, whether intentional or not, which has a negative impact on an individual or group based on a protected ground in the Code by excluding, denying benefits or imposing burdens upon them. Discrimination may arise as a result of differential treatment or it may result from treating a group of people in the same way that results in unequal treatment.
3. **Employee:** includes a City employee, student, intern, or volunteer.
4. **Harassment or non-Code-based Harassment:** is engaging in a pattern or a course of vexatious comment or conduct directed toward an individual or group, that is known or ought reasonably to be known to be unwelcome. Harassment includes sexual harassment as defined below. Harassment also includes creating or contributing to a poisoned work environment as defined below. Harassment includes offensive comments or jokes; intimidation, threats, bullying or aggressive behaviour; inappropriate staring; or conduct such as isolation or avoidance because of a person's race, sex, disability, gender identity or other prohibited ground. Single acts of sufficient severity may constitute harassment. Provisions regarding harassment are included in both the Code, referred to as "Code-based Harassment," and OHSA, referred to as non-Code based Harassment.
5. **Member:** includes a Member of City Council or a person appointed to a Council Committee.

6. **Poisoned Work Environment:** a City work environment that has become hostile or unwelcoming because of Harassment and/or Discrimination.
7. **Prohibited Grounds:** for behaviour to be considered discrimination or harassment under the Code, the comment or conduct must be directed toward one of these aspects of a person's background: age, ancestry, citizenship, colour, creed, disability, ethnic origin, family status, gender expression, gender identity, marital status, place of origin, race, record of offences, sex, or sexual orientation.
8. **Sexual Harassment:** is a form of discrimination based on the prohibited ground of sex under the Code and form of harassment under OHSA. Engaging in a course of vexatious comment or conduct against an employee 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 employee where the person making the solicitation or the advance knows or ought reasonably to know that the solicitation or advance is unwelcome. Sexual relationships between a person in a position of power and a subordinate employee may also be considered sexual harassment or a poisoned work environment when the person in power can confer, grant or deny benefits or advancement, or otherwise influence the subordinate employee's employment.
9. **Workplace:** includes all locations where business or other activities of the City are conducted. This Policy may apply to incidents that happen away from work (e.g., inappropriate social media posts, phone calls, e-mails or visits to an Employee's home, incidents at luncheons, after work socials) if the Discrimination or Harassment affects the workplace.

POLICY

1. General

- 1.1. The City will promote an environment that respects the dignity, self-worth and human rights of every individual. The City will take all reasonable steps to provide a safe and healthy workplace that is free from Discrimination and/or Harassment.
- 1.2. This Policy and the [Creating a Respectful Workplace Human Rights and Anti-Discrimination/Harassment Guide and Procedure](#) (Guide and Procedure) sets out how the City will address discrimination and/or harassment. The Policy and Guide and Procedure provide for a complaint process, setting out how to file a complaint, review the complaint and investigate (if necessary) in a fair and timely manner.

- 1.3. Any complaint of Discrimination or Harassment shall be made within one (1) year of the incident or serious of incidents occurring. The City may decline to investigate an incident(s) that occurred more than a year before the complaint was received by City.
- 1.4. Employees must participate in any process under this Policy or the Guide and Procedure including any investigation. The scope and type of investigation will be determined by the Respectful Workplace Coordinator. An investigation appropriate in the circumstances will be conducted into a complaint of discrimination and/or harassment unless the parties to the complaint and the City agree to an alternative resolution process.
- 1.5. All complaints and investigations shall be kept confidential. A complaint may be disclosed as necessary in order to investigate the allegations, take corrective action, protect other Employees or as required by law. Investigation reports shall be kept confidential and shall not be disclosed except with the written consent of the Chief Human Resources Officer.
- 1.6. Nothing in this Policy is intended to interfere with an Employee or Member of Council if they want to seek advice from the Human Rights Legal Support Centre, their union (if covered by a Collective Agreement), or their legal counsel.

