



## Workplace Violence and Harassment Policy

Landscape Effects Group acknowledges our responsibility to support and assist persons subject to violence and harassment, and that appropriate action will be taken, whether such conduct is perpetrated by a Team Member, manager, contractor, or a member of the public. Landscape Effects Group is committed to providing a work environment free of discrimination and harassment, where all individuals are treated with respect and dignity, can contribute fully, and have equal opportunities.

The purpose of this policy is:

- To ensure that Landscape Effects Group meets its obligations under the Human Rights Code and the Occupational Health and Safety Act, R.S.O. 1990 c. 0.1 (OHSA) to prevent workplace harassment, including sexual harassment
- To educate all our Team Members, managers, and contractors to help us maintain a workplace free of violence and harassment. Failure to do so will give rise to disciplinary sanctions, up to and including termination of employment. We will not discriminate or retaliate against an employee because he or she has been or is perceived to be a victim of workplace violence or harassment.
- To ensure that all partners and team members of Landscape Effects Group are aware that workplace harassment is unacceptable and failure to comply will give rise to disciplinary sanctions, up to and including termination of employment
- To set out the types of behavior that may be considered offensive and that are prohibited by this policy
- To provide the procedure that will be followed to deal with complaints of workplace harassment made by management or Team Members of Landscape Effects Group

### **This policy:**

- Applies at every level of Landscape Effects Group, and extends to all owners, management, Team Members (including full-time, part-time, temporary, probationary, and casual, contract staff, students and potentially include consultants.)
- Applies to physical offices of Landscape Effects Group
- Extends outside of the offices of Landscape Effects Group (such as to off-site meetings, client locations, business travel, and firm sanctioned social events, and to electronic communications)

### **Definitions:**

Workplace Violence – Workplace violence is defined as the exercise (or the attempt to exercise) physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker; or a statement or behavior that is reasonable to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury.

Without limiting the foregoing, workplace violence includes:

- Actual and attempted acts of violence, including hitting, punching, slapping, or kicking; - Threats of physical violence or intimidation.
- Acts of physical aggression, such as brandishing tools or other objects in a menacing manner or the deliberate destruction of or damage to property, especially when done with the intent of intimidation; and - Sexual assault.

Sexual Harassment- an unwelcome sexual advance, unwelcome request for sexual favours or other unwelcome conduct of a sexual nature which makes a person feel offended, humiliated and/or intimidated, where a reasonable person would anticipate that reaction in the circumstances.

Examples of sexually harassing behaviour include:

- unwelcome touching.
- staring or leering.
- suggestive comments or jokes.
- sexually explicit pictures or posters.
- unwanted invitations to go out on dates.
- requests for sex.
- intrusive questions about a person's private life or body.
- unnecessary familiarity, such as deliberately brushing up against a person.
- insults or taunts based on sex.
- sexually explicit physical contact; and
- sexually explicit emails or SMS text messages.

Domestic Violence – Domestic violence is defined as violent, threatening or extremely coercive behavior perpetrated by one partner in a current or formerly intimate relationship on the other. Domestic violence affects men and women of all ages and all ethnic, racial, religious, educational, and socioeconomic backgrounds. Domestic violence includes, but is not limited to, the following types of behavior:

- Actual or threatened physical violence or harm, up to and including incidents of serious assault and even homicide.
- Sexual assault (forcing someone into sexual activities against their will is a crime even where the parties are married to one another).
- Stalking and other forms of sexual harassment and intimidation.
- Threats of harm or actual harm perpetrated against the victim or individuals who are closely associated with the victim; and
- Damaging, destroying, or threatening to destroy, property belonging to the victim or individuals who are closely associated with the victim.

Workplace Harassment – Workplace harassment is defined as engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome, including but not limited to: - Spreading rumors, gossip and innuendo.

- Offensive or intimidating comments or jokes.
- Bullying or aggressive behavior.
- Social isolation, ostracizing or ignoring a worker.

- Deliberately undermining someone or stopping that person from completing his or her work.
- Belittling a worker about their work, achievements, or hobbies.
- Assigning demeaning or insulting work.
- Displaying or circulating offensive pictures or materials.
- Inappropriate staring, spying, and stalking.
- Sabotaging or tampering with a worker's work, equipment, or belongings.
- Workplace sexual harassment; and
- Isolating or insulting a worker because of gender identity.

Workplace harassment also includes sexual or racial harassment, bullying, or harassing someone based on any ground prohibited by human rights legislation, including race, colour, sex, sexual orientation, pregnancy, civil status, age, religion, political convictions, language, ethnic or national origin, social condition, or disability.

