



L'Arche Canada – Workplace Violence and Harassment

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Policy

L'Arche Canada and its communities are committed to providing and maintaining safe and healthy working environments, free from any form of harassment or violence, that are based on respect for the dignity and rights of everyone in the organization. Workplace violence, workplace harassment or threats of violence or harassment will not be tolerated. Violence and harassment in the workplace can have devastating effects on all members of the community and the spirit of our life together, and as such, all personnel are responsible for maintaining a safe work environment and preventing and strongly encouraged to report any workplace violence or harassment.

Scope:

This policy applies wherever L'Arche Canada or local community activities are conducted, including in L'Arche homes, programs, offices, or other physical spaces and at all L'Arche events, including appointments, social events and gatherings and community vacations. For the purposes of this policy, the terms "employee", "individual", "person" and "personnel" refer to any paid worker, volunteer, or co-op student in L'Arche. The harassing or violent person may be someone the worker encounters due to the nature of their work and may include, but is not limited to, a co-worker, parent/advocate, or volunteer.

Definitions:

Workplace Violence

The exercise, or attempt to exercise, of physical force by a person against a worker that causes or could cause physical injury to the worker and/or a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against a worker that could cause physical injury.

Workplace Harassment

Engaging in a course of vexatious comment or conduct against a worker that is known or ought reasonably to be known to be unwelcome. Workplace harassment does not include:

- Efforts to improve performance in the workplace.
- Discipline for infractions, policy violations
- Requesting medical documents in support of work absence
- Suggesting outside supports to individuals regarding workplace behaviours, performance.

Physical assault:

Any physical force or threat of physical force to create fear and control another person. Examples include but not limited to: hitting, blocking, shoving, choking, slapping or biting, or pulling hair; "caring" for the victim in an abusive way; threats of violence; using a weapon or other objects to threaten, hurt or kill; physical restraint or confinement.

Sexual assault:

Any unwanted sexual act done by one person to another. Examples include but not limited to: kissing or forcing/coercing a person into kissing; inappropriately touching a person's body with or without clothes on, forcing/coercing a person to masturbate; sexual intercourse; causing bodily harm; removing or attempting to remove clothing; taking advantage of a position, trust or authority to get sex; threatening to harm someone else if the person does not agree to do any of these things.

Sexual harassment:

Objectionable comments or conduct of a sexual nature, which demeans or causes personal humiliation or embarrassment to the recipient. Examples include but not limited to: degrading words, rude jokes or sexual comments; name calling; physical contact, sexual demands, unwanted kissing or touching of a sexual nature; insulting remarks or behaviour about the person's sexual orientation, gender identity, race, culture, ability, and/or income.

Workplace Sexual Harassment:

Making a sexual solicitation or advance where the person making it 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 the solicitation or advance is unwelcome.

Threat (verbal or written):

A communicated intent to inflict physical or other harm on any person or to property by some unlawful act. A direct threat is a clear and explicit communication distinctly indicating intention to do harm, for example, "I am going to make you pay for what you did to me." A conditional threat involves a condition, for example, "If you don't leave me alone you will regret it." Veiled threats usually involve body language or behaviours that leave little doubt in the mind of the victim that the perpetrator intends to harm.

Verbal/Emotional/Psychological Abuse:

A pattern of behaviour that makes someone feel intimidated, worthless, flawed, unloved, or endangered. Like other forms of abuse, it is based on power and control. Examples include but not limited to: swearing, put-downs/name calling over a period of time; labelling the victim in a derogatory way such as stupid, crazy or irrational; acts of humiliation; extreme jealous behaviour; embarrassing, humiliating, degrading, demeaning, or belittling another person; harming pets or damaging property.

Workplace Bullying: repeated and persistent negative acts towards one or more individuals, which involve a perceived power imbalance and create a hostile work environment, including cyber-bullying.

Prohibited Behaviour

Any behavior which is considered dangerous, disrespectful and/or inappropriate in the workplace and therefore will lead to disciplinary action up to and including discharge from employment. Examples include but not limited to: Any of the above defined behaviours; dangerous or threatening horseplay; blatant or intentional disregard for the safety and well-being of others; retaliation; failure to report a known incident of workplace violence or harassment; shouting, blow-ups at a person and/or the use of profanity and abusive language; slamming doors or throwing objects; inappropriate use of power and authority from a supervisor; any other act which is reasonably construed to be a violation of this policy.

