

Supporting Respect In The Workplace



Managers, Supervisors, and Key Personnel Workbook



Homewood
Health | Santé

About this workbook

You may have witnessed heated disagreements between co-workers or exercised your managerial duties in ways that were unwelcome (e.g., providing negative performance feedback or enacting disciplinary measures). These are unfortunate incidents but they are usually a normal occurrence in the operation of a business.

However, you may also have experienced or witnessed inappropriate workplace conduct (e.g., harassment, bullying, discrimination) or instances where domestic violence has spilled into the workplace. These types of events are unacceptable and if tolerated they communicate that management is not committed to building a respectful workplace.

The information in this workbook* will help you identify violence (including domestic violence), harassment (including bullying), and discrimination. The workbook provides guidance on the steps you can take to stop or report this conduct and outlines the typical process that you and your employer may follow if allegations of inappropriate conduct are made.

What is a “respectful” workplace?

A respectful workplace is good for you, good for employees, good for your employer, and good for your customers and clients.

In a respectful workplace:

- Employees feel valued and rewarded.
- Diversity and differences are welcomed.
- The well-being of employees, clients, customers, and suppliers, is considered and safeguarded.
- When conflict arises, it is safe to discuss what is not working and focus on solutions.
- Inappropriate or disrespectful conduct is dealt with in timely fashion and in keeping with established policies and protocol.

**This workbook and e-course are not intended to offer legal interpretation on issues of discrimination, harassment, or violence. Rather, the intent is to educate and empower in ways that contribute to a respectful workplace.*



As a manager, supervisor, or key person you have a unique opportunity to help create a work environment where employees (including yourself) feel welcome, safe, and productive.

Did you know?

Not all workplaces are created equal

When it comes to workplace violence and harassment, some work settings present higher risks of disrespectful conduct than others. These include:

- Working with the public (retail workers, working where alcohol is served);
- Working in high crime areas;
- Transporting people and/or goods;
- Working alone or in small numbers;
- Handling money, valuables, or prescription drugs;
- Contact with clients (e.g., real estate);
- Mobile workplaces (e.g., insurance advisor); and,
- Carrying out inspection or enforcement duties (e.g., parking enforcement, home inspection).

Multiple factors increase the risk. For example, if an employee works alone, late at night, with the public, and handles money, they may be at even higher risk.

If employees work in these settings, take extra care to educate them about policies designed to protect their well-being and the procedures and protocols in place for reporting and addressing issues of violence, harassment, and discrimination.

Legal requirements to create a respectful workplace

Employers have a responsibility to take reasonable steps to protect employees from harm that may occur in the workplace. The governing laws vary by province and territory, but the requirement is basically the same across Canada— employers have to:

- Recognize signs of violence and harassment;
- Assess potential risks to employees and other bystanders (e.g., clients, customers);
- Establish procedures to control these risks;
- Educate employees, managers, supervisors and key personnel on these issues;
- Respond appropriately and confidentially to issues (e.g., incidents, complaints) that are identified; And,
- Take reasonable action to resolve issues.

Want personalized coaching or counselling?

Need assistance with an issue relating to violence, harassment or discrimination? Are you concerned about disrespectful conduct in your workplace? Do you have a question about how to carry out managerial or supervisors duties in ways that will not be interpreted as harassment or discrimination?

Ask for the “Key Person Advice Line.”



Terms and definitions

Your organization may define workplace violence, harassment, discrimination, and bullying, differently than the definitions adopted in this course. You may also have specific policies and procedures for dealing with incidents that are reported. Check these details with your employer, and stay informed as they may be updated on occasion.

About workplace violence

For purposes of this course, workplace violence is defined as:

1. The exercise of physical force...
2. An attempt to exercise physical force...
3. A statement or a 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 to the worker.

Examples include physical attacks and threatening behaviour (written or spoken).

Sources of workplace violence

Workplace violence can arise from many sources, including:

- A person inside the workplace (e.g., a co-worker or manager).
- A person related to the function of the workplace (e.g., a client, customer, or supplier).
- A person with an indirect relationship to the workplace (e.g., a spouse or a former employee).
- A person who is unrelated to the workplace (e.g., a thief).

Violence outside the workplace

Workplace violence can occur outside of the workplace and still be considered “workplace violence” according to law. For example:

- At business-related events (e.g., conference, trade show or other event related to your work).
- At a client’s home.
- At your own home (e.g., you receive a threatening phone call at home that is related to your work).

