

HUMBER COLLEGE INSTITUTE OF TECHNOLOGY & ADVANCED LEARNING POLICY MANUAL

SECTION: Health & Safety

Effective: May 5, 2010

TITLE: Workplace Violence Prevention Policy

Review: Yearly

APPROVED BY THE PRESIDENT: May 5, 2010

CONTACTS: Director, Public Safety & Risk Management; Director, HR Services

PREAMBLE

Humber College Institute of Technology & Advanced Learning and the University of Guelph-Humber (hereafter referred to as “Humber” or “College”) is committed to providing a safe learning/working environment that promotes a violence-free environment. Any act of violence committed by or against any member of the Humber community or member of the public, is unacceptable conduct that will not be tolerated. This policy applies to all activities that occur while on Humber property or while engaging in Humber business such as activities, or social events that happen off property including a virtual environment. All reports of incidents are taken seriously and dealt with appropriately and, to the extent possible, confidentially. In determining the appropriate response, the College will take into account the assistance available from law enforcement agencies to optimize use of its limited resources.

POLICY STATEMENT

Violent actions on the College property or at approved activities occurring off property will not be tolerated or ignored. The College will use reasonable legal, administrative, and disciplinary procedures to secure the workplace from violence, and to reasonably protect employees, students and the public.

The objectives of this policy are to achieve the following:

- to ensure that individuals are aware of and understand that acts of violence are considered serious offences for which the necessary action will be taken;
- to encourage those subjected to or witness to acts of workplace violence to access any assistance they may require in order to pursue a complaint;
- to reduce the potential for violence in and around Humber;
- to encourage and foster a learning/working environment that is characterized by respect and regard for one another;
- to mitigate the negative consequences for employees who experience or encounter violence in their work lives;
- to ensure that disciplinary action is pursued where appropriate;
- to provide an avenue for reporting occurrences.

SCOPE OF THIS POLICY

- This policy will apply to all members of the College community. The Humber community includes employees and students at Humber College and the University of Guelph-Humber, members of Humber’s Board of Governors, members of standing and ad hoc committees

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established by these institutions, members of societies and associations which have a direct relationship to or are under the authority of these institutions, contractors, service providers, researchers and visitors, including invitees, guests or persons who have no ongoing connection to the institution but are on campus.

- Visitors to the campus will be subject to complaints if they engage in prohibited conduct. The College will take appropriate actions and apply appropriate remedies (e.g. barring them from campus) if prohibited conduct is found. Such visitors may also be able to initiate a complaint under this policy.
- All Contractual Relationships entered into by the College will be governed by a standard contract compliance clause which states that contractors must comply with this policy, including co-operating in investigations. Breach of this clause may result in penalties or cancellation of the contract.
- The policy includes coverage of incidents that occurs BOTH ON AND OFF CAMPUS, which affect the Humber workplace, living and study environment. This may include College-related social functions, athletic events in the course of work or academic placements, off-campus field trips, or work or academic related travel

POSSESSION AND USE OF DANGEROUS WEAPONS BY EMPLOYEES AND/OR STUDENTS

Prohibition

In the interest of maintaining a workplace that is safe and free of violence, possession of or use of a dangerous weapon is prohibited on College property in College vehicles or personal vehicles which are used for College business.

Dangerous Weapon Defined

A dangerous weapon is any instrument capable of producing bodily harm, in a manner, and or under circumstances that manifest intent to harm or intimidate another person or that warrants alarm for the safety of another person.

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RESPONSIBILITIES

The College

The College is responsible for the following:

- Creating and promoting a safe working and learning environment, where possible;
- Investigating reported incidents of workplace violence in an objective and timely manner;
- Taking necessary action to respond to those incidents.

Directors/Deans/Associate Deans/Managers

Directors/Deans/Associate Deans/Managers are responsible for assessing non-emergency situations, making judgments on the appropriate response, and responding to reports of or knowledge of violence and for initiating the investigation process. (For emergency situations, contact Public Safety at extension 4000.)

- Where issues of employee/student safety are of concern, Directors/Deans/Associate Deans/Managers should evaluate the workplace and make appropriate recommendations regarding a reasonable response. Appropriate disciplinary action will be taken when it is determined that College employees/students have committed acts of violence.

