



Subject: Workplace Violence and Prevention Program

1. POLICY STATEMENT

- 1.1. To create and maintain a safe workplace free from violence by the development of guidelines and preventative measures that will prohibit/prevent violent behaviour and will provide support and protection to all employees, visitors and contractors.

2. COMMITMENT AND PURPOSE

- 2.1. The Laurentian University Students' General Association (SGA) is committed to providing a safe and secure workplace for its employees, free from threats and violence. The SGA considers Workplace Violence a very serious matter and will not tolerate violence of any form, and will take the necessary steps to reasonably protect employees within the workplace.

2.2. The purpose of this Policy is to:

- 2.2.1. Ensure that all Employees, Visitors and Contractors are aware that Violence in the Workplace is unacceptable and incompatible with the standards of the Laurentian University Students' General Association as well as being a violation of the law.
- 2.2.2. Set out the SGA's objectives for preventing Violence in the Workplace and the principles and standards for behaviours.
- 2.2.3. Identify and set out what types of behaviour are considered as a form of Workplace Violence.

2.3. This policy will provide:

- 2.3.1. A process for preventing, identifying and correcting actions that, left unattended, could result in Workplace Violence.
- 2.3.2. All Employees with training and support to ensure they are able to identify Workplace Violence.
- 2.3.3. All Employees with guidelines, to bring forward immediately, any complaint or concern of Workplace Violence.

3. DEFINITIONS

- 3.1. The Laurentian University Students' General Association is herein after referred to as the "SGA".

3.2. **Workplace Violence** is defined by the Occupational Health & Safety Act, as:

- (a) the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker,

- (b) an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker,
- (c) a statement or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

3.3. Examples of Workplace Violence may include but are not limited to the following:

- (a) Verbal or written threats, or any expression of intent to inflict physical or emotional harm (regardless if it is spoken, written, or recorded in any format);
- (b) Physical attacks such as hitting (slapping), pushing, shoving and/or kicking, or any other type of hostile physical contact;
- (c) Physically Intimidating behavior such as shaking a fist at someone or similar gesture;
- (d) Bringing weapons of any kind into the workplace, and/or inappropriate references to weapons;

3.4. **Workplace** - Includes all on-site locations, buildings and facilities, including parking areas, all company property, and off-site locations where employees engage in SGA-related activities arising out of the course of his or her employment. Another example would be the the Christmas Party.

3.5. **Domestic Violence** – A pattern of abusive behaviours meant to control the victim. This may include the use of violence, threats, and intimidation between two people or more who have an ongoing or prior intimate relationship.

3.6. **Weapon** – A weapon is defined as any instrument or tool that may inflict injury to a person.

3.7. **Contractor** - A vendor or supplier of services, materials, or a party involved in work with the town as a third party.

3.8. **Member of Management** – Refers to a person who is a Supervisor, Manager, or Department Head.

4. APPLICATION AND SCOPE

4.1. This policy applies to all regular full-time, part-time, contract, volunteer staff of the SGA. In addition, this policy applies equally to all persons involved with the SGA, be they visitors, students, contractors, etc. during any interaction or in the course of interaction with its employees.

5. RESPONSIBILITIES – EXECUTIVE DIRECTOR

5.1. The Executive Director is responsible for :

- 5.1.1. Determining whether the investigation into a violation of this Policy should be conducted internally, by an outside investigator, or the Police;

- 5.1.2. Determining whether the Police should be advised of the incident in question after consultation with the relevant Supervisor and Management Committee;
- 5.1.3. Determining and implementing remedies and corrective actions in consultation with the relevant Supervisor;
- 5.1.4. Ensuring those Managers, Supervisors, and others responsible for implementing this Policy are held accountable for doing so;
- 5.1.5. Ensuring those Managers, Supervisors, and others responsible for implementing this Policy have the appropriate knowledge, skills and resources;
- 5.1.6. Ensuring that remedies to violations of this Policy will create or restore a workplace, which is free from violence;
- 5.1.7. Providing for training and any other resources as may be required to maintain a workplace free from violence.

