

Paddington Green
Winnipeg Condominium Corporation #85

Safe Workplace and Harassment Policy

Winnipeg Condominium Corporation No. 85 recognizes the importance of respecting all of its resources and assets, human and material...our foremost concern is the safety and well-being of all.

In fulfilling this commitment, Winnipeg Condominium Corporation No. 85 will provide and maintain a safe and healthy work environment in compliance with legislative requirements and industry standards.

Note: This policy does not apply to disputes between condominium owners.

Safe Workplace

The Workplace Health and Safety Act (Manitoba) (the "Act") places general responsibilities on employers and their supervisors to take all precautions reasonable under the circumstances for their workers' protection. The Act also emphasizes joint participation and cooperation between employers and employees to promote and encourage higher standards of workplace safety and health.

Duties of Workplace Parties

All employers are ultimately responsible for their employee's health and safety. Supervisors are held accountable for the health and safety of workers under their supervision. Supervisors are also responsible for ensuring that environment, machinery and equipment are safe and that employees work in compliance with established safe work practices and procedures.

Enforcement and Discipline

It is everyone's responsibility to observe and promote safe work practices and a healthy workplace. All employees have the responsibility to see that everyone works safely, and that safe and healthy work conditions are maintained. Unacceptable safety and health performance will not be tolerated. Everyone is expected to observe safety rules, use protective equipment provided, report hazardous conditions and/or injuries immediately to their supervisors or health and safety committee members. Anyone not observing safety rules may be subject to discipline and be asked to leave the premises.

Right to Refuse Unsafe Work

The right to refuse unsafe work is protected in law for workers in Manitoba.

- a) If any employee has reason to believe that any equipment, machine or device is likely to endanger themselves or a co-worker, they are urged to report this concern to their supervisor immediately. Management should be informed of such situations and investigate the concern identified.

- b) If an employee still has reason to believe that they are in danger, they should be assigned to other reasonable work and the Ministry official be contacted to assist in a further investigation.

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- c) No reprisals will be taken against any employee who acts in compliance with or seeks enforcement under the provisions of the Act. If a dangerous circumstance is confirmed, Winnipeg Condominium Corporation No. 85 shall take immediate steps to rectify the situation. If the dangerous circumstance is rectified or if it is determined that an alleged dangerous circumstance does not exist, the employee may not continue to refuse to perform work associated with the circumstances.

Injury or Illness on the Job

If an employee has any accident, injury or sudden illness, no matter how minor it may appear, the employee must report it at once to his or her supervisor. If an employee fails to report an accident, the employee's benefits could be held up or denied. The employee is also responsible for requesting medical attention. If an employee is involved in a workplace accident, the employee must cooperate fully in any investigation.

Workplace Violence and Harassment

Workers are entitled to work free of harassment. Employers must ensure, so far as is reasonably practicable, that no worker is subjected to harassment in the workplace. Employers must take corrective action respecting any person under the employer's direction who subjects a worker to harassment. Employer's must not disclose the name of a complainant or an alleged harasser or the circumstances related to the complaint to any person except where disclosure is necessary to investigate the complaint or take corrective action with respect to the complaint, or required by law. Workers have the right to file a complaint with the Manitoba Human Rights Commission. This policy is not intended to discourage or prevent the complainant from exercising any other legal rights pursuant to any other law.

Winnipeg Condominium Corporation #85 is committed to worker health and safety and will not tolerate any form of workplace violence or harassment on the premises. The Board will take whatever steps are reasonable to protect all building employees and third-party contractors from workplace violence and harassment from all sources.

- If an incident of workplace violence or harassment involves a third-party contractor, the Property Manager shall report the incident to that person's employer and any other parties that the Property Manager believes are appropriate under the circumstances;
- If an incident of workplace violence or harassment involves a resident or a guest, the Property Manager shall document the nature of the complaint in a letter to the offending individual, shall notify the Board of Directors and any other parties that the Board believes are appropriate under the circumstances and shall implement such further action as the Board deems appropriate.

Note: Under the Act, a worker can refuse to refuse work if he or she believes on reasonable grounds that the work constitutes a danger to his or her safety or health or to the safety or health of another worker or another person.

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1. Workplace Violence Defined

The Act defines workplace violence as the attempted or actual exercise of physical force against a person. It also includes:

- an attempt to exercise physical force against a worker in a workplace, that could cause physical injury to the worker; and
- any threatening statement or behaviour that gives a person reasonable cause to believe that physical force will be used against the person.

