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## Announcement

To: All Employees

From: Human Resources

Subject: National Company Policy - Workplace Violence and Harassment

Date: June 28, 2010

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### Background

Weston Foods Canada is committed to providing a workplace which is free from all forms of harassment and discrimination and any form of violence that creates a climate of hostility, fear, or intimidation.

As part of the Company's regular review of Corporate policies, and in response to the introduction of Bill 168 effective June 15, 2010 in Ontario, the Company has amended our Workplace Harassment policy and has introduced our new Workplace Violence policy effective June 15, 2010. The new **Workplace Violence and Harassment Policy** will be followed by all employees of Weston Foods (Canada) Inc.

Bill 168 establishes certain amendments to Ontario's Occupational Health and Safety Act (OHSA) specifically in the areas of workplace harassment and workplace violence. As a result, the Company has added language and process to our policies which will strengthen protection for employees from workplace violence and workplace harassment. In addition, we have expanded our definitions of workplace violence and harassment and have reiterated our duties, as an employer, to assess and prevent the risk of violence in our workplaces.

### Details

While Bill 168 does apply specifically to Ontario, our goal is to have consistent policies which apply to each and every one of our workplaces and employees across Canada. Workplace Violence and Harassment awareness training will be provided to all Ontario employees with additional training for People Managers.

Due to the introduction of Bill 168 the primary focus will be in Ontario. Violence risk assessments will be conducted at all work locations outside of Ontario at a later date. It is at this time that employees outside of Ontario will be provided with awareness training and be required to sign their acknowledgement of receipt and understanding of the policy.

For all new employees, this policy will be built into existing orientation programs.

### Your Role

- Take time to read the **Workplace Violence and Harassment Policy** and confirm your receipt of the policy and understanding of the terms outlined by signing the acknowledgement form; and
- Abide by the Employee Responsibilities and Obligations as outlined in the policy.



# Company Policy

## **Subject: Workplace Violence and Harassment**

Date Issued: June 15, 2010

Replaces Issue Dated: New

### **1.0 Purpose**

Weston Foods (Canada) ("Company") is committed to maintaining a safe and healthy workplace free from actual, attempted or threatened violence or harassment. The Company will not tolerate any acts of violence or harassment and will take all reasonable and practical measures to prevent violence and harassment and protect workers from acts of violence or harassment.

The purpose of this policy is to provide details of and ensure compliance with the Company's position on violence and harassment in the workplace. This Policy is aligned with Weston's overall approach to identification of hazards in the workplace and application of appropriate controls to reduce risk.

### **2.0 Interpretation**

Responsibility for the interpretation of this Policy rests with the executive management team, and ethics & conduct committee, as required.

### **3.0 Scope**

This policy applies to all workers as defined below and covers not only incidents that occur on Company premises, but extends to the Company workplace as defined below.

### **4.0 Definitions**

**4.1. Worker:** For the purpose of this policy, a worker includes but is not limited to Company employees, agency employees, contractors, consultants, customers, independent distributors, independent contractors, vendors, as well as any person engaged in business with the Company including visitors to the Company workplace.

**4.2. Company Workplace:** For the purpose of this policy, a Company workplace includes all places where Company business occurs and includes all:

- Company buildings (whether owned or leased) and surrounding perimeter including parking lots, sidewalks, driveways ("Company Grounds");
- Company vehicles;
- Off-site locations where Company business occurs;
- Company sponsored functions and recreational or social events, whether taking place on Company Grounds or elsewhere; and
- Travel for Company business.

- 4.3. **Stalking:** Harassing or pestering an individual in person, in writing, by telephone or by electronic format. Stalking also involves following an individual, spying on them, alarming them, or causing them distress and may involve physical violence or the fear of physical violence.
- 4.4. **Threat:** The expression of intent to cause physical or mental harm. An expression constitutes a threat without regard to whether the party communicating the threat has the present ability to carry out the threat and without regard to whether the expression is contingent, conditional, or future.
- 4.5. **Intimidation:** Includes but not limited to unwarranted behaviour intended to frighten, coerce, or induce duress.
- 4.6. **Property Damage:** Intentional damage to property including property owned by the Company, employees, contractors or visitors.
- 4.7. **Weapons:** Any objects that may be used to intimidate, attack or injure another person or to damage property. Objects understood to have a primary function as a weapon are not permitted at any Company workplace.
- 4.8. **Reprisal:** An act of retaliation in any form, either direct or indirect.

