



**SAFE  
WORK**

**S** SPOT THE HAZARD  
**A** ASSESS THE RISK  
**F** FIND A SAFER WAY  
**E** EVERYDAY

**EVERYONE'S  
RESPONSIBILITY**



# Guideline for Preventing Harassment and Violence in the Workplace

November 2010

Manitoba 

# **Guideline**

## **for Preventing Harassment and Violence in the Workplace**

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**Manitoba** 

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## INTRODUCTION

### Workplace Safety and Health Regulation Requirements

#### Harassment Prevention

Part 10 of Manitoba Workplace Safety and Health Regulation, M.R. 217/2006, requires employers to develop and implement a written harassment prevention policy in consultation with the workplace safety and health committee or representative. If there is no committee or representative, the employees at the workplace should be consulted.

#### Violence Prevention

Part 11 of Manitoba Workplace Safety and Health Regulation, M.R. 217/2006, requires employers to identify and assess the risk of violence in the workplace in consultation with the workplace safety and health committee or representative. If there is no committee or representative, the employees at the workplace should be consulted.

When a risk of violence in the workplace is identified, an employer must:

- (a) develop and implement a violence prevention policy in consultation with the workplace safety and health committee, representative, or employees
- (b) train employees in the violence prevention policy
- (c) ensure that employees comply with the policy

This guideline provides practical help in developing and implementing both policies in your workplace.

## DEVELOPING A HARASSMENT PREVENTION POLICY

### Introduction

For the purpose of this guideline, and in relation to a worker's safety and health in the workplace:

Two main types of harassment are covered under the regulation.

1. The first type is defined as inappropriate conduct by a person that is made on the basis of:
  - race, creed, religion, colour
  - sex, sexual orientation, gender-determined characteristics
  - marital status, family status, source of income
  - political belief, political association, political activity
  - disability, physical size or weight
  - age, nationality, ancestry or place of origin
2. The second type relates to what is sometimes referred to as bullying. This may involve:
  - severe, repeated conduct that adversely affects a worker's psychological or physical well-being if it could reasonably cause a worker to be humiliated or intimidated
  - a single occurrence, if it is shown to have a lasting, harmful effect on a worker

Harassment may be written, verbal, physical, a gesture or display, or any combination of these. It may happen only once, but often happens repeatedly.

### Reasonable conduct is not harassment

Reasonable, actions by managers or supervisors to help manage, guide or direct workers or the workplace are **not** harassment. Appropriate employee performance reviews, counselling or discipline by a supervisor or manager are **not** harassment. Harassment can take place in the workplace or outside of it in a situation connected to work.

A harassment prevention policy outlines procedures for alleged victims of harassment in the workplace, and for employers to deal with a harassment complaint.

Employers must develop and implement a written harassment prevention policy in consultation with the workplace safety and health committee or representative. If there is no committee or representative, the employees should be consulted. Employers must also ensure employees comply with the harassment prevention policy.

**Your harassment prevention policy must include the following statements:**

- Every employee is entitled to work free of harassment.
- The employer must ensure, as much as is practical, that no employees are subjected to harassment in the workplace.
- The employer will take corrective action regarding any employee who harasses another employee.
- The employer will not disclose the name of a complainant or an alleged harasser or the circumstances of the complaint to anyone, except where disclosure is:
  - necessary to investigate the complaint or take corrective action or
  - required by law
- Employees have the right to file a complaint with the Manitoba Human Rights Commission. A complaint must be made within six months of the date of the last incident of harassment. To file a complaint or obtain information from the Manitoba Human Rights Commission, call 204-945-3007 or 1-888-884-8681.
- The employer's harassment prevention policy is not intended to discourage or prevent complainants from exercising any other legal rights under any other law.

**The harassment prevention policy must provide information on the following:**

- how to make a harassment complaint
- how a harassment complaint will be investigated
- how the complainant and alleged harasser will be informed of the results of the investigation

*Employers must post a copy of the policy in a prominent location at the workplace.*

(Note: not all workplaces are enclosed buildings.)

