



WORKPLACE VIOLENCE & HARASSMENT POLICY

# HEALTH & SAFETY MANUAL

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## Health & Safety - Introduction

As an employer under the *Occupational Health and Safety Act* (the “Act”), Dive Ontario must “take every precaution under the circumstances for the protection of a worker”. This has been interpreted by the courts as placing a positive duty on an employer to put in place a proper system to prevent the occurrences of offenses under the Act and to take reasonable steps to ensure the effective operation of that system.

In response to this obligation, Dive Ontario has provided the following:

- Occupational Health and Safety Policy
- Workplace Violence and Harassment Policy
- Delegation of responsibilities for health and safety
- Centralized safety program, standard and service
- Monitor and audit safety activities
- Support the activities of the Health and Safety Representative (or Committee) and management

This manual documents the various health and safety programs and procedures established at Dive Ontario. Its purpose is to assist in the identification and control of workplace hazards, including violence and harassment, and thereby promote a safe and healthy environment for employees, visitors and contractors.

The programs and procedures documented here have been developed specifically for Dive Ontario in accordance with applicable legislation and good safety practice. Comments and questions regarding the manual should be directed to the VP Administration.

**EMPLOYER GUIDELINES FOR THE  
IMPLEMENTATION AND EDUCATION of BILL 168 REQUIREMENTS**

Information, instruction, education and/or training are important to preventing workplace violence and harassment.

The *Occupational Health and Safety Act* (as of June 15, 2010) requires that all workers, including managers and supervisors, receive information and instruction on the contents of the policy and program relating to workplace violence and harassment, including the complaint and investigation process. This training could be integrated into your orientation training, integrated with other sensitivity, anti-discrimination training, or be specific to workplace violence and harassment.

**Guidelines:**

1. Dive Ontario must post the Workplace Violence and Harassment Policy in a noticeable place within the workplace where it can be seen by all workers.
  - The Workplace Violence and Harassment Policy must be reviewed at least annually.
2. Dive Ontario must complete the Workplace Violence Risk Assessment and provide it to the Risk Assessment Committee or to the Health and Safety Representative, and if there is no Health and Safety Representative, Dive Ontario must advise workers of the Risk Assessment results, advise workers how to obtain copies and provide copies to any worker upon request.
  - The Workplace Violence Risk Assessment must be undertaken/revised as often as is necessary to identify and address risks of workplace violence (i.e., when a new risk becomes known or develops; there are material changes in the type of work undertaken or conditions of work; or a workplace incident identifies a risk which was not identified earlier). The updated Risk Assessment must be circulated in the same manner as the original Risk Assessment.
3. Dive Ontario must have a meeting/meetings with workers to review the main points of the Workplace Violence and Harassment Policy, including a review of:
  - a. The definitions of “Workplace Violence” and “Workplace Harassment” and the examples provided
  - b. The duty to report and the procedures for reporting and investigating workplace violence and harassment
  - c. The emergency response procedure
  - d. The right to refuse unsafe work where threat of **workplace violence** exists (does not apply to workplace harassment)
  - e. The no reprisals section of the Policy
4. Dive Ontario should ask workers whether they have any questions in respect of the risk implementation plan (the mechanisms/procedures/equipment Dive Ontario has identified in its Risk Assessment Guide to deal with risks of workplace violence as they arise).
5. Dive Ontario should tell workers which supervisors are the “first response” team in case of:
  - a. Workplace violence (VP Administration); and
  - b. Workplace harassment (VP Administration)

6. Dive Ontario should tell workers who they can go to with any questions about the Policy or related Bill 168 matters in the future.
7. Keep a record of the time and date of all training sessions regarding Bill 168 for Ministry of Labour audit purposes.
8. Keep a record of all reports of workplace violence or harassment; and document all response steps/investigations etc. in a manner, which can be accessible to the Ministry of Labour at any time **in case of audit** or in case of litigation or other proceedings arising out of a workplace violence or harassment incident.
9. If a serious workplace violence incident arises resulting in injury – Dive Ontario should notify insurers and legal counsel immediately.

## OCCUPATIONAL HEALTH AND SAFETY MANAGEMENT SYSTEM

Under the Act, the primary responsibility for health and safety of workers lies with the President. Managers and supervisors are accountable for carrying out their responsibilities in accordance with the Act, and the policies and programs established by Dive Ontario. Employees are required to work in a safe manner, and abide by the policies and programs established by Dive Ontario.

Dive Ontario believes that all individuals in the workplace have a responsibility for ensuring a safe working environment. The specific duties applicable to each level within Dive Ontario are detailed below.

### Management

- Assign responsibility for the development, implementation and maintenance of all elements of the health and safety program.
- Act as or appoint a Health and Safety Program Administrator for Dive Ontario.
- Provide the Health and Safety Representative (or Committee) with the tools and resources to function effectively.
- Ensure that accident and incident investigations are conducted and review the reports.
- Ensure that supervisors are trained and know their responsibilities for preventing or minimizing safety and security risks.
- Monitor the Health and Safety program for compliance with WSIB, if applicable, and internal requirements.
- Communicate health and safety action plans, concerns and decisions.
- Review health and safety related records and statistics at management meetings.
- Ensure that Health and Safety program reviews are conducted as required.
- All training will be identified, arranged and monitored for every position.

