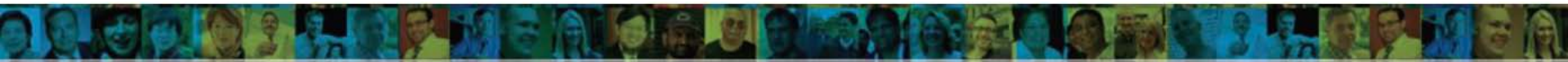


Violence & Harassment Prevention in the Workplace: Awareness Training



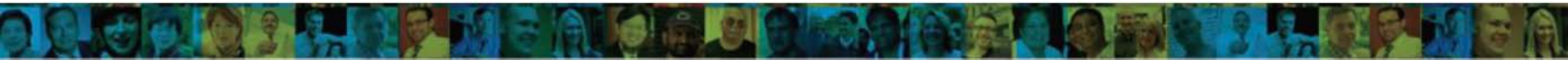
Workplace Violence & Harassment

- All employees in the province of Ontario have a right to work without fear of violence and free of harassment in a safe and healthy workplace.
- Bill 168 – amended the Occupational Health & Safety Act (OHSA) in 2010 to ensure that workplaces are free of violence and harassment.
- This legislation was in response to the death of Hotel Dieu nurse Lori Dupont. Ms. Dupont was murdered by a Doctor within the hospital who was also her former boyfriend.



Workplace Violence Legislation

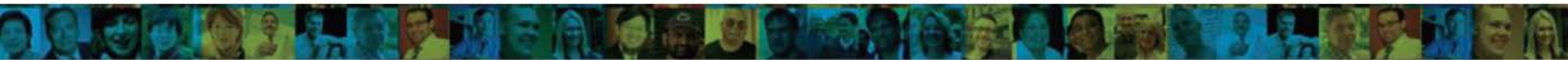
- Under OHSA employers now have a legal responsibility to take reasonable precautions to create safe workplaces in order to protect workers from workplace violence and domestic violence that may follow workers to work.
- The legislation protects workers' rights to refuse work where they do not feel safe due to a violent situation.
- The legislation also includes a requirement that all employers advise workers of possible dangers from persons with histories of violent behaviour.



Definition of Workplace Violence

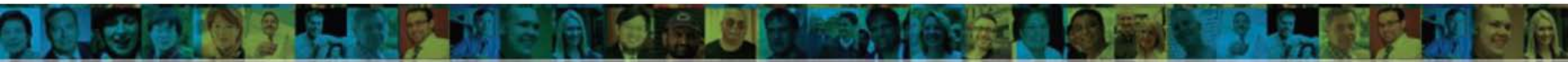
Under the Occupational Health & Safety Act, workplace violence means:

- the exercise of physical force by a person against a worker, in a workplace that causes or could cause physical injury to the worker,
 - an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker,
 - a statement or behaviour that it 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.
- Workplace violence includes domestic violence that could cause physical injury to a worker in a workplace.



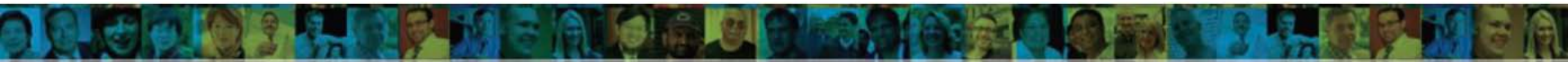
Definition of Workplace Violence cont'd

Workplace violence includes domestic violence that could cause physical injury to a worker in a workplace.