## **DEVELOPING A HARASSMENT PREVENTION POLICY**

### **Policy Statement**

Make a clear statement that harassment is not tolerated in the workplace and that management is committed to and supports a harassment-free workplace.

### **The Law**

This section should include a brief overview of the law on harassment.

### **Description of Harassment**

Explain what is meant by harassment, including examples of behaviors or actions that may be considered harassment at the workplace.

### **Workers' Rights and Responsibilities**

- the right to a harassment-free workplace
- the responsibility to treat other employees with respect
- the responsibility to speak up when harassment occurs
- the responsibility to report harassment to the appropriate person as soon as possible
- the right to file a complaint with the Manitoba Human Rights Commission

### **Supervisors', Managers', Employers' Responsibilities**

- treat all employees, clients, suppliers and contractors with respect
- report or investigate all complaints
- set a good example
- refuse to tolerate harassment – put a stop to it immediately
- deal with harassment allegations seriously, speedily and confidentially

### **Procedures to Deal with a Complaint**

Describe the steps for responding to a harassment complaint; the roles and responsibilities of the people involved; and the possible results for the victim and harasser, including:

- practical guidelines for employees and management
- informal and formal ways of proceeding (encourage employees to choose the informal approach first)
- mediation as an option
- detailed steps to be taken in complaints
- time frames
- who is responsible for decisions

- appeals
- information about other agencies that deal with harassment

### **Corrective Action, Safeguards and Remedies**

- outline the range of penalties for the harasser
- state whether information about the complaint will be included in a harasser's personnel file
- list possible remedies
- information about the complaint will not be put in the complainant's personnel file, when complaint is in good faith
- protect against victimization or retaliation for workers who complain of harassment, or who give evidence in an investigation
- state how employer will inform the complainant and alleged harasser of the results of the investigation

### **Education**

Employers must circulate the policy to **all** employees and managers through:

- orientation or information sessions
- staff meetings
- memos, e-mails, or pay slip notices
- films/videos, posters/brochures

### **Education of Staff on Policy Requirements**

Employers must:

- train managers to react appropriately, handle cases appropriately, and maintain an anti-harassment atmosphere
- train employees to respect each other
- train harassment counselors and investigators to do their roles
- make ongoing harassment training part of other training sessions, such as: management training, induction programs for new employees, courses for union-management committees, social skills training for employees, assertiveness training for employees

### **Monitoring**

Employers must make a commitment to periodic review of the policy through:

- being open to employees' comments
- requesting feedback from counsellors, managers and employees
- exit interviews with personnel leaving the organization
- adjusting policy and procedures as needed/required

The sections on developing a harassment prevention policy, and the sample harassment prevention policy were adapted from: Anti-Harassment Policies for the Workplace: An Employer's Guide – Canadian Human Rights Commission in co-operation with Human Resources Development Canada and Status of Women Canada, October 2002.

**Note:**

In developing a harassment prevention program, employers must also be aware of the requirements of The Human Rights Code. An effective policy will include remedies for the harassed worker and corrective action for the harasser.

## SAMPLE - HARASSMENT PREVENTION POLICY

The following example of a harassment prevention policy provides practical guidance on developing a policy for your workplace.

**Harassment Prevention Policy for:** \_\_\_\_\_

### Company Commitment

At \_\_\_\_\_, we are committed to providing a safe and respectful work environment for all staff and customers. No one may be harassed and no one has the right to harass anyone else, at work or in any situation related to employment with this organization.

This policy is a step toward ensuring that our workplace is a respectful and safe place for all of us, free from harassment.

### What is Harassment?

There are two main types of harassment. One type includes inappropriate conduct in any form about a person's:

- age, race
- creed, religion
- sex, sexual orientation
- marital status, family status, economic status
- political belief, association or activity
- disability, size, weight, physical appearance
- nationality, ancestry or place of origin

A second main type relates to what is sometimes referred to as "bullying" behaviour that may involve:

- repeated humiliation or intimidation that adversely affects a worker's psychological or physical well-being
- a single instance so serious that it has a lasting, harmful effect on a worker

Harassment may be written, verbal, physical, a gesture or display, or any combination of these. It may happen only once, but often happens repeatedly.

