

# TOTAL COMMUNICATION ENVIRONMENT

## *Section E: Human Resources*

Policies and Procedures

Revised: 2013

*TCE*

*Section E: Human Resources*

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## **E.1 COMMUNICATION IN RESIDENCES**

### ***POLICY***

Total communication refers to a philosophy of communication, incorporating a full spectrum of communication modes (sign language, fingerspelling, speech, speechreading, auditory training, pictorial symbols Blissymbolics, reading, writing, mime and gesture) which should be used to the maximum degree possible to communicate appropriately with each individual.

This communication programming should extend throughout the individual's life, including one's personal life, and one's home and community activities.

All TCE homes will provide maximum communication opportunity for its residents, surrounding them with modes of communication suitable to their communication style. Even between two members of staff, resident-appropriate communication is encouraged so as to make the communication style within the home as natural as possible.

## **E.2 WORKPLACE VIOLENCE AND HARASSMENT PREVENTION POLICY AND PROCEDURE**

Plan Developed In consultation with TCE's JHSC, CUPE: March 2010;  
Approved by TCE's Board of Directors on Dec 29, 2015;  
Revised October 2017; Revision approved by TCE's Board of Directors on Mar 26, 2018.

### ***POLICY***

Total Communication Environment is committed to providing a work environment in which all workers are treated with respect and dignity. Workplace harassment will not be tolerated from any person in the workplace including employees, residents, and families of residents, students, volunteers, contractors, consultants, and visitors.

Compliance with the Workplace Violence & Harassment Prevention Policy is a condition of employment and will be evaluated, together with other aspects of an employee's performance. Total Communication complies with the following relevant legislation governing workplace violence and harassment in Ontario:

- *The Occupational Health and Safety Act*
- *The Criminal Code of Canada*
- *The Ontario Human Rights Code*
- *The Workplace Safety and Insurance Act, 1997*
- *The Compensation for Victims of Crime Act*
- *The Regulated Health Professions Act*

In most cases, violence committed by a resident is considered a behavioural/mental health issue and will be dealt with as a clinical issue. Appropriate counselling from Behavioural Therapists, Psychiatrists, etc. will be obtained, as well as any required training in the implementation of appropriate Behavioural Approaches such as CPI and other relevant precautionary measures including increased safe management practices, increased reviews, data collection, and Behaviour Guidelines as implemented by Psychiatrists/Clinical team(s). Supports for employees during this process will be applied and offered during the reporting and debriefing following a resident related incident and/or serious occurrence. Please refer to Behavioural Supports Policy and Serious Occurrence Reporting Policy for additional information.

Workplace Violence and Harassment will not be tolerated in employment-related incidents that occur both within or beyond the normal workplace, inside or outside working hours, or on or off company premises, while conducting company business, or at company functions or social events, on social media, whether such violence is perpetrated by directors, managers, employees, residents, families of residents, students, volunteers, contractors, visitors, or members of the public.

Workers are encouraged to report any incidents of workplace harassment to their Program Supervisor or designated supervisor, a union or JHSC rep, the Human Resources Advisor, or the Director of Operations.

Management will investigate all complaints or incidents of workplace harassment in a fair, respectful and timely manner. Information provided about an incident or about a complaint will not be disclosed except as necessary to protect workers, to investigate the complaint or incident, to take corrective action or as otherwise required by law.

Managers, supervisors and workers are expected to adhere to this policy, and will be held responsible by the employer for not following it. Workers are not to be penalized or disciplined for reporting an incident or for participating in an investigation involving workplace harassment. Total Communication Environment will not discriminate or retaliate against employees because they are perceived to be instigators or victims of workplace violence and harassment.

Failure to comply with this policy may lead to disciplinary measures up to and including termination.

### **Purpose**

Total Communication Environment is committed to preventing workplace violence and harassment. This policy defines behaviour that constitutes workplace violence and harassment, and explains procedures for reporting and resolving such incidents.

TCE is committed to providing a working environment free of violence and harassment by familiarizing all workplace parties with the related terminology as well as their individual responsibilities for prevention and corrective action.

### **Definitions Associated with Workplace Violence and Harassment**

#### **Workplace Violence:**

The OHSA defines workplace violence as the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker. It also includes an:

- attempt to exercise physical force against a worker in a workplace, that could cause physical injury to the worker; and a
- statement or behaviour that a worker could reasonably interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker [section 1].

This 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 equipment.

Accidental situations – such as a worker tripping over an object and pushing a co-worker as a result – are not meant to be included.

#### **Threat (verbal or written):**

A threat is a communicated intent to inflict physical or other harm on any person or to property by some unlawful act. A direct threat is a clear and explicit communication distinctly indicating that the potential offender intends to do harm, for example, "I am going to make you pay for what you did to me." A

conditional threat involves a condition, for example, "If you don't leave me alone you will regret it." Veiled threats usually involve body language or behaviors that leave little doubt in the mind of the victim that the perpetrator intends to harm.

**Domestic violence:**

A person who has a personal relationship with a worker – such as a spouse or former spouse, current or former intimate partner or a family member – may physically harm, or attempt or threaten to physically harm, that worker at work. In these situations, domestic violence is considered workplace violence.

**Psychological/ Personal harassment:**

Psychological/ Personal harassment is a pattern of behavior that makes one feel worthless, flawed, unloved, or endangered. Like other forms of abuse, it is based on power and control.

This may include:

- swearing, put-downs/name calling over a period of time
- labeling the victim in a derogatory way such stupid, crazy or irrational
- acts of humiliation, extreme jealous behavior, or attacking the victim's self-esteem in other ways
- harming pets and damaging property.

When these types of behaviour occur in the workplace, it is often referred to as workplace harassment.

**Workplace Harassment and Sexual Harassment:**

**Workplace harassment** means engaging in a course of vexatious comments or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome or workplace sexual harassment.

**Workplace sexual harassment** means:

- a. engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
- b. making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome;

**Workplace harassment:**

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, in a workplace. It can also include behaviour that intimidates isolates or even discriminates against the targeted individual(s) due to a personal dislike or personality conflict because of but not limited to a prohibited ground of discrimination under the Human Rights Code including race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, disability, age, marital status, family status, gender identity, or record of offence..

This may include:

- making remarks, jokes or innuendos that demean, ridicule, intimidate, or offend;
- displaying or circulating offensive pictures or materials in print or electronic form;

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- excessive profanity, vulgarity, ridicule, belittling, or derogatory name calling
- repeated offensive, embarrassing or intimidating phone calls or e-mails; or
- **Bullying:** repeated and persistent negative acts towards one or more individuals, which involve a perceived power imbalance and create a hostile work environment.

Examples of bullying include:

- Isolating and excluding a worker
  - Silent treatment
  - Excessive or unjustified criticism
  - Over monitoring and/or trivial fault finding
  - Withholding information and/or job responsibilities
  - Replacing proper work with demeaning work
  - Unrealistic goals and deadlines
  - Sabotaging work
  - Gossip and false rumors
  - Harassing body language
- **Workplace sexual harassment** such as:
    - asking questions, talking, or writing about sexual activities;
    - rough or vulgar humour or language related to sexuality, sexual orientation or gender;
    - displaying or circulating pornography, sexual images, or offensive sexual jokes in print or electronic form;
    - leering or inappropriate staring;
    - invading personal space;
    - unnecessary physical contact, including inappropriate touching;
    - demanding hugs, dates, or sexual favours;
    - making gender-related comments about someone's physical characteristics, mannerisms, or conformity to sex-role stereotypes;
    - verbally abusing, threatening or taunting someone based on gender or sexual orientation; or,
    - threatening to penalize or otherwise punish a worker if they refuse a sexual advance.

The comments or conduct involved with personal and workplace harassment typically happen more than once. They could occur over a relatively short period of time (for example, during the course of one day) or over a longer period of time (weeks, months or years). However, there may be situations where the conduct happens only once.

### What isn't workplace harassment?

“A reasonable action taken by an employer or supervisor relating to the management and direction of workers or the workplace” [section 1 (4)].

Reasonable management actions would be part of a manager's or supervisor's normal work function, and could include changes in work assignments, scheduling, job assessment and evaluation, workplace inspections, implementation of health and safety measures, and disciplinary action.

If these actions are not exercised reasonably and fairly they may constitute workplace harassment. For example, if a worker was not scheduled for shifts solely because of his or her sexual orientation, this would likely be workplace harassment.

Differences of opinion or minor disagreements between co-workers would also not generally be considered workplace harassment.

**Gender Identity:**

Gender identity is each person's internal and individual experience of gender. It is their sense of being a woman, a man, both, neither, or anywhere along the gender spectrum. A person's gender identity may be the same as or different from their birth-assigned sex. Gender identity is fundamentally different from a person's sexual orientation.

**Gender Expression:**

Gender expression is how a person publicly presents their gender. This can include behaviour and outward appearance such as dress, hair, make-up, body language and voice. A person's chosen name and pronoun are also common ways of expressing gender.

