

Workplace Violence and Harassment Prevention Program

Contents

1.0 Purpose statement	3
2.0 Definitions	3
3.0 Responsibilities	4
3.1 Deputy Minister	4
3.2 Assistant Deputy Ministers.....	4
3.3 Directors/Managers/Supervisors.....	4
3.4 Employees	5
3.5 Contractors and contractor employees	5
3.6 Transportation and Infrastructure Corporate Safety Division	6
4.0 Violence risk assessment.....	6
5.0 Reporting an incident	7
5.1. When the respondent is a Government of Newfoundland and Labrador employee	7
5.2 When the respondent is not a Government of Newfoundland and Labrador employee	7
6.0 Resolution of complaints regarding non-government employees.....	8
6.1 Informal resolution	8
6.1.1 Individual intervention	8
6.1.2 Management intervention.....	9
6.2 Formal resolution	9
6.2.1 Timelines of resolution of complaints	9
6.2.2 Rights and responsibilities of parties to a complaint.....	10
6.2.3 Representation	11
6.2.4 Investigative principles	11
6.2.5 Corrective action.....	11
6.2.6 Post-incident risk assessment.....	12
6.3 When formal resolution is not possible	12
6.4 Other recourse	12
7.0 Employee Assistance Program	12
8.0 Confidentiality.....	13
9.0 Records Management.....	13



10.0 Monitoring	13
11.0 Contact and Assistance.....	13
Appendix A – Workplace Violence Risk Assessment Survey	14
Appendix B – Workplace Violence Sample Risk Assessment	17
Appendix C – Workplace Violence and Harassment Complaint Form	20
Appendix D – Bystander Complaint Form	25

1.0 Purpose statement

Workplace violence and harassment can have a serious impact on victims, their families, and on the productivity and morale at the workplace. The Department of Transportation and Infrastructure (TI) does not tolerate workplace violence or harassment and is committed to providing a safe, healthy, and inclusive workplace where everyone is treated with respect and dignity. All workers, including management and executive, have a shared responsibility to promote and sustain safe and respectful behaviour in the workplace.

The following program has been developed to support the Government of Newfoundland and Labrador's Harassment Free Workplace Policy and will outline procedures that TI will follow when acts of violence or harassment are perpetrated against TI employees. In keeping with sections 22-24 of the Occupational Health and Safety Regulations, TI is committed to taking steps to mitigate the risk of such incidents. All individuals in the workplace are expected and required to conduct themselves in accordance with the standards and procedures established as a result of this program and must report workplace violence and harassment immediately.

2.0 Definitions

Harassment

Workplace harassment means inappropriate, upsetting conduct or comment by a person to a worker that the person knew or ought to have known would cause the worker to be humiliated, offended or intimidated. Harassment may happen only once or repeatedly. It may be intended or unintended, written, verbal, physical, a gesture or display, or any combination of these. Please refer to the [Government of Newfoundland and Labrador's Harassment-Free Workplace Policy](#) for more information.

Violence

Workplace violence means the attempted or actual exercise by a person, of the intentional use of physical force or power, threatened or actual, to cause injury to a worker and may include threatening statements (verbal or in writing) or behavior which gives a worker reason to believe that he or she is at a risk of injury. Workplace violence can include physical assaults, threatening behaviour, verbal or written threats, or other actions that give a worker a reason to believe they are at risk of injury. Workplace violence can either result in or have a high likelihood of injury, death, or psychological harm.

Risk Assessment

A risk assessment is a systematic identification of hazards, assessment of risks and implementation of controls associated with a task or activity to eliminate, or control risks to a reasonably acceptable level.

Complainant

Person that makes a formal complaint against another person (respondent).

Respondent

The person whom the complaint is filed against.

Internal Party

A Government of Newfoundland and Labrador employee.

External Party

Someone who is not a direct employee of the Government of Newfoundland and Labrador. This may include contractors, sub-contractors, customers and members of the general public.

3.0 Responsibilities

3.1 Deputy Minister

It is the responsibility of the Deputy Minister to:

- Lead by example and act respectfully in dealings with employees and other persons;
- Ensure all complaints have been reviewed and dealt with impartially and fairly;
- Provide support, advice and guidance to Assistant Deputy Ministers as needed;
- Remain impartial and objective;
- Review incident investigation reports and determine corrective actions; and,
- Evaluate trends in violence and/or harassment complaints.

3.2 Assistant Deputy Ministers

It is the responsibility of the Assistant Deputy Ministers to:

- Lead by example and act respectfully in dealings with employees and other persons;
- Ensure all complaints have been reviewed and dealt with impartially and fairly;
- Provide support, advice, and guidance to directors as needed;
- Remain impartial and objective; and,
- Keep the Deputy Minister apprised of complaints and the outcome of investigations.