Employees

All employees and students are responsible for:

- maintaining a safe work environment, whenever possible;
- refraining from acts of violence and for seeking assistance to resolve personal issues that may lead to acts of violence in the workplace;
- reporting to managers any dangerous or threatening situations that occur in the workplace; no reprisals will be made against those reporting incidents in good faith.

Employees are encouraged to report to their manager situations that occur outside of the workplace which may affect workplace safety, i.e., instances where court orders have been issued or threats made by others, etc.

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PROCEDURES FOR DEALING WITH ACTS OF VIOLENCE

If the act or altercation constitutes an emergency, call the following:

- North Campus and Lakeshore Campus, ext. 4000
- North Campus Residence, ext. 77000
- Lakeshore Campus Residence, ext. 73000
- Off Campus locations, call 911 (also call Public Safety at 416-675-6622 ext. 4000)
- Pay phones/Cell phones, 416-675-8500
- Off Hook (leave your receiver off the phone cradle and a security guard will attend your location)
- Campus Emergency phones: interior and exterior yellow boxes (push the button to contact security)

For instances that involve emergency situations, or criminal activity, the Department of Public Safety will, at their discretion, contact the appropriate emergency service and meet and direct the emergency service to the appropriate area. At the appropriate time, the Department of Public Safety will conduct an investigation and prepare documentation describing the occurrence. For non-emergency situations, contact the Department of Public Safety at ext. 8500 and they will investigate and complete a Security Occurrence Report and forward it to the appropriate department (Student Service, HR Services etc.).

DEPARTMENT OF PUBLIC SAFETY

The Department of Public Safety is responsible for responding to, investigating and taking the immediate measures necessary for reported acts of violence and for taking reasonable steps to ensure the general safety of individuals associated with the occurrence and others that may be affected.

Any report of violence will be investigated immediately and confidentially, and appropriate action will be taken, where possible, in order to protect the employee/student from further violence.

STUDENT SERVICES

Students Services is responsible for investigating occurrences involving students under the auspices of the Charter of Student Responsibilities and Rights.

HR SERVICES

HR Services is responsible for investigating occurrences involving employees of the College and applying the principles of existing policies and Collective Agreements. Employees may access confidential counseling services through the College's Employee Assistance Program (EAP).

INFORMING THE COLLEGE COMMUNITY

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The College is committed to publicizing this policy and all acts of violence that affect the entire community. This may be accomplished by a variety of ways noted below, but not limited to:

- Campus Watch security alerts
- Voice mail
- College Website
- Department of Public Safety Website
- Posting this policy in a conspicuous place in the workplace

Contractors who are bidding on College contracts will be made aware of this policy within the specifications described in the Request for Proposal (RFP).

HR Services in conjunction with the Department of Public Safety will provide training sessions based on the needs of employees within the College.

SUPPORT SERVICES AVAILABLE TO VICTIMS

The College will endeavour to provide assistance to employees and students who are victims of perpetrators of violence through Counseling Services, HR Services via Employee Assistance Programs (EAP) or Victim Service Units of a local Police Service.

RELATED POLICIES

Human Rights and Harassment

The Human Rights/Complaint Process-Discrimination & Harassment policy was updated in 2009 to include Psychological Harassment. To view the full revised policy, please go to the following website: http://hrs.humber.ca/downloads/Humber_Human_Rights_Policy.pdf

Occupational Health & Safety Policy

The Occupational Health & Safety Policy is reviewed on a yearly basis. To view the policy, please go to the following website: http://hrs.humber.ca/employee_resources/

Student Charter of Responsibilities and Rights

The Charter applies to all students registered at Humber and Guelph-Humber while engaged in any Humber or Guelph-Humber sponsored activity or event, including field placements, at any campus or location of Humber or Guelph-Humber including the on-line environment. To view the Charter, please go the following website:
<http://www.humber.ca/content/charter-student-responsibilities-and-rights>

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APPENDIX A

DEFINITIONS

Harassment is defined by the Ontario Human Rights Code and the Occupational Health & Safety Act as engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome. The College interprets this to include any behaviour that is known or ought reasonably to be known to the perpetrator to be offensive, embarrassing or humiliating to other individuals. Such conduct may include visual representations, electronic messages, written messages, verbal and/or physical conduct, and may relate to any of the grounds of discrimination prohibited by the Ontario Human Rights Code or other malicious grounds. Harassment complaints are dealt with under Humber's Human Rights and Harassment Policy.