### **Workplace Violence and Harassment Prevention Program**

Landscape Effects Group has taken specific measures to implement this Workplace Violence Policy. These measures are referred to as our Workplace Violence Prevention Program. The Program includes specific measures and procedures to control risks of workplace violence, as identified in the section on the Workplace Violence Risk Assessment below. Such measures include the following:

- Implementing procedures for summoning immediate assistance when workplace violence occurs or is likely to occur.

This information will be communicated to you separately.

- Implementing procedures for reporting incidents of workplace violence.
- Implementing procedures for investigating and dealing with alleged incidents of workplace violence.

### **Workplace Violence**

Landscape Effects Group recognizes that there is a potential for workplace violence to occur in any workplace. We also acknowledge that physical and emotional harm can often arise out of such acts of violence. Every reasonable effort will be made by Landscape Effects Group to identify possible sources of violence and to implement procedures which eliminate or minimize risks created by such situations.

Landscape Effects Group is committed to the prevention of workplace violence and to responding appropriately if workplace violence does occur. All managers, Team Members and contractors are responsible for creating and maintaining a safe work environment free from violence, threats, and intimidation.

Landscape Effects Group will take all allegations of workplace violence very seriously, regardless of the identity of the victim, the basis for the violence, or whether such violence is perpetrated by a person's manager, co-worker, subordinate, or by a supplier, consultant, or member of the general public.

Workplace violence is against the law and constitutes a criminal offence. It is also against our policy of encouraging respect and courtesy among us all. It is not an appropriate response to any situation, whether provoked or otherwise. Workplace violence, in all forms, can have many negative effects on the individual concerned, including stress, feelings of helplessness, fear, low productivity, physical illness and anxiety. It can also negatively impact an organization in terms of staff turnover, employee retention, decreased job satisfaction and reduced morale and productivity.

No forms of violence will be tolerated in the workplace, either on the part of team members, managers, contractors, suppliers, or visitors.

Landscape Effects Group will not tolerate workplace violence in any form and maintains a “zero tolerance policy.” Any team members who engage in acts or threats of violence will be subject to disciplinary action, up to and including termination of employment for cause and in serious cases of workplace violence, termination for cause may occur without any previous warnings, regardless of position or length of service.

Individuals with a History of Violence – Under the Occupational Health and Safety Act, we have an obligation to warn team members of the identity and personal details of an individual with a history of violent behavior where there is a risk of workplace violence being perpetrated by that person. Such information will only be provided where the team members concerned could reasonably be expected to encounter that person at work and where the risk of workplace violence is likely to expose those team members to injury. Confidentiality will be maintained wherever possible. Information which relates to potentially violent individuals will be shared with team members only on a need-to-know basis. Team members are therefore expected to maintain confidentiality where they are in receipt of this type of sensitive personal information.

Robbery, Fighting, Violent and Illegal Acts – We urge you not to get involved in any actions meant to thwart or deter a robbery, violent act, or other serious criminal activity while on Landscape Effects Group property or while conducting Landscape Effects Group business. If you do encounter such activities, do not try to stop the robbery, violent act, or crime. As soon as you and your co-workers are safe, notify your immediate supervisor/manager or a member of the management team immediately.

If a fight breaks out in the workplace, do not try to physically intervene. Instead, notify your supervisor/manager immediately. All serious criminal activities must be reported immediately to the proper authorities. Workers have the right to call 911 for police services for immediate assistance if required but also notify Landscape Effects Group immediately.

## **Workplace Violence Risk Assessment**

We have conducted a workplace violence risk assessment and will reassess the risks of workplace violence once a year.

The results of these assessments are communicated to affected team members, Human Resources, and to the Joint Health and Safety Committee/Health and Safety Representative. The risks of violence which are assessed relate to the physical environment and to potential for violent acts perpetrated by team

members as well as by visitors and members of the public. The specific risks of violence vary from workplace to workplace, but primarily center on violence being committed by:

- Interpersonal conflict between workers.
- Members of the public or other third parties becoming upset with delays or other inconveniences caused by or relating to work in which Landscape Effects Group Team Members are engaged; and
- Upset former Team Members, members of the public or other third parties attending at reception.

Among others, the following measures and procedures have been implemented to control the risks identified in the workplace:

- Employee training.
- Ensuring proper physical barriers.
- Clear exit routes.
- Emergency call buttons; and - Employee awareness.

## **Workplace Violence Awareness Training**

Landscape Effects Group requires all new hires, as part of their orientation program, to undergo workplace violence awareness training. In addition, where we identify specific risks pertaining to your position, work location or shift, you will be provided with additional guidance and instruction. From time to time, we will also conduct training or provide referrals for one or more specific individuals where they require anti-violence awareness or anger management training as part of a corrective action plan, or as identified through training needs analysis.