## 5.0 Reprisal

Workplace violence and harassment is a serious matter. This policy prohibits reprisals against employees who, acting in good faith, have made complaints or provided information regarding a complaint or incident, or investigated complaints of workplace violence or harassment. Employees who engage in reprisals or threats of reprisals may be disciplined up to and including termination of employment.

Reprisal includes:

- Any act of retaliation that occurs because a person has complained of or provided information about an incident of workplace violence or harassment;
- Intentionally pressuring a person to ignore or not report an incident of workplace violence or harassment; and
- Intentionally pressuring a person to lie or provide less than full cooperation with an investigation of a complaint or incident of workplace violence or harassment.

An employee who makes a knowingly false or malicious complaint or otherwise abuses this policy may be disciplined up to and including termination of employment. Such discipline is not a reprisal or breach of this policy.

## WORKPLACE VIOLENCE

## 6.0 Summary

The Company values the health & safety of its employees and expects that its workplace(s) will be free of workplace violence. The Company will not tolerate incidents of workplace violence perpetrated against or by any employee (whether management, hourly or salaried), customer, vendor, contractor, visitor or any other person at a Company workplace or involved in Company business.

For the purpose of this policy, workplace violence includes but is not limited to the following:

- The use of physical force against or by a worker that causes or could cause physical injury. This includes, but is not limited to, physical acts such as punching, hitting, kicking, pushing, sexual assault or throwing objects;
- The attempted use of physical force against or by a worker that could have caused physical injury;
- An action or statement (or series of actions or statements) reasonably believed to be a threat of physical harm or as a threat to safety or security in the workplace;
- Possession of a weapon of any kind to at the Company workplace or possessing a weapon of any kind while carrying out Company business, or threatening to bring a weapon to a Company workplace; and
- Destructive or sabotaging actions against Company or worker property.

Every person at a Company workplace is responsible for acting in compliance with this policy.

With respect to acts of workplace violence, as defined in this policy, the Company may, where appropriate:

- Remove the alleged perpetrator from a Company workplace by security or the police;
- Discipline any employee, up to and including dismissal, and/or report the conduct to the police; and
- Report the conduct of any other person to their employer and/or to the police.

All physical assaults involving an employee or occurring at a Company workplace will be reported to Police. All other incidents or threats of workplace violence will be reported to police as appropriate.

## **7.0 Domestic Violence**

Any employee experiencing violence outside of the workplace (i.e. domestic violence) that may create a risk of danger to themselves or others in the workplace is encouraged to report such violence so that the Company can take reasonable preventive steps.

## **8.0 Individuals With a History of Violence**

The Company has an obligation to warn employees of the identity and personal details of an individual with a history of violent behaviour where there is a risk of workplace violence being perpetrated by that person. Such information will only be provided where:

- The worker could reasonably be expected to encounter that person in the course of his or her work; and
- The risk of workplace violence is likely to expose the worker to injury.

Confidentiality will be maintained wherever possible. Information which relates to potentially violent individuals will be shared with employees only on a need to know basis. Employees are therefore expected to maintain confidentiality where they are in receipt of this type of sensitive personal information.

## 9.0 Responsibilities and Obligations

All employees are responsible for preventing and reporting acts of violence that threaten or perceive to threaten a safe work environment. Specific responsibilities are outlined below.

### 9.1. The Company

- Take reasonable preventative measures to protect employees and others in Company workplaces from workplace violence;
- Ensure that a workplace violence assessment is conducted;
- Develop procedures to address the workplace violence risks identified in the assessment;
- Ensure that all employees are trained in this policy;
- Post this policy in a conspicuous place in the workplace;
- Establish a process for reporting and responding to incidents of workplace violence;
- Ensure the process for reporting and responding to incidents of workplace violence is communicated, maintained and followed; and
- Ensure that this policy is reviewed at least annually.