3.3 Directors/Managers/Supervisors

It is the responsibility of Directors/Managers/Supervisors to:

- Lead by example and act respectfully in dealings with employees and other persons;
- Monitor the workplace and watch for signs that harassment may be taking place;
- Encourage early and open dialogue before inappropriate behaviour escalates;
- Address instances of harassment as soon as they are known, even in the absence of a complaint;
- Address all harassment situations appropriately and ensure others act accordingly;
- Consult with the Human Resource Secretariat and or TI Corporate Safety, as appropriate, to discuss the appropriate courses of action;
- Participate in learning opportunities on the prevention, early intervention, and resolution of harassment-related issues;
- Ensure employees are aware of policies and procedures for preventing and addressing harassment;
- Ensure that all employees have the opportunity to participate in available education and training related to a harassment-free workplace;

- Monitor situations where complaints have been made even after corrective measures have been taken and ensure that individuals are not subject to retaliation for their involvement in a process taken under the program;
- Remain impartial and objective;
- Follow-up to ensure necessary actions are implemented within a reasonable time period;
- Evaluate work assignments on a case-by-case basis and conduct a risk assessment for a workplace in which a risk of injury to workers may be present from violence arising out of their employment;
- Consult with Occupational Health and Safety Committees;
- Complete an assessment of risks associated with identified hazards in regards to workplace violence in their respective area(s);
- Implement appropriate controls, as determined in the risk assessment; and,
- Educate workers regarding risks and controls measures that they are likely to encounter in the course of their work.

3.4 Employees

All employees shall:

- Treat all individuals in the workplace with respect and dignity;
- Act in a professional and respectful manner towards both co-workers and clients and abstain from conduct that is inappropriate;
- Challenge inappropriate behaviour/objectionable conduct when it happens and refuse to participate in that behaviour;
- Participate in the required training;
- Report to a supervisor any incidents or suspicions of workplace violence or harassment that is affecting the morale or productivity of the workplace;
- Cooperate with any investigations that are on-going, be open and truthful when answering questions in regards to an incident; and
- Respect the confidentiality of employees and all processes related to an incident and/or investigation.

3.5 Contractors and contractor employees

All Contractors and contractor employees shall:

- Treat all individuals in the workplace with respect and dignity;
- Act in a professional and respectful manner and abstain from conduct that is inappropriate;
- Challenge inappropriate behaviour/objectionable conduct when it happens and refuse to participate in that behaviour;
- Report to a supervisor any incidents or suspicions of workplace violence or harassment that is affecting the morale or productivity of the workplace;
- Cooperate with any investigations that are on-going, be open and truthful when answering questions in regards to an incident; and

- Respect the confidentiality of employees and all processes related to an incident and/or investigation.
- Ensure full compliance with corrective actions resulting from investigations related to Department of Transportation and Infrastructure's Workplace Violence and Harassment Prevention Program.

3.6 Transportation and Infrastructure Corporate Safety Division

The Corporate Safety Division shall:

- To maintain confidentiality at all times;
- Assist operational divisions with the completion of risk assessments;
- Investigate allegations of harassment or violence where by the respondent is not a Government of Newfoundland and Labrador employee (i.e., an external parties); and
- Track incidents of workplace violence and harassment.

4.0 Violence risk assessment

As per sections 22- 24 of the Occupational Health and Safety Regulations, employers are required to perform a workplace violence risk assessment. To do so, TI will follow a four-step process to assess the risk of injury:

1. Identify the hazard
2. Evaluate the risk
3. Find solutions
4. Implement/make recommendations

All divisions must complete a violence risk assessment that is specific to their location and their respective operations. Using a risk assessment team approach, the assessment must take into account any past incidents that may have occurred, physical location (i.e. high crime area, signs of vandalism, isolated areas, poor lighting, working with public, etc.), the type of work being completed (working alone), and persons (i.e., contractors or the general public, etc.) who will be in proximity to the work. It should take into account if employees are working alone or in small groups, and if they have an adequate means of communication.

When reviewing past incidents, it is important to pay particular attention to corrective measures that were put in place to mitigate reoccurrences and determine if they are effective or in need of improvement. Employee input regarding previous incidents of harassment or violence is extremely valuable and can help determine the frequency and potential areas of risks. Employees can also help determine the type or nature of incidents that are occurring (verbal, physical, written, etc.). The workplace violence risk assessment survey, located in Appendix A, is a great resource for collecting necessary information.

Once data has been collected, the workplace violence risk assessment template must be completed by identifying individual job-tasks and the risk of workplace violence that is associated with each task. This template is located in Appendix B. Corrective actions must be

identified and implemented to mitigate the chances of a workplace violence incident. In addition, workers must be informed of potential risk and necessary precautions.

For assistance completed completing workplace violence risk assessments, please contact the Corporate Safety Division.

5.0 Reporting an incident

5.1. When the respondent is a Government of Newfoundland and Labrador employee

5.1.1 Harassment

When the respondent to a complaint of harassment is Government of Newfoundland and Labrador employee, the complaint process as outlined in the [Government of Newfoundland and Labrador's Harassment-Free Workplace Policy](#) will be followed.

An individual seeking to resolve issues of harassment or violence in the workplace should contact the Harassment-Free Workplace Manager (1.888-729-7690 or 729-2497) or complete a harassment complaint form and forward it to the Harassment-Free Workplace Division.

5.1.2 Violence

Incidents of worker on worker violence must be immediately reported to the employee's direct supervisor and entered into the PeopleSoft reporting system.