### **Domestic Violence**

All forms of domestic abuse – whether physical, psychological, financial, or emotional – as well as extremely controlling behavior (e.g., controlling what the victim wears, not allowing him or her to see certain people, leave the house or socialize with others, limiting the victim's right to free speech, etc.) are all unacceptable.

No one should ever be required to put up with violent, intimidating, or abusive conduct in the workplace - including violence at the hands of one's current or former spouse or partner. Landscape Effects Group we have the utmost respect for your privacy and do not wish to intrude into the personal lives of our team members. However, where we are aware of or have reasonable basis to suspect the existence of domestic violence, and the consequences of domestic violence are likely to spill over into the workplace, we have a legal and moral obligation to intervene in the interests of the individual concerned and other team members. Landscape Effects Group aims to help ensure that the workplace remains a haven, free from the dangers of domestic violence and abuse.

### **Combatting Domestic Violence**

Landscape Effects Group has the responsibility of developing this Domestic Violence Policy, as well as:

- Ensuring that the concerns of team members who report incidents of domestic violence are taken seriously, that such information is shared only with other team members who need to know about these issues, and that appropriate measures are taken to minimize the possibility of acts of domestic violence occurring in the workplace.
- Performing a violence risk assessment of our premises and our business and implementing security measures designed to combat violence in the workplace.

Our obligations in this area are as follows:

- To take measures protecting the employee who is a victim of domestic violence from his or her current or former partner while at work.
- To protect other team members from acts of domestic violence occurring in the workplace; and
- To warn other team members of the identity and personal details of an individual with a history of violent behavior where there is a risk of workplace violence being perpetrated by that person.

On request of an employee, or where it becomes clear to management that there is a potential for acts of domestic violence to occur in the workplace, Landscape Effects Group is also prepared to take some or all of the following measures, as appropriate: - Notifying reception of the identity and/or description of an abuser, with the direction that under no circumstances will that individual be allowed to contact the employee while he or she is at work; - Banning an individual from the premises and calling the police if necessary;

- Moving an employee's workstation to a less public and/or more secure area of the building.
- Removing an employee's name from Landscape Effects Group telephone directory.
- Providing a security escort to an employee's vehicle or to public transit.
- Changing an employee's mailing address, emergency contact details and home telephone number, and ensuring that such information remains confidential.
- Allowing for changes in hours, flexible hours, time off and job-protected leaves of absence where required for reasons connected with the issues of domestic violence and abuse.
- Reassigning the employee to a different work location, or, where possible, to a non-customer facing role; and - Providing information to other team members about an individual with a history of violence where those team members are likely to encounter that person during the course of their work and where there is risk of physical injury.

Confidentiality – Information on potentially violent individuals includes, but is not limited to, the identities, personal histories, and descriptions of current or former partners of Landscape Effects Group team members. In the interests of being respectful and sensitive towards victims of domestic violence, confidentiality will be maintained wherever and to the extent possible. Information which relates to actual or suspected domestic violence, or violent individuals, will be shared with others only on a need-to-know basis.

### **Reporting**

All incidents of workplace violence are to be reported and investigated See Violence and Harassment Incident Report Form.

Team members who are victims of violent incidents in the workplace are also advised to consult a physician for treatment and/or referral for counseling.

### **Available Supports**

Team members who find themselves in the unfortunate position of being victims of domestic violence and abuse can take actions to protect themselves. It is important to realize that you are not alone, and that help is available. Some of the things you can do include:

- Talk to friends and family about your concerns.
- Inform your manager and/or Human Resources.
- Talk to your doctor or obtain the advice of a family lawyer.
- Contact a women's shelter, an organization such as Victim Crisis Assistance and Referral Services (VCARS) or the Victim Support Line (VSL)
- Preserve evidence of instances of abuse and note dates and times of specific incidents.
- Call the police. Domestic violence is a crime, as is criminal harassment (i.e., "stalking"). In addition to possibly arresting the abuser, police officers are trained to provide guidance, support, assistance, and referrals to victims of domestic violence and criminal harassment.
- Obtain a peace bond or a restraining order against the abuser from a court. If you are married, you may also be able to obtain an order from a court granting you exclusive possession of the family home.
- Apply to a court to have access to children denied to the abuser where the children are also victims of domestic violence and/or abuse. Where domestic violence impacts children, it is also a good idea to inform your child's school or daycare provider.
- Consider basic personal security measures such as moving, obtaining an unlisted telephone number, changing locks, purchasing an alarm system, obtaining a cell phone, avoiding isolated areas, taking a self-defence course, etc.

The following additional supports are available to workers who have been the target of workplace violence:

- Direct manager / supervisor.

Where the abuser is the employee's direct manager / supervisor, any other member of the senior management team.

- Ministry of Labour Office
- Other outside investigator's where legislations require a third-party investigation



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