### What is not Harassment?

Reasonable, actions by managers or supervisors to help manage, guide or direct workers or the workplace are not harassment. Appropriate employee performance reviews, counselling or discipline by a supervisor or manager is not harassment.

## Employee Rights and Responsibilities

Employees are entitled to work free of harassment at \_\_\_\_\_.

Employees have the responsibility to treat each other with respect. We ask that any employee who experiences harassment or sees another person harassed reports it to the appropriate person at \_\_\_\_\_.

Employees are responsible to co-operate in the investigation of a harassment complaint. Anyone who investigates or gives evidence in a complaint investigation is asked to keep details confidential until the investigation is complete.

All employees have the right to file a complaint with the Manitoba Human Rights Commission.

## Employer Responsibilities

Management at \_\_\_\_\_ must ensure, as much as possible, that no employee is harassed in the workplace.

Management will take corrective action with anyone under their direction who harasses another person.

Management will not disclose the name of a complainant or an alleged harasser or the circumstances of the complaint to anyone except where disclosure is:

- necessary to investigate the complaint
- a part of taking corrective action
- required by law

The harassment prevention policy at \_\_\_\_\_ does not discourage or prevent anyone from exercising their legal rights.

\_\_\_\_\_, its managers and supervisors are responsible for keeping a safe work environment, free of harassment. If you are a manager and you become aware of harassment you must do everything in your power to stop it, whether or not a complaint is made.

Courts presume that employers and managers are responsible for being aware of harassment in their organization and may penalize them accordingly. Managers who ignore harassment leave themselves and their employer open to legal consequences, and will be disciplined at \_\_\_\_\_.

## Procedures Applying to Complaints of Harassment

If you are harassed, the first thing to do is tell the person harassing you to stop, if you feel comfortable doing that. You can do this in person or in writing. If you feel unable to deal with him or her directly, you can speak to your supervisor or \_\_\_\_\_ (identify a specific manager or designated member of a harassment committee).

There may be informal ways to handle your complaint. Your supervisor may speak to the harasser. Your supervisor may also arrange for mediation, in which a neutral third party helps the people involved reach an acceptable solution. If the informal route does not succeed or is not appropriate, \_\_\_\_\_ supports its employees in filing a formal complaint.

The complaint will be investigated thoroughly and promptly by an independent party (either within the organization or outside of it) trained to investigate such matters. When the investigation is complete, the investigator will provide a written report for management.

\_\_\_\_\_ (*identify appropriate company manager*) will inform the person who filed the complaint and the harasser of any remedies or disciplinary action.

### **Corrective Action for Harassers**

Employees who harass another person will be subject to corrective action by the employer. In most cases, the harasser will also be required to attend workplace behaviour training.

If the investigation does not find evidence to support the complaint, no record will be kept in the file of the alleged harasser. When the investigation finds harassment occurred, the incident and the corrective action will be recorded in the harasser's personnel file.

### **Confidentiality**

The company and its managers will not identify a complainant, an alleged harasser or any circumstances about a complaint, to anyone, except:

- when it is necessary in investigating the complaint
- if it is part of disciplinary action
- where required by law

### **Retaliation**

Anyone who retaliates in any way against a person who has complained of harassment, given evidence in a harassment investigation or been found guilty of harassment, will be considered to have committed harassment and will be subject to corrective actions described previously.

### **Education**

\_\_\_\_\_ commits to making sure all of its employees and managers learn about harassment and the company's harassment policy.

### **Monitoring**

\_\_\_\_\_ will monitor this policy and make adjustments whenever necessary. If you have any concerns with this policy, please bring them to

the attention of \_\_\_\_\_ (*identify appropriate manager*).