About domestic violence*

Domestic violence can be broadly defined as a pattern of abusive behaviour by one or both partners in an intimate relationship (e.g., marriage, dating, cohabitation). Domestic violence or harassment becomes a workplace issue when it occurs or spills over into the workplace. Some examples are:

- sexual assault
- physical attacks
- threats
- intimidation
- verbal abuse

*Note: Domestic violence may be a criminal act depending on certain factors such the type of act, severity, and duration.

About workplace harassment

Workplace harassment is generally defined as any behaviour that demeans, embarrasses, humiliates, annoys or abuses a person, is offensive to the target, and is known or reasonably expected to be unwelcome. The most critical aspect of harassment, regardless of whether it's personal harassment, sexual harassment, abuse of power and authority, or breaking the law, is the impact on the person being victimized (not the intent of the aggressor).

Examples include: constant interruptions, isolating a person, discrediting a person, ridiculing or destroying someone's work, and undermining professional or personal reputation.

About workplace bullying

Bullying is a type of workplace harassment. The following are characteristics of bullying:

- Bullying is a type of workplace harassment that is not based on the prohibited discriminatory grounds listed in Human Rights legislation (e.g., religion, sexual orientation).
- Bullying is the result of cumulative, intentional, and enduring conduct where the effect of each incident builds upon the last to produce physical and/or psychological distress on the target.
- Bullying is an exploitation of a perpetrator's position of power over a target. These power differences can arise between peers, and in some cases even subordinates (e.g., if subordinates act as a group and bully a manager or supervisor).

Examples include: giving someone the 'silent treatment', excessive monitoring of work, name-calling, spreading malicious rumours, and setting impossible deadlines.

Bullying is as much about what people don't do (e.g., excluding targets from events, withholding information) as what they do.

About discrimination

Discrimination means treating people differently, negatively, or adversely based on prohibited grounds of discrimination as defined by the Canadian Human Rights Commission. Employers and employees have an obligation to keep the workplace free of discrimination related to the prohibited grounds. These prohibited grounds of discrimination, as defined by the Canadian Human Rights Commission, may vary depending on province or territory but typically include the following:

- age
- race
- national or ethnic origin
- colour
- religion
- gender
- family status
- marital status
- pardoned convictions
- mental or physical disability including previous or present drug or alcohol dependence
- sexual orientation

Examples include unfair treatment or decisions about: hiring, firing, promoting, compensation, job training, advancement opportunities, working conditions, and task assignments.

What are you doing to cultivate a respectful workplace?

Take a few moments to think about your answers to the following questions.

1. What does your organization say that it values and how well are these applied in daily practice?
2. What messages does your organization convey through its:
 - Vision statement?
 - Mission statement?
 - Values?
 - Guiding principles?
3. Do you practice constructive performance management (clarifying expectations, providing specific and helpful feedback, coaching, etc)?
4. Do you have clear codes of conduct with clear consequences?
5. Do you model the kinds of behaviour that you hope to see?
6. Do you treat conflict as a learning opportunity?
7. Do you teach people to recognize disrespectful conduct (in themselves and in others) in its early stages?
8. Does your organization develop your (manager, supervisor) skills as they relate to recognizing and dealing with disrespectful conduct?
9. Do employees know where and how to report harassment, discrimination, and/or violence? Do they feel confident when doing so?
10. Do you have an appropriate range of systems in place to address disrespectful conduct (e.g., coaching, counselling, mediation)?

Helpful tips to prevent disrespectful conduct

There are many steps an organization can take to help prevent incidents of disrespectful conduct.

Recruitment

- Certain recruitment guidelines can help minimize the risk of hiring individuals who have a history of disrespectful conduct or a propensity towards it. Careful initial evaluation and reference checking are examples of due diligence at the recruitment stage.
- Applicants should be considered in the context of whether they will be the right fit with the organization and the work group.

Orientation

- The orientation of new employees should include training on policy and protocol relating to respectful workplace conduct. This is an opportunity to clearly outline workplace behaviour expectations, convey commitment to maintaining certain standards of civil behaviour, and convey intolerance towards violence, harassment, and discrimination.
- This may also be an opportunity to provide training on conflict management skills, communication skills, stress management, etc.

Performance evaluations

- Performance evaluations need to be delivered in a constructive manner, according to workplace policies. These evaluations provide an opportunity to provide feedback that may help prevent small problems from becoming more serious situations.
- Adopt a formal performance review format including standard forms for all employees (modifications may be necessary for certain positions).

Employee Surveys

- Periodic employee surveys can be used to gather information about disrespectful conduct. For example:
 - What types of incidents have employees witnessed or experienced?
 - What barriers exist to reporting incidents?
 - What is the working environment in terms of morale, job satisfaction, etc.?
 - Do employees feel that management is accessible? Approachable?