### Supervisors

- Implement and monitor the health and safety program in accordance with WSIB compliance, if applicable and Dive Ontario Health and Safety Policy.
- Instruct, train and monitor employees in safe work practices.
- Develop and implement safe work procedures.
- Communicate health and safety related information to employees and help implement corrective actions and recommendations.
- Recommend safety and health topics for committee meetings.
- Familiarize new employees with safety procedures.
- Review Health and Safety Program records and statistics regularly.
- Review and inform employees of the Health and Safety Program review results.
- Correct unsafe conditions or practices and ensure hazards are controlled until corrective action is taken.

### Joint Health and Safety Representative (or Committee if more than 20 employees)

- Ensure the development, implementation and maintenance of all elements of the Health and Safety Program.
- Monitor the Health and Safety Program for compliance with WSIB, if applicable, and internal requirements.
- Attend and participate in all required safety meetings.
- Review and provide senior management with meeting minutes and recommendations.
- Provide supervisors with the tools and resources to ensure the success of all elements of the safety program.
- Communicate safety action plans and recommendations to management.
- Ensure accidents and incidents are investigated and reported and review the reports.
- Ensure corrective action plans are implemented.

- Develop and monitor procedures for responding to and reporting personal security incidents follow WSIB guidelines, if applicable.
- Develop, implement and maintain hazard assessment and inspection programs.
- Conduct required regular workplace inspections, special inspections and accident investigations.
- Complete proper forms and forward copies of reports to the appropriate management.
- Review Health and Safety Program records regularly.
- Review and inform employees of the Health and Safety Program Review Results.
- Hold regular meetings at least once a month.
- Post meeting minutes.

*NOTE: In workplaces with fewer than 50 workers, the Act requires the Health and Safety Committee to have a minimum of two members. Where there are 50 or more workers, the Committee must have at least four members. At least half the members on a Committee must represent workers with the balance representing management. (See Ministry of Labour Guidelines [www.labour.gov.on.ca](http://www.labour.gov.on.ca) for detailed description and responsibilities)*

#### **Health and Safety Representative (if 6-19 employees)**

- Identifying workplace hazards.
- Inspecting the workplace at least once a month.
- Being consulted about workplace testing.
- Making recommendations to the employer.
- Investigating work refusals and serious accidents.

*NOTE: The health and safety representative is selected by workers at the workplace or, where the workplace is unionized, by the trade union. Generally speaking, a health and safety representative has the same responsibilities and powers as a joint committee member. (see Ministry of Labour Guidelines [www.labour.gov.on.ca](http://www.labour.gov.on.ca) for detailed description and responsibilities)*

#### **Workers**

- Work in a careful and safe manner.
- Follow safe work procedures and practices.
- Report any real or potential safety/health hazard to the supervisor.
- Actively participate in orientation and training programs, reporting to the supervisors any lack of knowledge needed to perform duties.
- Conduct informal daily inspections of their own work area.
- Participate, when required, in scheduled workplace inspections and accident investigations.
- Report all accidents, incidents or near misses to the supervisor.
- Observe WSIB regulations, if applicable.
- Report any real or potential risks to personal security or safety to the supervisor
- Cooperate with the Health and Safety Representative (or Committee) in any Safety Program Review process.

## HEALTH AND SAFETY POLICY

**Dive Ontario is vitally interested in the health and safety of its employees and workers. Protection of employees from injury or occupational disease is a major continuing objective. Dive Ontario will make every effort to provide a safe, healthy work environment. All supervisors and workers must be dedicated to the continuing objective of reducing risk of injury.**

### Definitions

1. These words will have the following meanings in this policy:
  - a. **“Employer”** means, a person who employs one or more workers. This includes someone who contracts for a worker’s services.
  - b. **“Supervisor”** means, a person who has charge of a workplace or authority over any worker.
  - c. **“Worker”** means, a person who is paid to perform or supply services.
  - d. **“Workplace”** means, any place where business or work-related activities are conducted. In includes but is not limited to, Dive Ontario Office, work-related social functions, work assignments outside Dive Ontario Office, work related travel, and work-related conferences or training sessions. The test is: Is the worker being directed and paid to be there, or to be near there?

### Responsibilities

2. Dive Ontario as an employer is ultimately responsible for worker health and safety. Dive Ontario will ensure that every reasonable precaution will be taken for the protection of the workers.
3. Supervisors will be held accountable for the health and safety of workers under their supervision. Supervisors are responsible to ensure that the work environment and equipment are safe and that workers work in compliance with established safe work practices and procedures established by Dive Ontario.

### Duties of Employers and Other Persons

4. There is a general duty:
  - a. On all officers and directors of corporations to ensure that Dive Ontario complies with the Act and regulations.
  - b. On workers to work safely, in accordance with the Act and regulations.