**Note:**

In keeping with the requirements of *The Human Rights Code*, it is practical for employers to include remedies for harassed workers in the workplace policy. The policy could include the following remedies:

**Remedies for the Harassed Worker**

Employees who have been harassed may be entitled to one or more of the following remedies, depending on the severity of the harassment and its effects:

- an oral or written apology from the harasser and \_\_\_\_\_ (*company name*)
- compensation for any lost wages
- a job or promotion that was denied because of the harassment
- compensation for any lost employment benefits, such as sick leave
- compensation for hurt feelings
- a commitment they will not be transferred, or have a transfer reversed, unless they choose to move

No record of the complaint, investigation or decision will go in the employee's personnel file if the complaint was made in good faith. Any unfavourable work review or comments that were placed in the complainant's personnel file because of the harassment will be removed from the file.

## DEVELOPING A VIOLENCE PREVENTION POLICY

### Introduction

“Violence” is the attempted or actual exercise of physical force against anyone, or any threatening statement or behaviour that gives a person reason to believe that physical force will be used against them.

Identifying and assessing the risk of violence in the workplace is the first step in developing a violence prevention policy. Development and implementation of this policy must be done in conjunction with the workplace safety and health committee, representative, or employees.

As part of the implementation, all employees must be trained in the violence prevention policy. Employers must also ensure all employees comply with the violence prevention policy.

### Your violence prevention policy must include the following statements:

- employers must ensure, as much as reasonably practical, that no employee is subjected to violence in the workplace
- employers must take corrective action on anyone under the employer’s direction who subjects an employee to violence
- employers must not disclose the name of a complainant or the circumstances of the complaint to anyone except where disclosure is:
  - necessary to investigate the complaint
  - required to take corrective action
  - required by law
  - The violence prevention policy is not intended to discourage or prevent the complainant from exercising any other legal rights under any other law.

### The violence prevention policy must provide information on the following procedures:

- how to eliminate the risk of violence to an employee
- where elimination of the risk of violence is not possible, how to minimize the risk
- how to report an incident of violence
- how an incident of violence will be investigated

A copy of this policy must be posted in a prominent location at the workplace.

Employers must tell employees about any known risk of violence in the workplace, whether the risk is from a co-worker or from someone they may meet while working. This duty to inform employees must be included in the violence prevention policy.

## IDENTIFYING AND ASSESSING THE RISK OF VIOLENCE IN THE WORKPLACE

### Risk Assessment

A risk assessment on violence will be unique to each workplace. This is due to the nature and circumstances of the work performed and interactions between employees and others in the workplace such as the public or healthcare patients. The risk assessment should include a review of the frequency and nature of previous incidents of violence in the workplace.

### Issues to consider when evaluating the risk of violence in the workplace:

#### The people in the workplace

- age and gender
- personalities and attitudes
- nature of the interactions between the people
- the physical and mental status of the patient

#### The workplace

- work locations
- type of work performed
- number of staff
- whether employees work alone
- workplace design and layout
- lighting and security
- hours of operation

#### History of violence at this workplace

- number and frequency of violent incidents
- type and severity of incidents
- nature of the incidents (between employees or employees and others in the workplace)
- type of jobs performed by those involved
- cause or trigger for previous violent incidents

**The following will help you gather information when assessing the risk of violence in the workplace**

- a) conduct a survey of all employees. Ask them to identify the following:
  - the type, severity, frequency of exposure they have to violence in the workplace
  - a description of past incidents of violence in the workplace
  - their concerns about violence in the workplace
- b) Review old files to identify any incidents of violence in the workplace. At a minimum, this should include a review of all medical and first aid records, all incidents of disciplinary actions as a result of violence, and safety and health committee meeting minutes.
- c) Other sources of information may be available from industry associations, businesses who perform similar work, and local police or law enforcement agencies.

Once a risk assessment has been done and the risk has been identified, a violence prevention policy must be developed and implemented in conjunction with the workplace safety and health committee, representatives, or employees.

## **SAMPLE VIOLENCE PREVENTION POLICY**

The following example of a violence prevention policy will provide practical guidance on developing a policy in your workplace. This example is written for distribution within a fictitious organization, XYZ Company.

### **Company Commitment**

At XYZ Company, we are committed to providing a safe work environment for all staff. Management recognizes the potential for violence or threats against staff. Actions have been taken to identify possible sources of violence and to implement a violence prevention program to eliminate or minimize risk.

