



WORKPLACE VIOLENCE, HARASSMENT AND DISCRIMINATION PREVENTION PROGRAM

PURPOSE

Pollard Enterprises Ltd. is committed to providing a safe and healthy work environment, free from violence, threats of violence, harassment, intimidation and disruptive behaviour for all our employees. We will proactively assess the risks of workplace violence and harassment that may arise in the course of our work, and support our employees, supplied labour and subcontracted employees who raise issues of workplace harassment and/or violence. We will take all reasonable steps to protect our workers from workplace violence and harassment from all sources. This workplace harassment policy is not meant to stop free speech or to interfere with everyday social relations. However, what one person finds offensive, others may not. Generally, harassment is considered to have taken place if the person knows, or should know, that the behaviour is unwelcome. Usually, harassment can be distinguished from normal, mutually acceptable socializing. Any violent behaviour or actions as well as any verbal threat of violence will be taken seriously and may be considered as grounds for dismissal.

SCOPE

Violent behaviour in the workplace is unacceptable from anyone and will not be tolerated by Pollard Enterprises Ltd. . This policy applies to all employees, subcontractors and persons hired on a temporary basis. Everyone is expected to uphold this policy and to work together to prevent workplace violence and harassment. Purposely reporting false allegations of workplace violence or harassment may result in disciplinary action, up to and including termination of employment. Pollard Enterprises Ltd. has implemented procedures that are to be followed in the event an incident involving workplace harassment or violence is reported or discovered. These procedures will ensure that the circumstances are promptly investigated and resolved in a timely manner.

Workplace Violence:

- The use of physical force by a person against a worker in a workplace, that causes or could cause physical injury to the worker;
- An attempt to use physical force against a worker, in a workplace, that could cause physical injury to the worker;

- A statement or behaviour that is reasonable for a worker to interpret as a threat to use physical force against the worker, in a workplace, which could cause physical injury to the worker.

Examples of workplace violence include but are not limited to:

- Physical attacks such as kicking, hitting or pushing;
- Verbal or written threats that express an intent to harm;
- Threatening behaviour such as shaking fists or destroying property.

Workplace Harassment:

- Engaging in irritating or annoying comments or conduct against a worker in a workplace that is known or should be known to be unwelcome.

Examples of workplace harassment include but are not limited to:

- Engaging in verbal abuse, such as yelling, name calling, making threats;
- Belittling a worker's opinion;
- Spreading malicious rumours;
- Undermining or sabotaging a worker's work;
- Deliberately ignoring or excluding a worker (silent treatment);
- Inappropriate sexual touching, advances, suggestions or requests;
- Displaying or circulating offensive pictures or materials in print or electronic form;
- Making defamatory comments intended to slander an individual based on race, creed or sexual orientation.

Personal Harassment:

- Any unsolicited, unwelcome, disrespectful or offensive behaviour that has an underlying sexual, bigoted, ethnic or racial connotation.

Racial/Ethnic Harassment:

- Any conduct or comment which causes humiliation to an employee because of their racial or ethnic background, color, place of birth, citizenship or ancestry.

Managing and/or coaching:

- If it includes counselling, performance appraisal, work assignment, and the implementation of disciplinary actions, it is not a form of personal harassment, and the policy does not restrict a manager/supervisor's responsibilities in these areas.

Weapon:

- Anything used, designed to be used, or intended for use in causing death or injury to any person, or for the purpose of threatening or intimidating any person. Objects such as a pen or a screwdriver, if displayed to threaten or intimidate, become weapons under this definition. Weapon includes a firearm and any device that is designed or intended to exactly resemble, with near precision, a firearm.

Threat:

- A threat or threatening behaviour may consist of words or actions that create a perception that there may be intent to harm persons or property, or actions or words that bring about harm;
- A threat can be explicit or implied;
- A threat can be the result of verbal, written or non-verbal actions;
- Statements made in the form of a joke may be considered threatening.