### **Roles and Responsibilities of Workplace Parties**

#### **Employer:**

It is the responsibility of the employer to:

- Be accountable for implementing, following, and enforcing policies and procedures related to the prevention of workplace violence and harassment.
- Establish a complaint resolution process that ensures all reports or threats of violence and harassment will be investigated all in a prompt, objective and sensitive way.
- Post a copy of Workplace Violence and Anti-Harassment Policy in the workplace.
- In consultation with the JHSC, conduct regular risk assessments and establish control measures.
- In consultation with the JHSC, establish and deliver training and education for all employees.
- Integrate safe behavior into day-to-day operations.
- Provide quarterly reports of incidents of workplace violence to the JHSC or as requested.
- Take corrective action and provide response measures.
- Facilitate medical attention and support for those involved directly or indirectly.
- Ensure any deaths or critical injuries are reported to a Ministry of Labour (MOL) inspector, the police (as required), JHSC or H&S representative and CUPE local, as well as investigated with the JHSC. Send the report explaining the circumstances to all parties in writing within 48 hours of the occurrence. Include information and particulars prescribed by the *Occupational Health and Safety Act* and regulations.
- Ensure a report is filed with WSIB of all accidents where a worker loses time from work, requires healthcare, earns less than regular pay for regular work, requires modified work at less than regular pay or performs modified work at regular pay for more than seven days.
- Ensure the workplace violence and harassment prevention program is reviewed at least once a year.

#### **Managers/supervisors:**

It is the responsibility of management/supervisors to:

- Enforce policy and procedures and monitor worker compliance.
- Identify and alert staff to violent persons and hazardous situations and safeguard all persons.
- Investigate all workplace violence using Workplace Violence Event Report Form and Investigation Tool and contact the police as required.
- Facilitate medical attention for employee(s) as required.
- Debrief those involved in the incident either directly or indirectly
- Track and analyze incidents for trending and prevention initiatives.
- Immediately report a death or critical injury to an MOL inspector according to the legislative guidelines of the Occupational Health and Safety Act of Ontario, Regulation 834.

#### **Employees:**

It is the responsibility of all employees of Total Communication Environment to:

- Participate in education and ongoing training programs and/or reviews in order to be prepared to respond suitably to any incident of workplace violence or harassment.

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- Understand and comply with violence and harassment prevention policies and procedures.
- Report all incidents or injuries of violence and harassment or threats of violence and harassment immediately to your Supervisor and/or the On Call Supervisor and document as requested.
- Report all concerns of potential violence and harassment in the workplace to your Supervisor and/or the On Call Supervisor and the JHSC or the worker member of the JHSC.
- Contribute to risk assessments.
- Seek support when confronted with violence or harassment or threats of violence and ensure medical attention is received if needed.

**Joint Health and Safety Committee (JHSC):**

It is the responsibility of the JHSC to:

- Participate in the development, establishment, implementation of the Workplace Violence and Prevention Policy.
- Provide recommendations to the employer for developing training in violence prevention measures and procedures.
- Review the Workplace Violence and Harassment Policy annually.
- Immediately review reports of critical injury or death as per Occupational Health and Safety Act of Ontario, Regulation 834.
- Review completed risk assessments and develop an action plan for management annually.

## ***PROCEDURES***

### **Reporting**

- Employees who feel they have witnessed or were victims of violence, abuse, harassment, or any other criminal act have the right to contact the police first and file a report.
- All employees are responsible to report all acts and suspicions of violence, crime, abuse and harassment as defined in this policy to the police and/or the appropriate Supervisor immediately as soon as possible. Alternatively, an employee may also contact a Union representative or a member of the JHSC who will then notify the Human Resources Advisor and/or the Director of Operations immediately. If the report involves claims against senior management, the employee shall contact the Executive Director.
- The employee will complete the Workplace Violence and Harassment Report Form within 24 hours of reporting the incident and submit to the Human Resources Advisor or Director of Operations.
- The report can be made confidentially at the request of the employee. Identifying information will not be disclosed unless the disclosure is necessary for the purposes of investigating or taking corrective action with respect to the incident or complaint, or is otherwise required by the law.
- In the absence of a formal complaint, the employer is obligated to investigate potential workplace harassment.
- If the employee is injured and requires medical attention the Supervisor or designate will call 911 or ensure medical attention is provided. All safeguards for those involved will be implemented.
- The employer shall take appropriate measures to protect those reporting from retaliation.

## **Investigation**

- The Supervisor and/or designate and the Human Resources Advisor and/or the Director of Operations will complete the Workplace Violence and Harassment Investigation Form, conduct an investigation and ensure safeguards are in place.
- If the harassment or violence was committed by a member of management, the Executive Director or designate and the Human Resources Advisor and/or Director of Operations will conduct the investigation. If the harassment or violence was committed by a member of senior management, the Executive Director will conduct the investigation and a third party investigator may be considered.
- If a violent incident results in a critical injury to a worker, the Employer and the JHSC representative (worker-certified rep) investigates the incident or injury (Section 9(31) OHSA) and reports to the MOL, WSIB and JHSC. Refer to guidelines in Ontario H&S Act.
- During the investigation the individuals named in the report may have their work schedules altered through temporary transfer or paid or unpaid suspension.
- If a complaint is made against an employee, that employee will be informed about the complaint to the extent possible. Identifying information will not be disclosed unless the disclosure is necessary for the purposes of investigating or taking corrective action with respect to the incident or complaint, or is otherwise required by the law.
- The respondent will be given an opportunity to respond to the complaint both in person during an interview and in writing where applicable.
- Separate interviews will be conducted for the victim, person(s) named, and any witnesses. All witness will be instructed not to discuss any details regarding the event or investigation with coworkers unless necessary to obtain advice about their rights.
- The investigation will be completed within ninety (90) calendar day unless there are extenuating circumstances warranting a longer investigation.

## **Follow up**

- Once the investigation has been completed, all investigation notes and incident reports will be compiled and reviewed by the Supervisor and/or designate, the Human Resources Advisor and/or the Director of Operations, or the Executive Director and third party if applicable. An outcome and appropriate disciplinary measures will be determined.
- The Supervisor or designate who investigated the report will ensure communication of potentially dangerous situations associated with a report to all staff potentially affected by the incident as soon as possible.
- The employee who made the report will be notified of the outcome of the investigation in writing to the extent necessary to optimize future safety within 10 days following the conclusion of the investigation. Information regarding supports available through both EAP and the community will be given to you.
- The accused will be notified of the outcome of the investigation in writing within 10 days following the conclusion of the investigation.
- The Human Resources Advisor or Director of Operations will notify the Union within 10 days following the conclusion of the investigation.
- A team debriefing of the incident and/or follow up will be conducted within this timeframe within 10 days of the conclusion of the investigation.

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- All information gathered will be documented and kept confidential at all times. Information will not be disclosed unless necessary for the purpose of the investigation, taking corrective action, or otherwise required by law.
- Senior management reviews all incident reports, monitors trends, and informs the JHSC of such trends. The JHSC makes recommendations to senior management and together enhancements to the workplace violence and harassment prevention program and training program are developed.

**Emergency response**

In cases of emergency, call 911 and On Call (613-482-1550) and together you will follow TCE's Emergency Response Plan.

If the police are called, TCE's investigation and follow up will occur after the police investigation has been finalized.

In cases of resident physical aggression the phrase "back up" is used as code for required support from other employees. For further information please refer to Serious Occurrence Reporting Guidelines, Section G of TCE's Policies and Procedures.

**Risk assessment**

In each program, JHSC representatives conduct monthly hazard inspections which include a report on Client/Customer workplace violence. On a quarterly basis and/or when applicable, management will provide to the JHSC a report on trends of other types of workplace violence and harassment that have occurred.

Both annually and in the event positions and/or job descriptions are created or modified a risk assessment will be completed.

**Education**

New employees will receive both general and program specific orientation to the workplace violence and harassment prevention program. In addition, all employees will receive an annual review of the program's general components and/or complete online training. Any training developed, established and provided will be done in consultation with consideration of, the recommendations of the JHSC.

**Accountability**

All workplace parties are accountable for complying with the policy, program, measures and procedures related to workplace violence.

Responsibility for complying with the health and safety policy is included in the job description for supervisors and other employees. These responsibilities will be evaluated through the employee's annual performance appraisal. Failure to abide by these responsibilities will result in disciplinary action up to and including termination of employment.

**Records**

All records of reports and investigations of workplace violence and harassment are kept for seven (7) years.

If there are no valid findings, all documents gathered will be kept in a separate file accessible only to the

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Human Resources Department and Executive Director or designate and will be kept for two (2) years.

**Policy Review**

In conjunction with one another, the JHSC and Management team will review the Workplace Violence and Harassment Prevention Policy annually and as needed.

Dated at March on 26, 2018  
[Signature] Executive Director TCE      Karen Belyea Signature

**Staff Review Dates**

Date	Name of Staff (print)	Signature
<u>Apr. 30, 2018</u>	Board of Directors Representative	<u>[Signature]</u>
<u>March 26/18</u>	Karen Belyea Executive Director	<u>[Signature]</u>
<u>Jun 30/2018</u>	DJ McDonald Director Of Operations	<u>[Signature]</u>
<u>Jan. 4/18</u>	Jessica Martineau Human Resources Advisor	<u>J. Martineau</u>
<u>Jan 8/18</u>	Jackie Power Program Supervisor Representative	<u>[Signature]</u>
<u>Jan 8/18</u>	Manager Co-Chair JHSC	<u>[Signature]</u>
<u>JAN 8/18</u>	Worker Co-Chair JHSC	<u>[Signature]</u>



## Workplace Violence and Harassment Report Form

If you require assistance in completing this form please contact your Program Supervisor, designated Supervisor, Union rep, JHSC rep, Human Resources, or the Director of Operations.