### **Violence is Against the Law**

Canada's *Criminal Code* prohibits violence. You have a right to live and work without being subjected to violence. This policy outlines what to do if you are subjected to threats or violence at work, or if you, as a manager or an employee, become aware of a violent situation.

### **What Constitutes Violence**

As defined in Part 11 of The Workplace Safety and Health Regulation, M.R. 217/2006:

“Violence” is the attempted or actual exercise of physical force against a person and any threatening statement or behavior that gives anyone reason to believe that physical force will be used against them.

### **Employees Rights and Responsibilities**

Employees are entitled to work free from violence.

Employees are responsible for working together in a professional manner and resolving issues in a non-violent manner. Employees are to bring issues to their supervisor, if they can not be mutually resolved.

Employees must report incidents of violence to their supervisor. They must also cooperate in the investigation of a violent incident. Anyone who gives evidence or information in an investigation or is involved in the process, must keep this information confidential, except when it is necessary to deal effectively with the issue.

### **Employers' Responsibilities**

The management at XYZ Company must ensure, as much as reasonably practical, that no employees are subjected to violence in the workplace.

Management will take corrective action with anyone under their direction who subjects an employee to violence.

Management will not disclose the name of a complainant or the circumstances of the complaint to anyone except where disclosure is:

- necessary to investigate the complaint
- required to take corrective action
- required by law

Management will ensure all employees are aware of the risks of violence in the workplace and are properly trained and equipped to protect themselves.

The XYZ Company's violence prevention policy is not intended to discourage or prevent anyone from exercising any other legal rights under any other law.

XYZ Company, its managers and supervisors are responsible for creating a safe working environment, free from violence. Anyone aware of violence in our workplace must bring it to the attention of management so that the issue can be addressed immediately.

### **Steps to eliminate or minimize the risk of violence**

Safe work procedures have been developed to inform and train employees about the risks of violence. These risks were identified in a risk assessment conducted in conjunction with the workplace safety and health committee. The safe work procedures have been reviewed with all employees. Documented safe-work procedures on violence prevention include:

- working alone
- how to deal with irate customers
- robbery prevention
- handling money
- parking lot safety

As a result of the risks identified in the assessment, the following physical changes have been made in the workplace:

- increased lighting
- decreased sources of occupational stress, such as noise and overcrowding
- the addition of protective barriers in areas where staff interact with customers
- increased site security inside and outside the building (including parking lot)

### **Office Employees**

- a) Employees should take all reasonable steps to protect their personal safety and remove themselves from a violent situation.

- b) Help should be summoned by using pre-arranged distress signal or any other appropriate means.
- c) The supervisor or next available management employee must be notified immediately.
- d) If a physical assault occurs, the supervisor/manager **must** contact the police.

### **Field Employees**

- a) A plan for working alone must be reviewed with all employees who work alone. Employees must adhere to this plan. Supervisors must ensure the plan is adhered to.
- b) Radio or cell phone communication must be set up with all employees who work alone. In addition, panic alarms must be provided to all staff.

### **How to Report Incidents of Violence**

1. Report all incidents or threats, and attempted or actual violence, to your immediate supervisor.
2. The employee and the supervisor will assess the risk associated with the situation and complete the violence incident report form. The form must be completed for all incidents, whether they are actual violence or a threatening situation where there is a reasonable expectation that it may become violent.
3. The supervisor will report all incidents of violence (including situations where there is a reasonable expectation that the threat may become violent), to the director as soon as possible. The director will immediately notify human resources.
4. The violent incident report must be submitted by human resources to the chief operating officer within 24 hours of receiving the report.
5. If any injury or mental trauma occurs, the worker and supervisor must complete an injury report form and submit it to human resources.

### **Notification of Workers at Risk**

When an actual incident of violence has occurred or when it is reasonably expected to become violent, XYZ Company will take the following steps to ensure the safety of all employees:

1. Human resources will advise the employees who are at risk. They will also coordinate a review of current procedures to minimize risk.
2. All available information about the source of violence will be provided to the employees who are at risk and their supervisors.
3. Depending on the circumstances, appropriate steps will be taken to protect employees.