Violent Behaviours

- Violent behaviours are not just limited to a physical act of hitting, pushing, kicking, it can also include threatening behaviour.
- Threatening behaviour includes throwing objects, property destruction, shaking fists showing physical intimidation



Sources of workplace violence

- Some of the possible sources of workplace violence are:
 - members of the public
 - students
 - co-workers
 - supervisors
 - contractors
 - family members
 - friends



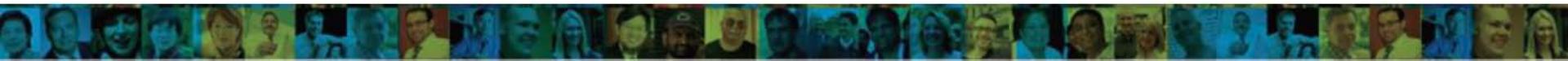
Risk Factors

- In order to determine which areas are more susceptible to potential violence, risk assessments are completed across campus based on the following identified risk factors:
 - working alone or in isolation
 - travel to remote/hazardous locations
 - dealing with sensitive personal matters
 - providing services directly to the public
 - handling or securing cash/valuables
 - patrolling/providing protective services
 - decisions on academic/employment status
 - public/other events not assessed for risk
 - dealing with unstable/volatile individuals
 - transporting people and/or goods



Evaluating Risk Factors

- Should any of the previous ten (10) risk factors be identified a comprehensive risk assessment shall be completed for each separate risk. Risk assessment forms can be found at www.uwindsor.ca/safety.
- Each risk assessment will outline existing controls, any further recommended controls or actions as well as who has been assigned to implement the controls and the date of completion.
- Risk assessments shall be reassessed should there be any changes from the previous assessment or at least every three (3) years.



Times of Increased Risk

- The risk of violence can be increased during:
 - late hours of the night or early hours of the morning, when it is dark and there are not a lot of people around
 - stressful times, eg. exam time
 - activities which may increase stress, i.e. performance appraisal reviews, contract negotiations



Control of General Risk of Workplace Violence

- Campus Resources:
 - **Employee Assistance Program (EAP)** – Shepell.fgi an outside counseling service that provides professional counseling and information services to staff and their eligible immediate family members.
www.shepellfgi.com/EN-CA/ or 1-800-387-4765.
 - **Walksafe** – free service provided to all students, faculty, employees & visitors designed to assist in getting people safely to their destination, i.e. parking lots
www.uwindsor.ca/walksafe/

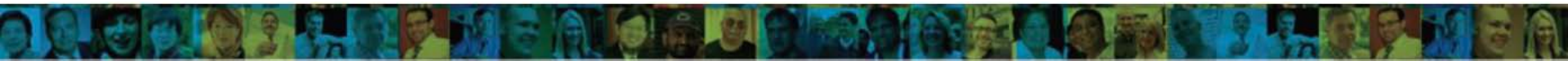
Control of General Risk of Workplace Violence cont'd

- Campus Resources cont'd
 - **Student Counselling Centre**– The Student Counselling Centre at the University of Windsor provides free, confidential counselling to registered students as well as consultation and referral services for University of Windsor faculty and staff. Services are provided by Psychologists, a Clinical Therapist, a Registered Nurse, and Master's-level graduate students.

www.uwindsor.ca/scc/

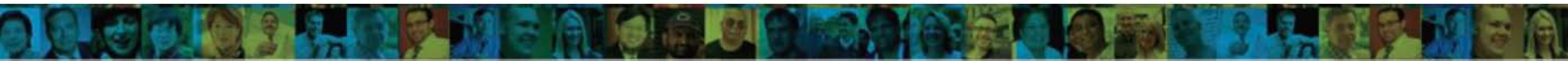
- **Campus Community Police** –provide emphasis on crime prevention initiatives for our community.

www.uwindsor.ca/police



Risk-based Physical & Electronic Security

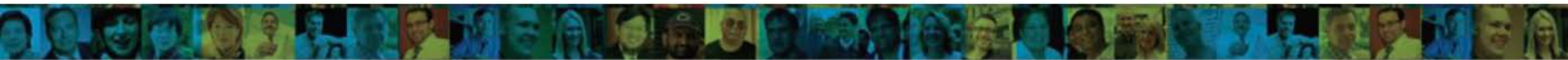
- **Campus Camera Program** – many of the campus camera systems have been placed in areas that have a demonstrated need for extra surveillance
- **Access Control Systems** – monitors the automation/access control systems as well in a virtual environment through our WebEOC software for instances of shelter in place or securing of some buildings in emergencies. These systems are accessible at the Campus Community Police 911 dispatch center as well, 24/7.