The Human Resource Consulting Division of the Treasury Board Secretariat in conjunction with the respective division and TI Corporate Safety Division will review the incident and determine a course of investigation.

5.2 When the respondent is not a Government of Newfoundland and Labrador employee

5.2.1 Personal complaints

Incidents of workplace violence or harassment when the respondent is not a Government of Newfoundland and Labrador employee (i.e., public, customer, or contractor) should be reported to the employee's direct supervisor.

Complaints should be in writing and should provide details such as what happened, when it happened, where it happened, how often, and other persons present (if applicable). Verbal complaints will be accepted only where they are subsequently confirmed in writing. Employees can use the complaint form found in Appendix C – Violence/Harassment Complaint form.

Where employees are, for any reason, unable to provide a written complaint, assistance can be provided by the direct supervisor. In such circumstances, the employee shall be required to

provide all relevant information to complete the form, review and sign the completed Complaint Form.

The timeline for the submission of a complaint is twelve months following the last incident. Anything beyond 12 months may be taken into consideration if reasonable justification for not having brought the matter forward within the 12 month timeframe can be provided.

The Supervisor must also ensure the incident is reported in PeopleSoft.

5.2.2 Bystander complaints

Individuals who witness behaviour that contravenes the workplace violence and harassment prevention program, have a responsibility to take appropriate action and report the behaviour to someone in authority. Bystanders are encouraged to report violence and harassment involving the public, customers and contractors to their supervisor or by completing the bystander complaint form, located in Appendix D – Witness Complaint form.

A bystander who reports behaviour which contravenes the program will not be considered as a complainant, however, they may be interviewed as a witness in the event that there is an investigation into the concerns raised.

When a witness complaint form is received, the subject of the alleged violence or harassment will be contacted to discuss the complaint and options for resolution.

The Supervisor must also ensure the incident is reported in PeopleSoft

5.2.3 False allegations

Accusations that are found to involve a falsehood, malicious intent, or made in bad faith will not be tolerated and will be considered a violation of workplace violence and harassment prevention program. Employees who have made such accusations may be subject to disciplinary action. A complaint will not be deemed to be false, malicious, or made in bad faith solely because it is unfounded. Evidence that the accusation was fabricated will have to be determined to make this ruling.

6.0 Resolution of complaints regarding non-government employees

Within five business days of receiving a complaint, the supervisor will acknowledge receipt of the complaint and schedule a meeting date and time with the complainant to discuss resolution options. Depending on the seriousness of the incident, the complainant may choose to pursue informal or formal resolution.

6.1 Informal resolution

6.1.1 Individual intervention

If the complainant is comfortable to do so, and depending on the nature and severity of the incident(s), they may choose to approach the respondent(s), either in person or in writing, to

advise them that the behaviour is objectionable and unwelcome and request that the behaviour cease. The problem may be resolved at this point and no further action would be required.

6.1.2 Management intervention

The complainant may choose to have their supervisor approach the respondent, or in the case of a contractor, they may contact a company representative (i.e., owner or supervisor), to advise that the respondent's behaviour is unwelcome to the complainant. The parties may determine corrective actions and implement a plan to address the situation. If the complainant is not satisfied with the recommended corrective actions, they may take further action for recourse.

If an informal resolution is achieved, by either of the above two methods, the supervisor should follow-up with the complainant and continue to monitor the situation to ensure the issue has been resolved. Detailed notes should be made and kept on file, clearly outlining the original complaint(s) and steps taken to resolve it, along with dates, times and locations, in the event an issue involving the same parties and of the same nature were to arise again in the future.

6.2 Formal resolution

Based on the specifics of a particular incident, the complainant, or the Department, may choose to pursue resolution through a formal investigation.

Pending conclusion of a formal investigation, the Department reserves the right to issue a stop work notification to a contractor, or prohibit the entry of a respondent on a TI worksite or project.

TI Corporate Safety Division, in consultation with the operational division, will conduct formal investigations into complaints of workplace violence or harassment involving external parties.

6.2.1 Timelines of resolution of complaints

In the event of a formal resolution, the following timelines will ensure that complaints acted upon and resolved as soon as reasonably possible:

- The appointment of investigator(s) shall be completed within five business days of being formally reported;
- With three business days of appointment, the investigator(s) will commence the investigation. The investigator will follow the principles of procedural fairness and natural justice to determine if a breach of the workplace violence and harassment program has occurred. In doing so, the investigator(s) will:
 - Review the complaint;
 - Interview the complainant, prepare a written statement, and collect supporting documentation, if applicable;
 - Disclose the complainant's statement and supporting documentation to the respondent;
 - Interview the respondent, prepare a written statement, and collect supporting documentation, if applicable;
 - Identify witnesses, interview witnesses, prepare written statements, and collect supporting documentation, if applicable;

- Take other actions deemed to be necessary for the purpose of the investigation (e.g. site visit, requests for information from third party, confirmation of records, etc.)
- The investigator shall complete and submit a final report to the Senior Manager of Corporate Safety Division within 45 business days of the completion of the investigation. If there are any delays in the investigation proceedings or report, the complainant and the respondent will both be notified in writing of the delay and the reason for the delay.
- Following receipt of the report, the Senior Manager of Corporate Safety Division shall provide a copy of the main findings to the complainant and respondent within 10 days of the review by Management; and
- The complainant and respondent shall have 10 days to respond to the report.