### The Rights of Workers

#### ***Right to Participate***

5. Workers have the right to be part of the process of identifying and resolving workplace health and safety concerns. This right is expressed through worker membership on a joint Health and Safety Committee (if more than 20 employees), or through a Health and Safety Representative (if 6-19 employees).

#### ***Right to Know***

6. Workers have the right to know about any potential hazards to which they may be exposed. This means the right to be trained and to have information on machinery, equipment, working conditions, processes and hazardous substances.

#### ***Right to Refuse Work***

7. Workers have the right to refuse work that they believe is dangerous to either their own health and safety or that of another worker.

#### ***Right to Stop Work***



8. In certain circumstances, members of a joint Health and Safety Committee or the Health and Safety Representative have the right to stop work that is dangerous to any worker. Please refer to the Act for particulars.

**Conspicuous Posting**

9. This policy, along with a copy of the *Occupational Health and Safety Act*, will be posted at a conspicuous place in the workplace as per Section 25(2)(i) and (j) of the *Occupational Health and Safety Act*.

**Annual Review**

10. Dive Ontario will conduct an annual review of this policy and supporting program, and add to or amend it as reasonably required from time to time based upon its experience and evolution of the law under the amendments to the *Occupational Health and Safety Act*.

DATED at Thunder Bay this                      day of                      , 2016

Signed by: DIVE ONTARIO

Per: \_\_\_\_\_  
Name: Peter Voros  
Title: President

Per: \_\_\_\_\_  
Name: Pat Grobe  
Title: VP Finance

## HEALTH AND SAFETY PROGRAM ELEMENTS

### **1. Management Meetings**

Dive Ontario must strive to take all reasonable care in the provision of a safe and healthy workplace. This requires management to be aware of all issues and activities that impact on that requirement. As a result:

#### **a) All management and supervisors are required to participate in regularly scheduled Health and Safety meetings.**

The purpose of these meetings is to ensure that:

- Two-way communication between management and workers is established
- Management receives and considers recommendations from the Health and Safety Representative (or Committee)
- Important aspects of the Health and Safety Program such as inspections, accident investigations, and Health and Safety activities are monitored and evaluated

#### **b) The requirements for these meetings include:**

- Meet at least monthly
- Having a prepared agenda
- Discussing and making decisions on recommendations from the Health and Safety Representative (or Committee)
- Assigning responsibilities for required action and communicating management decisions
- Documenting each meeting to meet due diligence
- Distributing minutes of meetings

### **2. Orientations, Training and Supervision of Workers**

Dive Ontario will provide proper direction and instruction to workers in the safe performance of their duties. Through training and supervision, employees are made aware of hazards and safe work procedures to follow in order to protect themselves.

To meet this requirement Dive Ontario must provide:

#### **a) Worker Job-Orientation**

Dive Ontario holds a general orientation session for new employees. The following general topics are covered during the orientation:

- i) Job description
- ii) Performance expectations
- iii) Hours and pay periods etc.

#### **b) On-the-job Training**

On-the-job training is to be provided by supervisors to new staff. This will include:

- i) Using written job procedures and job Health and Safety instructions to demonstrate the job
- ii) Explaining Health and Safety aspects of conducting the particular task
- iii) Explaining who to contact for help
- iv) The employee shall perform the job, under supervision, until the employee demonstrates the knowledge and skills necessary for the job
- v) Verify that the employee has learned the correct job procedure

#### **c) Worker Supervision**

- i) Dive Ontario Supervisors are to ensure that work is carried out as expected by maintaining positive supervision over the work activities in his/her area.
- ii) Workers are kept up-to-date of management decisions and action plans through periodic memos and updates
- iii) All employees are expected to work according to established safe work procedures. Supervisors will immediately rectify any unsafe actions in accordance with proper corrective procedures.
- iv) To effectively meet their responsibilities, supervisors must be trained in the following areas:
  - 1) Incident/Accident Reporting and Investigations and how to take corrective and preventative action
  - 2) Work site Health and Safety Inspections of their area

d) **Orientation and Training Records**

- i) Dive Ontario shall maintain records of orientation and training
- ii) Area supervisor is to sign each record upon completion of training and will regularly follow up on that training to ensure consistency and competency.

### 3. Safe Work Rules and Procedures

Dive Ontario requires the appropriate written instructions for all tasks required by workers. Written safe work rules and procedures should be developed to either eliminate or effectively control hazards.

To meet this requirement,

- Management and supervisors are to formulate site-specific Health and Safety rules and safe work procedures.
- Management will continually provide the necessary resources to ensure that Health and Safety rules and safe work procedures are effective.
- Management, supervisors, and the Health and Safety Representative (or Committee) are to review accident and injury statistics on a regular basis to ensure that established rules and procedures are providing Dive Ontario with the safest work practices.
- Health and Safety rules are to be posted in the work areas and specific work procedures are made accessible to all employees in the areas where they apply.