Risk-based Physical & Electronic Security cont'd

- **Campus CPTED (Crime Prevention Through Environmental Design) Program** – a full campus assessment is facilitated every two (2) years on the exterior of the campus with particular attending to lighting and vegetation growth concerns. There is a partnership between the Grounds Department & Campus Community Police to correct any issues that arise. This assessment will take place every year beginning in the Fall of 2011.

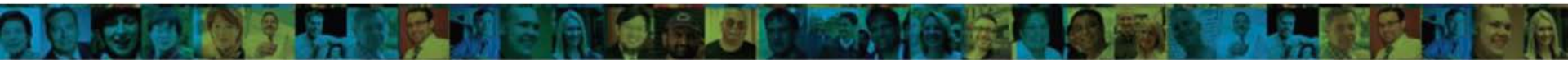
- **WebEOC/Emergeo** – University of Windsor is the first University in the province to be able to manage crises on campus in a virtual environment with key players logging in to the web application wherever they may be. We also have linked our cameras that monitor key evacuation routes, triage and emergency staging areas on campus to this application to increase situational awareness.



Summoning Immediate Assistance

The University of Windsor has various ways in which a person, who is experiencing violence or feels that it is likely to occur, can summon for immediate assistance. These various ways include:

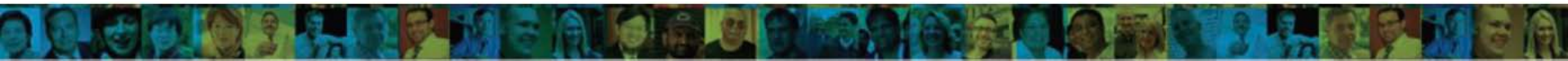
–Panic Buttons or Robbery Buttons – these buttons are typically mounted underneath desks so that immediate assistance can be obtained. Robbery buttons are placed in departments where cash is handled. Both of these buttons are a direct alarm into Campus Community Police dispatch. When a robbery button alarm is received at Campus Community Police, Windsor Police is also dispatched to respond.



Summoning Immediate Assistance cont'd

–**Yellow Call Boxes** – these phones are placed inside washrooms in Leddy Library as well as outside the residence buildings and common areas in Vanier Hall. These call phones are a direct line into Campus Community Police.

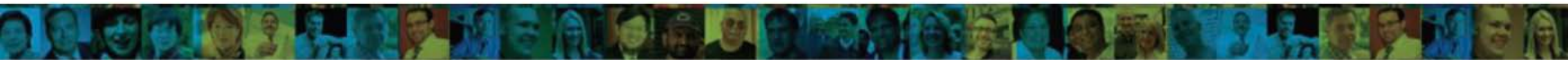
–**Blue Pole Phones** – these poles are dispersed across campus and are also a direct line to Campus Community Police. The poles also provide a visual notice that someone in the area requires assistance as there is a blue flashing light at the top of the poles.



Summing Immediate Assistance cont'd

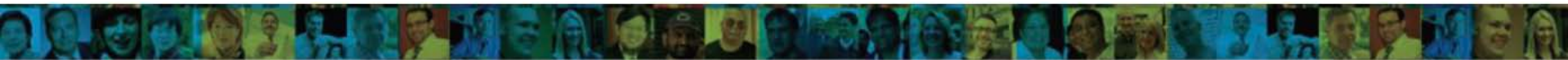
–**Campus Pay Phones** – all pay phones on campus have a Campus Community Police direct line button.

–**Campus Phones** – dialling 9-1-1 from any campus phone will be connected to Campus Community Police dispatch. This allows the caller to be located more easily through caller ID. Should 9-1-1 be dialled from a cell phone it would be received by Windsor Police/Fire/EMS and the location on campus would not be known.