2. Roles and Responsibilities

2.1. People Leaders, Management and Supervisors must:

- 2.1.1. Promote a respectful workplace that is safe and free from Discrimination or Harassment.
- 2.1.2. Lead by example by not tolerating, engaging in, or condoning Discrimination or Harassment or other violations of this Policy.
- 2.1.3. Take reasonable steps to address Harassment and Discrimination when they ought reasonably to have known that there is an issue of Harassment or Discrimination. Reasonable steps include ensuring a copy of this Policy and the Guide and Procedure is provided to the affected Employee(s).
- 2.1.4. Engage Human Resources when a complaint is received.
- 2.1.5. Be familiar with and uphold this Policy and the Guide and Procedure.

2.2. Human Resources will:

- 2.2.1. Provide guidance on this Policy and the Guide and Procedure to Employees, Managers and Supervisors.
- 2.2.2. Investigate a complaint when directed to do so by the Respectful Workplace Policy Coordinator or the Chief Human Resources Officer.
- 2.2.3. Determine if an external investigator is required and seek approval of the Chief Human Resources Officer.
- 2.2.4. When necessary, consult with the Diversity and Inclusion Officer for Code-based complaints.

2.3. Respectful Workplace Policy Coordinator will:

- 2.3.1. Be designated by the Chief Human Resources Officer unless there is a conflict of interest, in which case, the City shall designate a Respectful Workplace Coordinator who has knowledge of this Policy and Procedure and is able to fairly review the complaint.
- 2.3.2. Have overall responsibility for the administration of this Policy and the Guide and Procedure.
- 2.3.3. Be responsible for informing the complainant(s) and respondent(s) of the results of the investigation.
- 2.3.4. Inform the complainant of corrective action, if any, that has been/will be taken as a result of the investigation.
- 2.3.5. Discuss findings, conclusions and recommendations with the respective Deputy City Manager, director and/or manager, as appropriate
- 2.3.6. Involve the City Solicitor or their designated Legal Counsel if the complaint is raised during a legal or anticipated legal proceeding including a civil or WSIB claim or Human Rights Application.

2.4. Investigators are responsible for:

- 2.4.1. Being familiar with applicable legislation, this Policy and the Guide and Procedure.
- 2.4.2. Investigating complaints filed under this Policy.
- 2.4.3. Exercising objectivity and impartiality.

2.4.4. Ensuring confidentiality except as necessary to investigate or otherwise required by law.

2.4.5. Record and maintain appropriate documentation.

2.4.6. Make all necessary findings of fact and analysis with respect to allegations in the complaint as appropriate in the circumstances.

2.5. **Contractors and vendors** who conduct business or offer services to the City shall:

2.5.1. Have a Human Rights, Discrimination and Harassment policy setting out their duty with respect to their employees.

2.5.2. Shall report any City Employee that may have violated this Policy to the City's Human Resources.

2.5.3. Cooperate in an investigation if a City Employee reports a contractor or vendor employee has engaged in discrimination or harassment.

2.6. **Employees** have a responsibility to:

2.6.1. Ensure Workplaces are safe and free from Discrimination or Harassment. This means not engaging in, condoning or ignoring behaviour contrary to this Policy.

2.6.2. File a complaint about Harassment or Discrimination in a timely manner and within one year of the incident(s).

2.6.3. Notify their Supervisor, Manager, Deputy City Manager or Human Resources if they witness Discrimination or Harassment.

2.6.4. Fully cooperate in any investigation.

3. Reporting and Investigation

3.1. Any Supervisor or Manager who receives or becomes aware of an incident or complaint of discrimination or harassment shall provide the Employee who has complained or who may be experiencing Discrimination or Harassment with a copy of this Policy and the Guide and Procedure. The City shall investigate all complaints of discrimination and/or harassment, take appropriate action(s) including informing the parties to the complaint in writing of the findings following an investigation and any corrective action(s).

3.2. An Employee who believes Harassment or Discrimination has occurred in violation of this Policy should report such incident, activity or behaviour, in

writing, to their Supervisor or Manager. If the Supervisor or Manager is involved, the Employee should report it to their respective Deputy City Manager or Human Resources.