Supervisors are to ensure that:

- Health and Safety rules and safe work procedures are communicated initially to workers during orientation and on-the-job training
- Health and Safety rules and safe work procedures are reviewed regularly at Health and Safety meetings
- Workers are aware of the hazards associated with their work and that they understand how safe work procedures will prevent or minimize injury
- Rules and procedures are enforced by immediately correcting any observed unsafe act or condition

<b>All employees are expected to follow established rules and procedures.</b>
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### 4. Hazard Assessments and work site inspections

Dive Ontario will ensure that hazards to the health and safety of the workers are identified and brought to management's attention. It is management's responsibility to ensure that the identified hazards are

eliminated and, where this is not practicable, to ensure the hazards are controlled and that workers are protected from the hazards.

Work site hazard assessments and inspections are key activities in the prevention of accidents.

Their purposes are to:

- Identify existing and potential hazards
- Increase awareness leading to the prevention of workplace accidents and illnesses
- Ensure compliance with standards and regulations

To meet this requirement:

1. Dive Ontario is to conduct hazard assessments, which will be performed by the Provincial Head Coach.
  - Prior to all new projects, jobs or processes
  - Prior to the introduction of new equipment or hazardous materials.
2. Dive Ontario is to conduct regular workplace inspections, which are to be performed by the Health and Safety Representative (or Committee).
3. Dive Ontario will provide all necessary resources to ensure that hazard assessments and workplace inspections are effective. This includes:
  - Time for inspectors to complete their duties
  - Established communication channels between inspectors and management
  - Quick action on recommended corrections
4. All assessments and inspections are to be documented. It is the responsibility of management to implement the removal/control of risks and ensure the actions required is implemented, checked and completed.

## WORKPLACE VIOLENCE AND HARASSMENT POLICY

### Policy Statement

1. Dive Ontario is committed to the prevention of workplace violence and harassment, and is ultimately responsible for worker health and safety. Dive Ontario does not tolerate, condone or ignore any workplace violence or harassment and will take whatever steps reasonable to protect our workers from same.

### Definitions:

2. **“Workplace Violence”** means,
  - 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; or
  - c. A statement or behavior 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
3. **“Workplace Harassment”** means,
  - a. Engaging in a course of vexatious comment or conduct against a worker in a workplace – a comment or conduct that is known or ought reasonably to be known to be unwelcome.
  - b. Workplace harassment should not be confused with legitimate, reasonable management actions that are part of the normal work function, including:
    - Measures to correct performance deficiencies, such as placing someone on a performance improvement plan, or
    - Imposing discipline for workplace infractions
4. **“Workplace”** means,
  - a) Any place where business or work-related activities are conducted. In includes but is not limited to, Dive Ontario Offices, work-related social functions, work assignments outside Dive Ontario Offices, work related travel, and work-related conferences or training sessions.

### Purpose and Application:

5. Violent behavior and harassment in the workplace is unacceptable. This policy applies to all employees of Dive Ontario and any other person accessing Dive Ontario’ premises for services. Everyone is expected to protect his or her own health and safety by complying with the law and safe work practices and procedures established and required by Dive Ontario.
6. There is a workplace violence and harassment program that implements this policy. It includes measures and procedures to protect workers from workplace violence and harassment, a means of summoning immediate assistance, and a process for workers to report incidents or raise concerns. Everyone should refer to the supporting program for the specific procedures.
7. Dive Ontario will ensure that this policy and the supporting program are implemented and maintained and that all workers and supervisors have the appropriate information and instruction to protect them from violence and harassment in the workplace.
8. Supervisors will adhere to this policy and the supporting program. Supervisors are responsible for ensuring that measures and procedures are followed by workers and that workers have the information they need to protect themselves.
9. Examples of **Workplace Violence** include:
  - a. Verbal threats to attack a worker;
  - b. Sending to or leaving threatening notes or emails for a worker;
  - c. Making threatening physical gestures to a worker;
  - d. Wielding a weapon at work;

- e. Hitting, pinching or unwanted touching of a worker which is not accidental;
- f. Throwing an object at a worker;
- g. Blocking normal movement or physical interference of a worker, with or without the use of equipment;
- h. Sexual violence against a worker; or
- i. Any attempt to engage in the type of conduct outlined above

10. Examples of **Workplace Harassment** include:

- a. Bullying;
- b. Repeated offensive or intimidating phone calls or emails;
- c. Inappropriate sexual touching, advances, suggestions or requests;
- d. Displaying or circulating offensive pictures, photographs or materials in printed or electronic form
- e. Psychological abuse;
- f. Personal harassment;
- g. Discrimination (Note: Unlike the Ontario *Human Rights Code* (the “Code”), Workplace Harassment does not require any motivation or connection to a prohibited ground of discrimination, such as, for example, race, ancestry, colour, religion or disability)
- h. Intimidating words or conduct (offensive jokes or innuendos); or
- i. Words or actions which are known or should reasonably be known to be offensive, embarrassing, humiliating or demeaning

11. It is a violation of Dive Ontario’ policy to engage in conduct as set out above, regardless of whether the conduct rises to the level of the defined conduct under the *Occupational Health and Safety Amendment Act (Violence and Harassment in the Workplace) 2009.*

12. Any person found to have engaged in acts of violence or harassment against any other employee, worker, contractor, subcontractor, principal, customer, supplier, client or other third party during business hours, or at any DIVE ONTARIO event or client event, will be subject to appropriate disciplinary action, including: warnings, reprimands, suspensions, discharge and/or termination for cause.