<b>Employee Information</b>		
Name:	Position:	
Address of incident:	Contact information:	
Date and time of incident:		
Date and time incident reported:		
Incident reported to:		
<b>Location of the incident</b>		
<input type="checkbox"/> client care area	<input type="checkbox"/> public area on-site	<input type="checkbox"/> restricted area on-site
<input type="checkbox"/> parking lot or walkway	<input type="checkbox"/> community	<input type="checkbox"/> client's home
<input type="checkbox"/> Work location off-site: _____		
<b>Emergency Response Measures</b>		
Was 911 called? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Was on call notified? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Was an emergency preparedness plan communicated by on call activated? <input type="checkbox"/> Yes <input type="checkbox"/> No		
If yes, describe the plan:		
_____		
_____		
_____		
_____		
<i>Attach further notes as needed</i>		
<b>Incident Information</b>		
Indicate the classification of the incident, refer to explanation provided.		
<input type="checkbox"/> Type I (Criminal Intent)	Person has no relationship to the workplace	



If yes, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Complete an Employee Incident Report*

**Description of incident:**

Person (s) named:	_____
Events leading up to the incident:	_____ _____ _____ _____
Other individuals involved: (e.g., staff, visitors, clients, etc.)	_____ _____ _____ _____
Other Information:	_____ _____ _____ _____

*Attach further notes as needed.*

**Actions taken**

*Describe who was contacted and what measures were followed*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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To the best of your knowledge has this event ever occurred in the past?  
 Yes  No

Are you aware of any controls, measures or procedures to prevent a similar incident?  
 Yes  No

If yes,  
describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Witness(s)**

Name	Contact information
1.	
2.	
3.	
4.	

Please provide any other information you think may be relevant, including any recommendations that you think would be helpful:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Reporting**

Reported to supervisor? If yes, name: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
Reported to police? If yes, police report number: _____ Contact information: _____ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
Reported to WSIB (Form 7)? If yes, by whom? _____	<input type="checkbox"/> Yes <input type="checkbox"/> No

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Were accommodations offered? If yes, describe: _____ _____ _____ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
Were supports offered? If yes, describe: _____ _____ _____ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
Signature of worker:	
Signature of supervisor:	



### **Workplace Violence and Harassment Quick Help Page**

*All individuals have the right to be treated with respect and dignity in the workplace. You have a duty to report any and all instances of Workplace Violence and Harassment. Please see TCE's Workplace Violence and Harassment Prevention Policy and Procedure.*

#### **If you have experienced or witnessed an act of workplace violence or harassment:**

1. Speak to your Supervisor or designate, Union Representative, Human Resources Advisor, or Director of Operations, and/or police.
2. They will ensure safeguards and supports for you are put in place immediately as needed to protect you.
3. They will ask you to complete the Workplace Violence and Harassment Report Form within 24 hours.
4. The investigation will begin.
5. You will be interviewed by the Human Resources Advisor and/or the Director of Operations, and/or your Supervisor or designate. You will have a union representative present as well if you so choose.
6. Once the investigation is concluded, you will be provided with information on the finding and corrective action taken within 10 days.
7. A team debriefing will also occur within 10 days of the conclusion of the investigation.

#### **If a complaint has been made against you:**

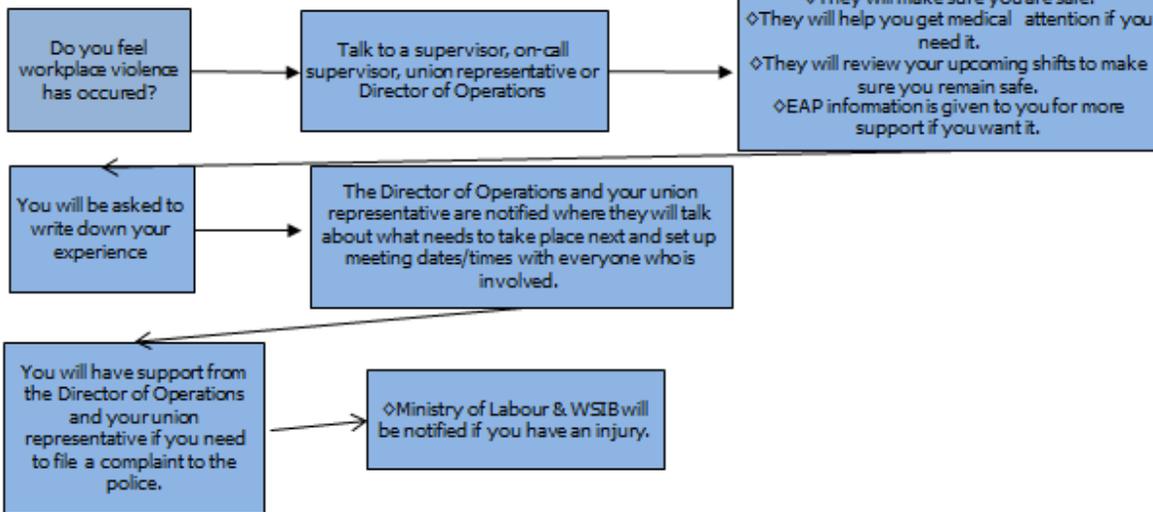
1. You will be contacted by the Human Resources Advisor, the Director of Operations, or your Supervisor or designate to come in for a meeting.
2. During the meeting a union representative of your choice, the Human Resources Advisor and/or the Director of Operations, and your Supervisor or designate will be present.
3. You will be informed of the complaint made against you and the impending investigation.
4. Once the investigation has concluded, you will be made aware of the findings and the appropriate corrective action that will be taken if applicable. Your accuser will be informed in writing of the results and follow up of the investigation within 10 days of its conclusion.

*Respect is key, don't bully.* Be sure to report all incidents of workplace violence and harassment as outlined and defined in the Workplace Violence and Harassment Prevention Policy to your supervisor or designate. Examples include but are not limited to:

- |   |   |
|---|---|
| ➤ Isolating and excluding a worker                              | ➤ Talking or writing about sexual activities  |
| ➤ Silent treatment  | ➤ rough or vulgar humour or language related to sexuality, sexual orientation or gender                       |
| ➤ Excessive or unjustified criticism                            | ➤ displaying or circulating pornography, sexual images, or offensive sexual jokes in print or electronic form |
| ➤ Over monitoring and/or trivial fault finding                  | ➤ leering or inappropriate staring  |
| ➤ Withholding information and/or job responsibilities           | ➤ invading personal space   |
| ➤ Replacing proper work with demeaning work, or sabotaging work | ➤ unnecessary physical contact, including inappropriate touching  |
| ➤ Gossip and false rumors                                       |   |
| ➤ Harassing body language                                       |   |

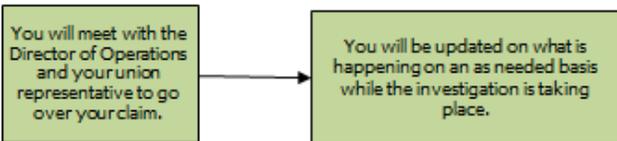
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**INVESTIGATION PROCEDURE (see policy for more details)**

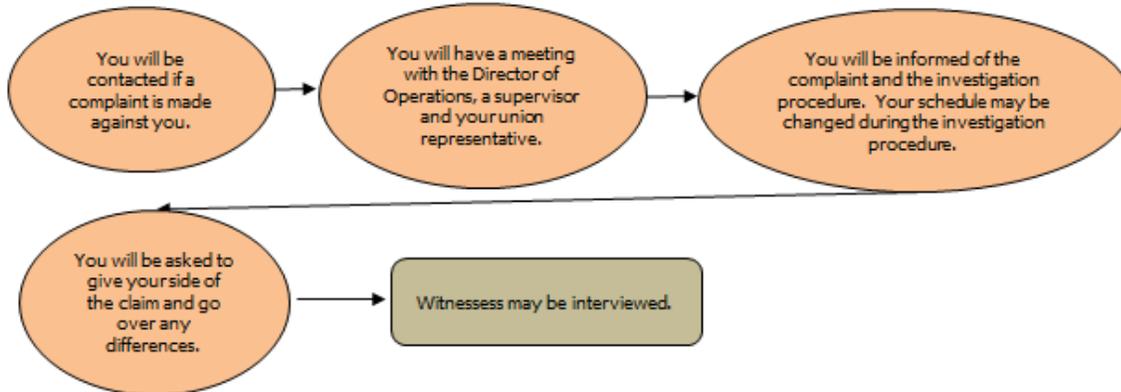


**INITIAL INVESTIGATION**

person with concern

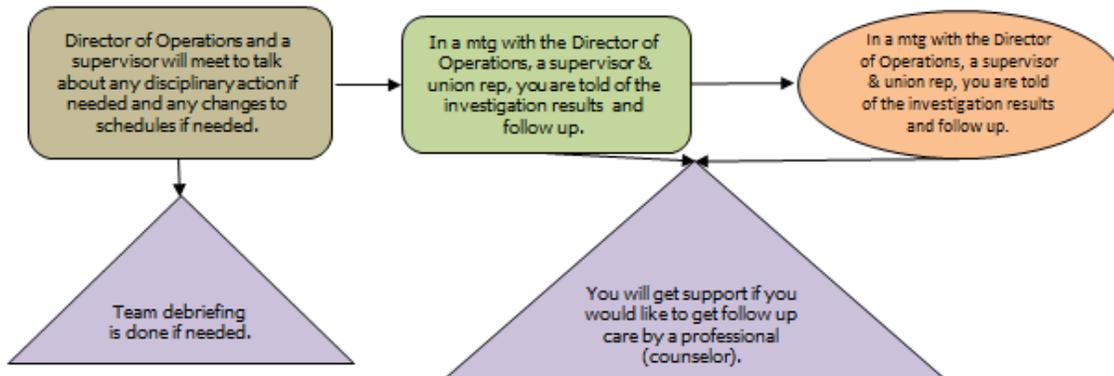


person named



**FOLLOW UP**

details are kept confidential



### **E.3 INCIDENTS OF AGGRESSIVE / ASSAULTIVE BEHAVIOUR**

#### ***POLICY***

All persons under the jurisdiction of TCE have the right to work and live without threat of physical and verbal abuse. All incidents of aggressive and/or assaultive behaviour will be reported and dealt with as an incident.

