

Workplace violence: Fact sheet for locals

Violence and bullying prevention

Supporting members

- If you notice co-workers being bullied, reach out and support them.
- Educate members on policies and procedures to deal with harassment, discrimination, violence and bullying

Workplace violence prevention policy

The employer must develop and post a workplace violence prevention policy setting out the following obligations of the employer:

- To provide a safe, healthy and violence-free workplace
- To dedicate sufficient attention, resources and time to address factors that contribute to workplace violence including, but not limited to: bullying, teasing, and abusive and other aggressive behavior
- To communicate to its employees information about factors contributing to workplace violence
- To assist employees exposed to workplace violence

Most employers should also have a harassment policy.

Health and safety committees

It is important for locals to appoint members to their local health and safety committee who know the employer's responsibilities under the health and safety legislation concerning violence prevention.

Grievances, complaints and claims

All workplace violence must be dealt with under the health and safety procedures outlined in labour legislation. However, affected employees may sometimes need to file a grievance since individual remedies are limited under the health and safety process. Your local can provide advice and guidance as well as representation.

(a) Corrective measures grievance

Employees who have lost pay, leave and/or benefits because of violence in the workplace should file a grievance as soon as possible. The grievance statement will relate to the leave provisions in the collective agreement. For example, corrective measures could include - but are not limited to - reinstatement of pay, sick leave, vacation leave or compensatory leave, etc.

(b) "No-discrimination" grievance

Harassment and violence based on a prohibited grounds in human rights legislations constitute discrimination. This means that these types of harassment and violence violate the no-discrimination article and/or harassment article in the collective agreement and the federal, provincial or territorial

human rights acts. As with all violations of the no-discrimination article, members should file a grievance within the prescribed timelines.

Prohibited grounds under the *Canadian Human Rights Act* are:

- race
- national or ethnic origin
- colour
- religion
- age
- sex
- sexual orientation
- marital status
- family status
- disability
- conviction for an offence for which a pardon has been granted or in respect of which a record suspension has been ordered

Gender identity has been included in some of the grounds listed since it is not a stand-alone ground.

(c) Member against member

It may happen that the person accused of violence or bullying is a union member. The component or PSAC regional office can assist with representation in these situations.

(d) Human rights complaint

Members may also file a complaint with the human rights commission or tribunal that covers their workplace in cases of harassment and violence based on a prohibited ground under human rights legislation.

(e) Worker's compensation claim

Members who are victims of a violent incident related to their work should file a worker's compensation claim, even if they did not take leave from work. This will protect them if they develop any physical or psychological problems later. Local stewards can help with the wording and procedure, as well as the appeal if the claim is denied. Your PSAC regional office can provide assistance.