13. Dive Ontario 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.

**Right to Refuse Work Where Threat of Workplace Violence Exists**

14. No worker should work in a situation in which he/she believes that Workplace Violence is likely to endanger himself or herself. A worker has the right to refuse work where a threat to physical safety exists as a result of a Workplace Violence situation, as described under this policy. This right does not extend to the right to refuse work in the case of Workplace Harassment in which there is no threat to physical safety.

**No Reprisals**

15. Dive Ontario will not in any way retaliate against an individual who makes a report of violation under this policy, nor tolerate any retaliation by any employee, worker, supervisor or executive member. Retaliation is a serious violation of this policy and must be reported immediately. Any person found to have retaliated against another individual for reporting offending conduct will be subject to serious disciplinary action, up to and including termination for cause.

**Conspicuous Posting**

16. This policy must be posted at a conspicuous place in the workplace as per Section 32.0.1 of the *Occupational Health and Safety Act.*

**Annual Review**

17. Dive Ontario shall conduct an annual review of this policy and supporting program, and add to or amend it as reasonably required from time to time based upon its experience and evolution of the law under the amendments to the *Occupational Health and Safety Amendment Act (Violence and Harassment in the Workplace) 2009*.

DATED at Thunder B ay this \_\_\_\_\_ day of \_\_\_\_\_, 2016

Signed by:

Per:

\_\_\_\_\_  
Name: Peter Voros  
Title: President

Per:

\_\_\_\_\_  
Name: Pat Grobe  
Title: VP Finance

## VIOLENCE AND HARASSMENT PROGRAM ELEMENTS

To provide all members of Dive Ontario' staff with a safe work environment, DIVE ONTARIO is committed to take appropriate action(s) whenever possible to eliminate or minimize the risk or threat of violence/harassment to all staff and visitors.

This process begins with an initial risk assessment of the workplace.

### **Risk Assessment**

Dive Ontario Health and Safety Representative (or Committee) must conduct a risk assessment in any workplace in which a risk of injury to workers from violence or harassment arising out of their employment may be present.

When conducting the risk assessments the Health and Safety Representative (or Committee) should consider:

- The nature of interactions between workers and the public
- The nature of the work environment
- The attributes of workers/clients
- Past history of incidents of violence in your workplace and in similar operations

This could include but is not limited to:

- A work site walk-about with affected staff
- Selected interviews with workers
- A review of crime or incident reports

Once the assessment has been conducted, reviewed and/or updated, Dive Ontario and its staff are required to follow the measures and procedures noted below which set out how to control the risk of violence/harassment, summon for immediate assistance, report and investigate incidents and the potential consequences of same.

### **A: MEASURES AND PROCEDURES TO CONTROL THE RISK OF VIOLENCE AND HARASSMENT:**

All within Dive Ontario have a responsibility for minimizing the risks of workplace violence and harassment, the particulars of which are set out in the following paragraphs:

#### **1. Board of Directors**

- (a) Create, promote and maintain a safe workplace that is free from violence;
- (b) Provide training and ensure that this policy and procedure is accessible, available to, and supported by all staff;
- (c) Review and monitor initial risk assessments and subsequent reviews.

#### **2. Health and Safety Representative (or Committee)**

- (a) Provide advice to employees concerned about a threat of or actual violent or harassment situation;
- (b) Promote, advance, support and ensure effective implementation of the policy;
- (c) Provide training on the policy and procedure to all workers;
- (d) Intervene immediately when threats or incidence of violence or harassment occur;
- (e) Prevent and terminate harassment, violence or threats of violence by:
  - i. Communicating and supporting Dive Ontario' objective to provide and maintain a workplace free of violence.
  - ii. Not ignoring or condoning behaviour that is contrary to this policy and procedure
  - iii. Taking all complaints seriously, conducting an initial assessment of the situation and reporting as required by this policy.



- iv. Not engaging in behaviour contrary to this policy.
- (f) Initiate the annual review of the workplace violence and harassment policy and recommend any changes to the Board as applicable.

### **3. Employees**

- (a) Not to engage in any behaviours that may be considered threats or acts of violence or harassment of any kind;
- (b) Report acts of harassment, threats or actual incidents of violence immediately;
- (c) Inform the Health and Safety Representative (or Committee) if they are at risk for domestic violence and assist the Committee in developing a safety plan.

## **B: MEASURES AND PROCEDURES FOR SUMMONING IMMEDIATE ASSISTANCE**

In the event of an **immediate threat** to your physical safety or that of someone else, seek a safe location and call 911 immediately. Once the call has been made, you must report to the Sport Development Officer at (647) 621-6810 immediately thereafter.