3.3. An Employee with a complaint about a Deputy City Manager should direct their complaint to the City Manager and copy the Chief Human Resources Officer.

3.4. A complaint about the City Manager should be directed to the Mayor's office with a copy to the Chief Human Resources Officer.

3.5. A complaint about Members of Council should be directed to the Integrity Commissioner.

4. No Retaliation

4.1. The City will not condone retaliation or reprisal against Employees who in good faith report or complain about harassment, discrimination or other violation of this Policy.

4.2. Retaliation or reprisal against someone who is a witness or is involved in an investigation is prohibited and will result in discipline up to and including termination for cause against the person found to have retaliated.

5. Remedial Action

5.1. Any Employee who is found to have engaged in Discrimination or Harassment or otherwise violated this Policy may be subject to corrective or disciplinary action up to and including termination of employment for cause. A complaint which is found to be made in bad faith may result in disciplinary action.

5.2. Harassment and/or Discrimination involving a Member of Council should be forwarded to the City's Integrity Commissioner to be addressed under the Code of Ethical Conduct for Members of Council.

6. Awareness of this Policy

6.1. This Policy will be made available to all Employees and Members of Council by providing it at the time of onboarding and orientation, and by making it available and accessible on the City's intranet.

6.2. In addition, Employees shall be required to acknowledge and sign-off on this Policy on a yearly basis and/or from time to time as necessary.

7. Annual Report

7.1. An annual report will be provided to the City Manager and the Diversity and Inclusion Officer that includes:

7.1.1. The number of complaints received

7.1.2. The nature of the complaints (i.e. Code based or OHSA)

7.1.3. The resolution of the complaints and any recommendations to ensure a respectful workplace at the City free from Discrimination and Harassment.

7.2. The identity of the persons involved will not be disclosed in the report.

ADMINISTRATION

Administered by the Office of the City Clerk.

Review Schedule:	Other (specify) Annually	Next Review Date:	June 1, 2023
Related Policy(ies):	13.C.03 – Workplace Violence, 13.A.02 – Employee Code of Conduct, CL-011 – Code of Ethical Conduct for Members of Council		
Related By-Law(s):	012-2013 – Roles and Responsibilities of the City Manager		
Procedural Document:	PRC.04 – Creating a Respectful Workplace Guide and Procedure		
Revision History			
Date:	Description:		
April, 2022	Review of Policy		



CITY OF VAUGHAN

CORPORATE POLICY

POLICY TITLE: WORKPLACE VIOLENCE

POLICY NO.: 13.C.03

Section:	Human Resources		
Effective Date:	July 1, 2022	Date of Last Review:	Click or tap to enter a date.
Approval Authority: Council	Policy Owner: DCM, Corporate Services & CFO		

POLICY STATEMENT

Violence in the workplace presents a risk to the safety and well-being of all Employees, City Officials, citizens and visitors. It is everyone's responsibility to prevent Workplace Violence including Sexual Violence, threats of violence, and physical harm. The City of Vaughan is committed to a safe and healthy work environment where everyone is treated with dignity and mutual respect.

The City will take all reasonable steps to protect its Employees and City Officials from Workplace Violence from all sources. The City of Vaughan maintains a zero-tolerance approach to Workplace Violence between:

1. Employees including students, interns and volunteers
2. Employees and City Officials (Elected or Appointed)
3. Employees and contractors
4. Employees and citizens or visitors of the City

PURPOSE

The City of Vaughan is committed to providing a safe work environment. The City will not tolerate any acts of violence and will take all reasonable steps to prevent Workplace Violence and protect Employees.

This Policy works in conjunction with the Workplace Violence Procedures, the City's Health and Safety program, the Employee Code of Conduct and the Respectful Workplace Policy (Human Rights and Anti-Discrimination/ Harassment).