Examples of threats include but are not limited to:

- Physical contact or force by a person against a worker that causes or could cause physical injury;
- Verbal/written statements or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury;
- Gestures or comments implying that physical contact will be used, such as gestures of punching, choking or stabbing;
- Stalking behaviour;
- Possessing a weapon.

Employer responsibilities:

- Take every precaution reasonable in the circumstances to protect workers;
- Prepare, review and post a workplace violence and harassment policy, and maintain a program to implement it;
- Ensure workers are made aware of our workplace violence policy and program by providing information, instruction and supervision to all employees;
- Ensure that appropriate procedures are in place to minimize the risk to our employees from violence and harassment, and inform them if they are working in an area where there is a potential for violence and/or harassment and identify the risks that are specific to that area;
- Ensure that every reported incident of workplace violence is investigated, and potential areas for improvement are identified and implemented where appropriate.

Management responsibilities:

- Establish if workers have any issues regarding workplace violence or harassment;
- Take all reasonable and practical measures to prevent reprisals, threats of reprisal or further violence;
- Investigate and forward to Mitchell Rocha any report regarding complaints or events of workplace violence and harassment given to them.

Supervisor responsibilities:

- Ensure a worker works safely;
- Take every precaution reasonable in the circumstances to protect workers, such as advising them of the existence of hazards;

- Respond appropriately to any complaint or observance of workplace violence or harassment, and ensure it is properly investigated and reported to management.

Union responsibilities:

- Provide information and assistance to its members;
- Represent employees at any stage in the overall process;
- Play a key role in any mediation or conciliation efforts;
- Active participation in the investigation phase.

Employee Responsibilities:

- Work in compliance with the Occupational Health and Safety Act and its Regulations, and report any infringement;
- Not engage in pranks, foul play, unnecessary running, etc. While this type of behaviour may not constitute workplace violence, it must not be allowed. If allowed to continue, this behaviour may escalate into workplace violence;
- Employees are required to be familiar with and follow policy and procedures that are in place to protect them & their co-workers from workplace violence and/or harassment;
- Be aware of any physical or verbal threats, and/or any disruptive behaviour, and notify the foreman or another member of the management team if you have witnessed any;
- Employees are not to bring or be in possession of any type of weapon whatsoever while at work, or use (or threaten to use) any object as a weapon.

DOMESTIC VIOLENCE

An individual who has a personal relationship with a worker – such as a spouse or former spouse, current or former intimate partner or family member – may physically harm, attempt to harm, or threaten to physically harm, that worker at work. In these situations domestic violence is considered workplace violence. If Pollard Enterprises Ltd. becomes aware of domestic violence that is likely to expose one or more employee(s) to physical injury that may potentially occur in the workplace, Pollard Enterprises Ltd. will take every reasonable precaution to protect the employee(s).

CONFIDENTIALITY

It is the duty of Pollard Enterprises Ltd. to maintain confidentiality of the information collected and used in this policy. All persons involved with these procedures must ensure that all matters remain confidential, and no person will be adversely affected in employment as a result of bringing complaints or participating in an investigation under this policy.

Pollard Enterprises Ltd. may be required to provide information obtained during an investigation to an outside agency, such as police services, court or tribunal, which has the legal right to require information otherwise protected by the *Freedom of Information*.

Harassment Reporting Procedures:

- An employee may report workplace harassment to their manager or to another member of management that the employee is comfortable approaching;
- Employees are encouraged to report any allegations of harassment promptly. Any employee who in good faith reports allegations of harassment will be protected from any retaliation.