The investigation of the incident will follow as soon as is practical after the appropriate emergency measures are taken.

## **C. MEASURES AND PROCEDURES FOR REPORTING INCIDENTS OF WORKPLACE VIOLENCE AND HARASSMENT:**

### **1. Duty to Report**

If, in good faith, you believe that you, or any other employee or worker, has engaged in, or has been subject to violence or harassment under this policy, including possible domestic violence, or you witness any kind of violence or harassment under this policy, you are required to report all of the facts of the incident.

### **2. Incident Reporting Procedure**

The following guidelines shall be followed in the reporting and receiving of a report with respect to an incident:

- a) The report shall be made immediately after you become aware of the incident;
- b) Reports of workplace violence or harassment shall be made to the VP Administration. Should circumstances require, you may also report such conduct to any management team member with whom you are comfortable discussing the matter;
- c) The report should be in writing and must include the names of the individuals involved, and detail dates, times, places and witnesses, insofar as they are known to you. This report shall be referred to as a "Complaint";
- d) Any other person receiving a verbal report shall make a complete written account of the reporting of the "complaint", and have it reviewed and signed by the informant for accuracy.
- e) If applicable, an impartial investigation of the incident will be conducted;
- f) Frivolous or vexatious complaints will be dealt with seriously and subject to disciplinary actions. However, there will be no consequences for reports made in good faith.

## **D. MEASURES AND PROCEDURES TO INVESTIGATE AND DEAL WITH INCIDENTS OR COMPLAINTS:**

### **1. Process**

All reported threats or incidents will be considered serious and will be investigated promptly with appropriate action taken as follows:

- a) The investigation process shall involve interviews of the complainant, the respondent and any witnesses named by either;
- b) The investigator(s) shall maintain notes and records of all witness interviews. Witnesses will review the investigator's notes and make corrections immediately following the interview and prior to leaving the interview. The witnesses shall be required to sign the investigator(s) notes to indicate acceptance of notes as accurately reflecting their version of events;
- c) All DIVE ONTARIO employees are required to co-operate with the investigation process and are prohibited from discussing with each other the evidence conveyed or to be conveyed to the investigator during the investigation. Witnesses shall be interviewed individually and efforts made to ensure that witnesses do not discuss their evidence with each other in advance of being interviewed;
- d) During the investigation, the alleged victim shall remain, during normal working hours, in a safe place that is as near as possible to his or her ordinary place of work so as to remain available to the investigator and/or the Ministry of Labour inspector throughout the investigation. The informant, alleged victim, or others, may be relocated during an investigation or requested to work from home if necessary;
- e) All complaints shall be handled in a confidential manner to the further extent possible and in accordance with Dive Ontario' legal obligations. Where Dive Ontario believes there to be a imminent danger to an employee, it may divulge such confidential information as is reasonably necessary;
- f) The investigator(s) shall then compile a Report of the Investigation summarizing the allegations, steps taken in the investigation, evidence gathered and findings of the investigator. All reasonable efforts shall be made to ensure that this report is completed within 15 days following receipt of the Complaint.

## **2. Outcome/Consequences**

Following the Investigation Report, Dive Ontario shall make a determination about whether offending conduct occurred, and communicate this finding to the alleged offender and the alleged victim.

Employees found to have perpetrated or threatened an act of violence or harassment in the workplace may be subject to disciplinary action. The action will be commensurate with the severity of the offence and will be made known to the victim.

Action may include any or all of the following:

- a) Reprimand
- b) Education/Training
- c) Apology Requirements
- d) Transfer
- e) Counseling
- f) Alternate Dispute Resolution
- g) Suspension with pay
- h) Suspension without pay
- i) Termination with cause

Similarly, deliberate false accusations are of an equally serious nature and will also result in disciplinary action up to and including termination of employment for cause.

The police will be notified in all instances of reported behaviour which constitutes criminal activity, or which following an investigation is believed to constitute criminal activity.

## **3. Complaints Against Third Parties**

In the case of a report of a potential threat of violence or harassment by a third party, such as in the case of domestic violence, the identity of the third party and identifying features will be communicated to all

employees, contractors, subcontractors and others who may need to be aware in order to attempt to protect the worker. While individual privacy will be respected to the extent possible, communication will be required as is necessary in order to address the threat.

## WORKPLACE INSPECTIONS

The Workplace Inspection Program is comprised of three types of inspections that are structured as follows:

### **1. Informal Workplace Inspections**

- This is accomplished by supervisors conducting regular walk-through of their areas of authority and by workers checking their work areas prior to commencing work.
- All employees are expected to maintain continual awareness of hazards in their work area.
- No formal inspection report is required; however, any detected hazards must be reported immediately to the supervisor or Health and Safety Representative (or Committee) by filling out a hazard identification form.

