

## **MUSEUM LONDON**

### **BOARD POLICY**

#### ***WORKPLACE VIOLENCE AND HARASSMENT PREVENTION***

##### **Workplace Preamble**

Museum London recognizes that the prevention of workplace violence and harassment from all sources is paramount to the wellness of our employees. The Executive Director and the Board of Directors are committed to providing and maintaining a safe workplace in which all individuals are treated with respect and dignity by complying with the *Ontario Occupational Health and Safety Act* and accompanying regulations, including the Museum London program, all applicable occupational health and safety legislation, and all other health and safety requirements or standards to which the Museum subscribes, including the *Ontario Human Rights Code*.

##### **Social Settings Preamble**

Each year Museum London receives numerous requests from individuals and groups to operate special events on our property. Museum London recognizes special events are an important part of providing citizens access to culture, recreation, education and entertainment through use of our venue. The special event partner or client shall comply with all the requirements contained within Museum London policies and procedures as they pertain to their event. The special event partner or client is responsible for educating their attendees about inappropriate behaviour, ensuring compliance with Museum London policies and addressing violations with their attendees.

##### **Definition of Workplace Violence**

As defined by the *Ontario Occupational Health and Safety Act*, workplace violence is:

- a) The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker.
- b) An attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker.
- c) A statement or behaviour that it 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.

##### **Definition of Domestic Violence in the Workplace**

Domestic violence in the workplace is interpreted in a manner consistent with the above *Ontario Occupational Health and Safety Act* definition of workplace violence. Domestic violence involves an individual who has a personal relationship with a worker, such as a spouse or former spouse, current or former intimate partner or a family member and who may harm, or attempt or threaten to harm that worker at work. In these situations, domestic violence is considered workplace violence.

Some types of behaviours that may be workplace violence including domestic violence in the workplace are: intimidating or threatening behaviour including but not limited to shaking fists, destroying property, assault, and direct, conditional or veiled verbal or written threats with any expression of intent to inflict

harm in person or via virtual means (e.g. social media, text messages, phone calls, voice mail, print, radio or television).

### **Definition of Workplace Harassment and Workplace Sexual Harassment**

As defined by the *Ontario Occupational Health and Safety Act*, workplace harassment is:

- a) Engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome, or
- b) Workplace sexual harassment.

As defined by the *Ontario Occupational Health and Safety Act*, workplace sexual harassment is:

- a) Engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome.
- b) Making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

Harassment may also relate to a form of discrimination as set out in the *Ontario Human Rights Code*. Some types of behaviours that may be workplace harassment include: bullying including psychological harassment, teasing, intimidating or offensive jokes or innuendos, displaying or circulating offensive pictures or materials, offensive or intimidating communication via any real or virtual means (e.g. social media, phone calls, voice mail, print, radio or television).

Reasonable action taken by the employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.

### **Definition of Social Settings Inappropriate Behaviour**

The following behaviours are considered prohibited/inappropriate in a “social setting”:

- A) Violence or harassment, including;
  - The exercise of physical force by a person against another person that causes or could cause physical injury to the other person;
  - An attempt to exercise physical force against another person that could cause physical injury to the other person;
  - A statement or behaviour that is reasonable for a person to interpret as a threat to exercise physical force against the person that could cause physical injury to the person;
  - The use of profane or abuse language and racial or ethnic slurs;
  - Threat and or attempts to intimidate;
  - Throwing of articles or objects in a deliberate or aggressive manner that endangers or causes injury or damage to any person or property;
  - Attempt to goad or incite violence;
  - Bullying, including cyber-bullying or defaming online content, mistreatment, or teasing which intimidates, humiliates or demeans another person;

- B) Vandalism, including vandalism to buildings, contents or personal property;
- C) Possession of weapons or firearms prohibited under *the Criminal Code*;
- D) Possession or consumption of illegal drugs, or of alcohol except authorized by law;
- E) Any contravention of other Federal or Provincial laws, Regulations, City By-Laws or policies that constitute inappropriate behaviour;
- F) Refusal to follow the rules established by the Museum for use of its facilities.

### **Definition of Workplace**

Workplace means Museum London and all sanctioned Museum London social functions or business performed at any other location away from Museum London, during or outside of normal working hours.

### **Definition of Social Setting**

Social Setting means an event attended by Museum staff, volunteers, guests, and contracted services (caterers, musicians, security guards, etcetera) that takes place in the workplace as defined above. The event can be organized by Museum London for a rental client, organized in partnership with Museum London and an external organization, or the event can be organized by Museum London for the Museum's exhibition, education and public programming.

