

Murphy Group of Companies

WORKPLACE VIOLENCE POLICY & PROCEDURE

A - POLICY

1. The Murphy Group of Companies will not tolerate violence or unacceptable behaviour in the workplace by or against employees, customers, clients or other third parties. In the event of a violent incident or unacceptable behavior by an employee, RMC will discipline the employee, up to and including discharge for cause, without notice or pay in lieu of notice.
2. Murphy Group of Companies will establish programs and procedures to reduce risk of violence and unacceptable behaviour in the workplace. All employees are expected to be aware of and participate in such programs and procedures, as required.

B – PURPOSE

1. The purposed of this Policy is to establish procedures to minimize and/or prevent violence and unacceptable behaviour in the workplace; to foster the safety and security of The Murphy Group of Companies employees, customers, and visitors to our office and work sites.

C – SCOPE

1. This Policy applies to all employees of, visitors to, sub-contractors and suppliers of and to The Murphy Group of Companies.
2. This Policy applies not only during working time, but to any activities on or off the company premises or job sites which could reasonably be associated with the workplace including social and business development events

D – RESPONSIBILITY

1. Employees
 1. Employees are responsible for informing a Supervisor of any violence, potential risk of violence or unacceptable behavior, they may experience or witness. This includes issues in the employee's non-work life that could impact on the employee's or a co-workers safety.
 2. Employees are responsible for reporting to a Supervisor any incidents of violence, close calls, or perceived potential for violence, according to the procedures set out in this Policy.

3. Employees are responsible for attending any training or informational sessions provided by the employer or his designate, to reduce violence or risk of violence.
4. Employees are expected to co-operate with the police, company investigators or any other designate, during any investigation related to workplace violence.

2. Employers

1. Employers are responsible for minimizing risk or exposure to violence where ever possible.
2. Employers are responsible for ensuring supervisors and employees are trained to;
 - Recognize and avoid violence whenever possible
 - Follow the procedures and policies developed to minimize risk;
 - Respond to incidents appropriately; and
 - Report and document such incidents.

3. Supervisors

1. Supervisors are responsible for assessing the risk of violence to employees in their jurisdiction, minimizing those risks where necessary or reasonably possible and informing affected employees of such risks or potential risks.
2. Supervisors are responsible for dealing with inappropriate actions and behaviour which come to their attention by any means
3. Supervisors are responsible for tracking incidents of violence, risks of violence or close calls and reporting them to the Joint Health and Safety Committee and to Management promptly.
4. Supervisors are responsible for ensuring proper medical care is provide, when necessary, to anyone involved in an incident and for securing safety of employees, before investigating or taking reports.
5. Supervisors are responsible for co-operating with police, company investigators or other authorities, as required, during any investigation related to workplace harassment.
6. Supervisors are responsible for ensuring employees are trained to;
 - Recognize the potential for violence
 - Avoid violence or confrontation wherever possible
 - Follow the procedures and policies developed to minimize risk
 - Respond to incidents appropriately; and
 - Report and document such incidents

E - DEFINITIONS

1. **“Violence”** means unacceptable behavior as defined below and also includes any incident in which:

- An employee is threatened or assaulted on company premises or in circumstances relating to the employee executing his or her job duties;
 - A client or visitor to the workplace is threatened or assaulted on company premises or work sites; or
 - An employee threatens or assaults a client, co-worker or other individual in circumstances relating to the employee's execution of his or her job
2. **“Domestic Violence”** means coercive tactics which may include physical, psychological, sexual, economic and/or emotional abuse by one person against an adult intimate partner, with the intent or effect of establishing and/or maintaining power and control over the victim
3. **“Workplace”** means any place where business or work-related activities are conducted. It includes, but is not limited to, the physical work premises, work related social and business development functions (e.g. parties, golf games, etc), work assignments outside of RMC's facilities or project sites. It also includes work related travel, conferences, training sessions and telephone conversations, texting or e-mails that are work related.
4. **“Unacceptable Behaviour”** means physical or psychologically aggressive behavior including but not limited to:
- Hitting, kicking, punching, shoving, slapping, pinching, grabbing, biting, or infliction of pain in any manner
 - Carrying or brandishing a weapon or anything that can be used as a weapon
 - Throwing objects at an individual with the purpose to cause physical injury or fear
 - Destruction of workplace or co-workers property
 - Threats of violence
 - Intimidating behavior that causes the recipient to have a fear of physical violence
 - Obscene or harassing telephone call, e-mails or text messages
5. **“Close Calls”** means incidents which do not result in actual physical harm but, except for circumstance, had the potential and the intention to result in physical harm
6. **“Minor Incident”** means an incident in which no one is physically harmed in any way and which was resolved through employee or supervisory mediation.

