

ADMINISTRATIVE PROCEDURE

Personnel and Employee Relations

Workplace Violence

PER #19

Revised: May 2024

Background

In the Board's [Division Foundational Statements Policy](#), the safe and caring fundamental belief states that "We believe that the infinite value of each person in God's eyes must be reflected in all that we do. This calls for respect in all relationships." In support of this belief, Christ The Redeemer (CTR) Catholic School Division endeavors to provide a work environment that is faith-filled and free from workplace violence. Any act of violence conducted at work by an employee towards another employee, whether on CTR premises or at CTR sponsored activities, is unacceptable and will not be tolerated. Toward this goal, CTR has developed an administrative procedure that defines workplace violence outlines the resolution process and details what should happen if a formal complaint is received.

Definition

For the purpose of this administrative procedure, workplace violence is defined (as per the Occupational Health and Safety Act) as: "whether at a work site or work related, the threatened, attempted or actual conduct of a person that causes or is likely to cause physical injury." Examples include, but are not limited to:

- threatening behavior such as shaking fists, destroying property or throwing objects;
- verbal or written threats that express an intent to inflict harm;
- physical attacks; and
- any other act that would arouse fear in a reasonable person in the circumstances.

Procedures

1. No employee or other individual shall engage in workplace violence or allow or create conditions that support workplace violence.
2. If an employee feels they are being subjected to workplace violence, there are a number of steps that can be taken to resolve the situation, including:
 - 2.1 Prior to filing an informal or formal complaint, any individual subjected to workplace violence (complainant) is encouraged to make it clear to the alleged offender (respondent), directly or with the assistance of a supervisor, that the respondent's behavior is unacceptable. Complainants are encouraged to bring incidents of alleged workplace violence to the attention of a supervisor and to make a complaint on an informal or formal basis where appropriate.
 - 2.2 If an employee feels they are being subjected to workplace violence, the individual should immediately remove themselves from the situation and go to a place of safety. Once safe, the incident should be reported to a supervisor. If there is immediate danger and the individual is not able to go to a place of safety, they should call 911.
 - 2.3 The complainant should keep a record of specific incidents including dates, time, places, names and other details.

- 2.4 The complainant can obtain advice and assistance regarding strategies for confronting violence at an interpersonal level by contacting the Superintendent or designate.
 - 2.5 Complainants are encouraged to bring incidents of alleged workplace violence to the attention of their supervisor and to make a complaint on an informal or formal basis where appropriate. The supervisor is to immediately inform the Superintendent that a workplace violence complaint has been received to determine steps to ensure that any act of workplace violence stops.
 - 2.6 If workplace violence continues, and the supervisor is unable to resolve the situation, the victim may launch a formal complaint with the Superintendent.
 - 2.7 The complainant and the accused employee have the right to seek civil or criminal redress through the courts or file a complaint with the Alberta Teaching Profession Commission, the Alberta Human Rights Commission, or the Occupational Health and Safety officer.
 - 2.8 An employee who reports an injury or adverse symptom resulting from workplace violence or who is exposed to workplace violence is advised to consult a medical professional for treatment or referral.
3. Complaints regarding violence can be resolved through:
- 3.1 An informal verbal complaint mechanism which may involve voluntary mediation.
 - 3.1.1 The supervisor that receives an informal verbal complaint shall take action to ensure the complaint is addressed within ten (10) working days from the date that the complaint is received.
 - 3.1.2 The supervisor shall take the following actions:
 - 3.1.2.1 Immediately advise the Superintendent or designate that an informal complaint of workplace violence has been received.
 - 3.1.2.2 Provide both the complainant and respondent with the division's administrative procedure.
 - 3.1.2.3 Discuss all issues of confidentiality and the limits to confidentiality when addressing the complaint.
 - 3.1.2.4 Assist the complainant in speaking to the respondent directly or speak to the respondent on behalf of the complainant. The conversation should outline the allegations and attempt to resolve the complaint informally.
 - 3.1.2.5 Monitor the status of the complaint to ensure that it continues to be satisfactorily resolved.
 - 3.1.2.6 If the supervisor is unable to resolve the complaint, the complainant and respondent will be asked if they are willing to enter into voluntary mediation. If they agree, voluntary mediation shall occur within fifteen (15) working days from the date the informal complaint was received. The purpose of the process is educational and preventative, rather than punitive. If the voluntary mediation is unsuccessful in resolving the complaint, a formal complaint may be filed.
 - 3.2 Filing a formal written complaint with the Superintendent.
 - 3.2.1 The formal written complaint must consist of a signed written statement outlining the accusations against the respondent, describing the specific incident(s), the dates of the incident(s) and any witness(es) who were present.
 - 3.2.2 A formal complaint may be filed up to three (3) months from the date of the most recent cited incident. The complaint should be sent to the Superintendent.
 - 3.2.3 The complainant is requested to notify the Superintendent if the complaint is being referred to any other governing body. The Superintendent or designate may elect to