### **Recommendation to Get Medical Help**

- Employees who have been the victim of violence will be:
  - encouraged to get medical help
  - given the opportunity to be examined by a physician
  - provided with transportation if required
- Employees and their families can get crisis counselling through the employee and family assistance plan.
- The employee will keep all existing benefits programs while under treatment or counselling.
- If a employee gets medical help or misses work, both the employer and worker must file a report of injury with the Workers Compensation Board.
- The supervisor, director, and human resources will review the incident and its effects and take reasonable steps to accommodate employees involved in the incident.

### **Investigating Violent Incidents**

1. The violent incident report must be completed for all violent incidents, including situations where there is a reasonable expectation that the incident or threat may become violent in the future.
2. The director, supervisor and human resources will review all incidents that are reasonably expected to become violent. The current procedures will be reviewed and additional steps may be taken to prevent future violence.
3. The director, supervisor and human resources will investigate all reported incidents of actual violence. The existing procedures will be reviewed and revised as necessary to prevent a repeat.
4. All violent incident reports will be sent to the safety and health committee for review. All revisions and recommendations to the violence prevention policy from the director and human resources will be forwarded to the safety and health committee for consultation and review.

## COMPLAINT RESOLUTION GUIDE

### General Guidelines

Employers will:

- treat all claims seriously
- investigate immediately
- keep the investigation as confidential as possible and only advise those who truly need to know of the details and ensure everyone involved does the same
- remain a professional manner at all time
- reserve judgment until all the facts are in
- document everything

### How to Start the Investigation

- It is important to try to obtain, if possible, the complainant's allegations in writing. This ensures that you are clear on what she/he is saying happened. Review the complaint, (if written) carefully; or, listen carefully to what the complainant is saying. The initial reporting is not the time to interview the complainant. Just get the details of the complaint.
- Determine who should do the investigation.
- Prepare a list of people to interview and revise it as needed.
- Take steps to minimize potential contact between the complainant and the person alleged to have committed the harassment or violence until the issue is investigated and resolved.
- Prepare a general outline of what to ask each individual who will be interviewed.

### Conducting the Interview of the Complainant

- Acknowledge that bringing a harassment claim forward is difficult.
- Inform the complainant of the steps the company will be taking in the investigation and confirm that the company takes the complaint seriously.
- Explain that the company will not permit any retaliation against the complainant and that if that occurs, she/he should let the company know right away.
- Explain that those with a legitimate need to know will be given interview information but details will be kept as confidential as possible.
- Get the complainant to tell his/her story and ask for specific details.

Some of the questions you will likely want to ask include:

1. When did the incident or conduct occur? Where did it occur?
2. What was said/done?
3. Were there previous incidents or similar behavior toward this complainant or another employee?

4. What did the complainant say or do to indicate to the person alleged to have committed harassment or violence that the conduct was unwelcome?
  5. Did the complainant tell any other workers about what happened? If not, why not?
  6. Did the complainant make any notes about what happened?
  7. Were there any witnesses and if so, who?
- Ask the complainant what action she/he believes is reasonable to resolve the matter.
  - Explore any time lapse that might exist between the alleged act of harassment and the filing of a complaint (or the bringing of the complaint to the attention of the employer).
  - Do not make any critical or judgmental comments.

### **Interviewing the Person Alleged to Have Committed Harassment or Violence**

- Explain the allegations in detail.
- Inform the person against whom the allegations were made of the steps the company will be taking in the investigation and confirm that the company takes the complaint seriously.
- Explain that the company will not permit any retaliation against the complainant and that if there are attempts to do so, there will be disciplinary actions.
- Explain that those with a legitimate need to know will be given interview information but the details will be kept as confidential as possible.
- Ask the person alleged of harassment or violence to reply to the allegations, preferably in writing.
- Determine the nature of the relationship between the complainant and the person against whom the allegations are made (ex: dating, sexual, social, working).
- Determine whether the complainant started or took part in any sexual or other inappropriate discussions, jokes, gestures, etc.
- Determine whether the complainant ever complained about any of the alleged actions and how the person alleged of harassment responded.
- Ask the person alleged of harassment or violence why he/she thinks the victim has made the complaint. (Any motives to fabricate the story?)
- Ask for names of all witnesses the person alleged to have committed harassment or violence thinks should be interviewed as part of the investigation.