7. **“Serious Incident”** means an incident in which someone was physically harmed (whether or not medical attention was required) or which continued or escalated after supervisory mediation.

F – PROCEDURE

1. Risk Assessment

- The manager of each department/project shall institute a process to involve supervisors, employees and Joint Health and Safety Committee (or health and safety representative) in assessing the risk of violence in the department, jobsite and work environment on a periodic basis.
- Once the results have been analyzed by the parties, recommendations as well as actions must be taken to remove as many risks as can be reasonably removed and instructing employees to recognize risk.
- Specific written policies and procedures will be developed by management as required to deal with specific situations as they present themselves. It will identify things such as identifying the potential for risk as well the elimination of risk where possible (separation of co-workers that don't get along)
- A workplace violence risk assessment form will be developed to assist with identification of potential problems
- The risk assessment should be reviewed annually.

2. Reporting and Investigation

- Each and every incident of violence in the workplace shall be reported immediately to a Supervisor. The supervisor shall investigate the incident immediately or delegate the responsibility for doing so to an appropriate individual.
- The Supervisor shall immediately make the appropriate inquiries of the victim and witnesses to determine if the incident is minor or serious.
- If the incident is minor:
 - (1) The Supervisor will determine if mediation is appropriate and if so, mediate or arrange for mediation of the situation;
 - (2) Determine whether the authorities need to be involved and/or the accused needs to be removed from the situation
 - (3) Conduct the appropriate investigation immediately; and

- (4) Within 24 hours, write a report outlining the details, facts and witnesses of the incident and submit such report to the President and the Joint Health and Safety Committee.
 - (5) If the assailant is an employee, the Supervisor shall consult with senior management regarding any disciplinary action to be taken.
- If the incident is serious:
 - (1) The Supervisor must first ensure the safety of the employees and him/herself;
 - (2)
 - (a) Ensure proper medical attention is provided or sent for, if required
 - (b) Contact the authorities as soon as possible (police or Ministry of Labour, where appropriate) to report the incident;
 - (c) Contact the President and Joint Health and Safety Committee as soon as possible, to assess who should be involved with the investigation;
 - (3) The Supervisor must either conduct a thorough investigation or delegate conduction of the investigation to an appropriate third party. The investigator shall keep notes of the facts, times, witnesses, and witness accounts;
 - (4) Within 24 hours after the completion of the investigation, the investigator shall submit a detailed written report of the incident to the Joint Health and Safety Committee and the President. Where the complainant or the perpetrators are members of the Joint Health and Safety Committee, they will be excluded from these reports until a final outcome is decided. In all cases all facts of the investigation shall be kept totally confidential.
 - (5) If the perpetrator is an employee, the Supervisor will consult with senior management regarding any disciplinary action to be taken.
 - All complaints shall be handled in a confidential manner to the greatest extent possible. Information concerning a complaint, or action taken as a result of the of the investigation, will not be released to anyone who is not involved with the investigation, except as required by law.
 - Disciplinary action of violation of this Policy will take into consideration the nature and impact of the violations, the perpetrator's employment record and all other relevant considerations. Examples of discipline which may be imposed include a verbal or written reprimand, suspension without pay, or termination without notice or pay in lieu of notice.

- Deliberate false accusations will also result in disciplinary action up to those outlined above. NOTE: An unproven allegation is not necessarily deliberately false. There may be insufficient evidence to proceed with even though the complainant could have been harassed but did not keep notes or report the incident soon enough or in the case witnesses not being willing to step forward etc.
- Specific investigation procedures and criteria will be developed as issues arise which will form of this policy.

3 – Instruction to Employees and Review

- Newly hired employees shall receive a copy of this Policy and all other related policies during the documentation and orientation process.
- These Policy and procedures shall be posted so that they are available to all workers and be available on our website at www.murphycontracting.ca
- All aspects of the harassment prevention plan including the policies will be reviewed annually to ensure the plan is effective

4 – Training and Education

- Employees are encouraged to ask for any clarifications or instruction regarding the policy and its contents. These questions could include:
 - (1) How to recognize harassment
 - (2) Procedures, work practices, administrative arrangements and plans in place to control and eliminate harassment
 - (3) The appropriate responses of workers to incidents of harassment, including how to obtain assistance.
 - (4) Procedures for reporting incidents of harassment
- Supervisors and managers will be instructed how to safely supervise all workers and deal with harassment and complaints about harassment.