

Workplace Violence and Harassment Policy

Category: Operations

Approval: PVP

Responsibility: Vice-President, Finance & Administration

Date: June 19, 2007, Last Reviewed December 2, 2016

Definitions:

Definitions:

Workplace Violence is defined as:

- the exercise of physical force by a person against any worker in the workplace that causes or could cause physical injury to that worker;
- an attempt to exercise physical force against any worker in the workplace that could cause physical injury to that worker, and
- a statement or behaviour that it is reasonable for a person to interpret as a threat to exercise physical force against them or someone else in the workplace, that could cause physical injury to a worker.

Workplace: Any location at which Trent-sanctioned activities occur, including all Trent property and all other locations, such as field research locations or placements, where the academic and administrative activities of the university take place.

Domestic Violence: The exercise, attempt or threat to exercise physical force against any person on campus by a another person who has or had a personal relationship with the first person, such as a spouse or former spouse, current or former intimate partner or a family member.

Workplace Harassment: Is defined as engaging in a course of vexatious comment or conduct against any person on campus that is known, or ought reasonably be known, to be unwelcome or workplace sexual harassment. A reasonable action taken by an employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.

Workplace sexual harassment is defined as:

- (a) engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
- (b) making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome;

Supervisor is defined as anyone who has charge of a workplace or authority over a worker. This includes lead hands, College Residence Life Coordinators (CRLCs), supervisors, managers, directors,

associate vice-presidents, department chairs, deans, principle investigators, instructors, vice-presidents and the president.

Supportive Person: means a person selected by either the complainant or respondent to assist them throughout the formal complaint process. Supportive persons are required to uphold confidentiality and are not permitted to intervene and/or disrupt the process. The complainant or respondent to a formal complaint may choose to obtain legal counsel or advice at their own expense. Such legal advisors (for non-unionized employees) may attend meetings as supportive persons but cannot act as legal representatives.

Bargaining Agent Representation: A complainant or respondent who is a member of a collective bargaining unit is encouraged to consult with their bargaining agent about a complaint. Bargaining agent representatives shall accompany the member in any meeting or related proceedings under this policy, in addition to any supportive person designated by the individual.

Vexatious complaint: A complaint that is trivial, frivolous, malicious, made in bad faith or contains allegations that the complainant knows to be false. A vexatious complaint in itself is considered harassment and is subject to the same sanctions.

Purpose/Reason for Policy:

Trent University is committed to providing a safe and welcoming environment, in which all members of the Trent Community are treated with respect and dignity. The purpose of this policy is to define Trent's commitment to addressing workplace violence or threats of violence and harassment.

Scope of this Policy:

This policy applies to all Trent employees and addresses workplace violence and harassment from all sources including students, volunteers, contractors and visitors on Trent property.

Policy Statement:

Workplace violence and harassment will not be tolerated at Trent University. Trent will take all reasonable steps to protect employees from workplace violence and harassment and will respond appropriately to all incidents and complaints in a fair and timely manner, respecting the privacy of all concerned unless disclosure of identifying information is necessary for the purposes of protecting employees, investigating or taking corrective action with respect to the incident or complaint, or as otherwise required by law. Individuals who commit workplace violence and harassment may be subject to disciplinary action, criminal penalties, or both. Retaliation or reprisals are prohibited against any employee who, in good faith, has made a complaint or participated in an investigation under this policy.

Responsibilities:

All students, staff, faculty and visitors at Trent University share the responsibility to create and maintain an environment free from violent and harassing behaviour, and are encouraged to report workplace violence and harassment when they witness or experience it.

Employees who experience workplace violence or harassment may obtain support and assistance from their supervisor, bargaining agent, Joint Health and Safety Committee member, Human Resources, Human Rights, Campus Security or the Employee Assistance Program.

Supervisors are responsible to ensure employees have the information they need to protect themselves and to respond to incidents of campus violence or harassment in accordance with the provisions of this policy and procedures. Further, supervisors have overall managerial and leadership responsibility for ensuring a workplace that is free of violence and harassment. This includes leading by example in matters of appropriate workplace behavior, implementing workplace violence and harassment awareness and prevention training programs, responding appropriately to any incidents and reports, and maintaining a positive ethical climate.

Supervisors are to refer complaints of sexual violence or sexual harassment to one of the offices listed below:

- Risk Management/Campus Security
- Human Rights
- Human Resources

Supervisors are responsible to ensure workplace specific Risk of Workplace Violence assessments are conducted and reviewed as required. Instructions and tools can be found on the Risk Management MyTrent portal.

When the supervisor cannot resolve a complaint of workplace violence or harassment, the complaint shall be referred to any one of the AVP Human Resources or the Director of Risk Management who will determine who shall investigate and recommend resolution of the complaint. Harassment complaints under this policy will normally be managed by the AVP Human Resources. Complaints of violence under this policy will normally be managed by the Director, Risk Management. If the respondent is a student, the AVP Students will be advised and will determine and implement any corrective action that may be required.

Campus Security is responsible to respond to and resolve incidents of workplace violence, document reports of campus violence or harassment made to them and advise the Director of Risk Management. Security may be asked to investigate incidents of workplace violence or harassment.

The Director of Risk Management is responsible to conduct an annual Violence Threat Assessment for Trent and ensure the Joint Health and Safety Committee receives a copy. When advised of an incident or behaviour that may escalate to violence, they will convene and chair a Threat Assessment Team. The Director, Risk Management will ensure the Joint Health and Safety Committee is consulted whenever this policy is reviewed or amended. The Director, Risk Management will ensure training on this policy is made available to all employees.

Contact Officer:

Director, Risk Management

Date for Next Review:

Annually in August

Related Policies, Procedures & Guidelines

- (a) Campus Violence Procedure
- (b) Campus Violence Behaviour and Response Guidelines
- (c) Threat Assessment Team Protocol
- (d) Annual Violence Risk Assessment
- (e) Campus Violence Reporting and Response Protocol
- (f) Trent University Policy on Discrimination and Harassment
- (g) Sexual Violence Prevention and Response Policy
- (h) Student Charter of Rights and Responsibilities

Policies Superseded by This Policy:

- a) Not Applicable