6.2.2 Rights and responsibilities of parties to a complaint

It is the responsibility of all parties to:

- To cooperate with those responsible for conducting an investigation; and
- To maintain confidentiality throughout the process.

Complainants

Complainants have the right:

- To make a complaint to the employer and to be taken seriously;
- To be accompanied by a support person of choice during interview(s), provided the person is not a witness to the complaint and provided the person selected is not in a potential conflict of interest position by virtue of involvement;
- To a fair and impartial investigation;
- To be notified of the resolution of the complaint;
- Government employees have access to confidential support through the Employee Assistance and Respectful Workplace Programs; and,
- Not to be subject to retaliation for the reason of having made a complaint under the Program.

Respondents

Respondents have the right:

- To be informed that a complaint has been filed;
- To be presented with the complaint and to be afforded an opportunity to respond;
- To a fair and impartial investigation; and,
- To be accompanied by a support person of choice during interview(s), provided the person is not a witness to the complaint; and provided the person selected is not in a potential conflict of interest position by virtue of involvement.

Witnesses

Witnesses have the right:

- Not to be subject to retaliation because of participation as a witness;

- To be accompanied by a support person of choice (at own expense) during interview(s), provided the person is not a witness to the complaint, and provided the person selected is not in a potential conflict of interest position by virtue of the person's involvement; and
- To review and sign a copy of their statement. Witnesses are only entitled to receive a copy of their statement.

6.2.3 Representation

Parties and witnesses may be accompanied by a support person of their choosing when attending meetings regarding a complaint, provided the person is not a witness to the complaint and provided the person selected is not in a potential conflict of interest position by virtue of involvement. The support person shall not interfere with the proceedings in any way. The support person's primary role is to provide support and guidance to the person being interviewed.

In no instance, shall the Department be responsible for the cost of legal counsel and/or other representation retained by any parties involved.

6.2.4 Investigative principles

In determining the validity of a complaint, investigators will utilize the following guiding principles:

- The onus of proof rests with the person making the statement;
- The onus of proof is a balance of probabilities (i.e. it is more likely than not that the allegations/statements are founded/unfounded);
- Corroborating evidence is relevant, but is not required to make a factual determination;
- Issues of credibility may be considered;
- Admissions do not require proof and can be assumed as fact;
- Denials will be considered in the context of relevant evidence;
- When weighing evidence, facts are more likely when actions and statements are consistent and less so when such consistency is absent;
- Statements given by bystanders or witnesses in relation to their relationship, if any, to the complainant or respondent will be taken into consideration;
- Past incidents and/allegations may also be taken into consideration;
- Investigators have the right to record conversations. If they do choose to record via audio or video, the interviewee will be informed of it prior to commencing with the recording; and,
- Investigators may ask witnesses, complainants or respondents to sign and date their statements.

6.2.5 Corrective action

When an investigation has determined the respondent to be in violation of the workplace violence and harassment prevention program, the Department Head, in consultation with legal counsel, will determine necessary corrective actions. Such decisions will depend upon various factors such as:

- The nature of the incident;
- The severity of the incident;
- First time offence vs multiple incidents; and
- Events surrounding the incident.

Options for disciplinary action may include, but are not limited to:

- Apology letter to complainant;
- Training on respectful workplace or other suitable training program as determined based on the nature of the incident;
- Prohibit future contact with complainant;
- Reassignment of duties, or job site location;
- Temporary suspension from job site or project;
- Permanent suspension from job site or project;
- Permanent suspension from all TI job sites or projects; and/or
- Probation (pre-determined time frame) for any similar incidents.

6.2.6 Post-incident risk assessment

In the event of an incident, additional risk assessments may need to be completed based on the risks associated with the complaint to determine what corrective actions can be put in place to mitigate the chances of a future incident of the same or similar nature.

6.3 When formal resolution is not possible

It is not always possible for the Department to complete a thorough investigation when a complaint is made against an external party such as a member of the public. In such cases, the department may need to refer the incident to the proper authorities. In this event, a post-incident risk assessment will be conducted to mitigate the chances of a future incident of the same or similar nature.

6.4 Other recourse

Depending upon the nature of the complaint, the complainant may decide to take other actions outside the scope of the program (e.g. criminal complaint, human rights complaint, etc.). Individuals retain the right to pursue appropriate avenues of legal redress, however the individuals are solely responsible for exploring such options. It is not the role of the Department to identify any remedies or processes that may be available outside of the Workplace Violence and Harassment Prevention policy and program.

7.0 Employee Assistance Program

At any point, employees may consult with and seek the confidential support of the Employee Assistance Program offered by the Public Service Commission. Please consult the following website for more information – <https://www.psc.gov.nl.ca/psc/eap/index.html>

8.0 Confidentiality

All information received will be managed in a confidential manner and will be used for its intended purpose only. All individuals are required to maintain confidentiality when involved in processes under the Workplace Violence and Harassment Prevention Program.

