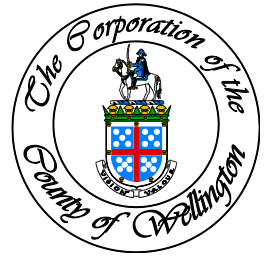


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| Responsibility | Human Resources (HR) | Policy Number | HR 17.4 |
| Area | Health and Safety | Effective Date | November 2023 |
| Subject | Corporate Cease and Desist and No Trespass Notice Policy | Reviewed | N/A |
| Authority | Trespass to Property Act, R.S.O. 1990 Municipal Act, 2001, S.O. 2001 Occupational Health and Safety Act, R.S.O. 1990, c. O.1 Part III.0.1, Violence and Harassment | | |

INTRODUCTION

To maintain the County of Wellington's high standards of service delivery, the County of Wellington is committed to treating individuals with respect, dignity, and professionalism while ensuring the safety of all staff and individuals accessing our services.

In conjunction with existing corporate Health and Safety policies and individual departmental policies as may exist, this policy outlines the mechanisms available for Departments to address workplace safety issues involving one or more individuals. For the purposes of this policy, safety measures include but are not limited to, completion of an incident report, the addition of an individual to the Social Services Safety List, issuance of a Cease and Desist letter, and/or issuance of a No Trespass Notice.

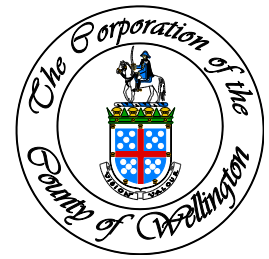
Staff should call 911 at any time if there is concern about their immediate safety, regardless of existing workplace safety features.

COMMENCEMENT OF PROCESS

In addition to the various safety measures set out in the County's Personal Safety and Security Policy, and subject always to involving the police as may be necessary at all times, the County has processes in place to consider the issuance of a Cease and Desist Letter and/or a No Trespass Notice under the Trespass to Property Act, 1990 as the situation warrants in conjunction with the advice of the County Solicitor, as necessary.

A No Trespass Notice or a Cease and Desist Letter is considered in the following situations:

- (i) The individual has committed a crime or indicates that the individual will commit a crime against the County of Wellington and/or County employees;



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- (ii) The individual is endangering staff, other individuals, or property;
- (iii) The individual remains on County of Wellington property after lawfully being requested to leave;
- (iv) The individual vacates the premises upon request but returns at a later time, and is still considered a danger to staff, individuals, and/or property;
- (v) The individual demonstrates a pattern of verbal assault and harassing behaviour toward staff such as stalking/unwanted approaches, inappropriate written communication (emails/texts/letters);
- (vi) The individual has had violent outbursts that may have led to damage to property, or harm or intimidation toward other staff and individuals;
- (vii) The individual exhibits inappropriate behaviour and/or engages in incidents of a sexual nature on County of Wellington property;
- (viii) In extreme cases, known violent/problematic interactions with other agencies/individuals that we should take precautions against (weapons offences, extreme aggression, etc.

Incidents in which employees are directly affected are reportable to a Manager/Supervisor as per County policy. See Incident and Injury Reporting and Investigating and Personal Safety and Security Policy.

Decisions regarding incidents in Social Services and the issuance of Cease and Desist Letters and No Trespass Notices would be guided by the Social Services Safety Policy provisions.

CEASE AND DESIST LETTERS

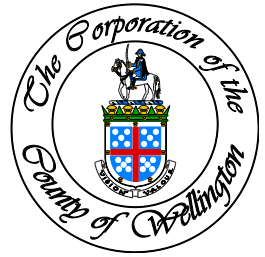
A Cease and Desist Letter is a warning letter that is issued to an individual either in conjunction with or as an alternative to the issuance of a No Trespass Notice. This letter outlines specific behaviour exhibited by an individual that is threatening, harassing or extreme in nature and/or poses a safety concern to County of Wellington employees or members of the public.

Cease and Desist Letters are intended to prevent certain types of behaviour by the individual impacting County of Wellington Employees..

If the Manager/Supervisor determines that a Cease and Desist Letter is an appropriate next step following an incident, the decision will be reviewed by the Department Head or designate in consultation with the Manager of Health and Safety.

A Cease and Desist letter will be issued by the County Solicitor upon instruction by Department Head or

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designate.

If the behaviour or action(s) identified in the Cease and Desist Letter continues, a No Trespass Notice may be issued if one was not issued with the Cease and Desist letter or a request made to the police for criminal charges to be considered, with Department Head approval. Managers/Supervisors and/or Directors will seek legal advice, including consulting with Police services and the County Solicitor.

The issuance of a Cease and Desist letter will be discussed with the individual employee(s) involved in the incident.

NO TRESPASS NOTICES

A No Trespass Notice is a notice issued under the Trespass to Property Act, 1990. These notices are issued to particular individuals and require that they not attend the identified property(ies). A No Trespass Notice is enforced by the Police when it is breached by the person who it is issued to. Many factors need to be considered when determining if a No Trespass Notice is appropriate and is only issued as a last resort. Suitable Alternate approaches are preferred (for example a strongly worded County issued letter cautioning against unacceptable behaviour). . Decisions for issuing a No Trespass Notice are made on a case-by-case basis.

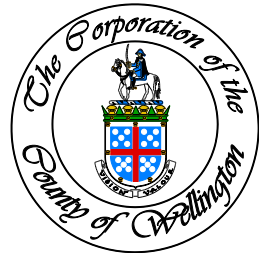
Following serious incidents as indicated above, the employee shall report it to their Manager/Supervisor who should bring the situation to the attention of the Department Head or designate immediately following the incident.

The Director, the Manager/Supervisor and the employee involved will meet to debrief on the situation and discuss the action(s) that will be taken.

The Department Head or designate will determine whether a No Trespass Notice is warranted. This may require further consultation (e.g. discussion with Health and Safety team member, review of past behaviour) to be completed in a timely manner in order to ensure immediate safety and security of employees and the individual.

If any employee was directly affected by the incident (injury, threat), a Health and Safety Incident Report must also be completed in accordance with County policy.

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Documentation of No Trespass Notices

- The Manager/Supervisor will send a copy of the No Trespass Notice to the Police services for their records.
- The Manager/Supervisor will ensure that a copy of the No Trespass Notice is on file in the Division and Department.
- A No Trespass Notice will be issued for County-owned buildings and properties as determined necessary and will generally be for a one-year period.
- An email would be sent County-wide by the Manager of Health and Safety or designate as notification of the issuance of No Trespass Notice. Similarly, the Manager of Health and Safety or designate will send out a County-wide email to indicate if the No Trespass Notice is lifted.
- The email would include a link to The Well of the 'Current No Trespass Notices List' which includes a physical description and picture of the individual (if available).
- All managers/supervisors are responsible for ensuring that front-line employees are aware of this listing and know where to access this.
- The Manager of Health and Safety is responsible for maintaining the "Current No Trespass Notices List" on The Well.
- The No Trespass Notice will be reviewed by the relevant Manager/Supervisor and Department Head or designate yearly to determine if it should remain in place or be revoked. The individual is to be advised in writing of this decision. Any photographs or information posted in workspaces should be reviewed as part of this process.

Breach of a No Trespass Notice

If the individual comes onto the premises for which they were issued a No Trespass Notice, employees should call the Police immediately, ask the individual to leave and notify their Manager/Supervisor. The Manager/Supervisor should follow up with the Police within reasonable time to obtain a copy of the incident report and discuss charges being laid by the Police.