### 9.2. Managers and Supervisors

- Understand, abide by and uphold the requirements of this policy;
- Communicate and review this policy with the employees they supervise or manage;
- Ensure that appropriate procedures are in place to minimize the risk of violence to our employees;
- Train employees in Company procedures that address the workplace violence risk(s) applicable to the employee;
- Encourage employees to report complaints or incidents of workplace violence;
- Ensure that every reported incident of workplace violence is investigated, and potential areas for improvement are identified;
- Take all reasonable and practical measures to protect workers, acting in good faith, who report workplace violence or act as witnesses, from reprisal or further violence;
- Promptly report all complaints or incidents of workplace violence they receive or witness to the Human Resources department;
- Maintain confidentiality wherever possible; and
- Review annually, in conjunction with review of hazard assessments, the effectiveness of actions taken to minimize or eliminate workplace violence and make improvements to procedures, as required.

*If a supervisor or manager is unsure on how to properly address the situation, he/she will contact the most senior manager (plant/facility manager) or Human Resources for advice.*

**9.3. Joint Health & Safety Committee**

- Review the Workplace Violence Hazard Assessment results and provide recommendations to management to reduce or eliminate the risk of violence;
- Review all reports forwarded to the JHSC regarding workplace violence and other incident reports as appropriate, pertaining to incidents of workplace violence that result in personal injury or threat of personal injury, property damage, or police involvement; and
- Respond to employee concerns related to workplace violence by communicating these to management;

**9.4. Employees (including Managers and Supervisors)**

- Comply with this policy at all times to protect themselves and others in the workplace;
- Maintain a safe work environment, whenever possible;
- Treat everyone in the workplace with dignity and in a manner that is respectful and free of violence, threats and intimidation;
- Not engage in or ignore violent, threatening, intimidating or other disruptive behaviour;
- Immediately notify their supervisor or other designated person of any incident where the employee is subjected to, witnesses, or has knowledge of workplace violence, or has reason to believe that workplace violence may occur;
- In the case of an extreme or imminent threat of physical harm to themselves or any person from workplace violence, the worker should contact police by dialling 911 immediately without advising management;
- Participate in training regarding this policy and Company procedures directed at workplace violence risks; and
- Fully cooperate in any investigation of complaints or incidents of workplace violence or breaches of this policy.

**9.5. Complainants / Victims of Violence**

- In cases of violence report the incident to management or a member of the Human Resources Department;
- Preserve evidence and document dates, times and the names of any witnesses, as well as any attempts to resolve the situation; and
- To cooperate fully with any and all workplace violence investigations.

**9.6. Respondents / Employees Accused of Violence**

- Cooperate fully with any and all workplace violence investigations; and
- Preserve evidence related to instances of alleged violence, documenting dates, times and the names of any witnesses.

**9.7. Investigators**

- Carry out fair and impartial investigations into allegations of workplace violence, ensuring the complainant, alleged perpetrator and any potential witnesses are interviewed.

## **10.0 Procedure**

### **10.1. Hazard Assessment**

- Hazard assessments regarding workplace violence must be completed as part of the regular hazard assessment program to determine whether the nature of the work or the work environment places, or may place, employees at risk of violence;
- The Joint Health & Safety Committee must be consulted in conducting hazard assessments, and in the development of practical steps to minimize or eliminate identified risks;
- Management will take all reasonable and practical measures to minimize or eliminate risks identified through the hazard assessment process, workplace inspections, or the occurrence of an incident;
- Additional hazard assessments will be conducted at intervals of time appropriate to the specific conditions and circumstances of the jobs performed.

### **10.2. Workplace Violence Prevention Program**

The Company has taken specific measures to implement this Workplace Violence policy. These measures are referred to as our Workplace Violence Prevention Program. The program includes specific measures and procedures to control risks of workplace violence. Such measures include the following:

- Implementing procedures for summoning immediate assistance when workplace violence occurs or is likely to occur;
- Ensuring all current and new employees undergo workplace violence awareness training;
- Implementing procedures for reporting incidents of workplace violence; and
- Implementing procedures for investigating and dealing with alleged incidents of workplace violence.

