



## **Workplace Violence Policy**

Approved: 5 February 2013

Mammalian Diving Reflex (MDR) is committed to the prevention of workplace violence and is ultimately responsible for worker health and safety. We will take whatever steps are reasonable to protect our workers from workplace violence from all sources.

Violent behaviour in the workplace is unacceptable from anyone. This policy applies to employers, volunteers, contractors, and visitors to the office. Everyone is expected to uphold this policy and to work together to prevent workplace violence.

There is a workplace violence program that implements this policy. It includes measures and procedures to protect workers from workplace violence, a means of summoning immediate assistance and a process for workers to report incidents, or raise concerns.

MDR, as the employer, will ensure this policy and the supporting program are implemented and maintained and that all workers and supervisors have the appropriate information and instruction to protect them from violence in the workplace.

Supervisors will adhere to this policy and the supporting program. Supervisors are responsible for ensuring that measures and procedures are followed by workers and that workers have the information they need to protect themselves.

Every worker must work in compliance with this policy and the supporting program. All workers are encouraged to raise any concerns about workplace violence and to report any violent incidents or threats.

MDR will investigate and deal with all incidents and complaints of workplace violence in a fair and timely manner, respecting the privacy of all concerned as much as possible.

The Discrimination and Harassment Policy should be consulted whenever there are concerns about harassment in the workplace.

# Workplace Violence Program

## ***Immediate Assistance***

In any incident of workplace violence warranting police or health professionals, employees are to first call 911. Immediately after summoning assistance, the HR Representative is to be informed of the incident and may or may not attend or continue communications with law enforcement.

## ***Reporting and Investigating Incidents***

The procedure set out in the following sections will be followed where reports of workplace violence arise.

Normally, for the purposes of this policy, MDR's HR Representative, as defined in the company's Personnel Policy, is the designated MDR representative responsible for implementing this policy. If the HR Representative is not available or is the subject of the complaint, the Board President, or his or her delegate, will be the designated MDR representative responsible for implementing this policy.

For the purposes of this policy, a person who considers that he/she has been subjected to workplace violence is referred to as the "complainant" even though that individual may not lay a formal written complaint, and the alleged offending party the "respondent".

### ***1.1 Informal Procedure***

The Workplace Violence Program has both an informal and a formal procedure for dealing with complaints. Employees are encouraged to select whichever procedure best suits the situation and keeps employees as safe as possible.

- a. A complainant is encouraged to bring the matter to the attention of the respondent to try and resolve the matter informally.
- b. Should the complainant be unwilling to approach the respondent, the complainant may informally ask the designated MDR representative to help him or her communicate with the respondent or to speak with the respondent on behalf of the complainant.
- c. Where the complainant does not wish to bring the matter directly to the attention of the respondent, or where such an approach is attempted and does

not produce a satisfactory result, the complainant may request the designated MDR representative to provide a mediator for voluntary mediation.

### *1.2 Formal Procedures*

Where informal procedures are not pursued or do not resolve the complaint, the complainant may file a formal written complaint with the designated MDR representative.

- a. Where a written complaint has been filed, the designated MDR representative shall either:
  - i. reject the complaint as frivolous and/or vexatious, or
  - ii. launch formal procedures under this policy by engaging an independent investigator.

In either case, the designated MDR representative shall advise the complainant, the respondent and the Board President of the action taken.

Where a formal written complaint is not filed, the designated MDR representative has discretion to launch formal procedures under this policy.

When engaging an independent investigator the designated MDR representative shall set out the expected time frame for the investigation.

The complainant and the respondent are entitled, at their own cost, to be accompanied by a person of choice at any stage of the process whenever the complainant and/or the respondent are entitled to be present.

The complainant is also entitled to make a request to the designated MDR representative for temporary accommodation at any time after the complaint has formally been filed, until the process comes to an end. Such temporary accommodation may include the relocation of the respondent. This request will be considered by the designated MDR representative and granted where deemed necessary and possible.

The investigator will provide the complainant and the respondent the opportunity to present any evidence and to make any submissions they wish to make in person. The respondent will be informed of the allegations against him or her in sufficient detail for him or her to make a full answer and/or defence.

The investigator will provide a report of findings to the designated MDR representative, the complainant and the respondent as expeditiously as possible.

Within 5 working days of receipt of the report of the investigator, the designated MDR representative will provide to the Board President or his/her delegate:

- (i) a copy of the report of the investigator, and
- (ii) the recommendations of the designated MDR representative.

At its next meeting, the Board will consider the report and the recommendations. The Board will accept, amend or reject the recommendations of the designated MDR representative.

- k. The Board will give directions as to what action, if any, is to be taken by the designated MDR representative. The designated MDR representative will carry out the directions as expeditiously as possible.
- l. The Board may decide that:
  - (i) no action be taken,
  - (ii) corrective measures be taken, which may include oral or written apologies or an education program, or
  - (iii) disciplinary action be taken up to and including dismissal of staff or removal from the Board,

### *1.3 Costs*

The Board has no authority to award costs to any party.

### ***Confidentiality***

MDR understands that it is difficult to come forward with a complaint of workplace violence and recognizes a complainant's interest in keeping the matter confidential.

To protect the interests of the complainant, the respondent, and any others who may report incidents of violence, confidentiality will be maintained throughout the investigation process to the extent practicable and appropriate under the circumstances.

The HR Representative will keep confidential all MDR documents and information used to resolve the complaint, except where disclosure is required by a disciplinary or legal process.

The HR Representative will place the minute of the Board's disposition of the complaint in the employee files of the complainant and respondent.