Some examples of harassment are:

- unwelcome remarks, jokes, slurs, innuendoes or taunting;
- hazing, stalking or shunning;
- the repeated mistreatment of one employee, targeted by one or more employees with a malicious mix of humiliation, intimidation and sabotage of performance (bullying);
- displaying derogatory or offensive pictures, graffiti or materials either through printed copy or personal computer;
- verbal abuse;
- insulting gestures or practical jokes which cause embarrassment or awkwardness;
- unauthorized and/or unnecessary physical contact;
- an impassioned, collective campaign by co-workers to exclude, punish and humiliate a targeted worker.

For the purposes of this Humber policy, "harassment" as outlined in the Occupational Health & Safety Act also includes personal/psychological harassment.

Note: Harassment does not occur where a supervisor gives legitimate directions or instructions to an employee in the course of employment or conducts performance reviews in accordance with the college's normal procedures.

Personal/Psychological Harassment is defined as behavior in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures, that affects an employee's dignity or psychological or physical integrity and that result in a harmful work environment for the employee. Psychological harassment includes and is not limited to behaviours defined as bullying, mobbing, victimization, emotional abuse, psychological abuse, and psychological violence. A single serious incident of such behaviour that has a lasting harmful effect may constitute psychological harassment. It must be demonstrated that this behaviour affects the person's dignity or physical or psychological integrity and that it results in a harmful work environment for the employee. Harassment complaints are dealt with under Humber's Human Rights and Harassment Policy.

Workplace is wherever an employee or student attends for the purpose of work or study involving activities sanctioned by the College, including a virtual or cyberspace environment.

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Workplace violence is any act in which a person is abused, threatened, intimidated or assaulted in the course of employment or learning. Workplace violence includes threatening behavior, behaviour that could reasonably be interpreted as threatening, verbal or written threats, verbal abuse and physical attacks, including the attempted use of physical force.

Specific behaviours may include but not limited to:

- hitting or shoving an individual;
- threatening to harm an individual or his/her family, friends, associates, or their property;
- the intentional destruction or threat of destruction of the College property;
- making harassing or threatening telephone calls, letters, E-mail or other forms of written or electronic communications;
- intimidating or attempting to coerce an employee/student to do wrongful acts;
- harassing surveillance, also known as “stalking”: the willful, malicious and repeat following of another person and making a credible threat with the intent to place the other person in the reasonable fear of his/her safety.

APPENDIX B

CONSEQUENCES OF POLICY VIOLATION REDRESS AND SANCTIONS/CORRECTIVE ACTION

Documented and substantiated complaints or complaints found to be made maliciously or vexatiously may result in discipline of an employee or a student. In the event that the College makes a finding of workplace violence, it has the right to determine sanctions to be imposed. Determination of appropriate discipline will be made in the context of the seriousness of the violation and the student's or employee's history with the College, along with a consideration of the deterrent effect of such discipline on the person being disciplined and on the College community.

REDRESS

In redressing a victim of workplace violence, the College will take into account the individual circumstances of the victim in each case and will devise an appropriate remedy. Redress may include, but is not limited to, remedies such as:

- increased safety surveillance
- receipt of written apology
- cessation of offending behaviour
- offer of a course
- review of academic standing and/or marking
- ongoing counseling
- restore person to position they would have been in had the harassment or discrimination not occurred
- offers of employment or reinstatement

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SANCTIONS/CORRECTIVE ACTION

Disciplinary action/sanctions will take into account the severity of the breach of the policy and on the individual circumstances of the respondent. Corrective actions or sanctions may include, but are not limited to, the following:

- non-disciplinary counseling/education/correction
- reprimand and warning (verbal or written)
- section, job or program transfer
- requirement to provide an apology to the victim (verbal or written)
- behavioral contract which specifies certain behaviour with which the party must comply
- transfer
- demotion
- suspension
- dismissal (i.e. termination or expulsion)
- barring contractors from future bids
- no trespass notice

If the complaint is related to work, all discipline will conform to generally acceptable standards of employee discipline and, in the case of employees represented by the Union, be consistent with the Collective Agreement in force at the time.