Procedures to Report an Act of Violence

- The first step in any reporting process is to use the Internal Responsibility System and report any act of violence to your immediate Supervisor or Department Head, or Residence Life Coordinator,
- If you feel that you or anyone else is in immediate danger, Campus Community Police must be contacted at 9-1-1 from any University phone.



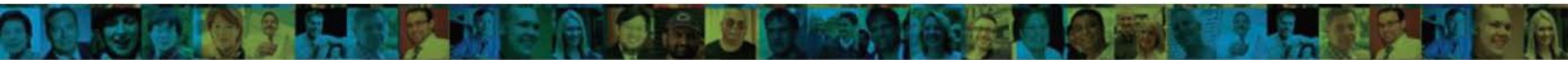
Procedures to Report an Act of Violence



- Students must advise their appropriate Department Head, Dean or Director of any incident of violence or threat of violence. Should the incident of violence or threat of violence occur within their residence, students must advise their Residence Life staff

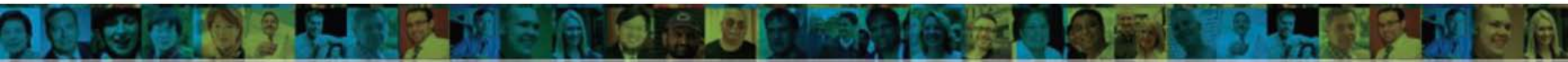
Reporting an Act of Violence cont'd

- Deans/Directors/Department Heads or Managers/Supervisors who observe violence or receive a report of violence shall respond in a prompt and effective manner and contact Campus Community Police.
- A report shall be completed through Campus Community Police by either email at cpolice@uwindsor.ca, which is monitored Monday to Friday from 8am to 4pm; calling 519-253-3000 ext. 1234 or in an emergency at ext. 911 or in person to the office located at 470/478 Sunset Ave.



Reporting an Act of Violence cont'd

- If a violent situation is reported, which involves a student the Dean/Director/Department Head or Manager/Supervisor should also notify the Vice-Provost, Students and International.



Domestic Violence

- Domestic violence comes into the workplace when the abuser harasses the victim while they are at work. This may come in various forms, i.e. harassing phone calls, dropping in to check up on the victim's activities or whereabouts. These behaviours make the workplace a more stressful place for all involved.
- Anyone can be a victim of domestic violence, whatever their age, race, economic status, religion, sexual orientation or education. While men can be victims of domestic violence, women represent the overwhelming majority of victims of such violence. Domestic violence can have serious and even lethal consequences.



Domestic Violence cont'd

- When a Manager/Supervisor or Dean/Director/Dept Head becomes aware or ought reasonably to be aware about a domestic situation that could likely expose a worker to physical injury within the workplace, they are required to take steps to protect the worker and co-workers.



Domestic Violence cont'd

- Behaviours such as emotional and psychological intimidation and harassment can be disruptive and harmful to the victim and can quickly turn into physical violence. Treat warning signs seriously and take immediate action when violence threatens to affect your work area.
- Stalking has been identified as one of the primary risk factors for attempted and actual murder of female partners in intimate relations.
- Recent separation is also an important flag, as many deaths related to domestic violence in Ontario occurred when the relationship was ending or following separation.



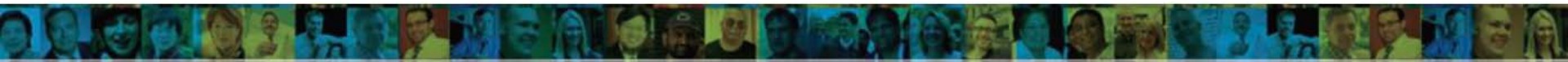
Domestic Violence Resources

- Assaulted Women's Hotline: 1-866-836-0511 www.awhl.org
- Sexual Assault/Domestic Treatment Centre (Windsor Regional Hospital): 519-255-2234
http://www.wrhone.ca/Site_Published/wrh_internet/RichText.aspx?Body.QueryId.Id=38800&LeftNav.QueryId.Categories=238
- Emergency Services : 9-1-1
- Employee Assistance Program – Shepell fgi: 1-800-387-4765
www.shepelfgi.com/EN-CA/