### **10.3. Workplace Violence Awareness Training**

- All newly hired and current employees will be required to undergo workplace violence awareness training;
- The Company may conduct refresher sessions as necessary or when new related work practices or hazards are identified;

### **10.4. Reporting Workplace Violence**

- All incidents of workplace violence, or reprisal must be immediately reported to management or the Human Resources Department;
- Any person subjected to workplace violence should, where appropriate, go to a safe location at the workplace and report the incident to their supervisor, manager or the Human Resources Department so that the incident can be investigated and addressed;

- All complaints and incidents are to be recorded in writing by the individual receiving the complaint using the *Workplace Violence and Harassment Incident Reporting Form*. The date, time location, potential witnesses and nature of the incident should be documented. The complainant and the recipient of the complaint should sign and date the form;
- If the police have not previously been summoned, management or the Human Resources Department will report all physical assaults to the police. All other incidents or threats of workplace violence will be reported to the police as appropriate;
- If an incident of workplace violence involves a person who is not an employee of the Company; Company management or the Human Resources Department will report the incident to that persons employer and/or such other person as the company determines is appropriate in the circumstances.

#### 10.5. Investigating Workplace Violence

- All complaints or incidents of workplace violence, or reprisal will be promptly investigated by management or the Human Resources Department. Where the alleged perpetrator is a Company employee, the investigation will be conducted as quickly and confidentially as possible in the circumstances. Complete confidentiality is not possible in all circumstances and cannot be guaranteed;
- The management or Human Resources investigation will include:
  - (a) A documented interview with the complainant and/or victim;
  - (b) A documented interview with the alleged perpetrator(s);
  - (c) A documented interview with any witnesses with relevant information to provide; and
  - (d) Any other step the investigator(s) deems necessary to fully and fairly investigate the complaint or incident.
- At the conclusion of the investigation into an incident or complaint, Management or Human Resources will prepare a written report of the findings of fact and – after evaluating existing policies, procedures, physical premises and devices, employee training – any suggestions to prevent a recurrence;
- Where the perpetrator is a Company employee, the supervisors of the perpetrator, in consultation with management and the Human Resources Department, will take any necessary disciplinary action. The severity of any disciplinary action, which may include termination of employment, will be consistent with the seriousness of the conduct at issue such that more significant discipline will follow more serious conduct or repeated violations of this policy;
- If the complaint is substantiated, a copy of the investigation report and disciplinary documentation must be retained in the perpetrator's employee file indefinitely. No documentation will be placed in the complainant's employee file.



## **WORKPLACE HARASSMENT**

### **11.0 Summary**

The Company recognizes the diverse and multicultural composition of its workforce and also appreciates the dignity and worth of each member. We provide fair and equitable rights and opportunities for all without discrimination. Every employee has the right to work in an environment free from harassment due to sex, colour, racial origin, creed, marital status, disability, age, ancestry, place of origin, ethnic origin, citizenship, sexual orientation, record of offences, or family status.

For the purposes of this policy, workplace harassment is defined as, engaging in a course of vexatious comment or conduct against a worker in a Company workplace that is known or ought reasonably to be known to be unwelcome.

Harassment can include verbal, physical, sexual or psychological conduct, comments or gestures, which are threatening, offensive, humiliating, or intimidating to an employee.

Every person at a Company workplace is responsible for acting in compliance with this policy.

### **12.0 Responsibilities and Obligations**

All employees are responsible for preventing and reporting workplace harassment. Specific responsibilities are outlined below.

#### **12.1. The Company**

- Take reasonable preventative measures to protect employees and others in Company workplaces from harassment;
- Ensure that all employees are trained in this policy;
- Post this policy in a conspicuous place in the workplace;
- Establish a process for reporting and responding to incidents of workplace harassment;
- Ensure the process for reporting and responding to incidents of workplace harassment is communicated, maintained and followed; and
- Ensure that this policy is reviewed at least annually.