6. RESPONSIBILITIES – MANAGERS AND SUPERVISORS

6.1. Managers and Supervisors are responsible for:

- 6.1.1. Providing leadership in creating and maintaining a workplace free from violence;
- 6.1.2. Ensuring that employees are trained to prevent, identify, respond to, and report incidents of Workplace Violence;
- 6.1.3. Informing employees if they are working in an area where there is potential for violence and identify any risks that are specific to that area;
- 6.1.4. Ensuring that the appropriate procedures are in place to minimize the potential risk of violence to employees;
- 6.1.5. Ensuring that potential areas of risk are identified and improvements are made to minimize those risks;
- 6.1.6. Ensuring that every known incident of Workplace Violence is reported to Human Resource Services.

7. RESPONSIBILITIES – GENERAL

7.1. All employees have a responsibility to ensure that the working environment is free from Workplace Violence by:

- 7.1.1. Ensuring that they understand the Policy and Procedures put in place to recognize, respond to, report and prevent Workplace Violence;
- 7.1.2. Adhering to this Policy and the expectations of the SGA;
- 7.1.3. Refraining from acts of violence or behaviour that could result in an act of violence in the workplace;
- 7.1.4. Attending and participating in all training that is provided;

- 7.1.5. Advising a Supervisor, Manager or Executive Director immediately of any incidents of Workplace Violence;
- 7.1.6. Advising a Supervisor, Manager or Executive Director immediately, of areas that may be a potential risk for violence in the workplace;
- 7.1.7. Setting a good example and reinforcing the intent of this Policy by not participating in or ignoring acts of violence, or conduct that could lead to Workplace Violence.

8. PROCEDURES AND GUIDELINES

- 8.1. An employee who is subjected to or witness to an act of violence or conduct that could lead to violence is to immediately report such to his or her Supervisor or Manager. If the employee is not comfortable reporting the incident to a Member of Management, they may report the incident directly to the Executive Director.
- 8.2. The Supervisor and/or Manager are to contact the Executive Director immediately upon being advised of or witness to an incident.
- 8.3. An employee reporting an act or incident of Workplace Violence will be required to complete the Workplace Violence Incident Report.
- 8.4. An employee who is found to be in possession of a weapon in the workplace will be immediately suspended with or without pay until such time the SGA has completed their investigation. The SGA reserves the right to cancel the suspension at any time during the investigation process. The SGA will determine what if any discipline will be issued once the investigation has been completed.
- 8.5. An employee who physically assaults another individual will be placed on suspension pending the SGA's investigation. The SGA will determine at the time of the suspension whether the suspension will be with or without pay.

8.6. Acts of Violence by Employees

- 8.6.1. If two employees are engaged in physical violence, those around them are to immediately call an available Supervisor, Manager or Executive Director. **UNDER NO CIRCUMSTANCES** is an employee to put his/her safety in danger by trying to break up the situation himself or herself.
 - (a) If the Supervisor, Manager, or Executive Director is unable to verbally direct and stop a physical confrontation involving two employees, then he/she is to call 911. Upon calling 911, the same person is to immediately contact the Executive Director for further direction.
 - (b) If the Member of Management is successful in stopping the physical altercation, then he/she is to have the employees go to separate locations and wait for direction from the Executive Director. If the Executive Director is not available, then both employees are to be sent home immediately and advised they are not to return to work until notified. For safety purposes, the employees involved in the physical altercation are to be sent home at separate times (i.e. send the second employee home no less than 15 minutes after the first employee was sent home).

8.6.2. Notwithstanding 8.6.1(b), if the employee is in need of medical aid, then that need shall be the priority.

8.6.3. If an employee is threatening or endangering the life or lives of others, or is in possession of a weapon, anyone under threat shall remove themselves to a safe location (if possible) and immediately call 911. Once they have called 911, the employee is able to call a Member of Management, **UNDER NO CIRCUMSTANCES** are you to put your safety or the safety of others at risk.

9. DOMESTIC VIOLENCE

9.1. Section 32.0.4 of the Occupational Health & Safety Act states “If an employer becomes aware, or ought reasonably to be aware, that domestic violence that would likely expose a worker to physical injury may occur in the workplace, the employer shall take every precaution reasonable in the circumstances for the protection of the worker.”

9.2. An employee, who is subjected to an act (or acts) of domestic violence, must report such to his/her Supervisor, or the Executive Director.

9.3. The Supervisor and/or Manager shall contact the Executive Director immediately upon being advised of an act(s) of domestic violence.

9.4. An employee who is aware that another employee is involved in domestic violence and as such, may expose a worker to physical injury in the workplace, must report such to a Member of Management, his/her Supervisor, and/or the Executive Director.