This definition of workplace violence is broad enough to include acts that would constitute offences under Canada's Criminal Code.

Examples of workplace violence may include:

- verbally threatening to attack a worker;
- leaving threatening notes at or sending threatening e-mails to a workplace;
- shaking a fist in a worker's face;
- wielding a weapon at work;
- hitting or trying to hit a worker;
- throwing an object at a worker;
- sexual violence against a worker;
- kicking an object the worker is standing on such as a ladder; or
- trying to run down a worker using a vehicle or other equipment.

2. Workplace Harassment Defined

The Act defines workplace harassment as objectionable conduct that creates a risk to the health of a worker, or severe conduct that adversely affects a worker's psychological or physical well-being. Conduct is "objectionable" if it is based on 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. Conduct is "severe" if it could reasonably cause a worker to be humiliated or intimidated and is repeated, or in the case of a single occurrence, has a lasting, harmful effect on a worker.

Workplace harassment includes written or verbal comment, physical acts or gestures or a display, or any combination of them. Workplace harassment can involve unwelcome words or actions that are known or should be known to be offensive, embarrassing, humiliating or demeaning to a worker or group of workers. It can also include behaviour that intimidates isolates or even discriminates against the targeted individual(s).

Workplace harassment often involves repeated words or actions, or a pattern of behaviours, against a worker or group of workers in the workplace that are unwelcome. Workplace harassment may include:

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- making remarks, jokes or innuendos that demean, ridicule, intimidate, or offend;
- displaying or circulating offensive pictures or materials in print or electronic form;
- bullying;
- repeated offensive or intimidating phone calls or e-mails;
- inappropriate sexual touching, advances, suggestions or requests;
- wearing garments or accessories displaying offensive pictures or slogans; or
- actions likely to offend or humiliate any employee.

Reasonable conduct by an employer or supervisor in respect of the management and direction of workers in the workplace is not considered workplace harassment. This is the case even if there are sometimes unpleasant consequences for a worker. Examples could include changes in work assignments, scheduling, job assessment and evaluation, workplace inspections, implementation of dress codes and disciplinary action.

Sexual harassment may include, but is not limited to, actions such as the following:

- unwelcome physical conduct such as touching, patting or pinching;
- offensive or unwelcome sexual flirtations, advances, propositions;
- display of sexually explicit materials including pictures or texts on garments or accessories;
- sexist or sexually oriented jokes;
- derogatory or degrading remarks or jokes directed towards members of one gender or one sexual preference group;
 - unwelcome remarks or jokes of a sexual nature;
 - compromising invitations, propositions, or demands for sexual favours;
 - sexually suggestive gestures, remarks and innuendos;
 - inquiries or comments about a person's sex life, relationships, physical appearance, attire or activities;
 - leering or similar behaviour;
 - an attempt to extort sexual co-operation; or
 - reprisal or threat of reprisal to any person for rejecting any of the above behaviours.

Reporting Workplace Violence or Harassment

Every employee / worker should report workplace violence or workplace harassment to their Supervisor, our Property Manager or to a member of the Board of Directors of Paddington Green. Reports or complaints about workplace violence or workplace harassment may be made to any of the persons listed above either in person or in writing.

Employee Response and Summoning Assistance

No employee is expected to remain in a situation or in a location where a violent workplace incident is possible.

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Investigation and Action

The Property Manager shall investigate any incident of workplace violence or workplace harassment and discuss the incident with the Board of Directors and take such action approved by the Board as may be necessary considering the circumstances of the incident. The Property Manager and/or the Board will inform a complainant either in person or in writing of the results of the investigation in a timely manner.

False Claims of Workplace Violence or Harassment

Making deliberately false, frivolous or vexatious claims of workplace violence or harassment is prohibited.

No Reprisal

Employees who, in good faith, report what they believe to be workplace violence or harassment and who co-operate in any investigation should not be subjected to retaliation or reprisal in any manner whatsoever. Any employee who believes he/she has been the victim of retaliation or reprisal for reporting workplace violence or co-operation in an investigation should immediately contact their employer.

POLICE

Canada's Criminal Code deals with matters such as violent acts, threats and behaviours such as stalking. The police should be contacted immediately when an act of violence has occurred in the workplace or when someone in the workplace is threatened with violence.