This policy will include:

1. A system for providing full disclosure of information through resident intake process.
2. Thorough administrative planning for staff training and management of case loads.
3. Timely methods of responding to physical/verbal outbursts.
4. Development of system to handle crisis situations.
5. Development of a sound reporting system for individuals with an action plan.

## **E.4 EMPLOYEE RECORDS**

### ***POLICY***

Information about an individual employee maintained in TCE's files is the property of TCE. The information contained in individual employee records is considered confidential and must be kept secure.

An employee's records may be accessed by the employee's Program Supervisor, the Director - Operations or the Executive Director at any time. An employee may also request access to their file but may not remove records or information from it; the employee may also grant access to another party in writing. Certain information may be accessed by administrative staff only insofar as it is required for them to complete assigned tasks (eg training summaries, payroll). Staff may review their personnel file by appointment, arranged by contacting the Human Resources assistant.

### ***PROCEDURE***

#### **EMPLOYEE FILES - ACTIVE EMPLOYEES**

The following information should be retained on file for each active TCE employee:

1. Original Application and Letter of Offer
2. Criminal Record Check for the vulnerable sector
3. Medical form
4. Proof of Certification (or successful course completion) and certification dates for
  - a. ASL Level
  - b. First Aid
  - c. CPR
  - d. Mat Restraint
  - e. CPI
  - f. Health & Safety
  - g. Van Training
  - h. Slips, Trips, & Falls
  - i. Quality Assurance Measures (QAM)
5. Proof of Valid G2 Driver's License
6. Home Address, home and cellular phone number
7. Marital Status and Spouse's name, address and telephone number if applicable
8. Service Date
9. Next of Kin and/or Emergency Contact name and number; LAST UPDATED annually
10. TCE Employment History (positions, locations and dates)
11. All performance appraisals covering the previous 24 months
12. Pension and Benefit enrolment information
13. Direct Deposit Banking information
14. Attendance Record
15. Record of banked leave days (sick leave and vacation leave).
16. Employment references with names and dates confirmed
17. Date of hire
18. Date of orientation and site orientation(s)

19. Copy of job description, signed and dated by employee

This information need not be kept all together in one central location, but may be kept, either physically or electronically in several locations according to the uses for which it is needed and so long as it is kept secure. For example, attendance records and records of banked leave days may be kept at the work location, pension and benefit information may be kept in the payroll office, and original application and offer letter in a central file.

It is the responsibility of both the employee and the Program Supervisor to ensure that information is kept up to date.

**EMPLOYEE RECORDS - INACTIVE EMPLOYEES**

Upon the resignation, termination, or death of an employee, all records will be forwarded to Head Office.

These records will be retained for a period of two years or the final discharge of any possible obligation toward the employee or his/her estate, whichever comes later. After this period, the following records will be retained for a period of 7 years.

1. Employee Name and last known address and telephone number.
2. TCE Employment History.

**DISPOSAL OF EMPLOYEE RECORDS**

Because employee information is confidential, all records being disposed of will be shredded or otherwise destroyed.

## **E.5 STAFF TRANSFERS**

### ***POLICY***

TCE will help staff to enhance their skills and reduce the risk of ‘burnout’ by supporting and encouraging staff to request transfers among program locations, within the same job classification.

TCE may, from time to time, initiate and implement transfers according to the needs of the residents and the Agency.

### ***PROCEDURE***

1. An employee may submit to his or her Program Supervisor a written request for a transfer, or will respond to a job posting, in writing, to the Administration Office.
2. The Program Supervisor, Director - Operations, or Executive Director, may approve the transfer after discussion of the feasibility and appropriateness with all individuals concerned. A transfer may not be deemed possible or appropriate at the time requested, however, could be considered at a future date.
3. TCE reserves the right to transfer employees, within the same job classification, according to the needs of the residents and of the Agency.

## **E.6 CALL IN RESIDENTIAL COUNSELLOR**

### ***POLICY***

TCE recognizes Call In staff are an integral part of TCE's work force. Call In staff are required to submit weekly availability by noon each Thursday. This availability can be faxed, e-mailed or brought to the office. It is the responsibility of the individual call-in residential counsellor to ensure that the On-Call Program Supervisor has the most current record of his/her availability.

### ***PROCEDURE***

Distribution of call-in hours/shifts

A Call-In employee is required to declare his/her availability in advance on a weekly basis and may notify the employer of any changes.

Call-in hours/shifts shall be offered in the following order:

1. By seniority, the available PPT normally assigned at the location where the call-in hours/shift occurs, provided that overtime does not result.
2. By seniority, the available affiliated PPT or 30 hour position, or Call In employee provided that overtime does not result.
3. By seniority, the available PPT or 30 hour position normally assigned at other locations and who have indicated 'all programs' availability, provided that overtime does not result.
4. By seniority, any employee who provided availability for the week provided that overtime does not result.
5. By seniority, the available full-time employee normally assigned at the location, where the call-in hours/shift occurs.
6. By seniority, the available full-time employee not normally assigned at the location, where the call-in hours/shift occurs.
7. By seniority, any employee who provided availability for the week.

Each employee shall be responsible to provide the Employer with their availability no later than Thursday noon for the following week. The Employer shall offer employees call-in hours/shifts based on this availability in the order set out above. Where overtime is to be incurred, the parties agree that the Employer shall be entitled to minimize the amount of overtime to be incurred.

**Affiliated Location:** Permanent Part-time employees or 30 hour positions, who have passed probation, may choose one affiliated program location to submit availability to work additional shifts/hours.

Assignment of one Affiliated Location will occur in the following manner:

- a. Staff may opt to select 3 locations in order of preference.
- b. Based on seniority and the needs per location, the Employer will assign the staff member to one location.
- c. Staff will have an opportunity to review their choice of affiliated location once every 6 months.

**Protocol for filling Weekly Shifts (less than 7 days):**

The following is the protocol for filling shifts:

- Shift commences in less than Five (5) hours: **No wait time**. Next available person on the seniority list is contacted, as per Article 18.09
- Shift commences in Five (5) – Twenty four (24) hours: **Wait 5 minutes** prior to contacting next available person on the seniority list, as per Article 18.09
- Shift commences more than Twenty four (24) hours but less than 7 days: **Wait 20 minutes** prior to contacting next person on the seniority list, as per Article 18.09
- Shift commences more than 7 days away: All permanent part-time employees in the program where the vacant shift(s) will occur will be provided with 24 hours to indicate their availability. Article 18.09 will then be applied to filling the shift(s).
- Updates to changes in availability are permitted during the week and may be submitted by email only to [tceoncall@tceottawa.org](mailto:tceoncall@tceottawa.org). The employer will endeavour to include the changes in the availability schedule. It is the employee's responsibility to confirm receipt of the emailed changes.

Employees will be contacted and offered only those shifts for which they indicated availability to work. Shifts will be offered by phone. If the employee does not answer the phone, a voice message will be left indicating "I have hours available, please call me back at (613) 482-1550". The employees may:

- Initially respond and/or accept the shift by electronic text by texting the number the call was received from (as indicated on the call display) within five minutes and;
- **Is required to return the phone call to (613) 482-1550 to confirm the text message or return the call regardless of what period of time has elapsed as there may still be available shifts for the time period you have indicated availability.**

(613) 482-1550 is the 'voice over internet protocol' or VOIP number that forwards all phone messages to whichever Supervisor is On-Call. Only initial text messages may be sent to the individual Program Supervisor's cell phone. This is to accommodate employees who are not in a position to answer a phone immediately but are able to text.

Do not PHONE back the individual Program Supervisor's cell phone number even if it appears on your call display. This is because the Program Supervisor may no longer be on-call. The VOIP system automatically directs the phone call to the correct On-Call Program Supervisor.

### **Call-In Employee's Responsibilities**

Call-In staff, by the nature of the position, are required to work a variety of shifts, including weekends at short notice. Submitting reliable and accurate availability every Thursday by noon is imperative. If an employee's availability changes during the seven day period, Call-In staff are permitted and encouraged to email [tceoncall@tceottawa.org](mailto:tceoncall@tceottawa.org) to update their availability.

Failure to accept assignment of three consecutive shifts which the Call-In staff identified they were available to work without reason satisfactory to the employer may result in a Call-In employee's ineligibility to be offered further shifts for the remainder of the week and to submit weekly availability for a period of one week.

All available employees contacted and offered shifts are required to return the phone message to the VOIP # at (613) 482-1550.

Call In employees (not including PPT or 30 hour positions) who:

- fail to provide availability for a period of twelve consecutive weeks without an approved 'request for leave'
- work less than 3 offered shifts in twelve consecutive weeks, without an approved 'request for leave'
- fail to provide a minimum availability of twelve (12) shifts over a twelve week period, without an approved request for leave';

Will be deemed resigned and a record of employment issued, if appropriate.

Call In Residential Counsellors are required to complete orientations at all homes prior to submitting their availability. Orientations must be complete within 6 weeks of accepting a Call In position.

The On Call Program Supervisor will supervise all Call In staff and will be available for consultation. Call In Staff must use the On Call Program Supervisor's voice mail to discuss issues or set a time to meet.

Availability should be forwarded to the office by the Thursday at 12:00 pm noon.

Staff should keep a copy of their submitted availability and MUST contact the On Call Program Supervisor when availability changes in the month, by leaving a message on the On Call Program Supervisor's Voice mail.

