

CR1211: Workplace Violence Policy

Policy Title:	Workplace Violence Policy
Policy Number:	CR1211
Owner:	Safety & Security
Approved by:	CET
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Reference:	
Links to Other Policy:	Workplace Harassment, Discrimination and Bullying (HR709), Occupational Health and Safety (CR1201)

St. Lawrence College is committed to making our resources usable by all people, whatever their abilities or disabilities. This document will be made available in alternative format upon request.

BACKGROUND

Definitions:

EMPLOYEE

All current employees of St. Lawrence College.

STUDENT

All current students enrolled at St. Lawrence College.

WORKPLACE

Workplace is wherever an employee attends for the purpose of work involving activities sanctioned by the College, including a virtual or cyberspace environment. Also included are parking lots, fields, satellite buildings, or anywhere activities related to work takes place.

WORKPLACE VIOLENCE

Workplace violence means:

- The exercise of physical force by a person, in a workplace, that causes or could cause physical injury to a person in the course of employment;
- An attempt to exercise physical force against a person, in a workplace, that could cause physical injury to a person in the course of employment;
- A statement or behaviour that it is reasonable for a person to interpret as a threat to exercise physical force against the person, in a workplace, that could cause physical injury to the person in the course of employment;

Specific behaviours may include but are not limited to:

- 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;
- 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 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 to do wrongful acts.

In situations where a spouse, former spouse, former or current intimate partner or a family member may physically harm, or attempt or threaten to physically harm an employee at work, it is considered workplace violence.

WORKPLACE VIOLENCE OFFICER

A Workplace Violence Officer is appointed by the college and will be the lead person in any matters relating to workplace violence that involves or affects any employee of the college. At St. Lawrence College the Associate Director, Safety & Security is appointed as the Workplace Violence Officer.

Scope:

This policy will apply to all members of the College community. The St. Lawrence College community includes employees and students at all College locations, members of College’s Board of Governors, members of standing and ad hoc committees 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.

Only Employees of the College may file a complaint under this Policy. Students and other persons may file complaints through other avenues, such as the Student Code of Conduct, the Complaint Policy or the Sexual Assault and Sexual Violence Policy. For the purposes of this policy, a student who is also employed by the College may file a complaint where there exists a direct relationship between the student's employment and the alleged violence.

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.

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 St. Lawrence College workplace. 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.

This policy is in conjunction with the Occupational Health and Safety policy

POLICY STATEMENTS

1. St. Lawrence College is committed to the prevention of violence in the workplace and promotes a violence-free workplace. Each member of the College community is responsible for helping to create an environment free from workplace violence. This policy is in support of the Ontario Occupational Health

- and Safety Act. If you witness or are a victim of violence in this workplace, please contact Security and the Workplace Violence Officer immediately.
2. The College shall assess, and reassess as necessary, the risks of workplace violence that may arise from the nature of the workplace, the type of work or the conditions of work.
 3. The College will take whatever steps are reasonable to protect all individuals within the college community from workplace violence from all sources. Any act of violence committed by or against any member of the College community is unacceptable conduct that will not be tolerated and shall be subject to complaint procedures, investigation, remedies, sanctions and discipline, which in the case of employees may include termination and in the case of students may include removal from the program of study.
 4. The College will proactively assess the risks of workplace violence that may arise from the nature of the workplace, the type or work or the conditions of work. Measures and procedures to control these risks are included in the workplace violence procedures.
 5. All members of the College community, contractors, visitors and guests (where possible) shall be made aware of this policy. The College will make every attempt to communicate its commitment to non-violence.
 6. Employees have the right to refuse work if they have a reason to believe they are in danger from workplace violence. Reprisals by the college will be prohibited.
 7. Violence prevention education and information shall continue to be offered to managers, supervisors and employees. All managers will ensure that measures and procedures are followed by employee and that every worker has the information they need to protect themselves.
 8. No employee or any other individual affiliated with this organization shall subject any other person to workplace violence or allow or create conditions that support workplace violence. An employee that subjects another employee, or other person to workplace violence may be subject to disciplinary action up to and including termination. Other persons may be removed from the workplace.

9. Every employee must work in compliance with this policy and the supporting procedures. All employees are encouraged to raise any concerns about violence and to report any incidents or threats. The Workplace Violence Officer will investigate the matter. No reprisal will be made against reporting employees. All reports of incidents are taken seriously and dealt with appropriately and, to the extent possible, confidentially.
10. Management pledges to investigate and deal with all incidents and complaints of workplace violence in a fair and timely manner, respecting the privacy of all concerned as much as possible.