Auditing the work environment

- Data can be gathered and examined with respect to absenteeism, incident reports, etc.

Conducting exit interviews

- Interviews with departing employees can provide a wealth of information for employers because they are typically more candid about issues they have experienced, observed or overheard during employment.

Promote the Employee Assistance Program (EAP)

- Employees need to know who to contact for confidential support if they are experiencing a lot of stress or have concerns that they don't feel capable of handling on their own.

Signs that your workplace may have a harassment, bullying, or discrimination problem

Malicious, petty comments

- Name-calling
- Rude language
- Sarcasm and mean-spirited criticism
- Put-downs
- Belittling or embarrassing remarks

Inappropriate management or supervisor tactics

- Openly criticizing an employee
- Constant fault-finding
- Imposing unreachable deadlines
- Constantly changing rules and expectations
- Setting employees up to fail

Strained relations among employees

- Gossip and rumour
- Scapegoating
- Two-faced behaviour
- Stealing each other's ideas
- Withholding information
- Interfering with productivity
- Petty arguments

Deteriorating work climate

- Low morale
- A sense of being 'on edge'
- Increased absenteeism
- Increased complaints
- Legal action
- Difficulty attracting new employees

Do you see any of these signs in your work setting?

Some management responsibilities for creating a respectful workplace

Details may differ in your work setting, but the following responsibilities apply to managers and supervisors in support of creating respectful workplaces:

1. Ensure that employees are complying with procedures and protocols that are designed to protect their well-being.
2. Take reasonable precautions to protect employees against potential harm (e.g., warn staff of the identity of a particular customer with a history of violence in your workplace).
3. When disclosing information that is necessary to protect employees from violence or injury, only disclose information that is necessary and pertinent.
4. Take action in compliance with occupational health and safety policies and procedures.
5. Do not engage in disrespectful conduct (i.e., ensure you are not a source of violence, harassment, or discrimination, or even contributing to its occurrence).

Involving all levels of the company or organization

To encourage a shared responsibility and commitment to tackle issues relating to violence, harassment, and discrimination, you need to involve all levels of your organization. Appointed representatives from senior management to the front line need to be involved in developing policy and procedures, disseminating the information, and encouraging commitment to put policies into practice. Unions should also be part of this process.

Consider the following:

Reporting

- Do employees know what to do if they become aware of a harassment situation (or bullying, discrimination, violence, etc.)? Who do they report this to? Can a bystander or witness file a complaint? When is reporting obligatory and when is it optional?

Commitment

- Are employees confident that they will be taken seriously if they report an incident?

Confidentiality

- What are the limits on confidentiality that could be a barrier to reporting an incident? How is confidentiality assured and how do employees know that they will not be penalized for voicing their concerns? Can they report anonymously?

Awareness, education, and training

- How are employees made aware of the policies and procedures and any updates? What training do they receive in identifying incidents and reporting?
- Supervisors, managers, union representatives, and any designated peer advisors or peer mediators may need more advanced training in problem identification, intervention, conflict management, assessment, referral protocols, reporting, and follow-up procedures. How is this training provided? How is the effectiveness of this training evaluated?

General Duty Clause

All jurisdictions in Canada have specific workplace violence prevention legislation or an applicable *General Duty Clause* that requires employers to take all reasonable precautions to protect employees against hazards on the job, including workplace violence.

If you are concerned about violence, harassment, bullying, and/or discrimination, review your workplace policies and protocols, and consult with the appropriate workplace advisor (e.g., safety committee, Human Resources).

Responding to employees facing domestic violence*

Approaching an employee with your concerns that they may be experiencing domestic violence needs to be planned in advance. Let the employee know that your workplace is a safe environment and that they can receive help and support through the workplace.

Signs and symptoms

If you think one of your employees or colleagues is in an abusive relationship here are some workplace-specific signs and symptoms. Look for patterns, not a single sign or symptom.

- Arriving late or very early.
- Unplanned or increased use of earned time or paid time off.
- Decreased productivity.
- Tension when receiving personal phone calls.
- Wearing long sleeves on a hot day or sunglasses inside.
- Difficulty concentrating on tasks.
- Avoiding windows or the main entrance of the office.
- Complaints of marital or relationship problems.
- Bruises, abdominal pains, muscle aches, headaches.
- Signs of fear, anxiety, depression (e.g., intense startle reaction).