When the On Call Program Supervisor receives a shift, they will contact the Permanent Part-time of the program in order of seniority, keeping in mind the hours of work policy. If the On-Call Manager fails to fill the shift in this manner, the On Call Program Supervisor will contact those individuals on the On-Call list with an availability in order of seniority. If the shift needs to be replaced within 4 hours, the On Call Program Supervisor will allow 5-10 minutes ( for individuals with a pager) for a response, prior to moving on in the list.

Call In staff will be contacted, based on their availability, in the course of their employment as an On-Call staff member, should the individual deny 6 shifts for which they have indicated availability and no notice has been provided to the On-Call Manager about the change in availability, their employment with TCE will cease.

If a Call In staff has not submitted their availability for three (3) months in any twelve (12) month period, their name will be removed from the Call In list, and their Record of Employment will be issued.

## **E.7 CONDITIONS OF EMPLOYMENT**

### ***POLICY***

TCE believes that the health and safety of, and effective communication with, its residents as of primary importance in the delivery of service. It therefore holds certain criteria as prerequisites for employment with the agency.

As a condition of employment and annually thereafter, employees will certify that they are:

1. Free from tuberculosis or other communicable or contagious disease;
2. Physically fit to undertake his or her duties according to appropriate job description; and
3. Participating or not participating in the Hepatitis B immunization program.

As a condition of employment, TCE requires all new employees, students and volunteers (including Board members) providing direct service to its residents, to provide a Criminal Reference Check for the Vulnerable Sector.

As a condition of employment, all direct service employees will obtain certification in American Sign Language (ASL) to a level commensurate with their role as follows:

1. Level III for Full-Time, Part-Time, Call In, and Overnight Awake employees, and
2. Level II for Overnight Asleep employees.

These levels must be initiated within the first three months of employment and be periodically refreshed.

### ***PROCEDURE***

At the time of hiring, a conditional offer of employment will be made outlining the requirements for a Criminal Reference Check for the Vulnerable Sector, Medical Certification and ASL Certification as conditions of employment. The employee will be asked to sign a copy of this letter certifying that they understand the conditions of employment.

#### **CRIMINAL RECORD CHECK FOR THE VULNERABLE SECTOR**

All individuals seeking a paid position, volunteer, or student placement with TCE, shall be required to obtain and submit a current (within six months) Criminal Reference Check for the Vulnerable Sector to the Administration Office. Each individual is responsible for any cost for this check. TCE reserves the right to pay for the cost in exceptional circumstances.

Any offer of employment made to an individual prior to the submission of the completed Criminal Reference Check for the Vulnerable Sector is conditional. Upon a positive Criminal Reference Check for the Vulnerable Sector being submitted, TCE will review the individual's entire application and criminal record before making a final determination regarding an offer of employment.

Offers of employment to individuals who possess a criminal record will require approval of the Executive

Director or her designate.

Criminal Reference Check for the Vulnerable Sector s will remain confidential, and will become part of the individual's employee file.

At no time shall an employee without a completed Criminal Reference Check for the Vulnerable Sector be left unattended with any resident at any time.

### **MEDICAL CERTIFICATION**

During orientation, each employee shall be given an information package on Hepatitis B and asked to sign a waiver for Hepatitis B, either agreeing to participate in the immunization program or to waive TCE of any liability. Employees will be informed as to which individuals with Hepatitis B are living at TCE. An employee may choose to be vaccinated or not. Choosing not to be vaccinated does not offer the employee the right to decline any job related duties with respect to a Hepatitis B carrier.

If an employee chooses vaccination and in the process suffers from Hepatitis B, the Workplace Safety Insurance Board will uphold the claim.

Confirmation of completed Hepatitis B vaccination must be provided to the Administration Office for the employee records.

### **ASL CERTIFICATION**

At the end of the first three months of employment, new employees will be asked by their Program Supervisor for proof of certification in the ASL level appropriate to their position. The Program Supervisor will update the employee's record with this information.

If at that time, the employee has commenced but not completed the appropriate ASL level, the Program Supervisor and employee will determine the best date for follow-up to ensure that certification is obtained.

If at that time, the employee has not commenced the appropriate ASL level, the Program Supervisor shall warn the employee and remind them that certification is a condition of employment. If the employee has not commenced certification training within one month following this warning, then the employee shall be terminated.

## **E.8 DAMAGE TO PERSONAL ITEMS**

### ***POLICY***

It is recognized that, during the course of their duties, employees may have personal items damaged as a direct result of the actions of a resident. In such an instance, the Agency shall compensate the employee 100% for the item. This policy does not apply to situations where items are damaged as a result of accidents or careless behaviour by the employee during the course of their duties.

Employees who have sustained loss of or damage to a personal item as a direct result of the actions of a TCE resident may apply for compensation. In order to process a claim, the following steps must be taken:

1. When requesting reimbursement for a damaged item, the employee must have discussed the incident and resulting request with their respective Program Supervisor prior to submitting a completed Damaged Personal Item form to the Office Administrator. The Program Supervisor will initial the claim form to indicate that he/she has discussed the incident with the employee.
2. When completing the form, employees shall provide detailed information in each section. This includes:
  - a. The item damaged.
  - b. The name of any resident involved in the incident.
  - c. The date and location where the damage occurred.
  - d. A description of the events which led to the damage occurring.
  - e. The type of damage to the item.
  - f. The name of any witness to the incident.
  - g. The claim being requested (ie. repair, replacement, etc.).
3. If a Serious Occurrence form has been completed regarding the incident, a copy of this report should be submitted along with the claim.
4. Upon receiving the form, the Office Administrator will communicate directly with the employee regarding any further information which will be required (ie. repair quotations, receipts, etc.), and the status of the claim.

## **E.9 EMPLOYEE SMOKING AND CONSUMPTION OF ALCOHOL**

### ***POLICY***

Employees are not permitted to consume alcohol or mood altering drugs, which would effect performance, while on duty. If an employee arrives for work appearing to be under the influence of such, the employee will be required to leave the work site and will be subject to disciplinary action up to and including dismissal.

Smoking by employees is not permitted inside any TCE location. Employees may smoke outside on their breaks but only in areas designated for this purpose so long as appropriate safety precautions have been taken.

Any TCE employee or volunteer, who wishes to bring alcohol onto TCE property, must obtain the approval of the Executive Director at least 24 hours in advance.

For greater certainty, TCE on-duty employees or volunteers participating in a community outing or resident vacation, are prohibited from consuming alcohol.

## **E.10 EMPLOYEE USE OF AGENCY PROPERTY**

### **POLICY**

TCE acquires and maintains the property and equipment necessary to provide its services. These items are intended for use by employees and volunteers in the implementation of service to the Agency's residents. Personal use of the Agency's property or equipment is not allowed, unless prior authorization has been obtained from the Executive Director.

### **PROCEDURE**

#### **CELLULAR PHONE USE**

The cellular phone is for emergency use i.e., 9-1-1, vehicle accident (to contact Police, On-Call Program Supervisor and/or program), behavioural outbursts or resident emergency when assistance is required, to comply with transportation guidelines, vehicle breakdown, etc. When an employee travels independently or transports residents in a TCE vehicle, he/she must take the cellular phone with them and keep it turned on at all times

If a program has a cellular phone, it must be kept charged in the program and ready for use whenever employees travel in the TCE vehicle; upon return to the program, the employee will turn off the phone and plug it in at the program to recharge.

All incoming and outgoing calls on the cellular phone must be recorded by the employee on the "Cell Phone Usage Form" located in the schedule book at the program.

#### **LONG DISTANCE CALLS**

All long distance phone calls must be documented on the long distance form in the schedule binder. Personal calls by employees must be kept to a minimum, and any long distance charges due to a personal call must be paid by the employee. Some TCE programs, due to geographic location, incur long distance charges when call other areas of Ottawa-Carleton. Also, some employees live in areas which require long distance charges when calling.

The following are the types of calls which are appropriate and will be approved and paid for by TCE:

1. Calling other employees to cover a shift at the program;
2. Calling other or previous employees to request necessary information to complete shift;
3. Residents calling a family member or friend;
4. Employee contact to a resident's family member or friend to relay or request information.

The following are the types of calls which are not appropriate and will not be paid for by TCE:

1. Calling other employees to arrange for a shift change;
2. Personal calls, ie, calling friends or family to liaise;
3. Calling child care provider during shift;
4. Any other non-work related calls.

## **E.11 LEAVES – VAC/SICK/LEAVE OF ABSENCE**

### ***POLICY***

TCE maintains individual records of an employee's vacation and sick leave credits taken and outstanding. Employees wishing to confirm their outstanding leave may do so via their Program Supervisor.

Because of scheduling challenges, TCE shall ask its employees to submit their requests for vacation leave with as much notice as possible and according to the provisions of the collective agreement CUPE 2605. In the event that an employee does not submit a request by the beginning of the final quarter of the year, TCE reserves the right to schedule the employee's vacation leave itself. TCE reserves the right to refuse the period requested by any employee for vacation leave but will do so on a timely basis and make every effort to accommodate the employee's alternative requests.

This procedure covers Annual Leave (vacation and statutory holidays), Sick Leave and Leave of Absences (including jury duty).