### **Conducting Witness Interviews (applies generally to complainant / alleged harasser interviews as well)**

- Interview all witnesses identified by the complainant and alleged harasser to ensure the appearance of an unbiased investigation.
- Explain:
  - why the interview is taking place
  - how the information may be used (ex: may be given to those involved with the complaint)

- importance of complete and accurate facts
- importance of the names of all possible witnesses
- the company's position on confidentiality and the need for the witnesses to maintain confidentiality
- the company's position on retaliation
- Take detailed notes, including:
  - name of witness
  - date and time of interview
  - who was present
  - questions asked
  - what witness said
- Ask the witnesses to explain what they might have seen or heard. Get the details:
  - what, when and where did it happen?
  - who was present?
  - who did and said what to whom?
  - was the incident an isolated event or part of a pattern?
- Keep a separate record of any observations you might have of the interview (ex: was the witness evasive?)
- At the end of the interview, review with the witness the points contained in your notes to confirm accuracy and determine whether the witness has anything to add. After the interview, reduce your notes into a written statement, ask the witness to read, sign and date.

### **Concluding the Investigation**

- The investigator should prepare a detailed report of the investigation and determine whether the complainant's allegations were proven
- If the report finds that harassment or violence has taken place, the employer should determine reasonable steps to be taken to end the harassment or violence and prevent a repeat.
- The employer must meet separately with the complainant and the person who has been alleged of harassment or violence to explain the investigation process, conclusions and any disciplinary action taken or other steps put in place to stop and avoid a repeat of the offensive conduct. If the results of the investigation are inconclusive, the employer should explain that the investigation was unable to determine the events that occurred and that the company will monitor the situation to ensure no further offensive conduct occurs.

## FAMILY VIOLENCE AND THE WORKPLACE

Family violence means violence inflicted by one family member against another. It can be violence between spouses or intimate partners, between parents and their children, between siblings or between extended family members. The type that most often appears in workplaces is abuse in intimate partner relationships.

When family violence enters the workplace it can affect the safety and well being of all employees. A supportive work environment can help an employee deal with family violence and reduce the possibility of harm to the employee, coworkers and others. Creating security and stability in the work environment is important, particularly for those dealing with family violence.

Promoting safety and well-being for all employees reduces workplace costs associated with family violence. The costs include reduced productivity, increased absenteeism, lost earnings, decreased morale, strained relations between co-workers and higher health expenses. There may also be liability issues should harm occur in the workplace. Ensuring that workers have access to help with problems such as family violence makes good business sense.

The *Workplace Initiative to Support Employees (WISE) on Family Violence* is a Manitoba initiative to deliver family violence training in all workplaces. *WISE on Family Violence* resources include:

- printed information and resources for employers
- electronic resources online at [www.manitoba.ca/fs/fvpp\\_toolkit](http://www.manitoba.ca/fs/fvpp_toolkit)
- workshops for workplaces

*WISE on Family Violence* training helps employers recognize and respond to employees affected by family violence. It covers topics such as:

- recognizing signs of abuse in the workplace
- why employers should care about family violence
- tips on talking to an employee about family violence
- family violence and the law
- how employers can approach problems safely and appropriately

It is important to note that family violence is complex and requires intervention by trained professionals, including counsellors, healthcare workers and legal counsel. *WISE on Family Violence* training stresses the importance of encouraging employees affected by family violence to use resources like those listed at [www.manitoba.ca/fs/fvpp/pubs/brochure.pdf](http://www.manitoba.ca/fs/fvpp/pubs/brochure.pdf).

For more information about family violence training in the workplace, contact The Family Violence Prevention Program, phone 204-945-1709 in Winnipeg; toll free in Manitoba 1-800-282-8069, ext.1709; or e-mail [fvpp@gov.mb.ca](mailto:fvpp@gov.mb.ca).