### **2. Monthly Inspections**

- Work areas will be inspected monthly (preferably on the same day each month) by the Health and Safety Representative (or Committee) and one worker.
- Health and Safety Representative (or Committee) will develop a site-specific inspection checklist
- The inspection checklist will be completed for each inspection and the Health and Safety Representative (or Committee) must regularly review and update his/her checklist as required.
- The completed reports shall be forwarded to the managers and supervisors on a monthly basis for review.
- The Health and Safety Representative (or Committee) will post a copy of the inspection for all workers to review
- The supervisor must ensure that corrective action is taken so that the hazard is eliminated or controlled.

### **3. Special Inspections**

- Special inspections take place immediately after a malfunction, accident or after a new work procedure or machinery is introduced
- The area supervisor and the Health and Safety Representative (or Committee) conduct this type of inspection
- An inspection report must be completed and distributed to the workers
- In addition, an accident investigation may be required for certain accidents
- The area supervisor must ensure that any existing unsafe condition is effectively controlled before commencing an inspection or investigation

## Accident/Incident Investigations

The purpose of incident/accident reporting and investigations is to prevent a recurrence of the hazardous condition causing the event.

### **Dive Ontario must investigate any accident which:**

- Resulted in injury requiring treatment by a medical practitioner
- Resulted in death or critical condition with a serious risk of death
- Involved a major structural failure or collapse
- Involved the major release of a toxic or hazardous substance
- Did not result in an injury but had the potential for causing serious injury (near miss)

### **Dive Ontario is also required to report to the Health and Safety Representative (or Committee) every:**

- Work-related injury. The report must be made with 24 hours of the occurrence
- Disabling occupational disease or allegations of an occupational disease. The report must be made within 24 hours of receiving the worker's report of the disease.
- Work-related death. The report must be made immediately

The management is responsible for reporting this information to the WSIB, if applicable.

To meet these requirements, Dive Ontario has developed and implemented a program for the reporting and investigation of accidents. The program's focus is on finding solutions and not on placing blame.

The success of the program depends on:

- Accidents being reported by workers (see accident/incident report forms)
- Investigations being conducted in accordance with established investigation procedures

Management will provide all tools and resources necessary for the program to be effective. These include:

- Accident investigation training for investigators
- Time made available to allow investigators to complete their duties
- Quick action on recommended changes to job procedures or physical conditions to prevent recurrence of similar situations

## FIRST AID AND EMERGENCY SERVICES

First aid and emergency services are an important part of the Health and Safety Program.

The purpose of this service is to:

- Ensure prompt and effective emergency response
- Promote speedy recovery and to minimize the effect of injuries or exposures
- Provide workers with assistance when required

### **DIVE ONTARIO Requirements**

1. Dive Ontario is to provide employees with a quick and effective response in the event of injuries or emergencies. Management is committed to meeting this requirement by providing first aid and emergency services.
2. Supervisors are required to communicate emergency numbers and procedures to workers during orientation training and to regularly bring up this information during staff meetings. The success of the First Aid and Emergency Services Programs depends on employees knowing what to do in minor and major emergency situations.
3. In addition, risks associated with Dive Ontario' work process and its control measures must also be communicated and understood. Annual emergency and evacuation drills are practiced to ensure awareness and effectiveness to emergency routes and procedures.
4. All training, meetings and drills are documented to meet due diligence and held by management.
5. Management will provide all tools and resources required for these programs to be effective.

These include:

- Appropriate emergency response plans and equipment
- Training of DIVE ONTARIO' emergency response plan
- Time made available to allow key players to complete their duties
- Established chain of command for emergency situations
- All escape routes are checked monthly
- Fire extinguishers being maintained and checked yearly by TPASC (Toronto Pan Am Sports Centre)
- Security alarms being tested monthly and maintained by TPASC (Toronto Pan Am Sports Centre)
- The sprinkler system being tested yearly by TPASC (Toronto Pan Am Sports Centre)

\*\*In any emergency situation, or in situations where serious illness or injury is suspected, calling 911 is always appropriate. Workers will not be reprimanded for calling 911.

### **Local First Aid Stations and Attendants**

- All first aid stations must have a basic, well stocked, first aid kit and a treatment record book
- All first aid treatments, however minor, must be administered by a qualified (and currently certified) Level One (or better) First Aid Attendant
- All treatments are recorded in the treatment record book
- The first aid attendants must submit a monthly summary of the treatment record sheets to the Health and Safety Representative (or Committee) and management

Supervisors must ensure that signs clearly indicating the location of, and how to call for, first aid are:

- Posted conspicuously throughout the workplace, and
- Communicated to the workers (through orientations, etc.)

**The identified first aid attendants and the location of the first aid stations for Dive Ontario are:**

NAMES	AREAS	LOCATION OF FIRST AID STATION
On-Duty Lifeguard	Lifeguard Station	Lifeguard Station

**Emergency Plans and Procedures**

Dive Ontario has established and implemented plans and procedures for situations that have been identified where emergencies could arise. These plans and procedures deal with workplace accidents/injuries, fire protection, emergency evacuation, and personal security.

Depending on the nature of the emergency, response will be provided by local Fire and Police Service.