#### **12.2. Managers and Supervisors**

- Understand, abide by and uphold the requirements of this policy;
- Communicate and review this policy with the employees they supervise or manage;
- Encourage employees to report complaints or incidents of workplace harassment;
- Ensure that every reported incident of workplace harassment is investigated;
- Take all reasonable and practical measures to protect workers, acting in good faith, who report workplace harassment or act as witnesses, from reprisal or further harassment;
- Promptly report all complaints or incidents of workplace harassment they receive or witness to the Human Resources department; and
- Maintain confidentiality wherever possible;

*If a supervisor or manager is unsure on how to properly address the situation, he/she will contact the most senior manager (plant/facility manager) or Human Resources for advice.*

#### **12.3. Employees (including Managers and Supervisors)**

- Comply with this policy at all times;
- Treat everyone in the workplace with dignity and in a manner that is respectful and free of harassment;
- Immediately notify their supervisor or other designated person of any incident where the employee is subjected to, witnesses, or has knowledge of workplace harassment;
- Participate in training regarding this policy; and
- Fully cooperate in any investigation of complaints or incidents of workplace harassment or breaches of this policy.

#### **12.4. Complainants / Victims of Harassment**

- In cases of harassment, to clearly inform the harasser that his or her behaviour is unacceptable and that it must stop immediately;
- Preserve evidence and document dates, times and the names of any witnesses, as well as any attempts to resolve the situation; and
- To cooperate fully with any and all workplace harassment investigations.

#### **12.5. Respondents / Employees Accused of Harassment**

- Cooperate fully with any and all workplace harassment investigations; and
- Preserve evidence related to instances of alleged harassment, documenting dates, times and the names of any witnesses.

#### **12.6. Investigators**

- Carry out fair and impartial investigations into allegations of workplace harassment, ensuring the complainant, alleged perpetrator and any potential witnesses are interviewed.

### **13.0 Procedure**

#### **13.1. Workplace Harassment Prevention Program**

The Company has taken specific measures to implement this Workplace Harassment policy. These measures are referred to as our Workplace Harassment Prevention Program. The program includes specific measures and procedures to control incidents of workplace harassment. Such measures include the following:

- Ensuring all current and new employees undergo workplace harassment awareness training;
- Implementing procedures for reporting incidents of workplace harassment; and
- Implementing procedures for investigating and dealing with alleged incidents of workplace harassment.

### 13.2. Workplace Harassment Awareness Training

- All newly hired and current employees will be required to undergo workplace harassment awareness training;
- The Company may conduct refresher sessions as necessary or when new related work practices are identified;

### 13.3. Reporting Workplace Harassment

- All incidents of workplace harassment, or reprisal must be immediately reported to management or the Human Resources Department;
- All complaints and incidents are to be recorded in writing by the individual receiving the complaint using the ***Workplace Violence and Harassment Incident Reporting Form***. The date, time location, potential witnesses and nature of the incident should be documented. The complainant and the recipient of the complaint should sign and date the form;
- If an incident of workplace harassment involves a person who is not an employee of the Company; Company management or the Human Resources Department will report the incident to that persons employer and/or such other person as the company determines is appropriate in the circumstances.

### 13.4. Investigating Workplace Harassment

- All complaints or incidents of workplace harassment, or reprisal will be promptly investigated by management or the Human Resources Department. Where the alleged perpetrator is a Company employee, the investigation will be conducted as quickly and confidentially as possible in the circumstances. Complete confidentiality is not possible in all circumstances and cannot be guaranteed;
- The management or Human Resources investigation will include:
  - (a) A documented interview with the complainant and/or victim;
  - (b) A documented interview with the alleged perpetrator(s);
  - (c) A documented interview with any witnesses with relevant information to provide; and
  - (d) Any other step the investigator(s) deems necessary to fully and fairly investigate the complaint or incident.
- At the conclusion of the investigation into an incident or complaint, Management or Human Resources will prepare a written report of the findings of fact and any suggestions to prevent a recurrence;
- Where the perpetrator is a Company employee, the supervisors of the perpetrator, in consultation with management and the Human Resources Department, will take any necessary disciplinary action. The severity of any disciplinary action, which may include termination of employment, will be consistent with the seriousness of the conduct at issue such that more significant discipline will follow more serious conduct or repeated violations of this policy;

- If the complaint is substantiated, a copy of the investigation report and disciplinary documentation must be retained in the perpetrator's employee file indefinitely. No documentation will be placed in the complainant's employee file.