Roles and Responsibilities

1. All members of the College community – Employees, Students and Visitors - are encouraged to solve their differences and disputes in a non-violent and rational manner, either informally or through a mediation process.
2. All members of the College community are required to report acts of violence, intimidation, threats and weapons use, through the means of their choice, that is, in person, by telephone, blue button alarms, online Security Incident Reports or through another individual to a manager and/or security, in order to enable the College to take appropriate action.
3. All reports of incidents or potential incidents of violence will be taken seriously and will be dealt with by the immediate supervisor in an appropriate and timely fashion.

College Responsibilities

For the purposes of this policy, the College is responsible for:

- Conducting regular risk assessments to identify the risks that could be present with regards to workplace violence. This assessment includes physical location evaluations, review of student and staff logistics as well as being aware of

- changes in the community that could affect the safety of employees at St. Lawrence College;
- Reviewing the policy and procedures on an annual basis to ensure that they are relevant and compliant with the needs of the College;
 - Providing information to the employees of St. Lawrence college. The College commits to ensuring that all information necessary to protect each and every employee is provided while respecting privacy whenever possible.
 - Appointing a Workplace Violence Officer that will oversee investigations and manage information with regards to workplace violence and the risk assessments.
 - Investigating reported incidents of workplace violence in an objective and timely manner;
 - Taking necessary action to respond to those incidents.

Manager/Supervisor Responsibilities

For the purposes of the policy, the managers/supervisors are responsible for:

- Acting respectfully towards other individuals while at work and participating in any work- related activity;
- Developing workplace arrangements in conjunction with the Workplace Violence Officer that minimizes the risk of workplace violence;
- Ensuring that this policy is explained to all employees that they supervise or manage;
- Identifying training needs for employees;
- Ensuring that employees understand who to contact regarding concerns about the policy or when reporting an incident;
- Ensuring their own immediate safety if an incident of workplace violence occurs, then reporting all incidents or concerns to Security and the Workplace Violence Officer.

Employee Responsibilities

For the purposes of this policy, every employee is responsible for:

- Acting respectfully towards other individuals while at work and while participating in any work-related activity;
- Refraining from acts of violence and to seek assistance to resolve personal issues that may lead to acts of violence in the workplace;
- Ensuring their own immediate safety in the event of workplace violence, then reporting the incident to the appropriate resources;
- Cooperating with any efforts to investigate and resolve matters arising under this policy.

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.

Student Responsibilities

All students of the college are responsible for adhering to the student code of conduct.

Confidentiality

- Confidentiality with respect to complaints will be maintained to the greatest extent possible, having regard to the circumstances giving rise to the complaint and subject to the College's obligation to conduct a thorough investigation.
- An individual making a complaint cannot be guaranteed complete confidentiality or anonymity.
- Parties and witnesses are expected to keep information discussed confidential. Unwarranted breaches of confidentiality will result in disciplinary action or sanctions.

- Confidentiality with respect to the findings of an investigation will be maintained, except to the extent necessary to implement and/or defend the corrective and/or disciplinary action taken, or as required by law.
- Where corrective or disciplinary action is taken, information may be provided that some action has been taken but not the particulars of that action.
- Documentation regarding corrective or disciplinary action taken will be maintained by the College.

Subject to the provisions of the Freedom of Information and Protection of Privacy Act, documentation and records pertaining to a complaint will be held in strict confidence in files maintained by the College.

Assistance for the Parties

- Individuals involved in the complaint process at any stage, while not required to do so, may seek assistance/support from, and/or be accompanied by, another person of his/her choice (for example a trusted friend, a union representative, a manager or other).
- When a support person will be attending any step of the process with a party to a complaint, that party must advise the Officer, in writing, at least 3 days in advance of any meeting, of the identity of the support person. The role of the support person is to act as a resource and provide support/advice to the party. The support person will not be permitted to speak or advocate on behalf of the party unless requested to do so by the Officer. In the event that a party chooses to retain legal counsel, or another paid advisor, as his/her support person, the party shall be solely responsible for the cost incurred.
- The support person may not be a party to the incident, complaint or any related complaint.