PROCEDURES

A. Orientation, Training and Education

L'Arche Canada and L'Arche Canada Communities will ensure that all personnel have Workplace Violence & Harassment Awareness training which includes an annual review of this Workplace Violence and Harassment Policy. A record of completed training will be kept in each individual's personnel file (Appendix A).

B. Safety Measures

To ensure the safety of everyone, all personnel are asked to take the following measures:

- If there is, or is likely to be, a violent incident, immediately remove oneself from the unsafe situation, if possible, and call Emergency Services (9-1-1), where appropriate, and the Community Emergency Phone (if applicable.)
- Let co-workers know of one's whereabouts at all times and inform a co-worker if working alone;
- Call the Community Emergency Phone (if applicable) if an unaccompanied stranger or suspicious person enters the workplace. If appropriate, use the Emergency Services (9-1-1);
- When supporting individuals showing signs of aggression, remove oneself and others from the area,
- Be familiar with the location of all exits, be alert to one's surroundings and use common sense.

C. Reporting

Everyone in the workplace has a role to play in keeping workplaces safe. Employees have a duty to report any situation that presents a hazard or threat to our safety, and employers are required to address those situations. An act of violence, or threat of violence in the workplace should be reported to the police.

Any personnel in a local L'Arche community in Canada who is subjected to, witness to, or has knowledge of any incidents or threats of workplace violence, is required to immediately report the incident to the Community Leader or designate in writing. People who require assistance with writing may choose a scribe of their choice for reporting purposes. An act of violence, or threat of violence in the workplace should be reported to the police. L'Arche Canada personnel should report to the National Leader and the Human Resource Coordinator. All situations described in this policy require a written report. A report can also be submitted electronically through the L'Arche Canada website (Appendix B).

L'Arche acknowledges that incidents of workplace harassment can be frightening or embarrassing, and therefore the person may choose not to report such an incident. L'Arche believes that workplace harassment is never OK. While L'Arche respects the privacy of individuals, we strongly encourage any person who experiences workplace harassment to report the incident to the Community Leader/designate. This will allow L'Arche to take the appropriate action to stop such unwelcome conduct.

This policy does not preclude an employee from contacting the police where they feel it is appropriate and is not intended to discourage an employee from taking any steps they feel are necessary in that regard.

After receiving such a report, the Community Leader/National Leader or designate will promptly begin an investigation. In the case of the Community Leader/National Leader or designate being the accused, the report should be submitted to the Chair of the Board of Directors who will employ an independent third party to lead an investigation.

D. Investigations & Follow-up Reporting

An incident or complaint of potential or actual workplace violence or harassment will be investigated promptly, impartially and with sensitivity. For the safety of all individuals involved in the incident, L'Arche will ensure there is no contact between involved parties as soon as the incident is reported and during the investigation.

- a. An Internal Investigation will be conducted by an investigation team as determined by the Community Leader/National Leader or designate and must be completely objective with no member of the team being

directly involved in the incident or complaint, and not under the direct control of the accused. The process will include

- i. thoroughly understanding the allegation;
 - ii. interviewing those involved or other relevant individuals
 - iii. collecting and reviewing documentation;
 - iv. reviewing the site of the incident;
 - v. when lengthy, updating to parties to the investigation periodically as to the status of the investigation;
 - vi. making an objective assessment of whether there has been a violation of this policy;
 - vii. reporting the outcome to the complainant and the individual that is the subject of the complaint.
- b. An External Investigation will be led by local police authorities and the Community Leader/National Leader or designate will work closely with these individuals to ensure the safety of the accuser and the well-being of the community.
- c. If the allegation is substantiated, the Community Leader/National Leader or designate will follow the procedures outlined in the Serious Occurrence Reporting policy of L'Arche Canada and will complete and send the L'Arche Canada Serious Occurrence Form to the appropriate individuals.

E. Confidentiality

Although L'Arche will make every effort to keep the incident or complaint as confidential as possible, it is not always possible to do so in the course of investigating or resolving an incident or complaint of potential or actual workplace violence or harassment. All records of reports and investigations of workplace violence or harassment will be kept in a separate confidential file indefinitely following the end of the investigation.

F. Disciplinary Action

Any L'Arche Canada personnel or personnel of a community in L'Arche Canada found to have engaged in workplace violence and/or harassment will be subject to disciplinary measures up to and including an apology, education, counseling, reassignment, reprimand, suspension or discharge from employment, removal from a community, severance of association with L'Arche and/or legal action. L'Arche reserves the right to reassign, or suspend with pay, either or both the complainant and the individual who is the subject of the complaint, during the investigation.