9.5. The Executive Director, the employee, and the appropriate Management staff, will assess the situation, determine what reasonable precautions will be implemented in the circumstances, for the protection of the worker(s).

10. PROVISION OF INFORMATION

10.1. It is the Employer’s and the Supervisor’s duty, under the Occupational Health & Safety Act to provide information, including personal information, related to a risk of violence from a person with a history of violent behaviour if; the worker can 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 physical injury.

10.2. The SGA may disclose personal information that is reasonably necessary to protect a worker from physical injury.

11. COMPLAINT RESOLUTION & INCIDENT INVESTIGATION PROCESS

11.1. Employees who believe they have been subjected to or witness of an act of violence or conduct that could lead to Workplace Violence are to immediately report such to a Member of Management, or the Executive Director.

11.2. The SGA will investigate any incident or act of Workplace Violence regardless of whether the employees involved want an investigation to take place.

11.3. Depending on the nature and/or severity of the Workplace Violence, an investigation may be done by the Executive Director, and the applicable member of Management, or an outside Investigator, which, may include the Police.

11.4. An outside Investigator or the Police will be brought in to investigate incidents that involve the following:

- (a) The incident/act involves physical violence, weapons, death threats, or stalking;
- (b) The SGA has reason to be concerned for the safety of the employees or members of the public;
- (c) The dispute involves possible offences under the Criminal Code or other Federal or Provincial Statutes;
- (d) The Complainant and Respondent differ substantially on the facts;
- (e) Where similar complaints have been brought against the Respondent in the past.

11.5. Any incident of Workplace Violence is to be documented in writing.

The Complainant may use the Violence in the Workplace Incident Report to assist them with the documentation of the complaint.

11.6. The complaint must be submitted to the Executive Director.

11.7. The Executive Director will meet with the Complainant and his/her Manager/Supervisor, to discuss the complaint and the process that will be followed as the complaint is investigated.

11.8. The Executive Director will then meet with the Respondent, his/her Manager, and Union Representative (if applicable) to advise that a complaint has been filed, and advise of the process that will be followed as the complaint is investigated.

11.9. The Respondent will have the opportunity to respond in writing to the complaint using the Workplace Violence Incident Report, prior to the investigation stage.

11.10. Depending on the nature and severity of the Workplace Violence incident/act, it may be necessary to move the Complainant or Respondent to a different location; provide an alternative reporting relationship; move to a different shift, or have the employee remain at home. Decisions of this nature will be made on a case-by-case basis by the Executive Director in consultation with the direct Supervisor, and will not be considered as a penalty to the Complainant or Respondent.

11.11. If the SGA appoints a third party Investigator, the Investigator shall review the complaint based on the evidence submitted at that time, and advise the Executive Director as to the length of time required to complete the investigation.

11.12. Due to the serious nature of Workplace Violence and the need to ensure the safety of all involved, employees being interviewed by a third party Investigator will not be permitted to have anyone attend the interview process with them. The Investigator will interview both the Complainant and the Respondent(s) alleged to have engaged in Workplace Violence.

- 11.13. The Respondent(s) will have ample time with the Investigator to respond to the alleged allegations.
- 11.14. The Investigator will also interview any relevant witnesses that have been identified and gather any relevant documents.
- 11.15. The Investigator will take proper notes during the interviews. Individuals will have the opportunity to review the notes taken during their interview and will sign the documentation indicating that the facts as they know them have been documented correctly.
- 11.16. The Investigator may establish his/her own practice and procedures subject to the requirements of this Policy and to the requirement that his/her decision is fair and unbiased.
- 11.17. The Investigator will prepare a written report summarizing the allegations and the investigation results indicating whether or not the complaint is founded, and will forward the report to the Executive Director.
- 11.18. The Investigator may include in the written report their recommendation for training or mediation of the Complainant and/or Respondent. However, in no case unless specifically requested by the Executive Director, shall the Investigator make a recommendation with respect to discipline or termination.
- 11.19. The Executive Director will discuss the report with the direct Supervisor of the Complainant and Respondent and will determine what if any action including discipline up to termination should be implemented.
- 11.20. The Executive Director shall meet with all parties involved and review the Investigator's report. Both the Complainant and Respondent will receive a copy of the report.
- 11.21. The SGA has the right at any time to involve the Police where there has been an act of violence and/or conduct that could lead to violence in the workplace.
- 11.22. The SGA has the right to conduct their own investigation and determine what the outcome of that investigation is and what if any discipline including termination of employment is warranted.
- 11.23. If the Police are brought in to investigate a complaint or act of Workplace Violence, the process taken by the Police, will be in accordance with Police practices.