The management coordinates the first aid attendants, Health and Safety Representative (or Committee) and supervisors to implement and regularly review these plans and procedures.

**EMERGENCY NUMBERS**

**FIRE                      POLICE**  
**AMBULANCE**  
**9-1-1**

**Hazardous Materials Response .....911**  
**Poison Control .....1-800-268-9017**  
**Ministry of Labour .....416-326-6267**  
**Min. of Environment .....416-325-4000**

On Site First Aid Attendant

On-Duty Lifeguard - Health and Safety Representative (or Committee)
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## HAZARD REPORTING PROCEDURES

### PURPOSE

To identify the steps to be take for reporting hazardous conditions that may arise in the workplace.

### RESPONSIBILITIES

1. All employees are responsible for reporting to the Health and Safety Representative (or Committee) any hazardous conditions that may exist in the workplace.
2. The Health and Safety Representative (or Committee) is responsible for responding to the employee's concerns and ensuring the hazardous condition is resolved.

### PROCEDURE

1. Employee who identifies a safety hazard/concern should report this to the Health and Safety Representative (or Committee) immediately along with completing the Hazardous Identification Form.
2. The Health and Safety Representative (or Committee) is expected to deal with the matter promptly, consult with supervisors as needed, and advise the employee of the plan of action to resolve the matter. Reasonable time would depend on the potential risk of the situation but should not exceed a week.
3. If the supervisor is unable to resolve the concern, he/she should bring it to the attention of the manager.
4. If the employee's concern is not satisfactorily resolved after a reasonable period of time, the employee is encouraged to again contact the Health and Safety Representative (or Committee).
5. The employee will be asked to document the concern, outlining the facts and the information requested.
6. All concerns are to be thoroughly investigated with factual information pertaining to the concern.
7. The Health and Safety Representative (or Committee) and the employee's supervisor are responsible for ensuring the employee is informed of the progress of the resolution of the concern.
8. If the concern remains unresolved, the Health and Safety Representative (or Committee) may contact the Ministry of Labour Inspector for assistance.

**NOTE: This procedure does not preclude the employee from exercising his/her right to refuse unsafe work, as defined under the Occupational Health & Safety Act.**

## **RETURN TO WORK**

The intent of the Return to Work (RTW) Program is to facilitate reintegration of employees to the workplace in a fair and consistent manner. A joint management/supervisor approach will be taken to ensure employees of DIVE ONTARIO have an equal opportunity to return to work after an illness or injury.

The objectives of the RTW Program are to:

- Maintain the employability of all DIVE ONTARIO employees who become temporarily or permanently disabled where the cause is job related.
- Minimize employees' financial hardship and emotional stress
- Provide meaningful productive employment within their capacity to employees who wish and are able to return to work
- Re-integrate employees to the workforce in a respectful manner, thereby minimizing the loss of expertise and resources and maintaining employee potential and self-worth

## **RECORDS, DOCUMENTATION AND STATISTICS**

To help verify and track the Health and Safety Program, the types of records that DIVE ONTARIO should maintain are:

- Worker orientation records
- Records of worker and supervisor training with the date, attendance, and general content of the program
- Records of meetings where Health and Safety issues were discussed
- Inspection reports and records of actions taken to solve problems
- Accident investigation reports
- Supervisors notes and logs of Health and Safety contacts with workers
- Records showing the use of progressive discipline to enforce Health and Safety rules
- Health and Safety meeting minutes, showing what steps have been taken to address health and safety issues
- Health and safety forms and checklists
- Medical certificates and first aid records
- Statistics on the frequency and severity of accidents

### **DIVE ONTARIO Reports**

- All accident claims must be reported to Dive Ontario, WSIB or your insurance provider on a standard accident report and investigation form, within 24 hours
- From this information, a monthly report that lists the number of accidents and classifies them by cause, injury and job description shall be prepared
- A brief narrative description of each accident should then be produced to compare with previous year's data

## POLICY AND PROGRAM REVIEW

A system for evaluating the operation of the Health and Safety program, including workplace violence and harassment must be initiated. The purpose of a program review is to determine and implement changes needed to improve worker health and safety protection. The program review assesses the effectiveness of each element.

**Dive Ontario is to conduct a review of its Health and Safety Program on an annual basis.**

The purposes of these reviews are to:

- Identify the strengths of Dive Ontario' health and safety program
- Identify areas of non-compliance (with the WSIB regulations)
- Identify where the program could be further improved so as to achieve higher levels of health, health and safety as well as compliance
- Assist DIVE ONTARIO in reducing accidents and claims costs

The management and Health and Safety Representative (or Committee) are responsible for conducting these reviews in accordance with established program review procedures. All of the elements stated in the Health and Safety Program Manual are reviewed. The process considers the potential for future injury or loss and is a useful indicator of current health and safety efforts.

A written report is created and available to all workers.

Management takes action on the evaluation report by:

- Developing an action plan
- Prioritizing recommendations
- Assigning accountability
- Conducting a follow up

All program review activities are documented to meet due diligence requirements