All Requests for Leave shall be reviewed and approved based upon the following terms:

1. In order to ensure the accuracy of all employee records, each employee shall complete a TCE Request for Leave form for each period of absence from work. This includes Annual Leave (vacation and statutory holidays), Sick Leave and Leave of Absence.
2. Annual Leave and Leave of Absence requests shall be completed and submitted for approval prior to the employee being absent from work. Annual vacation leave requests should be submitted according to the provisions of the Collective Agreement.
3. Sick Leave requests shall be completed and submitted upon the employee returning to work or prior to pre-planned sick leave (ie. surgery).
3. All Requests for Leave should be submitted to the Program Supervisor of the program for review to ensure that the requested time has been accumulated by the employee. If a Request for Leave form for annual vacation has not been submitted by December 31<sup>st</sup>, the Program Supervisor shall schedule the annual leave for the employee and inform the employee of their scheduled leave period.
5. When a Request for Leave is received which exceeds time accumulated or involving out-of-ordinary circumstances, the Request for Leave will be forwarded to the Director-Operations or Executive Director for final approval.
6. Each employee shall receive a copy of the request form upon approval, or a written explanation if the leave has not been approved.

## **E.12 MILEAGE**

### ***POLICY***

No employee is required to use their personal vehicle for TCE business. TCE maintains a vehicle at each home for the use of TCE residents and employees. Whenever possible, employees will utilize the TCE vehicle while undertaking TCE business.

Employees will be reimbursed for the cost of fares related to taxis or public transit while on TCE business, provided that written pre-approval has been received by the Program Supervisor. In some instances, it may be practicable for an employee to use their personal vehicle for TCE business and in these cases, mileage will be paid to the employee so long as the usage has the prior approval of the Program Supervisor.

It is recognized that Managers are often required to use their personal vehicles on TCE business (for example, moving back and forth between two program locations in the course of a normal week). Managers may approve their own usage, but their mileage claims must be approved by their immediate supervisor.

Any individual using their personal vehicle for TCE business must maintain third part liability insurance in the amount of no less than \$1,000,000 and must be formally covered by their insurance contract for the extent of its business use.

## **E.13 MODIFIED WORK**

### ***POLICY***

To the extent possible, TCE undertakes to provide meaningful employment for both permanently and temporarily disabled employees.

Modified work is any job, task, function or combination thereof that a worker who suffers from diminished capacity may perform safely without risk of re-injury or exacerbation of disability or risk to others. The work must be productive and have value to others. When an employee requires a modified work arrangement, the employee's Program Supervisor and the Director - Operations will work together to identify and provide suitable work.

There will be no pay effects for the first six months regardless of the relative value of the work assigned. At the end of six months, if modified work is still required, the pay rate for the modified work arrangement will be established based on its own merits compared to similar jobs within the agency.

If no productive modified work position may be found, TCE will endeavour to assist the employee in finding more suitable work in another organization.

### ***PROCEDURE***

TCE employees are required to promptly report all work related injuries to their Program Supervisor or in his/her absence, to the On-Call Program Supervisor.

1. The injured employee must complete an Employee Injury Report (Form S15) including the Modified Work Program Form after seeking medical attention. The completed package must be returned to the Director - Operations within 24 hours of the injury. The form must include the employee's consent to disclose to the employer all functional abilities. **Failure to do so may result in WSIB (Workers Safety Insurance Board) withholding, reducing or suspending benefits.**
2. The Director - Operations will arrange for a completed WSIB Form 7 (Employer's Report of Injury/Disease) and notify WSIB within the required time period.
3. If it has been established by the treating physician that the injured worker must perform modified work, the Program Supervisor, in consultation with the Director-Operations, will offer a written modified work job description consistent with the worker's functional abilities. A copy of this offer will be sent to the Union.
4. The worker is obligated to inform the Program Supervisor of any change(s) in his/her medical condition or any difficulties encountered in performing the duties of his/her new job description
5. The Program Supervisor will maintain a regular follow-up with the workers' physician to determine the duration of the modified work placement, expected recovery date and temporary vs. permanent physical restrictions.
6. The Director - Operations may request a second medical opinion for the injured worker at any time as required and may consult with the Claims Adjudicator or Nurse Specialist at WSIB.

## **BACKGROUND**

### **TYPES OF ACCOMMODATION**

Accommodations\* may involve one or a combination of:

- working fewer hours
- making the workplace readily accessible and useable for injured workers
- restructuring the job and altering the way tasks are accomplished
- creating part-time or modified work schedules
- acquiring or modifying work equipment or devices
- providing assistants or support staff to injured workers
- assigning special projects to the injured worker

\* Note that accommodations must not result in placing the employer in a position of undue hardship.

The employer's requirement to provide suitable employment may involve creating a permanent modified job description consistent with the worker's functional abilities and restoring his/her pre-injury earnings or it may involve suitable employment within another business.

### **WCB RESOURCES**

#### Claims Adjudicator

- Grants or denies worker's entitlement to WCB benefits
- Clarifies medical information
- Determines the worker's ability to perform essential duties or suitable employment

#### Vocational Rehabilitation Counsellor

- Develops and negotiates vocational rehabilitation plan
- Determines job suitability
- Counsels workers

#### Ergonomic Specialist/Worksite Analyst

- Compares demands of proposed work with the worker's restrictions to determine job suitability
- Performs an assessment of the workplace i.e. equipment, layout, tools and recommends modification to eliminate or minimize the effect of the activities

#### Nurse Specialist

- Ensures the injured worker's medical treatment is appropriate
- Supervises the medical strategy for the injured worker

**Modified Work Acknowledgement Form**

**TOTAL COMMUNICATION ENVIRONMENT**

*I have read and understand TCE's Modified Work Policy.*

\_\_\_\_\_  
**Signature of Employee**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Employee Name (Please Print)**

**TOTAL COMMUNICATION ENVIRONMENT**

**MODIFIED WORK OFFER**

Date: \_\_\_\_\_

To: Claim Adjudicator: \_\_\_\_\_ V.R. Counsellor: \_\_\_\_\_

From: Director - Operations \_\_\_\_\_

Total Communication Environment has a formalized Return to Work Program approved by Board of Directors.

Worker: \_\_\_\_\_ Claim : \_\_\_\_\_

Modified Work Position: \_\_\_\_\_

Job Description: \_\_\_\_\_

\_\_\_\_\_

<b>PHYSICAL JOB ANALYSIS</b>									
<u>Activity</u>	<u>Rating</u>				<u>Activity</u>	<u>Rating</u>			
Bending at Waist	1	2	3	4	Sitting On Chair	1	2	3	4
Sitting On Chair	1	2	3	4	Sitting On Bench	1	2	3	4
Sitting On Bench	1	2	3	4	Sitting On Vehicle Seat	1	2	3	4
Sitting On Vehicle Seat	1	2	3	4	Lifting From Ground	1	2	3	4
Walking Level Surface	1	2	3	4	Lifting From Bench	1	2	3	4
Rough Ground	1	2	3	4	Lifting Over Shoulder	1	2	3	4
Stairs	1	2	3	4	Lifting Over Head	1	2	3	4
Ladders	1	2	3	4	Carrying	1	2	3	4
Driving	1	2	3	4	Pushing	1	2	3	4
					Pulling	1	2	3	4

**DEFINITION OF RATINGS**  
 1. Minimum/not required/ up to 6 kgs. 3. Moderate/med/avg/up to 1/2 day/ up to 20 kgs.  
 2. Occasional/light/up to 1/4 day/up to 10 kgs. 4. Repetitive/heavy more than 1/2 day/up to 40 kgs.

Expected Recovery Date: \_\_\_\_\_

I recommend / don't recommend this modified position for this worker.  
 (If the above position is unsuitable, please indicate the duties which require modifications).

Claims Adjudication / V.R. Caseworker: \_\_\_\_\_

**MODIFIED WORK PROGRAM AGREEMENT  
between  
TOTAL COMMUNICATION ENVIRONMENT  
and**

Total Communication Environment has a Modified Work Program approved by the Board of Directors.

TCE offers the following modified work assignment based on the physical restrictions confirmed by your physician or the Workplace Safety Insurance Board.

Job Title: \_\_\_\_\_

Wages \_\_\_\_\_ Hours: \_\_\_\_\_

Duration: \_\_\_\_\_ (maximum of six weeks)

Start date: \_\_\_\_\_

**Duties:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Employee's Agreement:**

*I agree to participate in the Modified Work Program and I accept the position described above and the terms and conditions therein. I also agree to promptly report for work into the Modified Work Assignment and maintain regular contact with the WSIB Claims Manager.*

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Executive Director's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Claims Signature

\_\_\_\_\_  
Date

c.c. CUPE Representative

## **E.14 OVERTIME**

### ***POLICY***

TCE is committed to maintaining a balanced budget and promoting employees' mental health and well-being. Therefore, TCE's goal is to maintain a zero overtime policy.

All overtime must be pre-approved by the Program Supervisor or On-Call Program Supervisor. Any overtime which was not expressly approved by the Program Supervisor or On-Call Program Supervisor, will not be paid. Refer to the Collective Agreement regarding overtime definition and compensation.

It is the employee's responsibility to indicate when they are accepting a shift whether or not this will place them in overtime and receive approval prior to confirming the shift.

TCE will endeavour to hire new staff for the Call-In list following two consecutive payrolls with overtime charges.

## **E.15 PERFORMANCE REVIEW AND ASSESSMENT**

### ***POLICY***

TCE recognizes that the performance review process is beneficial to both the employee and the Program Supervisor, in allowing for a review and discussion of overall achievement, along with the establishment of future professional and personal objectives.

Performance reviews shall be completed:

- after three (3) months in TCE's employ;
- prior to the conclusion of an employee's probationary period at six (6) months; and
- on an annual basis thereafter.

Both Program Supervisor and employee will sign the completed performance review to acknowledge that the performance review has occurred.

