

# [Company]

## Workplace Violence Policy

Approval Date	Effective Date	Last Review Date
Pending	Pending	April

Policy Number:	
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Approved by:	xx Executive Board
Responsibility:	xx Executive Board
Applies to:	All Representatives of xx including affiliates (xx Executive Board, Stewards, Committee Persons, Members, and Authorized Designates)

### 1. PURPOSE

- a. The purpose of this policy is to define the Local Unions' position on workplace violence, the associated intents of the policy, the definitions of the term and procedures for implementation and enactment for intervening, and associated penalties which may be served under the authority of the Business Manager or Authorized Designate of xx. [Company] provides a safe workplace for all employees. To ensure a safe workplace and to reduce the risk of violence, all employees should review and understand all provisions of this workplace violence policy.
- b. This policy clarifies the importance and requirement of protecting all persons associated with the Local Union, whether professionally affiliated or not, from workplace violence.

### 2. APPLICATION OF THE POLICY

- a. This policy applies to all xx Employees, Executive Board Members, Stewards, Committee Persons, Members, Affiliates, and Contractors.

### 3. DEFINITIONS

- a. Employees
  - i. Persons hired or appointed by the Business Manager or Authorized Designate to perform work specifically or related to servicing the

membership and who receive remuneration in the form of a payroll check from the Local Union.

- b. Executive Board Members
  - i. Those elected by the membership or otherwise appointed to the Board may be permitted by the International Constitution or By-Laws of the Local Union.
- c. Stewards
  - i. Any person elected or appointed to the volunteer position or appointment as Steward to the membership, Collective Agreement, Constitution, and related Union policies where they exist defines them.
- d. Affiliates and Contractors
  - i. Any person, agency, or group, whether conjoined or individual, hired by the Local Union; or outside agency, including other people whom the Union contracts for outside work.
- e. Committee Persons
  - i. Any person elected to or appointed to any committee by the authority of the Business Manager of the Local Union.
- f. Members
  - i. Any person who is an employee of the Local Union or an Employer signatory to the Collective Agreement with the International Union of Operating Engineers Local 727.
- g. Authorized Designate
  - i. Any person given authority in writing by the Business Manager to act on his/her behalf for a defined period; or in the case of a permanent absence of a Business Manager, the person appointed as per the Constitution, or in a permanent absence of either of the aforementioned the President of the Executive Board unless no other person has been properly appointed.
- h. Workplace Violence
  - i. xx does not tolerate any type of workplace violence committed by or against employees. Employees are prohibited from making threats or engaging in violent activities. This list of behaviours provides examples of prohibited conduct:
    - 1. Causing physical injury to another person.
    - 2. Making threatening remarks.
    - 3. Displaying aggressive or hostile behaviour that creates a reasonable fear of injury to another person or subjects another individual to emotional distress.
    - 4. Intentionally damaging employer property or property of another employee.

5. Possessing a weapon while on company property or while on company business.
6. Committing acts motivated by, or related to, sexual harassment or domestic violence.

#### **4. CONFIDENTIALITY AND AUTHORITY**

- a. All persons herein described shall hold sacred the right to one's privacy as defined by any and all applicable Standards, Acts, Constitutional values, By-Laws, Articles of any associated Collective Agreement(s), Policies of the Local Union, and the law.
- b. All persons herein described should take all precautions possible to keep safe the private and or personal information of the Local, its employees, affiliates, committee persons, members, and contractors, save and except where the Business Manager authorizes an individual or other persons to release information pertaining to confidential matters, documents and/or proceedings with respect to any claim of, or investigation into harassment.