#### **14.0 Reference Documents**

Workplace Violence and Harassment Incident Reporting Form  
Weston Code of Business Conduct

#### **15.0 Review**

This Policy will be reviewed at least annually.

End of Document



## Workplace Violence and Harassment Policy

An employee who violates the Company **Workplace Violence and Harassment Policy** or otherwise behaves in an unethical, illegal, threatening, discriminatory, harassing or violent manner may be subject to appropriate disciplinary measures, including dismissal and/or legal action.

I have read and been given a copy of the **Workplace Violence and Harassment Policy** and I have been provided an opportunity to ask any questions I may have about the policy. If I have any further questions I understand that I am to address these to my department / facility manager or to my Human Resources / Labour Relations representatives.

**Employee Name (printed):** \_\_\_\_\_

**Work Location/Division:** \_\_\_\_\_

**Employee Signature:** \_\_\_\_\_

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

**Manager Name / Signature:** \_\_\_\_\_



## WORKPLACE VIOLENCE AND HARASSMENT INCIDENT REPORTING FORM

### SECTION 1 – IDENTIFICATION

Name of Complainant:	Job Title/Classification:	Telephone:
Supervisor's Name:	Job Title:	Telephone:
Please check all that apply to you: <input type="checkbox"/> Victim <input type="checkbox"/> Witness <input type="checkbox"/> Supervisor/Manager <input type="checkbox"/> Other (please specify) _____		

### SECTION 2 – INCIDENT

Name of Apparent Victim(s):	Job Title/Classification of Victim:	
Name of Alleged Perpetrator(s):	Job Title/Classification of Perpetrator:	
Is Perpetrator an Employee? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, please explain: _____		
Facility Name:	Specific Location of Alleged Incident:	
Date of Incident:     /     /	Date Being Reported:     /     /	
Type of Incident(s) (check all that apply):		
<input type="checkbox"/> Physical Violence <input type="checkbox"/> Domestic Violence <input type="checkbox"/> Verbal Harassment <input type="checkbox"/> Other (please specify): _____	<input type="checkbox"/> Attempted Physical Violence <input type="checkbox"/> Possession of a Weapon <input type="checkbox"/> Sexual Harassment	<input type="checkbox"/> Threat of Physical Violence <input type="checkbox"/> Sabotage of Property <input type="checkbox"/> Psychological Harassment (bullying)

Was medical attention required as a result of the alleged incident(s)? ☐ Yes ☐ No

If yes, please provide details, if known: \_\_\_\_\_

Were the police or other law enforcement authorities contacted? ☐ Yes ☐ No

Please provide a description of the incident(s) in question (what happened, where it occurred, what led up to the incident, who else was present, what action was taken at the time. If possible, what were the exact words used. (attach a separate sheet if necessary)

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### SECTION 3 – KNOWN OR POTENTIAL WITNESSES

Witness Name:	Telephone:
Relationship: <input type="checkbox"/> Co-worker <input type="checkbox"/> Supervisor/Manager <input type="checkbox"/> Client <input type="checkbox"/> Member of the Public <input type="checkbox"/> Other (please specify) _____	
Witness Name:	Telephone:
Relationship: <input type="checkbox"/> Co-worker <input type="checkbox"/> Supervisor/Manager <input type="checkbox"/> Client <input type="checkbox"/> Member of the Public <input type="checkbox"/> Other (please specify) _____	

### SECTION 4 – SIGNATURES

Signature of Complainant: _____	Date:     /     /
Report Completed by: _____	Date:     /     /

### SECTION 5 – IMMEDIATE ACTION TAKEN

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