Employees shall receive the completed performance review, and a copy shall become part of their employee file.

### ***GUIDELINES***

#### **Why do it?**

The performance review and assessment process ensures that employees receive regular feedback on both their actual performance on the job, but also the skills and knowledge which they bring to it. It is not uncommon for employees and their supervisors to have very different views about the employee's performance or capabilities. Formal feedback ensures that differences of perspective are brought out in the open and dealt with constructively. The form itself assists supervisors in ensuring that they provide comprehensive feedback on both elements and also ensures that standards are being applied consistently to all employees in like positions

#### **Performance vs Skills**

An employee may have knowledge or skill in a particular area, but not apply these effectively in their day-to-day work. Similarly, an employee may be trying as hard as they can but be missing skills or knowledge they need to perform effectively. Separating what an employee knows or *can* do from what an employee *actually accomplishes* enables both employee and supervisor to effectively discuss

- Areas where performance is below required standards
- Areas where an employee requires training or development
- Areas where an employee has a particular strength that can be built upon
- Areas where contribution over and above the norm are being made and should be recognized
- Potential within the employee for positions other than the one they currently hold
- Why an employee might be a superior performer but not be seen as having potential to progress through the organization.

#### **How often?**

Performance and skills assessments are a useful tool for feedback and development planning and should be used as often as suitable for employee and supervisor. For example, a new employee or an employee new to a position may require more frequent feedback or more development support and planning than a more seasoned

employee. Nevertheless, employees should be receiving individualized feedback at least once a year. It is for this reason that TCE requires a once annual assessment – that is, to ensure that employees and supervisors are engaging in necessary individualized discussion at least once each year.

### **360° Feedback**

Employees, including supervisors and executives, may use the form and concepts incorporated into it to solicit feedback from peers, clients, families of clients or others from whom they wish to receive it. Any employee wishing to use the form in this way should be reminded that giving and receiving feedback is a skill itself and one which not all colleagues will be comfortable providing. Your supervisor can assist with this process on request.

#### **The Process**

Individual employee feedback should be done privately between the employee and the supervisor. Best results are obtained when an employee takes the form and self-assesses prior to the review session. That way, differences in perception become immediately evident. This is not a TCE requirement however, and would be undertaken at the employee's option.

The employee's immediate supervisor fills out the form using the "comments" columns to cite specific examples of good or bad performance and/or strong or weak skill areas. Examples help to make the supervisor's assessment more concrete and believable; sometimes the example used leads to fruitful discussion as to the roots of a particular incident, outcome or behaviour.

Program Supervisor's meet together to present to each other their assessments of individual employees' performance and capability. This allows for feedback from other sources as well as providing a check and balance on the supervisor's assessment. At the same time as the Program Supervisors meet to discuss their assessments, other related issues may be discussed, such as development plans, succession planning and staffing plans. In order to allow for this cross-checking of assessments, the assessment period will remain constant, with annual reviews being completed and cross-checked in October of each year and individual employee interviews following thereafter not to slip beyond February of the following year.

The review is then discussed with the employee and signed by both the employee and the supervisor. Whereas the supervisor signs to certify the copy as the official copy of the review, the employee signs or initials to indicate that they have seen the review. The employee need not agree with the assessment and may, at their own request, add comments at the end of the review.

One copy of the completed and signed review is maintained in the employee's file for a three year period unless otherwise specified in the collective agreement.

#### **The Form**

There are different forms for different positions:

- TCE Executive – includes Director Operations and Executive Director
- TCE Administration – includes Director of Finance, Finance Assistant and Executive Assistant
- Residential Counsellor
- Call-in Counsellor
- Overnight Awake Counsellor
- Overnight Asleep Counsellor
- Program Supervisor

## Section E: Human Resources

*Each form is designed to generate assessments of the individual contributions and skills pertinent to the job held by the individual. (The exception to this is the TCE Administration form which is designed to be somewhat generic.)*

Page 1 of each form provides simple check boxes to assess performance and contribution. This is the section that assesses what an individual has actually done for TCE. The ratings range from 1 – *Performance not acceptable* to 5 – *Performance Outstanding*, with the 3 rating as the norm – *Fully Satisfactory*. Where an employee has not had an opportunity to demonstrate a particular area of responsibility or a supervisor has not had an opportunity to observe the employee’s performance in a particular area, then the designation “n/a” should be put into the Comments column and the assessment codes left blank.

*The “Comments” column allows for a supervisor to cite specific examples by way of explanation and/or to indicate an area of concern or a “missing quality” that may or may not be reflected in the rating.*

At the bottom of the table on this page are one or more rows indicating “Other –”. This allows a supervisor to add an accomplishment or achievement particular to the individual employee that may be unique to that person (such as a project completed) or deserving of special mention (such as a unique opportunity the employee came across in the course of their work, or an area where the employee made a particularly impressive contribution).

Underneath this is an area for an Overall Assessment of the employee’s performance. Bear in mind that this is not an arithmetic reflection of the number of tick marks in each column, but reflects an overall picture of the total package of contribution. Both employees and supervisors are reminded that the various rows in this table do not and should not carry identical weight in the overall assessment. Also bear in mind that the preponderance of employees will needs must fall into the “3” category since this reflects the norm.

Finally, there is a space for the supervisor to sum up the employee’s performance and accomplishments for the period in a couple of sentences. These sentences should be summative in nature but with an opportunity to single out one or two exceptional (either positive or negative) performance areas. In the case where an employee has been given a “1 – *Not Acceptable*”, these comments should clearly indicate an expectation for improved performance in that area.

**Page 2** of the form provides simple checkboxes to assess skills and knowledge. Whereas the performance assessment on Page 1 provides the best indicator of contribution to the organization, the skills assessment provides the best indicator of development needs as well as potential within the organization.

The rating scheme is the same as that for performance with “1” indicating an unacceptable skill level, a “3” indicating fully satisfactory skill level, and “5” indicating outstanding skills/knowledge in that area. Employees and supervisors should note that a “2 – *Needs work*” rating is not necessarily a negative rating. These are the most useful ratings because they indicate where an individual has development needs. However, persistent and extensive 2 ratings do indicate an individual who isn’t quite meeting the mark for this position.

The skills indicated in the rows are particular to the specific position. However, if an employee requests additional feedback in a particular skill area or has been identified as prime for development to the next level, then other skill areas may be added to begin providing feedback in skill areas beyond the specific job.

Once again, the overall rating row does not necessarily reflect the addition of the tick marks from the individual columns but rather reflects the supervisor’s overall assessment of the individual’s skill and knowledge.

Also a space is provided for summative description of the employee’s abilities, but development needs are

provided on the succeeding page.

**Page 3** of the form provides space for the supervisor and employee to make plans based on the skills and knowledge assessment as well as the desires and interests of the employee, for the development of the employee during the coming period.

Typically, the development needs will reflect a combination of observed weak areas, personal interests of the employee, and future staffing needs of the organization. A newer employee will have greater development needs than a more experience employee, but the more experience employee still needs to learn and grow to prevent themselves from becoming stale on the job.

The opportunities sought reflect the most specific possible types of opportunities required by the individual. In the simplest case, this will be a training course in a weak area. However, development also includes, time on the job, special projects, exposure to certain individuals or situations, coaching, movement to a new position for broadening or temporary acting positions. It is the supervisor's job to look for opportunities suitable to the development needs of the individual and it is the employee's job to seek out and exploit opportunities presented. If an employee is not able to access the development they require, he/she should seek out a further interview with their supervisor to develop a plan to do so.

## **E.16 PROFESSIONAL REFERENCES**

### ***POLICY***

TCE supports the concept of, and will provide, references for employees.

All professional references regarding TCE employees will be provided only by Management.

Generic letters of reference will not be provided upon an employee's departure. Generally, references will be provided verbally, over the phone. Written references will be provided only in certain circumstances for a specific purpose (ie. University application, specific job).

## **E.17      SHIFT CHANGES**

### ***POLICY***

Only two (2) shift change request, of an equitable number of hours, and within the same job classification, is permitted within the pay period.

All requests for shift change must be provided in writing, 48 hours prior to the requested change, for approval by the Program Supervisor. Program Supervisor signature of approval or non-approval of shift change requests will be returned to the employee, by copy of the original written request..

All Program Supervisors will document the status of all shift change requests in each respective program log book.

## **E.18 STAFF ATTENDANCE AND PUNCTUALITY**

### ***POLICY***

Attendance and punctuality is a high priority at TCE. TCE expects employee to respect work schedules and to report ready to work and prepared to commence duties as per scheduled times.

The Agency does not permit any late arrival and/or early departure from the employee's work station outside of pre-approved leave requests.

An employee with sub-standard attendance or punctuality patterns will be subject to disciplinary action up to and including dismissal.

### ***PROCEDURE***

When an employee knows he/she will be absent, it is his/her responsibility to notify the On Call Program Supervisor, providing a minimum of three hours' notice. If an employee has been scheduled for a day shift, they must call between 9:00 p.m. and 11:00 p.m. of the prior evening. This notice period is necessary in order to ensure replacement.

If an employee does not comply with the notice period, the Program Supervisor may require him/her to report to work until a replacement arrives at the location. It is recognized that this may not always be possible, depending on the gravity of the illness and/or circumstances.

If an employee does not report ready to work on time, according to their schedule, they will not be compensated for that period of time.

The Program Supervisor will regularly review the employee's attendance record and may follow up with the employee as to any long term effects it may be having on TCE. Frequent reoccurrences of late arrival and/or early departure or unjustified absences will result in disciplinary action.