12. TIME FRAMES

- 12.1. Every effort will be made to expedite the complaint on the prescribed Workplace Incident Report.

- 12.2. If a complaint is to be assigned to a third party Investigator, it should be assigned in a timely manner. If this is a serious case of violence, the Investigation stage will be started immediately upon the Executive Director learning of the incident/act.
- 12.3. Unless there are extenuating circumstances or the parties agree otherwise, the Investigator will complete the investigation in a timely and thorough manner subsequent to being assigned to the complaint.
- 12.4. The Investigator will advise the Executive Director immediately if he or she determines that more time will be required to conduct the investigation.
- 12.5. The Executive Director will arrange a meeting with all the parties involved as soon as reasonably possible following a thorough review of the received Investigator's report, to discuss the findings and advise of what if any, actions will be imposed as a result.
- 12.6. If this is a serious case of Workplace Violence involving Police participation, the investigation will be completed as soon as possible in accordance with Police practices.

13. DISCIPLINE

- 13.1. Acts of violence by an employee of the SGA will not be tolerated. An employee found to have committed an act of Workplace Violence will be subject to discipline up to and including termination of employment for cause. The nature and severity of the incident/act will determine the type of discipline issued. Decisions of this nature will be made on a case-by-case basis on the merits of each upon review by the Executive Director in consultation with the direct Supervisor. Serious cases of violence may result in immediate termination of employment for cause and/or criminal prosecution.
- 13.2. Regardless of whether the complaint is founded or unfounded, if the investigation reveals broader issues that need to be addressed, the SGA will take the necessary steps to address those issues.
- 13.3. Where there is evidence to show that the complaint was maliciously filed, the Complainant will be subject to disciplinary action up to and including termination of employment.
- 13.4. The employee will be given written notification of the discipline or sanction being imposed. Such decision is final with the exception of the following:
 - 13.4.1. An employee may appeal the sanction/discipline imposed through the Complaint Resolution Process.

14. CONFIDENTIALITY AND RECORD KEEPING

- 14.1. Information regarding a complaint under this Policy will only be shared with those who need to know.

- 14.2. Individuals are to ensure that they refrain from discussing the complaint or information they have gained through the investigation process with anyone other than the Investigator.
- 14.3. During the investigation process, the Complainant, Respondent and Witnesses are to refrain from discussing the complaint or any other information related to the complaint or investigation process with anyone other than the Investigator.
- 14.4. All documents related to a complaint, including the written complaint, witness statements, investigation notes/reports, and documents related to the complaint, will be securely maintained by the Executive Director.
- 14.5. The Complainant and Respondent will each receive a copy of the complaint and response to the complaint. They will also receive a copy of their statement as taken by the Investigator. Both the Complainant and Respondent are to ensure they keep this information confidential and do not share it with anyone other than their representative, or as may be required by law. Representatives are to ensure that they keep all information confidential, except when required to disclose such information by law.
- 14.6. Where information is required by law (e.g. Subpoena in relation to a Grievance, Board of Arbitration and/or with respect to a possible violation of the Criminal Code), Complainants, Respondents and witnesses will have access to their statement only, and any personal information, which they have provided through the informal and/or formal investigation process.
- 14.7. If there is a Police Investigation, the Police will determine what if any information can be viewed or shared. Information collected by the Police, will be in accordance with police practices.

15. REPRISALS

- 15.1. All employees are protected from acts of reprisal for filing a complaint, or having provided information regarding a complaint.
- 15.2. Allegations and acts of reprisal will be subjected to the same process as a formal investigation, and shall be subject to any sanctions or discipline.

16. ACTS OF VIOLENCE INVOLVING MEMBERS OF THE PUBLIC & NON-EMPLOYEES

- 16.1. An employee who is subjected to violence or conduct that could lead to violence in the workplace by a member of the public, is to advise his or her Supervisor and/or Manager immediately.
- 16.2. The employee will be required to complete the Workplace Violence Incident Report.
- 16.3. The Supervisor and/or Manager shall contact the Executive Director immediately upon being advised of or witness to an incident.