Informal Procedure:

- If you believe you have been personally harassed, you may confront the harasser personally or in writing pointing out the unwelcome behaviour and requesting that it stop;
- If the behaviour continues, discuss the situation with the harasser's supervisor, your supervisor or any other level of management or health and safety, who will investigate the incident;

Formal Procedure:

- If you believe you have been personally harassed, you may make a written complaint by completing the Violence and Harassment Complaint Form. This form should be given to your supervisor, manager or health and safety coordinator.
- Once a written complaint has been received, Pollard Enterprises Ltd. will complete a thorough investigation.
- A copy of the complaint, detailing the complainant's allegations, is then provided to the respondent(s).
- The respondent is invited to reply in writing to the complainant's allegations and the reply will be made known to the complainant before the case proceeds further.
- Pollard Enterprises Ltd. will do its best to protect unnecessary disclosure of the details of the incident being investigated, the identities of the complaining party and that of the alleged respondent.
- During the investigation, the complainant and the respondent will be interviewed, along with any possible witnesses. Statements from all parties involved will be taken and a decision will be made.
- Pollard Enterprises Ltd. , as well as the employee, may seek outside assistance such as legal counsel, if necessary.
- Employees will not be demoted, dismissed, disciplined or denied a promotion, advancement or employment opportunities because they rejected sexual advances of another employee or because they lodged a harassment complaint when they honestly believed they were being harassed.

Formal Procedure (cont'd):

- Where it is determined that harassment has occurred, a written report of the remedial action will be given to the employees concerned.
- If the complainant decides not to lay a formal complaint, Senior Management may decide that a formal complaint is required (based on the investigation of the incident) and will file

such document(s) with the person(s) against whom the complaint is laid and with Health and Safety.

- If it is determined that personal harassment has occurred, appropriate disciplinary measures will be taken as soon as possible.

Protocol for a Response to an Incident of Harassment:

1. Let your harasser know their behaviour is inappropriate and not welcomed, and ask them to stop;
2. If the behaviour continues report it to your manager, who will investigate the incident;
3. Document the harassment yourself so you have a written record;
4. Management identifies lead role, determined action plan, assigns responsibilities and follows up. A file is created containing all of the information gathered regarding the incident. Management will take appropriate action to avoid future violations.

Violence Response and Reporting Procedures:

- In the event that an employee is either directly affected by or is a witness to any violence in the workplace, it is imperative for the safety of all Pollard Enterprises Ltd. employees that the incident be reported promptly to management.
- In the case of a violent act resulting in serious injury **CALL 911 IMMEDIATELY**, then contact your crew foreman or manager to report the incident.
- The crew foreman shall immediately call Mitchell Rocha and/or management to notify them of the event.
- All reports shall be kept confidential, All reports shall be investigated and dealt with appropriately.
- Supervisory and managerial personnel have a duty to respond to and take action to resolve any alleged situation involving harassment or violence.

Supervisors and management will work together to undertake the following:

1. Ensure the complainant's safety;
2. Notify concerned parties, including any witnesses, that they are entitled to support and assistance through the duration of the process;
3. Interview all concerned parties and come to logical conclusions about the occurrence of the alleged incident;
4. Provide written summary of finds and conclusions of incident to complainant and respondent, depending on the seriousness of the allegation;
5. Implement appropriate actions as a result of clause 3 and 4 above;
6. Make alterations to the policy as may be applicable.

ASSESSMENT OF THE RISKS OF WORKPLACE VIOLENCE

- Pollard Enterprises Ltd. will assess the risks of workplace violence that may arise from the nature of the workplace, the type or condition of work;

- Pollard Enterprises Ltd. will reassess the risks of workplace violence as often as necessary to ensure that the related policy and related program continue to protect employees from workplace violence.

WORK REFUSAL

Under the Occupational Health and Safety Act, a worker has the right to refuse work if they have reason to believe they may be endangered by workplace violence. However, work cannot be refused on the grounds of workplace harassment. The Act sets out a specific procedure that must be followed in a work refusal. It is important for workers, employers, supervisors and the health and safety representative to understand and follow this procedure.

What happens when a worker refuses work?