Respect for privacy is an important aspect of a respectful workplace. Issues related to violence and/or harassment will be treated confidentially, however, absolute confidentiality cannot be guaranteed as resolution processes must involve other parties. In addition, when agents of the employer (e.g. Deputy Minister, Assistant Deputy Minister, Director, Manager, Supervisor, OHS consultant, etc.) become informed of situations involving violence and/or harassment, they may be obligated to intervene. Furthermore, the Department of Transportation and Infrastructure may be required to disclose documents as required by law (i.e. litigation matters, subpoena).

9.0 Records Management

Disclosure of information shall be in accordance with the Workplace Violence and Harassment Prevention Program and the Access to Information and Protection of Privacy Act. Complainants and respondents shall be entitled to receive copies of all statements and relevant documentary evidence collected in the course of an investigation. Witnesses shall only be entitled to receive a copy of their individual statements.

In the event that a request for information is received, information will be released in accordance with the Access to Information and Protection of Privacy Act or as otherwise required by law.

All records will be managed in accordance with approved records retention and disposition schedules.

10.0 Monitoring

The Workplace Violence and Harassment Prevention Program will be evaluated on an annual basis by the Corporate Safety Division.

11.0 Contact and Assistance

- Senior Manager of Corporate Safety 1-709-729-2101.
- Harassment-Free Workplace Manager, 1-888-729-7690 (toll-free) or 709-729-2497 (St. John's and area).
- Employee Assistance or Respectful Workplace Programs, 1-888-729-2290.

Appendix A – Workplace Violence Risk Assessment Survey

This risk assessment tool must be completed by employees and updated as required. All identified risk factors will be mitigated, refer to the Violence Risk Assessment for full details on risks and their recommended controls.

What is Violence in the Workplace?

Violence has been defined by the Newfoundland and Labrador OH&S regulations Section 22, as the attempted or actual exercise of physical force to cause injury to a worker and includes threatening statements or behaviour which gives a worker reason to believe that he or she is at risk of injury.

Work place harassment is also included in this and is defined as inappropriate vexatious conduct or comment by a person to a worker that the person knew or ought to have known would cause the worker to be humiliated, offended or intimidated.

Worker Profile

1. Where is your regular worksite?

2. What is your current position?

3. How long have you been employed in your current position?

4. Are you a full-time or part-time employee?

5. What age group do you belong?

15-19 ____ 20-29 ____ 30-39 ____ 40-49 ____ 50-59 ____ 60-69 ____ 70+ ____

Violence Profile

1. Is there a written policy and procedure on preventing workplace violence?

Yes ____ No ____ I don't know ____

2. Have you experienced violence in the workplace as a worker with this company?

Yes ____ No ____

If yes which Type(s)

Type	Yes	No	Comment
Verbal Abuse			
Verbal Threats			
Physical Violence			
Written abuse/threats			
Other			

3. Have you witnessed any acts of violence at your worksite, which you were not direct part of?
Yes _____ No _____

4. Were these acts committed by: Co-Worker ___ Contractor/Sub-Contractor ___ Client ___
Other ___?

5. If you did experience or witness a violent incident, did you report it? Yes _____ No _____

The following questions are in relation to your current worksite, please answer all questions.

General

- 1. Do you ever work alone? Yes___ No___ N/A___
- 2. Do you work with other Contractors? Yes___ No___ N/A___
- 3. Do you work in small Groups? Yes___ No___ N/A___
- 4. Do you work with the public? Yes___ No___ N/A___
- 5. Do you handle money? Yes___ No___ N/A___
- 6. Do you work early morning or late nights? Yes___ No___ N/A___
- 7. Do you work with contractors? Yes___ No___ N/A___

Parking Lot and Building Exterior

- 1. Is the parking lot and outside of building well lit? Yes___ No___ N/A___
- 2. Do you feel isolated when in the parking lot? Yes___ No___ N/A___
- 3. Is the parking lot close to the entrance of the building? Yes___ No___ N/A___
- 4. Are there security measures in place i.e. guards, cameras, Etc.? Yes___ No___ N/A___
- 5. Are there signs in place indicating a security system? Yes___ No___ N/A___
- 6. Have vehicles ever been broken into? Yes___ No___ N/A___
- 7. Are there signs of vandalism or illegal activity in the area? Yes___ No___ N/A___
- 8. Are you located in a high crime area, bars, banks etc. close by? Yes___ No___ N/A___
- 9. Are all entrances and Exits well lit? Yes___ No___ N/A___
- 10. Are you isolated from other buildings or worksites? Yes___ No___ N/A___
- 11. Are there any signs, trees, or objects obstructing your view? Yes___ No___ N/A___
- 12. Is the area fenced to limit public access? Yes___ No___ N/A___

Reception and waiting areas

- 1. Is the reception area easily identifiable and accessible? Yes___ No___ N/A___
- 2. Can employees at the front desk clearly see visitors? Yes___ No___ N/A___
- 3. Is the reception area staffed at all times? Yes___ No___ N/A___
- 4. Is the reception desk equipped with barriers? Yes___ No___ N/A___
- 5. Are there ways to get help if needed? Yes___ No___ N/A___