Domestic Violence Resources cont'd

- Fresh Start Program for Batterers (operating from Hiatus House): 519-252-7781 www.hiatushouse.com
- Hiatus House: 519-252-7781 www.hiatushouse.com
- Neighbors, Friends and Families Program: 519-471-6590 <http://www.neighboursfriendsandfamilies.ca/>



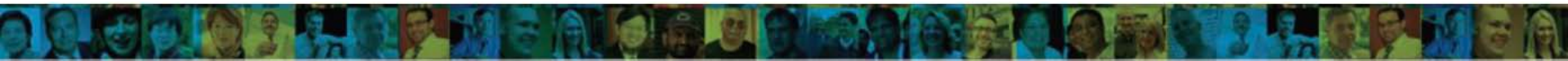
Domestic Violence Resources cont'd

- Victim Services of Windsor/Essex: 519-723-2711 www.vswec.ca
- Windsor Essex Country Children's Aid Society: 519-252-1171
www.wecas.on.ca
- Windsor Essex County Health Unit: 519-258-2146 ext. 1350
www.wechealthunit.org
- Windsor Police Services – Special Services Branch: 519-255-6700 ext. 4308 www.police.windsor.on.ca



Right to Refuse Unsafe Work

- workers have the right to refuse unsafe work which they believe may endanger the health or safety of themselves or another worker.
- There are procedural guidelines which must be followed as per section 43 of the Occupational Health & Safety Act as well as the University of Windsor's document OHS-4.5.2 Work Refusal.
- Work refusals as they relate to workplace violence will be resolved based on an objective assessment of risk.



Definition of Workplace Harassment

- Under the Occupational Health & Safety Act, workplace harassment is defined as:
 - Engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome



Examples of Harassment

- Under the definition some examples of harassment are (but not limited to):
 - Unwelcome words or actions that are known to be offensive, embarrassing, humiliating or demeaning to a worker or group of workers
 - Behaviour that intimidates, isolates or discriminates against a worker or group of workers
 - Repeated words or actions, or a pattern of behaviours, against a worker or group of workers in the workplace that are unwelcome



Harassment does not include:

- legitimate performance management;
- operational directives ;
- job assignments;
- inadvertent management errors; or
- a single incident unless grave or harmful



Harassment Program

In the absence of a collective agreement or where a collective agreement is silent, the following process shall be used.



Harassment by/of Students

- If a worker is subjected to harassing behaviour by a student, he or she should seek support from their Manager who will refer the matter to the Vice-Provost, Students and International (Dean of Students)
- Although students are not identified under the *Occupational Health and Safety Act*, a student who is subjected to harassing behaviour by a University of Windsor worker should report it to the Vice-Provost, Students and International (Dean of Students); Dean; Department Head; the worker's Manager; and/or Department of Human Resources.



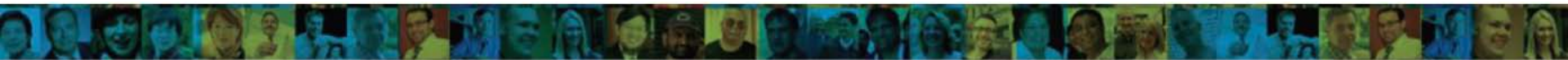
Harassment by/of Visitors

- If a worker is subjected to harassment by a visitor, he or she should seek support from his/her Manager.
- Campus Community Police may be called by a Manager to escort the visitor(s) off campus and/or take other appropriate action.
- Although visitors are not identified under the *Occupational Health and Safety Act*, visitors who are subjected to harassment by a University of Windsor worker should report it to the worker's Manager and/or the Department of Human Resources.