- Where appropriate, the Officer will provide complainants, respondents and others affected by the investigation with information regarding counseling services available through the College or through outside agencies.

MONITORING

This policy shall be monitored on an ongoing basis and shall be reviewed annually by the Associate Director, Safety & Security and the Joint Occupational Health & Safety Committees

NEXT POLICY REVISION DATE

Annually

APPENDIX A - PROCEDURES FOR SUMMONING ASSISTANCE

Examples: Immediate danger; weapons involvement; physical injury related to violent behaviour; and obvious signs of abusive threatening behaviour

1. For immediate threats of violence, assaults or other violent incidents contact security immediately at extension “5555”, OR CALL 9-911 immediately.
2. Critical information must be provided including the nature of the incident; whether emergency services are required; whether perpetrator(s) are still present; whether weapons are involved; etc.
3. After security is involved and the situation is under control, the event particulars shall be recorded by security with help from the affected person. Security staff shall create an incident report within the Security Incident Report Database. Other workplace parties will be involved in reviewing the details surrounding the situation and determining the appropriate corrective action to resolve the issue.

NOTE: Security will immediately inform the appropriate parties according to a defined contact list.

If a situation involves an armed person on campus, the Security team will enact their lockdown procedure, contact emergency services and where possible, provide notification to the entire campus.

Security Staff shall:

- Respond immediately and take control of the situation until a more senior College official can be contacted.
- Ensure safety of all individuals.
- Call emergency responders (e.g. ambulance, medical services, police etc.) if required.
- Complete and file a “security incident report” as soon as is reasonably possible.
- Ensure that the Associate Director, Safety & Security or their designate has been informed of the incident immediately, including evenings & weekends.
- Contact police, in consultation with Supervisor/designate, based on: severity of incident; at request of victim; if incident involves an assault or other forms of criminal activity.
- If the situation involves a student, the Director of Student Services shall be notified immediately.

Workplace Violence Officer/Associate Director, Safety & Security Shall:

- Ensure appropriate College officials have been notified of the incident.
- Issue a Notice of Trespass if required.
- Notify the College Behavioural Intervention Team if required.
- Initiate an Incident Management Team if required.
- Initiate investigation, follow-up action and reporting as required.
- Ensure that all staff are informed as appropriate
- Review procedure, incidents and make revisions as required.

- Ensure first responders and staff receive appropriate training

Procedure for Reporting a Non-Emergency Incident of Workplace Violence (Incl. Domestic Violence)

Reports of violence should be made immediately to a supervisor, security staff, or the Workplace Violence Officer. Reports can be made in person, through email or by telephone or through the online Security Report. If a report is made to anyone other than the Workplace Violence Officer, it must be communicated to the Officer as soon as possible. All reports will be tracked for safety and assessment purposes by the Workplace Violence Officer.

All incidents of workplace violence must be reported. However, certain informal steps may follow a report in order to achieve an early resolution of the perceived violence or threat of violence. These steps will be at the discretion of the workplace violence officer acting in conjunction with the appropriate college official.

A report of workplace violence should include:

- The name of the person engaging in the allegedly threatening of violent conduct;
- The time and date of the incident(s);
- The names of any witnesses.

This information shall be provided to the Workplace Violence Officer.

On receipt of a written complaint, the Officer shall:

1. Make an initial assessment of the urgency of the threat in conjunction with the Behavioural Intervention Team, as required;
2. Take all steps necessary to investigate or have the report investigated;
3. Determine what action if any is required on the part of the college and its employees or students;
4. Communicate with the person who filed the report to indicate what measures are being taken;
5. Assess whether additional measures are required on the part of the college to prevent further or future acts or threats of violence;
6. Make any other recommendations necessary to ensure policy compliance.

Redress and Sanctions

Where a report has been substantiated, appropriate corrective or disciplinary action will be taken by the College. Such action may include but is not limited to: counselling, warning, written reprimand, education/training, suspension without pay, leave without pay, demotion, transfer, termination of employment, legal action.

Work Refusals

Under the terms of the Occupational Health and Safety Act, S. 43 (3), an employee may refuse work if they deem it to be unsafe or dangerous. If an employee feels that his or her work environment is unsafe due to the threat of violence, they must immediately contact their supervisor who will then contact the Occupational Health and Safety Officer. The Occupational Health and Safety Officer will, jointly with the Workplace

Violence Officer, assess the facts as per the Occupational Health and Safety act rules for work refusal.