POLICY TITLE: WORKPLACE VIOLENCE

POLICY NO.: 13.C.03

Supervisors and Managers must adhere to this Policy and the related procedures. Supervisors are responsible for ensuring that measures and procedures are followed by all Employees and that Employees have the information they need to protect themselves against Workplace Violence.

Every Employee must comply with the *Occupational Health and Safety Act*, this Policy and the related procedures. All Employees are required to report Workplace Violence including threats of violence to their Manager or Supervisor.

Management will investigate and deal with all incidents and complaints of Workplace Violence in a fair and timely manner, respecting the privacy of all concerned to the extent possible.

All reported incidents of Workplace Violence shall be considered serious and appropriate action shall be taken.

SCOPE

1. This Policy does not deal with claims of discrimination or harassment. Incidents or complaints of discrimination or harassment are dealt with under the City of Vaughan's Respectful Workplace Policy (Human Rights and Ant-Discrimination/Harassment).
2. This Policy applies to all:
 - Employees – permanent, full-time, part-time, contract, seasonal, temporary
 - Students and interns
 - City program and service volunteers
 - Elected officials/representatives
 - Appointees
 - Contractors
3. Where someone who is not a City Employee or Official perpetrates violence, the City will take reasonable steps to address the situation.
4. This Policy applies to:
 - 4.1. Violence that may occur at any City workplace.
 - 4.2. Violence that may occur outside of the workplace or outside of work hours where the violence may affect the safety of an Employee at the workplace.

POLICY TITLE: WORKPLACE VIOLENCE

POLICY NO.: 13.C.03

- 4.3. Situations of domestic violence or persons with a history of violent behaviour that the City becomes aware of that would likely expose an Employee to physical injury or violence in the workplace.
5. Nothing in this Policy shall limit the rights of an Employee to refuse unsafe work in accordance with Part V of the *Occupational Health and Safety Act*.
6. Nothing in this policy shall limit the right of the City to respond to an incident of Workplace Violence, Sexual Violence or Domestic Violence of which the City is aware whether or not an Employee has made a complaint.

LEGISLATIVE REQUIREMENTS

This Policy complies with the requirements under the *Occupational Health & Safety Act*.

DEFINITIONS

1. **Critical Injury:** An injury of a serious nature that: places life in jeopardy; produces unconsciousness; results in substantial loss of blood; involves the fracture of a leg or arm (but not a finger or toe); involves the amputation of a leg, arm, hand or foot (but not a finger or toe); consists of burns to a major portion of the body; or causes the loss of sight in an eye.
2. **Domestic Violence:** A pattern of abusive behaviours by one or both partners in an intimate relationship such as marriage, dating, family, friends or cohabitation. Commonly referred to as domestic abuse or “intimate partner abuse”.
3. **Employee,** for the purposes of this policy, includes A person who performs work or supplies services for monetary compensation, or who is enrolled as a student or volunteers for the City.
4. **Joint Health and Safety Committee:** A committee required under the *Occupational Health and Safety Act* that consists of labour and management representatives who meet on a regular basis to deal with workplace health and safety issues.
5. **Official (Elected or Appointed):** A person who holds a public office or membership on a Council Committee with the City of Vaughan whether obtained by election or by appointment of the City Council or The Corporation of the City of Vaughan.

POLICY TITLE: WORKPLACE VIOLENCE

POLICY NO.: 13.C.03

6. Sexual Violence: Any sexual act or act targeting a person's sex, sexuality, sexual orientation, gender identity or gender expression, whether the act is physical or psychological in nature, that is committed, threatened or attempted against a person without the person's consent and includes, but is not limited to, sexual assault, stalking, indecent exposure, voyeurism and sexual exploitation.

7. Workplace Violence: Any exercise of or attempt to exercise physical force by a person against an Employee, in a City workplace, that causes or could cause physical injury to the Employee, or a statement or behaviour that it is reasonable for an Employee to interpret as a threat to exercise physical force against the Employee that could cause physical injury to the Employee. Workplace Violence includes Sexual Violence.

Workplace Violence can include acts of violence that occur when an Employee is outside of the workplace or outside of work hours if the incident could affect the safety of the Employee at the workplace.