## **E.19 STAFF TRAINING**

### ***POLICY***

Total Communication Environment recognizes that the employment and retention of qualified and competent staff is essential to the success of delivering high quality programs and services to our residents.

### ***PROCEDURE***

Upon hiring of each new employee, Human Resources will conduct a thorough orientation at head office on such matters as Total Communication Environment Departments and functions, employee roles, job content and scope, performance and evaluation standards, job safety, physical restraints etc.

This Orientation will include the review of Total Communication Environment's Policies and Procedures, Mission Statement and Medication training. Program specific items will be covered during program orientations. In addition, the following items will be discussed and relevant documentation will be completed:

EMPLOYEE INFORMATION FORM AND EMERGENCY CONTACT FORM	<ul style="list-style-type: none"> <li>To be completed by new employee</li> </ul>
SALARY AND PAYROLL INFORMATION	<ul style="list-style-type: none"> <li>Finance Assistant will confirm items such as starting salary, frequency of payment, first pay-day and the period it will cover, payment delivery method and required banking information</li> <li>New employee must submit a copy of a void cheque for payroll direct deposit</li> <li>Finance Assistant will review Government tax forms, as required for Income Tax purposes;</li> </ul>
INITIAL STAFF MEDICAL FORM and MEDICAL TRAINING	<ul style="list-style-type: none"> <li>New employees are required to complete the Annual Statement of Health Form and Hepatitis form</li> <li>A Program Supervisor will attend the in office orientation to review the Med Training Policy and Procedure and to demonstrate medication pouring;</li> </ul>
CRIMINAL REFERENCE CHECK VULNERABLE SECTOR	<ul style="list-style-type: none"> <li>Human Resources will ensure that the completed Criminal Reference Check for the Vulnerable Sector is obtained prior to the employee commencing employment within the grouphome; the original is kept in the employee's file at head office at time of hire.</li> </ul>
VACATION BENEFITS	<ul style="list-style-type: none"> <li>Finance Assistant will review these benefits, if applicable</li> </ul>
SICK LEAVE BENEFITS	<ul style="list-style-type: none"> <li>Items will be reviewed during orientation. Accumulation of sick leave benefits will be reviewed, if applicable;</li> </ul>
GROUP BENEFITS	<ul style="list-style-type: none"> <li>Benefit enrollment form must be completed for each employee who qualifies. The Finance Department provides the provider with all necessary information;</li> <li>Multi Sector Pension Plan – the pension plan provider contacts the employee directly;</li> <li>Human Resources will review the Employee Assistance Plan;</li> </ul>
CONTRACT OF EMPLOYMENT	<ul style="list-style-type: none"> <li>Human Resources reviews new employee's Letter of Agreement, together with their job description, Total Communication Environment's Mission statement and all other relevant information;</li> <li>Human Resources will review the procedure for Program orientations</li> </ul>

## Section E: Human Resources

	and provide all relevant contact information regarding same;
TRAINING	<ul style="list-style-type: none"> <li>Human Resources will review required employee Certifications (ie: First Aid/CPR; CPI; American Sign Language). New employees will be scheduled for in-house re-certification training for First Aid/CPR and CPI if they do not possess up-to-date certifications; All employees who do not have first aid and CPR prior to employment must do so on their own time and expense.</li> </ul>
INSURED DRIVERS	<ul style="list-style-type: none"> <li>Human Resources reviews the policy on vehicle accidents and employee's personal liability when at fault;</li> <li>Employees must possess at least a valid Ontario "G" drivers licence to operate program vehicles.</li> </ul>
CERTIFICATION REQUIREMENTS	<ul style="list-style-type: none"> <li>It is the employee's responsibility to ensure their certification does not lapse at any time; the following list is an agency requirement:</li> </ul>
Quality Assurance Measures	<ul style="list-style-type: none"> <li>Upon Employment/Annual Refresher</li> </ul>
Policy and Procedures	<ul style="list-style-type: none"> <li>Upon Employment and as Required or new policies LAST UPDATED or developed</li> </ul>
American Sign Language (ASL)	<ul style="list-style-type: none"> <li>Initiated within first three months until appropriate level attained</li> </ul>
Crisis Prevention Training ( CPI/APT)	<ul style="list-style-type: none"> <li>Upon Employment and every 2 years</li> </ul>
First Aid and CPR	<ul style="list-style-type: none"> <li>Certified at time of hire and then every 3 years</li> </ul>
Fire Extinguisher Training	<ul style="list-style-type: none"> <li>Upon Employment and Annually</li> </ul>
WHIMIS Training	<ul style="list-style-type: none"> <li>Upon Hire, annually video recertification</li> </ul>
Lifts and Transfer	<ul style="list-style-type: none"> <li>Upon Hire and Refresher every 2 years video recertification</li> </ul>
Fit Testing	<ul style="list-style-type: none"> <li>Upon Hire or if any physical changes</li> </ul>
Emergency Preparedness	<ul style="list-style-type: none"> <li>Upon Hire and Reviewed Annual as well as Emergency Kit replenished</li> </ul>
Anti Harassment Training	<ul style="list-style-type: none"> <li>Upon Hire/ annual video recertification</li> </ul>
Home Specific Training	<ul style="list-style-type: none"> <li>Upon employment staff will receive Home Specific training and orientation at each home they are employed in</li> </ul>
Slips, Trips & Falls	<ul style="list-style-type: none"> <li>Within the first three months and annually thereafter</li> </ul>
Workplace Violence – Bill 168	<ul style="list-style-type: none"> <li>Within the first three months and annually thereafter</li> </ul>

First Aid and CPR are mandatory at the time of employment and the cost borne by the employee. Re-certification training for employees in First Aid, CPR, CPI and Mat Restraint will be provided internally by TCE instructors on paid time.

Failure to attend scheduled courses will result in employees being required to re-certify in First Aid and CPR externally at their own expense and on their own time within the time frame required by TCE. Failure to attend the course in CPI and Mat Restraint will result in employees not being able to accept shifts until re-

certified. A lapse in certification may be grounds for discipline, and employees will be required to certify at their own expense and time.

### **TRAINING EXPENSES**

If an employee is required by the employer to participate in any other training or workshop, it shall be on paid time and at the employer's expense. If an employee is required to attend a training course or workshop outside of Ottawa-Carleton, it will be at the Agency's expense for all travel accommodation and meal expenses (as per approved per diem rate).

### **EMPLOYEE INITIATED TRAINING**

Personal or professional development may be requested by an employee and sponsored by the Agency. The request must be made through the Program Supervisor to the Executive Director. For most employee-initiated training, the employee is not compensated. If operationally permitted, the Program Supervisor may accommodate the employee with the time off from their regularly scheduled time. This time off must be made through a Request for Leave.

However, TCE may, at its discretion, elect to pay for time and costs for employee-initiated training where the training is considered advisable and pertinent.

## **E.20 VOLUNTEERS / STUDENT PLACEMENTS**

### ***POLICY***

TCE recognizes the inherent value in maintaining and developing natural support networks for both the residents and the Agency. It is TCE's objective to involve these natural support networks in an augmentative manner, which will allow existing paid staff to be more effectively utilized.

Volunteers / students will be expected to hold to the same high standard of conduct as any employee:

- TCE will involve potential volunteers in an interview process. This process will be determined by Management, based upon the needs of the potential volunteer position.
- TCE will maintain a current, confidential file for each volunteer in a secure location. Volunteers will be required to provide personal references, which will become part of their file.
- Prior to beginning their position, volunteers / students having direct involvement with TCE's residents will be required to:
  - sign TCE's Declaration of Confidentiality
  - provide a Criminal Reference Check for the Vulnerable Sector
  - provide health information
  - provide certification of QAM Training, First Aid and CPR
- Prior to any volunteer starting their placement with TCE, they will be trained on or be made aware of, by a Program Supervisor and or Designate, all behaviour support plans and guidelines.
- Volunteers shall not be expected to carry out behaviour support plans that address challenging behaviours.

## **E.21 MEDICATION ERROR DISCIPLINARY PROTOCOL**

### ***POLICY***

All staff have been trained and have at least 3 monitored medication administrations. Staff will be reminded of the importance of the thirteen rights to ensure proper administration and documentation:

1. the right resident,
2. the right medication,
3. the right dosage,
4. the right time,
5. the right route,
6. the right documentation,
7. the right frequency
8. the right site
9. the right assessment
10. the right reason
11. the right education
12. the right evaluation
13. the right to refuse

TCE also recognizes that we are all human and errors will happen.

### **MEDICATION DOCUMENTATION ERRORS**

**Definition:**

A documentation error is defined as follows:

- staff administer medication to the residents and neglects to sign off the MAR Sheets.

When a documentation error occurs, the Program Supervisor will bring the error to the attention of the individual. The expectation will be that the documentation is completed. When numerous errors are concurrent then disciplinary measures will be initiated and put on the individual's file.

### **MEDICATION ADMINISTRATION ERRORS**

**Definition:**

- when medication was not administered according to the medication rights, i.e. medication given at wrong time, wrong person, not given at all.

When a medication error occurs, staff must follow the protocol for dealing with this type of situation. The Program Supervisor will meet with the individual after an error. If the error is significant and there are further medical issues, a Serious Occurrence may need to be filed.

When an individual has made three medication errors within a year, they will be provided with retraining.

Should the errors continue, then progressive disciplinary action will follow, up to and including termination.

**MEDICATION TREATMENT ERRORS**

**Definition:**

Defined as when a treatment was not provided or treatment given to wrong individual.

When a treatment error occurs, the Program Supervisor will bring the error to the attention of the individual. When numerous errors are concurrent then disciplinary measures will be initiated and put on the individual's file.