Department of Transportation and Infrastructure

6. Is there a panic button at the reception desk? Yes___ No___ N/A___
7. Are there objects or tools, a person could access, that could be used as a weapon?
Yes___ No___ N/A___

Stairwells and Elevators

1. Are there areas under stairwells where someone could hide? Yes___ No___ N/A___
2. Do stairwells automatically lock behind you? Yes___ No___ N/A___
3. Can you see if someone is in the elevator before entering? Yes___ No___ N/A___
4. Are emergency phones or call buttons available in elevators? Yes___ No___ N/A___
5. Do cell phones have good reception in stairwells and elevators? Yes___ No___ N/A___

Emergency Preparedness and Response

1. Are emergency numbers posted? Yes___ No___ N/A___
2. Have exits and works areas been designed for a quick exit? Yes___ No___ N/A___
3. Has furniture and equipment been arranged for a quick exit? Yes___ No___ N/A___
4. Are there any nooks or corners where someone could hide? Yes___ No___ N/A___
5. Is the area well lit? Yes___ No___ N/A___

Appendix B – Workplace Violence Sample Risk Assessment

<p>Site/Facility: All Sites</p> <p>Department: Transportation and Works</p> <p>Program: Operations</p> <p>July 20, 2020</p>	<p>Risk = Frequency (F) + Probability (P) + Severity (S)</p> <p>Frequency: Percentage of time the employee is exposed to the hazard for the duration of the task.</p> <table border="1"> <thead> <tr> <th>Frequency Rating</th> <th>Explanation</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>< 20%</td> </tr> <tr> <td>2</td> <td>20-50%</td> </tr> <tr> <td>3</td> <td>50-80%</td> </tr> <tr> <td>4</td> <td>>80%</td> </tr> </tbody> </table> <p>Probability: Likelihood of the hazard causing an incident</p> <table border="1"> <thead> <tr> <th>Probability Rating</th> <th>Explanation</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Low Probability</td> </tr> <tr> <td>2</td> <td>Moderate Probability</td> </tr> <tr> <td>3</td> <td>High Probability</td> </tr> <tr> <td>4</td> <td>Almost Certain Probability</td> </tr> </tbody> </table> <p>Severity: Amount of harm typically caused</p> <table border="1"> <thead> <tr> <th>Severity Rating</th> <th>Explanation</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Negligible: First Aid Injury/Illness</td> </tr> <tr> <td>2</td> <td>Marginal: Medical aid, minor injury/illness</td> </tr> <tr> <td>3</td> <td>Critical: Lost time, serious injury/illness</td> </tr> <tr> <td>4</td> <td>Catastrophic: Fatality, life threatening</td> </tr> </tbody> </table> <p>It is important to note that in extreme cases an argument can be made that any hazard can result in a catastrophic severity (a slip on a small puddle of water could conceivably result in a fatality as a result of someone hitting their head). However, this is NOT the typical result you would see and caution should be exercised to ensure that the severity rating is consistent with what the typical injury would be.</p>	Frequency Rating	Explanation	1	< 20%	2	20-50%	3	50-80%	4	>80%	Probability Rating	Explanation	1	Low Probability	2	Moderate Probability	3	High Probability	4	Almost Certain Probability	Severity Rating	Explanation	1	Negligible: First Aid Injury/Illness	2	Marginal: Medical aid, minor injury/illness	3	Critical: Lost time, serious injury/illness	4	Catastrophic: Fatality, life threatening	<table border="1"> <thead> <tr> <th colspan="12">Risk Level</th> </tr> <tr> <th>1</th><th>2</th><th>3</th><th>4</th> <th>5</th><th>6</th><th>7</th> <th>8</th><th>9</th><th>10</th><th>11</th><th>12</th> </tr> <tr> <th colspan="4">Low</th> <th colspan="3">Medium</th> <th colspan="5">High</th> </tr> <tr> <th colspan="12">Risk Rank and Action</th> </tr> </thead> <tbody> <tr> <td colspan="4" rowspan="3" style="background-color: red; color: white; text-align: center; vertical-align: middle;">High (8-12)</td> <td colspan="4">Cease action immediately - DM sign-off required to proceed. - Written Safe Work Procedure required</td> <td colspan="4">All core tasks with high-risk activities require written Safe Work Procedures, which must be approved by the Deputy Minister. These written procedures must identify all control measures identified through the risk assessment process for each of the identified hazards including education, training, and personal protective equipment (PPE) requirements for the core task along with procedures for conducting the task safely.</td> </tr> <tr> <td colspan="4" rowspan="2" style="background-color: yellow; text-align: center; vertical-align: middle;">Medium (5-7)</td> <td colspan="4">Confirmation of required training, education and experience - Manager to sign off on Safe Work Procedure. - Written Safe Work Procedure required.</td> <td colspan="4">For core tasks with medium-risk hazards, training and relevant PPE are a minimum requirement. A written Safe Work Procedure must be developed identifying the required control measures and the Safe Work Procedure must be signed off by the Manager.</td> </tr> <tr> <td colspan="4" rowspan="1" style="background-color: lightgreen; text-align: center; vertical-align: middle;">Low (3-4)</td> <td colspan="4">Field Level Risk Assessment - Toolbox talk required if more than one worker. - For maintenance and construction related activities a completed FLRA is required.</td> <td colspan="4">For low risk activities employees must be made aware of reasonable control measures and in particular, control measures required as a result of regulatory obligations even though the risk level may be low.</td> </tr> </tbody> </table>	Risk Level												1	2	3	4	5	6	7	8	9	10	11	12	Low				Medium			High					Risk Rank and Action												High (8-12)				Cease action immediately - DM sign-off required to proceed. - Written Safe Work Procedure required				All core tasks with high-risk activities require written Safe Work Procedures, which must be approved by the Deputy Minister. These written procedures must identify all control measures identified through the risk assessment process for each of the identified hazards including education, training, and personal protective equipment (PPE) requirements for the core task along with procedures for conducting the task safely.				Medium (5-7)				Confirmation of required training, education and experience - Manager to sign off on Safe Work Procedure. - Written Safe Work Procedure required.				For core tasks with medium-risk hazards, training and relevant PPE are a minimum requirement. A written Safe Work Procedure must be developed identifying the required control measures and the Safe Work Procedure must be signed off by the Manager.				Low (3-4)				Field Level Risk Assessment - Toolbox talk required if more than one worker. - For maintenance and construction related activities a completed FLRA is required.				For low risk activities employees must be made aware of reasonable control measures and in particular, control measures required as a result of regulatory obligations even though the risk level may be low.			
	Frequency Rating	Explanation																																																																																																																		
	1	< 20%																																																																																																																		
	2	20-50%																																																																																																																		
	3	50-80%																																																																																																																		
	4	>80%																																																																																																																		
	Probability Rating	Explanation																																																																																																																		
	1	Low Probability																																																																																																																		
	2	Moderate Probability																																																																																																																		
	3	High Probability																																																																																																																		
4	Almost Certain Probability																																																																																																																			
Severity Rating	Explanation																																																																																																																			
1	Negligible: First Aid Injury/Illness																																																																																																																			
2	Marginal: Medical aid, minor injury/illness																																																																																																																			
3	Critical: Lost time, serious injury/illness																																																																																																																			
4	Catastrophic: Fatality, life threatening																																																																																																																			
Risk Level																																																																																																																				
1	2	3	4	5	6	7	8	9	10	11	12																																																																																																									
Low				Medium			High																																																																																																													
Risk Rank and Action																																																																																																																				
High (8-12)				Cease action immediately - DM sign-off required to proceed. - Written Safe Work Procedure required				All core tasks with high-risk activities require written Safe Work Procedures, which must be approved by the Deputy Minister. These written procedures must identify all control measures identified through the risk assessment process for each of the identified hazards including education, training, and personal protective equipment (PPE) requirements for the core task along with procedures for conducting the task safely.																																																																																																												
				Medium (5-7)				Confirmation of required training, education and experience - Manager to sign off on Safe Work Procedure. - Written Safe Work Procedure required.				For core tasks with medium-risk hazards, training and relevant PPE are a minimum requirement. A written Safe Work Procedure must be developed identifying the required control measures and the Safe Work Procedure must be signed off by the Manager.																																																																																																								
								Low (3-4)				Field Level Risk Assessment - Toolbox talk required if more than one worker. - For maintenance and construction related activities a completed FLRA is required.				For low risk activities employees must be made aware of reasonable control measures and in particular, control measures required as a result of regulatory obligations even though the risk level may be low.																																																																																																				