8. Workplace Violence Policy Coordinator: The Chief Human Resources Officer or their designate.

9. Workplace: The workplace includes all locations where business or other activities of the City are conducted where an Employee of the City works. This policy may apply to incidents that happen away from work (e.g., inappropriate social media posts, phone calls, e-mails or visits to an employee's home, incidents at luncheons, after work socials) that impact the workplace.

For definitions of Harassment or Discrimination, see the City's Respectful Workplace Policy (Human Rights and Anti-Discrimination/Harassment).

POLICY

1. General

1.1. The City of Vaughan recognizes that the most effective way to deal with Workplace Violence is through preventative action, including informing, educating and proper reporting of Workplace Violence.

1.2. The City will take all reasonable steps to provide its Employees and City Officials with an environment that is free from Workplace Violence.

1.3. Every Employee has a duty to report Workplace Violence to their manager or supervisor. If their manager or supervisor is involved, they should report the matter to the next level of management or the Workplace Violence Policy

Coordinator. If an Employee fears for their safety and requests to report in confidence, they should contact Human Resources. If there is an immediate risk of violence or harm to a person, contact the police.

1.4. The City of Vaughan is committed to establishing measures to prevent Workplace Violence.

1.5. The City of Vaughan will perform Workplace Violence Assessments and Threat Risk Analyses for all City workplaces as often as necessary. Results of the assessments will be provided to the Joint Health and Safety Committee representing the workplace.

1.6. Investigations relating to reports or incidents of Workplace Violence, Sexual Violence or Domestic Violence will be undertaken in accordance with the City's Workplace Violence Procedures.

1.7. An Employee who engages in Workplace Violence or otherwise found to be in contravention of this Policy will be disciplined up to and including termination of employment for cause.

1.8. The City will provide assistance and support to any persons who are involved in incidents of Workplace Violence, Sexual Violence or Domestic Violence in City workplaces.

2. Guiding Principles

There are several guiding principles which govern the City in dealing with Workplace Violence. These include:

2.1. Every Employee has a duty to report Workplace Violence.

2.2. All Employees, City Officials, citizens and visitors in all City workplaces and City operated facilities have a right to be safe.

2.3. The City promotes a respectful workplace where everyone is treated with dignity, civility and mutual respect.

3. Roles and Responsibilities

3.1. People Leaders, Management and Supervisors must:

3.1.1. Take all reasonable steps to protect an Employee from Workplace Violence. This duty includes the obligation to be familiar with and uphold this Policy and related procedures.

3.2. Workplace Violence Policy Coordinator:

POLICY TITLE: WORKPLACE VIOLENCE

POLICY NO.: 13.C.03

3.2.1. The Chief Human Resources Officer is designated as the Workplace Violence Policy Coordinator (WVPC) and is responsible for the Workplace Violence Policy and related Procedures.

3.2.2. Where the WVPC is involved in the alleged incident, the City Manager shall appoint a suitable alternate to act as WVPC.

3.3. Employees:

3.3.1. Every Employee including all City employees, students, interns, volunteers, City Officials and contractors have a responsibility to adhere to this Workplace Violence Policy and to ensure that the environment is safe and free from Workplace Violence.

3.3.2. Employees shall not engage in, condone or ignore Workplace Violence.

3.3.3. Anyone who believes that Workplace Violence is taking place must notify their Supervisor or Manager and/or the Workplace Violence Policy Coordinator. If there is an emergency, call 911.

4. Reporting and Investigation

4.1. Employees must report Workplace Violence to their People Leader, Supervisor or Manager.

4.2. Employees who have reasonable grounds to believe a violation of the Workplace Violence Policy has occurred must report such activity or behaviour to their supervisor or manager.

4.3. If the supervisor or manager is involved or fails to address the incident, the Worker should report the incident or violation to the next level of management or the Chief Human Resources Officer. If possible, the Employee should confirm their report of Workplace Violence in writing.

