



| UNIVERSITY OF ST. MICHAEL'S COLLEGE STATEMENT of POLICY and PROCEDURE | | | |
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| Manual: | Administrative | SPP No. | HR-002A |
| Section: | Human Resources | Issued: | |
| Subject: | Workplace Violence Prevention | Effective: | June 15, 2010 |
| Issue to: | All Manual Holders | Replaces: | N/A |
| Issued by: | Bursar & CFO | Dated: | September 1, 2011 |

1 POLICY

- 1.01 The University of St. Michael's College ("USMC") is committed to providing a safe and secure learning and working environment that is free from Workplace Violence. USMC prohibits actual, attempted or threatened violence in any form in the conduct of its operations (the "Policy").
- 1.02 USMC has established programs, measures and procedures for the reporting and investigation of complaints of Workplace Violence. All employees shall be made and continue to be aware of and participate in such programs and procedures, as required.
- 1.03 A copy of this Policy shall be provided to each new employee as part of the employee's hiring documentation and acknowledged in employment letter. Additionally, this Policy shall be posted and remain posted on Workplace bulletin boards.
- 1.04 All persons involved in the processing of a complaint of Workplace Violence will ensure that employees who have made good faith complaints or provided information regarding a complaint or incident of Workplace Violence is neither penalized nor subjected to any prejudicial treatment as a result of making the complaint. Disciplinary action will be taken against any person who takes reprisal against a person who reports an incident of Workplace Violence. An employee who makes a false complaint or otherwise abuses this Policy may be disciplined up to and including dismissal from employment. Such discipline is not a reprisal or breach of this Policy.
- 1.05 This Policy will be reviewed by USMC Joint Health and Safety Committee and approved by the Bursar and Chief Financial Officer on an annual basis.

2 PURPOSE

- 2.01 This Policy is intended to:

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- a) Maintain a learning and working environment that is free from workplace violence;
- b) Define and provide examples of workplace violence to educate employees;
- c) Communicate to USMC employees the fact that workplace violence is prohibited and is a violation of the law;
- d) Establish and describe responsibilities of all employees to assist in maintaining a workplace free from workplace violence; and,
- e) Establish mechanisms and procedures for receiving and reporting complaints of workplace violence and for investigating complaints and addressing/resolving valid complaints, all in a timely and fair manner.

3 SCOPE

3.01 This Policy applies to all:

- a) employees regardless of position, classification or union membership; and,
- b) persons who are present in the workplace including, but not limited to, all visitors, contractors, vendors and delivery persons.

3.02 Students shall abide by the the University of Toronto's **Code of Student Conduct** which can be found at www.governingcouncil.utoronto.ca/policies/studentc.htm.

4 RESPONSIBILITY

4.01 All employees are responsible for acting in compliance with this Policy.

4.02 It is the responsibility of USMC:

- a) To establish and implement reasonable measures to encourage a Workplace free from Workplace Violence, to protect employees and others and to prevent Workplace Violence, including that arising from domestic violence;
- b) To establish a process for reporting, investigating and responding to incidents of Workplace Violence;

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- c) To assess and develop procedures to address, as necessary, the risks of Workplace Violence that may arise from the nature of the Workplace, the type of work or the conditions of the work in the Workplace;
- d) To maintain records as required by this Policy and by law;
- e) To provide appropriate information, instruction and training to all employees on this Policy and the procedures in place for the reporting and investigation of incidents of Workplace Violence;
- f) To post this Policy in a conspicuous place; and,
- g) To ensure that this Policy is communicated to contractors and other persons who attend USMC.

4.03 It is the responsibility of Directors, Managers and Supervisors:

- a) To understand, abide by and uphold the requirements of this Policy;
- b) To communicate this Policy to the employees they manage or supervise;
- c) To encourage reporting of incidents of Workplace Violence;
- d) To adequately train employees in USMC procedures that addresses Workplace Violence risk(s);
- e) To verify that all contractors and others who attend USMC are aware of this Policy;
- f) To respond appropriately to all incidents of Workplace Violence that they become aware of; and,
- g) To promptly report all complaints or incidents to Human Resources Officer or the Bursar and Chief Financial Officer.

4.04 It is the responsibility of employees (including directors, managers and supervisors):

- a) To review and comply with this Policy at all times;
- b) To promptly report and advise their director, manager, supervisor or Human Resources Officer or Bursar and Chief Financial Officer of any incidents of Workplace Violence. In the case of an extreme or imminent threat of physical harm from Workplace Violence, the employee should contact the police;
- c) To inform their director, manager, supervisor or Human Resources Officer/other USMC Officer if they become aware of threats or acts of domestic violence that may create a risk of danger to themselves or others in the workplace;
- d) To fully cooperate in any investigation under this Policy; and,

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- e) To participate in any training or instruction in this Policy provided by USMC and to review this Policy as requested.

4.05 It is the responsibility of Security Services:

- a) To be familiar with and operate under established protocols when responding to acts of violence;
- b) To perform a risk assessment and determine appropriate course of action;
- c) To conduct an investigation and submit a fact finding report;
- d) To serve as a liaison with USMC administrators and officers; and,
- e) To work with USMC to improve the security level of the campus.