Complaint Process

- The complaint process will be fair:
 - The Respondent will be informed of the allegations
 - The Respondent will be provided the opportunity to respond
 - A decision will be made by the appropriate level of management in consultation with the Chief Human Resources Officer; Associate Vice President (AVP) Academic Affairs; or the Vice-Provost, Students and International (Dean of Students), if required
 - In the event of conflict of interest, appropriate alternative measures will be taken



Reporting of a Workplace Harassment Complaint

- All workers are responsible for reporting workplace harassment as defined by the Act to their Manager.
- Within two days of receiving the complaint, the Manager assesses the immediate risk, gathers information and documents the concern. He or she will consult with the appropriate office as listed in *OHS-4.5.7c Harassment Prevention Program Administration Offices*.
- If the concern falls within the scope of the *Human Rights Code*, the Manager may refer the concern to the Office of Human Rights, Equity and Accessibility (OHREA) for support.



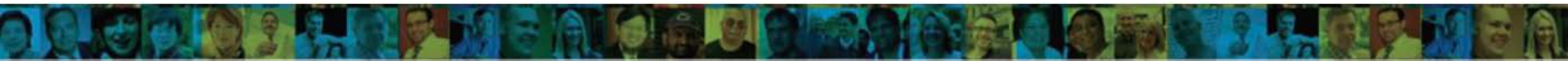
Reporting of a Workplace Harassment Complaint cont'd

- If the concern does not fall within the scope of the *Human Rights Code* or Campus Community Police, the Manager determines whether the resolution falls within the informal or formal resolution process.
- If the respondent is a student and the incident involves student misconduct, the concern is referred to Vice-Provost, Students and International (Dean of Students).



Early Resolution

- Whenever possible, a first step is to approach the worker whose conduct is at issue and inform them that the conduct or behaviour is inappropriate, unacceptable and unwelcome.
- Should discussion with the worker not resolve the issue, or if, for some reason, such discussion is not appropriate, speak with the Manager and/or union representative, if applicable
- If a Complainant requires assistance raising a concern before proceeding to a complaint, or in the event direct contact did not resolve it, the complainant is to contact their own Manager and/or union representative, if applicable



Informal Process

- A Manager who receives a complaint of workplace harassment resolvable through informal resolution must take reasonable action to assist the Complainant in achieving a resolution within ten (10) days of receiving the complaint
- The Manager shall record the details of information provided during the informal resolution process and complete the Workplace Harassment Reporting Form (OHS-4.5.7d).



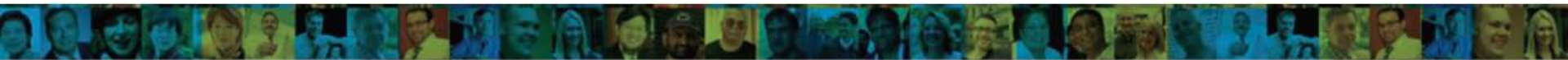
Informal Process cont'd

- **The primary objective of the informal resolution process is to promptly restore and/or maintain a safe and harassment free work environment.**
- If the concern is not resolved at this stage, then the Manager may also seek assistance from the Associate Vice-President, Academic Affairs, Chief Human Resources Officer or Labour Relations; or Vice-Provost, Students and International (Dean of Students). After consultation, the Manager may then attempt further informal resolution



Formal Process

- If informal resolution is not possible, the Manager shall forward the complaint to the Associate Vice-President, Academic Affairs; Chief Human Resources Officer; or Vice-Provost, Students and International (Dean of Students) to initiate a formal investigation using the *Workplace Harassment Reporting Form* (OHS-4.5.7d).