G. Support

All personnel who have experienced workplace violence or harassment have the option of receiving counseling and support. HR personnel The Assistants Coordinator will make information about support services available in these situations.

Annual Review

This policy, and any incidents which occur, are reviewed annually to ensure the effectiveness of the policy. If needed, changes will be made to the policy at that time.

L'Arche Canada Workplace Violence and Harassment Policy

Acknowledgement (Appendix A)

Your signature below signifies that you have read and understood all aspects the L'Arche Canada Workplace Violence and Harassment Policy on the preceding pages and that you are prepared to follow it. If there is something you need clarified, please ask before signing this document. A copy of this policy will be provided to you upon your signature.

Signature

Date

Print name

L'Arche Canada Website - Abuse Reporting Protocol

L'Arche Canada is committed to ensuring that L'Arche Canada and every L'Arche community in Canada is a safe and positive environment.

Please fill out the following form if you have experienced, witnessed, or received a report of any misconduct or abuse in L'Arche Canada or in any L'Arche community in Canada.

- [Our Code of Conduct policy](#)
- [Our Abuse Prevention and Reporting policy](#)
- [Our Workplace Violence and Harassment policy](#)

Reports can be submitted for both past incidents that have not yet been resolved, as well as current ones. Most reports should be reported at a local community level; however, if for whatever reason you are unsure of where or to whom a report should be made, you can submit a report here and the report recipients will ensure proper follow-up.

Please note that all reports will be kept confidential within the limits of the law. The confidential reviewers will review your report and make a recommendation to L'Arche for next steps at the appropriate levels. You will have the option of remaining anonymous, but you can also opt to give your name and contact information and indicate whether you are willing to be contacted by one of the reviewers.

Please call 911 if someone is experiencing an acute crisis.

[Who receives the information on a report?](#)

Upon submission, the report and any supporting documents are confidentially e-mailed to 2 recipients who are independent of L'Arche (i.e., not employed anywhere in L'Arche.) To protect their privacy, we do not identify the report recipients here. They are trained professionals not employed by L'Arche, and skilled in assessment, confidentiality and referral practices. They will not share identifying information without the permission of person filling out a report.

[What do the receivers do with a report once it is received?](#)

After reviewing the information provided, the recipients will contact the National Human Resource Coordinator, and as a team of 3, this group will discuss the most appropriate L'Arche authorities to involve, as needed, and recommend potential actions.

[Who conducts an investigation?](#)

The National HR Coordinator serves as liaison between the reporter and L'Arche, to ensure proper investigation protocols are activated and followed for any incident, past or present. They will not share identifying information with others in L'Arche unless the reporter consents to do so.

If a reporter has provided contact information, the National HR Coordinator (or, if away, one of the 2 report recipients) will follow up within 72 hours to consult about the reporter's desire to identify or not identify themselves to investigators, to consult about potential actions and to keep the reporter updated about what actions have taken place.

With the information provided, the recipients and National Human Resource Coordinator assess who is the most appropriate body to ensure investigation:

1. Local L'Arche Community Leader and Regional Leader – if report involves a local community and neither are the subject of the investigation.
2. Local L'Arche Board Chair and Regional Leader – if a report involves a local community leader and not the Board Chair or Regional Leader.
3. L'Arche Canada National Leader – if a report involves an employee of L'Arche Canada, the National Board, someone acting on behalf of L'Arche Canada or a historic incident where one or more people involved are no longer involved with a local community.
4. L'Arche Canada National Board Chair and International Leader – if a report involves the L'Arche Canada National Leader.
5. National leader and International Leader– if the report involves an incident, past or present, that took place outside of Canada or that involves L'Arche members outside of Canada.
6. Local law enforcement or adult protective services – If a report is submitted that identifies current suspected abuse, misconduct or neglect against a vulnerable person or criminal activity that has not been properly responded to, report recipients may pass on information to local law authorities.
7. 3rd Party Investigators – some reports will initiate external investigators, depending on the circumstances.

How is the anonymity of reporters protected?

Information on the report form is not accessible to anyone other than the report recipients. During investigation, shared information will continue to protect the anonymity of the individual. Individuals who choose to file anonymous reports are advised that it may be very difficult for L'Arche to follow up and/or take action on anonymous reports, where corroborating information is limited.