Plan for managers and supervisors

If an employee is in imminent danger or is requesting immediate assistance call 911 and workplace security if available, immediately. If the employee tells you that she or he is in an abusive relationship:

1. Communicate your concerns for their safety. Reassure the employee that you are concerned, that you believe him/her and that it is not their fault and no one deserves to be hurt (the abuser may be blaming the victim).
2. Be clear your role is to try to help and not to judge. The employee needs to know that someone cares, will listen, and can help find the right resources.
3. Tell the employee that the EAP is available to help with counselling and safety planning.
4. Contact the EAP for any coaching that you, yourself, may require in this situation.

*Source: Adapted from Cambridge Public Health Department, Cambridge Health Alliance "How To Respond to Employees Facing Domestic Violence." At the time of writing this workbook, the 2009 report, in pdf format, was available for download from <http://www.cambridgepublichealth.org>.

Take stalking seriously.

Stalking has been identified as one of the primary risk factors for severe violent acts against female partners in intimate relationships. Immediately inform police if an employee reports that they are being stalked or if a restraining order is breached.



Ways to help

- Ask the employee “what changes can we make to help you feel safer?” Examples could include: accompanying the employee to their car or public transit, move the employee’s parking spot closer to the front entrance, remove the employee’s contact information from directories, screen phone calls, change work scheduling, etc.
- Encourage the employee to save and/or make notes of any threatening contact (e.g., e-mails, voice-mail). Detailed note-taking will be important for any future legal action.
- Ask the employee for the name of a contact person in the event that the employee is unreachable or an emergency occurs.
- Create a code word or phrase that the employee can use to alert you to danger.
- Respect the employee’s privacy. You are a manager or supervisor, not a counsellor.

The Criminal Code

Some acts of workplace violence fall under Canada’s Criminal Code. The Criminal Code deals with matters such as violent acts, threats, and behaviours (e.g., stalking, sexual or physical assault, arson).

The police should immediately be contacted when an act of violence has occurred in the workplace or when someone in the workplace is threatened with violence.

Workplace Violence Prevention Policy: Example

Every workplace should have a violence prevention policy that is jointly developed by management, employees, and union representatives. The following are items that might be in this policy:

- Your commitment to preventing workplace violence.
- An overview of your violence prevention program.
- Clear standards of behaviour.
- Reporting protocol and encouragement to report all incidents.
- An explanation of confidentiality and any limitations to confidentiality.
- Clear definitions of workplace violence with examples.
- Clearly stated consequences for violating the policy.
- An explanation of how a safety plan, preventive measures, and emergency response procedures will be established.
- Your commitment to training, education, and monitoring.
- A commitment to apply the policy and consequences for violations fairly, consistently, and in a timely fashion.
- Outline any support services that may be available to employees (e.g., EAP, coaching, counselling).

Once your policy is complete you should:

- Provide training and orientation sessions that meet the needs of different levels of personnel within the organization (e.g., train managers and supervisors how to deal with complaints promptly and confidentially).
- Review annually and update as needed.
- Distribute your policy widely.

Resources

The following is a list of resources that you can search for more detailed information about harassment, discrimination, bullying, and violence in the workplace. Some of the resources are intended for employees, some for employers, and some for the general public.

This is a good place to begin a search. For information that applies to your specific workplace, talk to your employer (e.g., Human Resources, Health and Safety, your union).

Coalition Against Workplace Violence
(www.stopworkplaceviolence.ca/index.html)

Canadian Human Rights Commission (www.chrc-ccdpc.gc.ca)

Canadian Centre For Occupational Health and Safety
(www.ccohs.ca/oshanswers/psychosocial/violence_warning_signs.html)

Provincial Resources

Alberta Human Rights and Citizenship Commission
(www.albertahumanrights.ab.ca/)

British Columbia Human Rights Coalition
(www.bchrcoalition.org/)

Manitoba Human Rights Commission (www.gov.mb.ca/hrc/)

Newfoundland Human Rights Commission
(www.justice.gov.nl.ca/hrc/)

Northwest Territories Human Rights Commission
(www.nwthumanrights.ca/english/general.html)

Ontario Human Rights Commission (www.ohrc.on.ca/)

Prince Edward Island Human Rights Commission
(www.gov.pe.ca/humanrights/)

Québec-Commission des droits de la personne et des droits de la jeunesse (www.cdpcj.qc.ca/en/home.asp?noeud1=0&noeud2=0&cle=0)

Saskatchewan Human Rights Commission
(www.shrc.gov.sk.ca/)

Yukon Human Rights Commission (www.yhrc.yk.ca/)