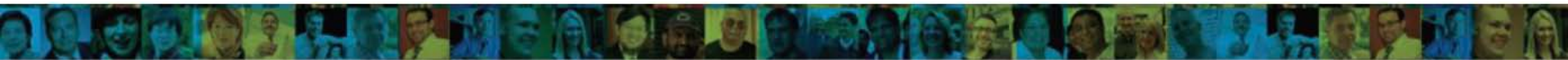
Formal Investigation Procedure

- Upon receipt of a request for a formal investigation of a Workplace Harassment concern, the Associate Vice-President Academic Affairs, the Chief Human Resources Officer or Vice-Provost, Students and International (Dean of Students) shall appoint an investigator and the investigation shall not exceed 15 working days, unless both parties agree to extend



Formal Investigation Procedure cont'd

- One of three types of investigators may be appointed:
 - internal investigator (i.e. Senior Manager or trained investigator, including where appropriate, the union designated investigator)
 - third-party investigator
 - Campus Police, where harassment is criminal in nature or constitutes a hate crime.



Investigation Process

- The investigation process will be fair:
 - The Respondent will be informed of any and all allegations
 - The Respondent will be provided the opportunity to respond
 - A decision will be made by an impartial decision-maker, and
 - In the event of conflict of interest, appropriate alternative measures will be taken.



Investigation Process cont'd

- The investigation process will be fair:
 - The investigator interviews the Complainant(s)
 - The investigator interviews Respondent(s) if identified
 - The investigator meets with any witnesses identified as having knowledge of the incident, if necessary.
 - If required, the investigator will re-interview the Complainant(s), Respondent(s) or witness(es).



Investigative Report

- The investigator will prepare and submit a report within 20 working days, unless both parties agree to extend, summarizing the facts and findings and determine whether there is:
 - Sufficient evidence to substantiate a finding of violation of the policy, or
 - Insufficient or lack of credible evidence to substantiate the alleged violation of the policy, or
 - No violation of the policy

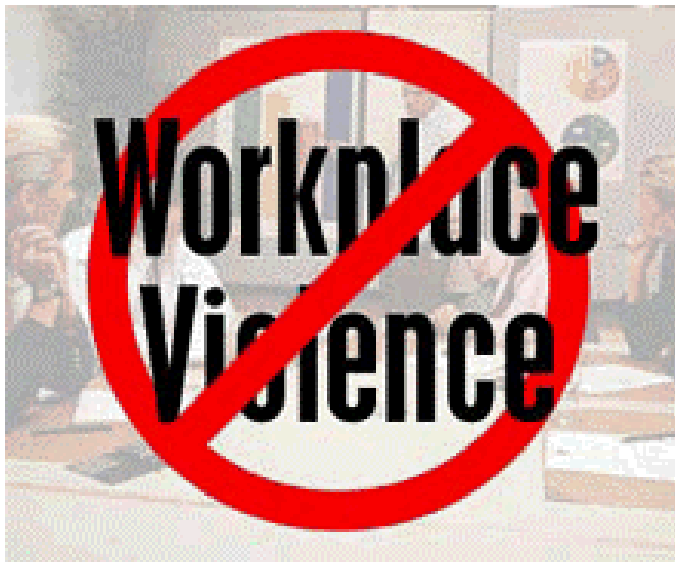


Resolution & Follow Up

- Once the investigative process has been completed and corrective actions, if any, are implemented within 60 working days, the complainant shall be notified of actions taken and the file will be closed .
- The Manager of both parties will contact the parties periodically, and as required, to ensure that the workplace is safe and harassment free, including free from reprisal for having sought protection pursuant to the Act



U of W's Workplace Violence & Harassment Prevention Program



- The University of Windsor's program can be found at www.uwindsor.ca/safety.
- Posted on the website is the UofW's policies; programs; risk assessments for completion; the CCOHS Violence in the Workplace Prevention Guide and workplace violence resources

Workplace Violence & Harassment Training Quiz

Please complete the Violence in the Workplace
Training quiz here:

<http://webapps.uwindsor.ca/hr/wpv/quiz/login.php>

Please note that a record of training will be
produced upon successful completion of the quiz.