### **Policy**

Museum London believes in the prevention of workplace violence including domestic violence in the workplace and workplace harassment including sexual harassment and promotes a violence and harassment free workplace in which all people respect one another and work together to achieve common goals. Any act of workplace violence and harassment from any source is unacceptable conduct and erodes the mutual trust and confidence that are essential to the well-being of our employees. Workplace violence and harassment will not be tolerated from any person. This policy includes but is not limited to Museum London directors, employees, volunteers, contractors, sub-contractors, and consultants and employees of a sub-contractor and consultants and employees of other organizations who work on or are invited onto Museum London property, Museum partners, clients and visitors.

In recognition of Museum London's commitment, the Executive Director and the Board of Directors will pursue the following:

- a) Establish, implement and maintain a workplace violence and harassment policies and procedures in our services as essentials of the Joint Health and Safety Committee and all its functions to protect workers from workplace violence and harassment. Individuals are encouraged to report any incidents of workplace violence and harassment to the Executive Director or designate.
- b) Investigate and deal with all complaints or incidents of workplace violence and domestic violence in the workplace and workplace harassment including sexual harassment in a fair, respectful and timely manner. Information provided about an incident or about a complaint will not be disclosed except as necessary to protect workers, to investigate the complaint or incident, to take corrective action or as otherwise required by law. Management will assess workplace violence and harassment risks and monitor the organization's performance with the goal of protection of individuals and workplace violence and harassment prevention.

- c) Communicate to employees and volunteers their responsibilities and monitor their compliance as directed by the *Ontario Occupational Health and Safety Act* and accompanying regulations and Museum London's workplace violence and harassment policies and procedures which will include their cooperation and participation in treating every individual with respect and dignity.
- d) Ensure that supervisors are accountable for the health and safety of workers under their supervision and that the workers follow workplace violence and harassment policies and procedures.
- e) Ensure that workers receive adequate training in workplace violence and harassment policies and procedures in order to recognize inappropriate behaviour and act appropriately. Ensure that every employee, volunteer, sub-contractor, and consultant and employee of a sub-contractor and consultant follows the law and Museum London's workplace violence and harassment policies and procedures.

All parties, including employees, supervisors, volunteers, visitors, partners, clients, consultants and sub-contractors, are expected to treat every individual with respect and dignity at all times. Commitment to the prevention of workplace violence including domestic violence in the workplace and workplace harassment including workplace sexual harassment must be essential for everyone at Museum London, from the Executive Director and Board of Directors to their employees, in recognition that abiding by workplace violence and harassment procedures will provide a healthier and safer work environment and community. Managers, supervisors and workers are expected to adhere to this policy and will be held responsible by the employer for not following it. Workers are not penalized or disciplined for reporting an incident or for participating in an investigation involving workplace violence, domestic violence in the workplace, workplace harassment or workplace sexual harassment. However, an individual intentionally making a false complaint of harassment or discrimination, will be subject to disciplinary action.

The Executive Director will post a copy of the above information in the workplace at Museum London.

### **Explanation of Terms**

*Client:* One or more individuals or an organization who rents event space and/or services from Museum London.

*Consultant, Sub-Contractor:* Both terms refer to an individual and/or organization providing a service to Museum London.

*Employee:* An individual who fills a position approved by the Executive Director and who receives a salary or fee. Museum London employees include management, supervisory and exempt staff, unionized employees, and individuals employed by Museum London for a limited duration.

*Partner:* An organization who works in collaboration with Museum London for an event that both are invested in and in which both parties share event costs.

*Supervisor:* Any person who has charge of a workplace or authority over a worker.

*Visitor:* An individual who visits Museum London for recreational, scholastic or business reasons.

*Volunteer:* An individual who provides his or her time and service to any activity that supports the objectives of Museum London, and is authorized and sponsored by Museum London with no expectation of remuneration.

*Worker:* A person who performs work or supplies services for monetary compensation; a secondary school student who performs work or supplies services for no monetary compensation under a work experience program authorized by the school board that operates the school in which the student is enrolled; a person who performs work or supplies services for no monetary compensation under a program approved by a college of applied arts and technology, university or other post-secondary institution; a person who receives training from an employer, but who, under the [Employment Standards Act, 2000](#) (ESA), is not an employee for the purposes of that act because the conditions set out in subsection 1 (2) of that act have been met; other persons who work or provide services to an employer for no money, who may be prescribed by regulation.

**Last Revised Date:** 25 November 2020

## **MONITORING:**

### **Adherence**

The Executive Director will report to the Board on any areas of non-adherence within a timely manner.

### **Policy Review**

*Method:* Internal Report

*Responsibility:* Policy Committee

*Minimum Frequency:* One Year