Transportation and Works

Violence Prevention Risk/Hazard Assessment (SAMPLE)

Department/Program: T&W – SAMPLE ONLY								
Service	Job Task/ Activity	Concerns	Frequency	Probability	Severity	Risk Score	Outcome Requirements	Required Risk Controls
Office Workers	Office Work when Working Alone	Service delivery	1	2	2	Medium	Risk assessment	Site Risk Assessment
		Other workers coming and going					Safe work practices and procedures	Check in procedure
		Leaving work, walking across parking lot					Lone worker program	Safe Work Practice for working alone
		Public entering the office					Telephone/Cell phone available	
							Lone worker program	
							Doors Locked/Security System Activated/ Keypad entry	
							Escort to Vehicle, where applicable	

Risk Assessment Team Members:	Title:	Department/Division:



Appendix C – Workplace Violence and Harassment Complaint Form

The following shall be completed by an employee who has allegedly been harassed or involved in a violent incident whereby the respondent is not a Government of Newfoundland and Labrador employee (i.e., public, customer, or contractor).

1. Complainant Information

Name: _____ Department: _____

Position/Title: _____

Immediate Supervisor: _____ Work Location: _____

Telephone: _____ Email: _____

Relationship to Respondent: _____
I.E. Co-worker, contractor, client, member of the public, supervisor etc.

Date and time of incident:

2. Respondent Information

If your complaint has more than one Respondent, please complete a separate complaint form for each one.

If respondent is a **contractor** (Please complete as much information as possible):

Name: _____ Company:

Position/Job title: _____ Location/Jobsite:

If the respondent is a member of the general **public or a client**:

Location/Jobsite:

If in a vehicle (License Plate) _____ Description of vehicle:



Description of respondent:

Other pertinent information:

3. Description of the incident(s)

Please describe the incident(s) in as much detail as possible. You may attach additional sheets if required.

