

Tales from a Toxic Work Environment

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WHAT IS A TOXIC WORK ENVIRONMENT?

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INTRODUCTION

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"Roberta will now explain why
the toxic fumes safety procedures
were never written."

TERMINOLOGY

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✓ TOXIC WORK ENVIRONMENT

✓ POISONED WORK ENVIRONMENT

✓ HOSTILE WORK ENVIRONMENT

TOXIC WORK ENVIRONMENT

An environment that negatively impacts the viability of an organization.

A workplace where personal battles often harm productivity.

- Wikipedia

HOSTILE WORK ENVIRONMENT



Conduct must be intentional, severe, recurring and/or pervasive, and interfere with the employees ability to perform his/her job. The perspective of a reasonable person is used to determine if the reaction to the conduct would be the same as the person experiencing this situation.

- USA

POISONED WORK ENVIRONMENT

A poisoned work environment is created when a workplace is hostile or unwelcoming because of insulting or degrading comments or offensive actions aimed at an employee or others.

- Alberta Human Rights Commission

POISONED WORK ENVIRONMENT

A complaint can be made to the AHRC **if** the degrading comments or behaviors violate the grounds protected by the AHR Act.

These include discrimination based on race, color, physical/mental disability, religious beliefs, gender (identity and expression), marital/family status, income, age, etc.

HARASSMENT: ALBERTA OHS

Harassment is any single incident **or** repeated incidents of objectionable or unwelcome conduct, comment, bullying or action by a person knows or should reasonably know, that this will or would cause offence or humiliation to a worker, or adversely affects the worker's health and safety.

- Alberta Occupational Health & Safety Act 2018

HARASSMENT: ALBERTA OHS



What actions or behaviors are included?

- Conduct, comment, bullying or action because of race, color, gender, etc. The same protected grounds under the AHR Act
- Sexual solicitation or advance

Any reasonable conduct of an employer or supervisor in respect of the management of workers or a work site is excluded.

VIOLENCE: ALBERTA OHS



- Occurs at a work site or is work related
- Includes:
 - threats,
 - attempted or actual conduct of a person,
 - domestic or sexual violence,that causes or is likely to cause physical, psychological injury or harm.

VIOLENCE & HARASSMENT

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**VIOLENCE AND HARASSMENT ARE
CONSIDERED HAZARDS.**

**THIS INCLUDES DOMESTIC VIOLENCE AT A
WORK SITE.**

- Part 27, Alberta Occupational Health & Safety Code



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WHAT CREATES A TOXIC WORK ENVIRONMENT?

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THE TOXIC WORK ENVIRONMENT (TWE)

- **HAVE YOU EVER WORKED IN A “POISONED, HOSTILE OR TOXIC WORK ENVIRONMENT”?**
- **DESCRIBE THE BEHAVIORS OR ACTIONS YOU OBSERVED OR EXPERIENCED.**

OBJECTIONABLE BEHAVIORS OR ACTIONS



- Conduct is intentional, severe, recurring and/or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile or abusive.
- The conduct or speech goes beyond rudeness or casual joking.
- The actions, communications or behavior of other personnel at a work site make doing your job impossible.
- Interferes with the employees' ability to perform their job
- Enduring the offensive conduct becomes a condition of continued employment

HOW DO I FEEL IN THIS ENVIRONMENT?

- UNCOMFORTABLE
- DEGRADED
- SCARED
- THREATENED
- AFRAID
- FEAR INJURY OR HARM
- FRIGHTENED
- SELF – CONSCIOUS
- DE-MORALIZED
- USELESS
- INTIMIDATED
- BERATED OR BULLIED

THE OHS PERSPECTIVE

DO OBJECTIONABLE
BEHAVIORS, SPEECH OR
ACTIONS = A HAZARD ?

ALBERTA OH&S DEFINITIONS

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- **HAZARD** means a situation, condition or thing that may be dangerous to health and safety.
- **HEALTH AND SAFETY** includes physical, psychological and social well-being.

TWE CASES IN CANADA

- *Boucher v Walmart Canada Corp. & Jason Pinnock* (“Walmart”), Ontario, 2012. Award of 1.4 million
- Boucher claimed that her manager engaged in belittling and demeaning behaviour for months, such as swearing at her and calling her an idiot, as well as making her count wood pallets in front of other employees to prove that she could count. She also claimed that she was punched in the arm twice by another Walmart employee.
- Boucher resigned from her employment, claiming constructive dismissal caused by an abusive work environment.

TWE CASES IN CANADA

- **OC Transpo Shooting:** On the afternoon of April 6, 1999, Pierre Lebrun, age 40, walked into the OC Transpo garage on St. Laurent Boulevard and killed four of his former colleagues. Another two were wounded before Lebrun shot himself.
- An inquest into the 1999 shooting revealed an atmosphere of bullying at OC Transpo and that management hadn't been taking workplace complaints seriously.

TWE CASES IN CANADA



- On Nov. 12, 2005, Dr. Marc Daniel hid in a recovery room and then stabbed Lori Dupont seven times in the chest with a hunting knife at Hôtel-Dieu Grace Hospital.
- The killing was apparently prompted by the couple's breakup.
- Hospital administrators said they were aware before the killing that Daniel had been stalking and harassing Dupont for months following their breakup.

The Lori Dupont case led to Bill 168 in 2009 in Ontario. This amended the OH&S Act to include Workplace Harassment and Violence requirements, including Domestic Violence.



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ACTIONS TO PREVENT A TOXIC WORK ENVIRONMENT

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ALBERTA OHS REQUIREMENTS



- Where to look? Alberta Occupational Health & Safety Code 2018 – Part 27 – Violence and Harassment
- The purpose of the new OHS requirements is “**prevention**”
- Violence and Harassment are classified as “**hazards**”
- The employer must demonstrate the required prevention strategies have been implemented.

ALBERTA OHS REQUIREMENTS

- Conduct a hazard / risk assessment
- Create a **Violence Prevention Plan**: this includes a policy, procedures and training.
- Create a **Harassment Prevention Plan**: this includes a policy, procedures and training.
- Involve the JWHSC or designated representative.
- Exposure of employees, or other persons at a work site, to domestic violence must be addressed.
- Prevention plans and training must be reviewed every 3 years and updated accordingly.

POLICY & PROCEDURES

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- Elimination and/or control of the hazard
- Reporting rules and requirements such as maintaining the confidentiality of information received and collected, and disclosure of personal information.
- Investigation procedures including documentation and communication requirements (results of the investigation).
- Implementation of hazard control/ prevention measures and/or corrective actions.
- Workers are not to be discouraged from exercising their rights under other legislation.



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PREVENTION STRATEGIES

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EMOTIONAL INTELLIGENCE

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- The capacity to be aware of, control and express one's emotions. (Daniel Goleman)
- To handle interpersonal relationships judiciously and empathetically.
- Five components of emotional intelligence:
 - Self-awareness
 - Self- regulation
 - Motivation
 - Empathy
 - Social Skills

SOCIAL VALUES

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Teach **AND** Consistently Enforce values
of **Fairness** and **Respect**.

- Respond constructively to Disrespectful Treatment
- Attempt to achieve a “no scorched earth” goal
- Think “addressing” not “confronting”
- Express your reaction in a measure way
- Choose your words prudently
- Control your body language
- Stick to the facts

RESOURCES



Workplace Violence & Harassment – Alberta OHS Webinar:

<https://www.youtube.com/watch?v=wibQ66PD84g&feature=youtu.be>

Alberta OHS Act 2018 & OHS Code Part 27

<https://www.alberta.ca/ohs-act-regulation-code.aspx>

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QUESTIONS?

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