process the complaint or stay the procedures pending the outcome of the other investigation.

- 3.2.4 The Superintendent or designate will conduct the investigation regarding the complaint. The complainant and the respondent shall have the opportunity to:
 - 3.2.4.1 Provide written submissions.
 - 3.2.4.2 Meet with the Superintendent or designate to provide oral submissions.
 - 3.2.4.3 Respond to the other party's oral or written submission.
 - 3.2.4.4 Have someone present to provide advice and assistance (e.g. legal counsel, association representative, division office representative).
- 3.2.5 The Superintendent's or designate's findings shall be detailed in a report and shall address all pertinent circumstances, including corrective action to be taken to prevent a recurrence.
- 3.2.6 Resolution of a formal complaint shall occur within three (3) months of the date on which the complaint was filed.
- 3.2.7 If the results of the investigation do not support the allegations, the complaint will be dismissed and a letter will be issued indicating that the respondent has been cleared of all allegations.
- 3.2.8 If the results of the investigation support the allegations in the formal complaint, a range of sanctions may be imposed on the respondent by the Superintendent or designate. The disciplinary measures will depend on the nature and severity of the offence. Disciplinary measures could include any of the following:
 - 3.2.8.1 Verbal reprimand;
 - 3.2.8.2 a written reprimand with a copy retained on the respondent's personnel file;
 - 3.2.8.3 transfer;
 - 3.2.8.4 demotion;
 - 3.2.8.5 suspension;
 - 3.2.8.6 termination; and
 - 3.2.8.7 Referral of the respondent to the Employee and Family Assistance Program for counselling and / or further evaluation.

4. Throughout an investigation into a workplace violence complaint, all efforts will be made to maintain confidentiality to the greatest extent possible. As well, every attempt will be made to involve the fewest people possible on a need-to-know basis and to conduct the investigation as quickly as possible.
5. CTR reserves the right to refer incidents of suspected criminal activity (e.g. physical or sexual assault) to the police.
6. The results of a formal investigation, along with any disciplinary action required, will be communicated in writing to both the victim and offender within ten (10) business days after a decision has been reached. Any disciplinary action taken by CTR will be above and beyond other actions that may be taken by other regulatory bodies.
7. Any disciplinary action will be recorded in the personnel file of the offender. No record of the complaint will be placed in the personnel file of the person making the complaint, or in the personnel file of any witness involved in the investigation.
8. Each employee has the right to report, in good faith, incidents of workplace violence, without fear of retaliation. Threatening, intimidating, or discriminating against someone who has either filed a

complaint or who is providing evidence or assistance in complaint proceedings will not be tolerated, and may result in disciplinary action.

9. The Superintendent and all supervisors shall ensure that this procedure is communicated to all employees under their direction and that copies of the procedure are readily available.
10. Any supervisor who receives a complaint is responsible for ensuring that the complaint is addressed. It is the responsibility of the supervisor to take immediate and appropriate action to report or deal with incidents of workplace violence of any type whether brought to their attention or personally observed. Under no circumstances should a legitimate complaint be dismissed or downplayed nor should the complainant be told to deal with it personally.
11. Complainants shall not knowingly and willfully submit complaints based on false allegations. Complaints that are found to be vexatious, false, or frivolous and made in bad faith will not be tolerated and may result in disciplinary action.