- The worker must immediately tell the supervisor or manager that the work is being refused and explain the reason. The supervisor or manager must investigate the situation immediately, in the presence of the worker and one of the following:
 - a joint committee member who represents workers,
 - a health and safety representative, or another worker who, because of knowledge, experience and training, has been chosen by the workers to represent them.
- The refusing worker must remain in a safe place near the workstation until the investigation is completed. If the situation is resolved at this point, the worker will return to work;
- Although Section 43 allows workers to refuse work or do particular work if their health and safety is in danger due to workplace violence, this does not mean all work needs to be suspended during a work refusal. For example, if the risk of workplace violence is eliminated by the removal of a violent person, it may be possible for work to continue during the employer's investigation;
- While waiting for the supervisor or manager to investigate and give a decision on the work refusal, they can ask another worker to do the work that was refused. The second worker must be told that the work was refused and why. The second worker has the same right to refuse work as the first worker.

COMMUNICATION

The workplace violence and harassment program will be communicated through the following methods:

- Workplace Violence and Harassment Program shall be posted on the Safety Board in Bay #2 (mechanics bay);
- New Hire worker safety program orientation session;

- The Policy will be reviewed each year and any changes will be communicated by the supervisors to workers immediately after the changes are made.
- Any Pollard Enterprises Ltd. employee who threatens, harasses or abuses another employee, or any other individual at or from the workplace shall be subject to disciplinary action, up to and including termination of employment, and the pursuit of legal action;
- Violent action is a serious criminal offence and shall be dealt with appropriately;
- If it is determined by Pollard Enterprises Ltd. that any employee has been involved in personal harassing of another employee, immediate disciplinary action will be taken. Such disciplinary action may involve counselling, a formal warning and could result in immediate dismissal without further notice;
- This Workplace Violence and Harassment Prevention Policy must never be used to bring fraudulent or malicious complaints against employees. It is important to realize that unfounded/frivolous allegations of personal harassment or violence may cause both the accused person and the company significant damage. If it is determined by Pollard Enterprises Ltd. that any employee has knowingly made false statements regarding an allegation of personal harassment, immediate disciplinary action will be taken. As with any case of dishonesty, disciplinary action may include immediate dismissal without further notice.

REPRISAL

Reprisal is defined as any act of retaliation, either direct or indirect. This policy prohibits reprisal against employees acting in good faith, who report incidents of workplace violence and who are involved in an investigation. Pollard Enterprises Ltd. will take all reasonable and practical measures to prevent reprisals, threats of reprisals or further violence.

TRAINING PROCEDURES

Training sessions will be organized for employees for establishing and implementing the Workplace Violence and Harassment Prevention Policy. New hire orientation will also include an information session on this policy.

The workplace violence and harassment program will be evaluated on an annual basis by Management with input from the company health and safety coordinator. The purpose of the evaluation is to determine if we are meeting the objectives of zero incidents. The program standards and effectiveness of implementation shall be assessed and revisions made as required to address any deficiencies noted. We are committed to using the results of our evaluation to improve our program.

ELECTRONIC AND PRINT COMMUNICATIONS

Pollard Enterprises Ltd. does not condone the inappropriate use of electronic and print communications. Inappropriate use is defined as the intentional use of an electronic device or communication medium such as, but not limited to, all features of a telephone, a mobile phone, digital camera, Blackberry, e-mail and web-based communication site. Pollard Enterprises Ltd. reserves the right to appropriately respond to these incidents, which may include disciplinary action, up to and including possible recommendation for termination of employment.

RESTRAINING ORDER

All employees who apply for or obtain a protective or restraining order which lists company locations as being protected areas, must provide management a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.

- Violent behaviour in the workplace and workplace harassment is unacceptable and will not be tolerated from any person;
- Pollard Enterprises Ltd. is committed to providing a work environment in which all individuals are treated with respect and dignity;
- Every employee including all supervisors and the management team is expected to uphold this policy and to work together to prevent workplace violence and harassment;
- Pollard Enterprises Ltd. pledges to investigate and deal with all incidents and complaints of workplace violence and harassment in a fair and timely manner, respecting the privacy of all concerned as much as possible.

Yours truly,



Jamie Pedra
President of Operations

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