Who was involved (names, position titles, department, etc.);

Describe the incident, what was specifically said or done (words, tone, actions, etc.);

Where did it happen (Location, Job site etc.);

Any other witnesses to the incident(s) described (names and contact information, if possible);

If the incident(s) was reported to management (please provide details - who, when, what action was taken, etc.)

Have there been similar past incidents involving the same person(s) that you are aware of?
If yes please provide details:

How has the incident(s) impacted you:

4. Summary Information

	Yes	No	Comment
Involves multiple incidents of alleged harassment			
Involves a single incident of alleged harassment			
Involves physical contact and/or assault			
Involves verbal abuse and/or threats			
Involves written abuse and/or threats			
Involves reprisal and/or retaliation			
Involves sexual harassment (verbal, suggestive or physical)			
Involves abuse of authority (use of authority serving no legitimate work purpose)			
Involves discriminatory harassment (based on prohibited ground of discrimination)			



If "yes" to discriminatory, what prohibited ground was the basis of the alleged harassment? Age, sex, race, religion, etc.			
--	--	--	--

5. Relevant Time Period

If there are multiple incidents, please indicate when the incidents began:

When did the most recent incident occur? _____

6. Interim Measures

Do you believe that the Employer needs to take any interim measures pending resolution of your complaint (e.g. separation of Parties, workspace relocation)?

Yes No

If yes, please describe the requested measure and the reason why you think it is necessary.

7. Other Processes

Have you initiated any other process to deal with these allegations of harassment (e.g. Grievance, Human Rights complaint, Office of the Citizens' Representative complaint, legal action, etc.)?

Yes No

If yes, please provide details of the process, including the status.

8. Signature



Department of Transportation and Infrastructure

I certify the information provided in this complaint to be accurate, true and complete to the best of my knowledge. I understand that I will not be subject to any adverse treatment as a result of making this complaint, provided that it has not been made for an improper purpose and that I have not provided information that I know to be incorrect, untrue, or misleading. I acknowledge that, in order to preserve the integrity of the process and to protect the interests of all parties, I will maintain confidentiality and will not discuss this complaint with anyone other than those who need to know (i.e. union representative, investigators, legal counsel, health care providers, EAP/RWP Coordinators, and/or management representatives, TI Corporate Safety Division). I understand that the Employer will maintain the confidentiality of any information gathered as a result of this complaint, but will share such information as necessary to pursue resolution, including disclosing the complaint and related information to the respondent or as otherwise required by law. I acknowledge that filing this complaint does not prevent me from pursuing any other remedies that may be available (e.g. grievance, Human Rights complaint, Office of the Citizens' representative complaint, legal action, etc.), which are separate and distinct from the Workplace Violence and Harassment Program. I acknowledge that it is not the role of management to identify any remedies or procedures that are or may be available outside the Program and that I am solely responsible for exploring such options should I choose to do so.

(Name - Please Print)

(Signature)

(Date)



Appendix D – Bystander Complaint Form

This form is to be completed by a bystander to an incident of violence or harassment whereby the respondent is not a Government of Newfoundland and Labrador employee (i.e., public, customer, or contractor).

1. Bystander Information

Name: _____ Department: _____

Position/Title: _____

Immediate Supervisor: _____ Work Location: _____

Telephone: _____ Email: _____

2. Parties Involved

Who was allegedly harassed or the victim of a violence?

Who committed the act?

Name: _____ Company: _____

Position/Job title: _____ Location/Jobsite: _____

Date and time of harassment or violent incident: _____

3. Description of Incident(s)

Please describe the incident(s) in as much detail as possible. You may attach additional sheets if required.

- Who was involved (names, position titles, department, etc.);

- Describe the incident, what was specifically said or done (words, tone, actions, etc.);

- Where did it happen (Location, Job site etc.);

- Any other witnesses to the incident(s) described (names and contact information, if possible);

- If the incident(s) was reported to management (please provide details - who, when, what action was taken, etc.)

- Have there been similar past incidents involving the same person(s) that you are aware of? If yes please provide details:

4. Signature

I certify the information provided in this complaint to be accurate, true and complete to the best of my knowledge. I understand that I will not be subject to any adverse treatment as a result of making this complaint, provided that it has not been made for an improper purpose and that I have not provided information that I know to be incorrect, untrue, or misleading. I acknowledge that, in order to preserve the integrity of the process and to protect the



Department of Transportation and Infrastructure

interests of all parties, I will maintain confidentiality and will not discuss this complaint with anyone other than those who need to know (i.e. union representative, investigators, legal counsel, health care providers, EAP/RWP Coordinators, and/or management representatives, TI Corporate Safety Division). I understand that the Employer will maintain the confidentiality of any information gathered as a result of this complaint, but will share such information as necessary to pursue resolution, including disclosing the complaint and related information to the respondent or as otherwise required by law. I acknowledge that a bystander who reports behaviour which contravenes the Workplace Violence and Harassment Program will not be considered as a complainant.

(Name - Please Print)

(Signature)

(Date)