4.06 It is the responsibility of the Joint Health and Safety Committee:

- a) To be consulted on the development, implementation and maintenance of this Policy; and,
- b) To review incident reports.

5 DEFINITIONS

5.01 "Workplace" means all locations or places where USMC operations occur or are conducted and includes all buildings (interior, exterior, perimeter, parking lots etc., under USMC's control), off site locations, locations where USMC sponsored events, functions, or social gatherings take place or places or sites visited while engaged in travel for USMC business.

5.02 "Workplace Violence" means:

- a) the exercise of physical force by a person against an employee or third party in the Workplace, that causes or could cause physical injury to the employee or third party;
- b) an attempt to exercise physical force against an employee or third party, in the Workplace, that could cause physical injury to the employee or third party; and,
- c) a statement (or series of statements) or behaviour that is reasonable for an employee or third party to interpret as a threat to safety or security, in the Workplace, or that could cause physical injury to an employee or third party.

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Examples of Workplace Violence include, but are not limited to:

- vexatious and threatening behaviour such as shaking fists, destroying property or throwing or kicking objects arising from any source;
- verbal or written threats that express an intent to inflict harm;
- actual, attempted or threatened physical assault or exercise of physical force, in the Workplace, including those arising out of a domestic situation, such as hitting, kicking, punching or pushing;
- any other act or statement(s) that could be interpreted by a reasonable person as a threat to safety or security or that could cause physical injury; and,
- bringing a weapon of any kind to the Workplace or possessing a weapon of any kind while carrying out USMC operations, or threatening to bring a weapon to the Workplace.

6 REFERENCES and RELATED STATEMENTS of POLICY and PROCEDURE

Occupational Health & Safety Act, 1990
The Criminal Code of Canada
Human Rights Code, R.S.O, 1990, c.H.19
The Workplace Safety and Insurance Act, 1997

7 PROCEDURES

7.01 **Domestic Violence** - Any employee experiencing violence outside of the Workplace (eg. domestic violence) that may create a risk of danger to themselves or others in the Workplace is encouraged to report such violence in order that USMC can take reasonable steps to prevent incidents in the Workplace.

7.02 Reporting threats of Workplace Violence:

If you are involved in a violent incident:

- a) seek help;

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- b) remove yourself from the situation, lock yourself in an office or go to the Porter's Desk in Elmsley Hall which has been designated as a "safe zone";
- c) report incident to the Porter's Desk either in person or by calling "0" on a USMC phone, or if necessary, call 911 directly and notify the Porter's Desk.
- d) advise your supervisor or union representative (who will report the incident to the Human Resources Officer or Bursar and Chief Financial Officer for further investigation, assessment and follow-up);
- e) all complaints and incidents are to be recorded in writing by the reporting person/employee, the supervisor and the Human Resources Officer or Bursar and Chief Financial Officer, including the date, time, location, potential witnesses and nature of the incident;
- f) if the police have not previously been summoned, the supervisor or Human Resources Officer or Bursar and Chief Financial Officer will report all incidents of Workplace Violence to the police; and,
- g) if an incident of Workplace Violence involves a person who is not an employee of USMC, management or the Human Resources Officer or Bursar and Chief Financial Officer will report the incident to that person's employer and/or such other person as USMC determines is appropriate in the circumstances.

7.03 Investigations:

All complaints or incidents of Workplace Violence will be promptly investigated by Human Resources Officer or Bursar and Chief Financial Officer. Where the perpetrator is a USMC employee, confidentiality will be maintained throughout the investigatory process to the extent reasonably practicable and appropriate in the particular circumstances. Complete anonymity, privacy and confidentiality cannot be guaranteed.

The investigation will include:

- a) documented interview with the complainant and/or victim;
- b) documented interview with the alleged perpetrator(s), where possible;
- c) documented interview with any witnesses with relevant information;
- d) any other procedures deemed necessary to fully and fairly investigate the complaint or incident; and,

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- e) preparation of a written report of the findings with recommendations to prevent a recurrence.

Executive management will be advised. The Joint Health and Safety Committee and the appropriate union will be notified if an employee has been injured due to Workplace Violence.

- 7.04 All records relating to a complaint will be kept confidential by USMC, except where disclosure is reasonably required under this Policy or by law. USMC may be required by law to disclose certain personal information of an individual that may be reasonably necessary to protect employees and other third parties from Workplace Violence.
- 7.05 USMC will not tolerate incidents of Workplace Violence perpetrated against or by any employee, customer, vendor, contractor, visitor or any other person involved in its operations.
- 7.06 If a complaint is substantiated following an investigation under this Policy, USMC will take appropriate action against the employee of USMC who violated this Policy. The exact nature and extent of the action taken will be determined based upon the seriousness of the offence and the steps taken by the violator to remedy or apologize for the misconduct. Any action taken under this Policy, including discipline is at the sole discretion of management. USMC may, where appropriate:
- remove the perpetrator from the 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, supervisor and/or to the police.
- 7.07 All physical assaults involving an employee or occurring at the Workplace will be reported to the police. Threats of physical violence will be reported to police as appropriate.

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8 ATTACHMENTS

None

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