4.4. If an Employee fears for their safety and requests to report in confidence, they should contact Human Resources.

4.5. If there is an immediate risk of violence or harm to a person, contact the police.

4.6. Supervisors or managers shall take all reasonable steps to prevent and stop Workplace Violence which comes to their attention.

4.7. Any supervisor or manager who is subject to, witnesses, or receives a complaint of Workplace Violence violation shall work to minimize or eliminate the issue. If this is not possible with available resources, the supervisor or manager is required to report the issue to their Director, Deputy City Manager or the City Manager, as appropriate.

4.8. The City shall investigate all complaints and take all reasonable steps to protect Employees and City Officials from workplace violence.

5. No Retaliation

5.1. The City will not condone retaliation or reprisal against an Employee who in good faith reports or complains about Workplace Violence or a violation of the Workplace Violence Policy. Likewise, retaliation or reprisal against someone who is a witness or is involved in Workplace Violence investigation is strictly prohibited.

5.2. All Employees must cooperate fully during an investigation involving Workplace Violence or a violation of this Policy.

6. Remedial Action

6.1. Any Employee who is found to have engaged in Workplace Violence or violated this Workplace Violence Policy may be subject to disciplinary action up to and including termination of employment of cause.

6.2. In addition, complaints which are found to be made in bad faith may result in discipline against the complainant.

6.3. Complaints alleging violence or sexual violence by a Member of Council should be forwarded to the City's Integrity Commissioner to be addressed under the Code of Ethical Conduct for Members of Council and Local Boards (Policy No. CL -011).

7. Awareness of the Workplace Violence Policy

7.1. This Workplace Violence Policy will be made available to all employees by providing it at the time of employee onboarding and orientation, by inclusion in the New Employee Handbook, and by making it available and accessible on the City's intranet.

7.2. In addition, employees shall be required to acknowledge and sign-off on the Workplace Violence Policy on a yearly basis and/or from time to time as necessary.

POLICY TITLE: WORKPLACE VIOLENCE

POLICY NO.: 13.C.03

8. Annual Report

8.1. An annual report will be provided to the City Manager of the number of complaints received, the nature of the complaints, the resolution of the complaints, and any recommendations. The identity of the persons involved will not be disclosed in the report.

ADMINISTRATION

Administered by the Office of the City Clerk.

Review Schedule:	Other (specify) Annually	Next Review Date:	XXX, 2022
Related Policy(ies):	13.C.01 – Respectful Workplace, 13.A.02 – Employee Code of Conduct, 13.C.04 – Council Staff Relations		
Related By-Law(s):	012-2013 – Roles and Responsibilities of the City Manager		
Procedural Document:	PRC.05 – Workplace Violence		

Revision History

Date:	Description:
1-Apr-22	Review of Policy
Click or tap to enter a date.	
Click or tap to enter a date.	

**CITY OF VAUGHAN'S COMMITMENT TO HUMAN RIGHTS,
EQUAL ACCESS TO CITY SERVICES AND
A RESPECTFUL ENVIRONMENT**

The City of Vaughan is committed to providing an environment in which all persons are treated with respect and dignity. Employees, elected officials, members of the public and all those interacting with the City have the right to a respectful environment and to receive Service Excellence from the City.

In accordance with the *Ontario Human Rights Code*, the City will not condone or tolerate discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex (includes pregnancy and breastfeeding), sexual orientation, gender identity, gender expression, age, marital status, family status, or disability.

The City is committed to identifying and addressing barriers to reduce inequities, ensuring that everyone has the right to access City services. The City recognizes that discrimination can impact an individual's dignity and well-being. The City will take all reasonable steps to ensure a respectful environment and provide services in accordance with the *Ontario Human Rights Code*.

If a person feels they have been discriminated against when interacting with City Staff or when receiving City services, please contact Access Vaughan. The City will take appropriate action. Employees that feel they have been discriminated or harassed at work, should refer to the City's Respectful Workplace Policy (Human Rights and Anti-Discrimination/Harassment).