#### **5. ROLES AND RESPONSIBILITIES**

- a. Employees, Executive Board Members, Stewards, Committee Persons, and Members shall hold sacred any person's right to a peaceful free of workplace violence or hostility.
- b. Employees, Executive Board Members, Stewards, and Committee Members shall report to the Business Manager or authorized designate all known or suspected infractions of this policy, accidental or intentional.
- c. It shall be the duty of Employees, Executive Board Members, Stewards, and Committee Members to follow all workplace violence policies and to not participate in any type of violence towards anyone at any time.
- d. The Business Managers or authorized designates shall ensure that all complaints relating to suspected or perceived violence claims are thoroughly investigated and resolutions found.
- e. It shall also be the Business Managers or authorized designates' responsibility to conduct such investigations in a timely manner.

#### **6. RISK REDUCTION MEASURES**

- a. Safety

- i. [Company] conducts annual inspections of the premises to evaluate and determine any vulnerabilities to workplace violence or hazards. Any necessary corrective action will be taken to reduce all risks.
- b. Individual situations
  - i. Although [Company] does not expect employees to be skilled at identifying potentially dangerous persons, employees are expected to exercise good judgment if any employee exhibits behaviour that could be a sign of a potentially dangerous situation. Such behaviour includes:
    - 1. Discussing weapons or bringing them to the workplace.
    - 2. Displaying overt signs of extreme stress, resentment, hostility, or anger.
    - 3. Making threatening remarks.
    - 4. Showing sudden or significant deterioration of performance.
    - 5. Displaying irrational or inappropriate behaviour.
- c. Dangerous/Emergency Situations
  - i. Employees who confront or encounter an armed or dangerous person should not attempt to challenge or disarm the individual.
  - ii. Employees should remain calm, make constant eye contact and talk to the individual.
  - iii. If a supervisor can be safely notified of the need for assistance without endangering the safety of the employee or others, such notice should be given. Otherwise, employees should cooperate and follow the instructions given.

## **7. REPORTING PROCEDURE**

- a. Any potentially dangerous situations must be immediately reported after becoming aware of an infraction of this policy; contact the Business Manager or authorized designate in the most confidential manner at your disposal and inform him/her of the circumstance in as much detail as possible.
- b. Reports can be made anonymously, and all reported incidents will be investigated.
- c. All parties involved in a situation will be counselled, and the results of investigations will be discussed with them.
- d. [Company] will actively intervene at any indication of a possibly hostile or violent situation.

## **8. INVESTIGATION PROCEDURE**

- a. It shall be the Duty of the Business Manager to support this policy and, where required, investigate reports of infractions thereof.

- b. Investigation details shall be kept private.
- c. Those involved (whether the reporting party, witness or accused) shall not divulge any information pertaining to participation in an investigation or interview process except to the Business Manager or other Authorized Person(s).
- d. The Business Manager shall, insofar as possible, practice progressive discipline; save and except that he/she shall reserve the right to make decisions related to discipline based on the severity or impact of an infraction of this policy.
- e. Those making a claim of harassment in good faith will not face any disciplinary action if the claims are unfounded during the investigation.
- f. Those found having knowingly made false claims of workplace violence during the investigation will face appropriate discipline that could include possible membership revocation, fines, or up to and including termination.

## **9. RIGHT TO MANAGE**

- a. Workplace violence will not be tolerated, and threats, threatening conduct, or any other acts of aggression or violence will not be tolerated.
- b. Nothing in this policy restricts the right of the Business Manager or Authorized Designate to manage. Infractions of this policy may lead to discipline, up to and including dismissal in the case of an employee. At the Business Manager's or authorized designate's discretion, committee persons and stewards may be reprimanded, including being ejected from any and/or all committees, and in the case of Stewardship, be removed from his/her stewardship role.
- c. Nothing in this policy saves any person from being charged under the International Constitution, Local Union By-laws, Federal or Provincial Laws, Standards or Statutes. Nonemployees engaged in violent acts on the employer's premises will be reported to the proper authorities and fully prosecuted.

SIGN-OFF ([Company] - Workplace Violence Policy)

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Employee / Executive Board Member  
(Please Print)

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Employee / Executive Board Member  
(Signature)

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Witness

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Date