



Workplace Violence Prevention Program

December 2017

Carleton University: committed to respect and safety in the workplace

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Introduction

Carleton University is committed to the protection of the health, safety, and well-being of all members of the University community. As such, the University will take all precautions reasonable to provide and maintain a respectful learning and working environment that is free of violence, including sexual violence.

Workplace Violence will not be tolerated in the workplace, and if identified, will be addressed immediately with the appropriate authorities.

This document supplements the University policy entitled “Workplace Violence Prevention” and outlines the responsibilities associated with this program. Further to consultation with the Joint Health and Safety Committee (JHSC), the program will be reviewed annually and revised as necessary.

I. Objectives

1. To take every precaution reasonable in the circumstances to prevent Workplace Violence.
2. To provide guidelines on:
 - How to conduct a Workplace Violence risk assessment
 - How to develop and implement preventative measures to control identified risks
 - How to summon immediate assistance
 - How to report incidents of Workplace Violence
 - How an investigation into allegations of Workplace Violence, including imminent concerns, is conducted
 - How to follow up and address incidents or complaints of workplace violence
 - How investigation findings will be communicated to the alleged victim or perpetrator
3. To assist faculty and staff in addressing Workplace Violence.

II. Application

This program applies to all members of the Carleton Community, including Employees, Related Third Parties, and Students.

III. Policies, Standards and Legislation

Policy, Standards and Legislation prohibit Workplace Violence, but more importantly, these behaviours are inconsistent with Carleton values. As such every member of the Carleton community must take action to prevent workplace violence, and if aware of any instances of workplace violence, must report these immediately so they can be addressed.

1. The University policy entitled “*Workplace Violence Prevention*” states:
“Carleton University is committed to the protection of the health, safety and wellbeing of all members of the University community. As such, the University will take all precautions reasonable to provide and maintain a respectful learning and working environment that is free of violence, including sexual violence. All acts of Violence in the Workplace are strictly prohibited, and if identified, will be addressed immediately.”
2. The *Occupational Health and Safety Act* requires all employers to take every precaution reasonable in the circumstances to protect employees against Workplace Violence, including assessing and controlling the risks of workplace violence.
3. The *Criminal Code of Canada* makes it an offence for a person to knowingly, or recklessly engage in conduct that causes a person to fear for their safety or the safety of anyone known to them.
4. The Ministry of Training, Colleges and Universities Act requires colleges and universities to have sexual violence policies that set out the process that will apply when incidents and complaints of sexual violence involving students are reported.

IV. Definitions

Workplace Violence: “Workplace Violence” as defined by the Occupational Health and Safety Act 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 the workplace, that could cause physical injury to the worker.”

Examples of Workplace Violence under this definition may include but are not limited to:

- Threatening behaviour – shaking fists in front of a Worker, or pushing a Worker.
- Verbal or written threats – any expression of intent to inflict physical force that could cause physical injury. For example, “*You better watch your back, I am going to make you pay for what you did to me.*”, or “*If you don’t leave me alone you will regret it.*” Or body language or behaviours that leave little doubt in the mind of the recipient that the perpetrator intends to cause physical injury.
- Physical attacks – hitting, shoving, pushing, kicking, biting, pinching or inciting an animal to attack.

Sexual violence: As defined by the Carleton University Sexual Violence Policy means:

“Any sexual act or act targeting a person’s sexuality, gender identity or gender expression, whether the act is physical or psychological in nature that is committed, threatened or attempted against a person without the person’s consent.

“It includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism and sexual exploitation. For further clarity, sexual assault includes rape.”

Act: “Act” is the *Occupational Health and Safety Act*, R.S.O. 1990, as amended.

Complainant: A “Complainant” is any person who is a member of the Carleton Community (including any employee whether covered by a collective agreement with the university or employed under an individual contract of employment), Student, visitor, or any person who is a volunteer, all of whom are entitled to submit a complaint under this program.

Contractor: A “Contractor” is an organization, partnership, or individual engaged by Carleton University to provide services to the University either personally or with the assistance of other individuals.

Cyberbullying: Deliberate repeated bullying or harassing behavior that uses the internet, social media, or other web related technology, such as email and text messages, experienced by an Employee or Student in the course of their duties

Manager/Supervisor: A “Manager/Supervisor” is the person responsible for the work unit who has the ability to review behavior and initiate corrective action including discipline, if required. (The person who has charge of the workplace or authority over a worker)

Related Third Party: A Related Third Party includes a Contractor and the Contractor’s employees or subcontractors.

Respondent: A “Respondent” is any person who is a member of the University Community (including any employee whether covered by a collective agreement with the University or employed under an individual contract of employment), Student, visitor, or any person who is a volunteer, any one of whom is alleged to have engaged in Workplace Violence as defined above.

SARET: the Student-At-Risk Evaluation Team (SARET) is the committee that reviews an individual’s risk to the campus and short of permanent campus bans, sets out restrictions or limitations for students as deemed necessary. SARET may issue temporary bans or academic suspensions, in the form of registration holds from academic studies. SARET provides recommendations to the President regarding the need for permanent campus bans.

University Community: “University Community” means all individuals who have a relationship with or to the University (or had at the time of the incident), including but not limited to:

- Students, meaning individuals registered as students at the University, whether full-time or part-time (including special students), at the noncredit, undergraduate or graduate level;
- All employees and faculty, including all unionized and non-unionized academic and professional staff as well as those whose salary is paid through sources other than the University’s operating funds, such as grants, research grants and external contracts;
- Persons with an academic appointment including but not limited to adjunct, visiting and emeritus professors, post-doctoral or clinical fellows, and research trainees;
- Contractors, consultants, suppliers or other entities engaged by the University to provide services or goods when on University property, or while acting in a capacity defined by their relationship to the University;

- Members of the Board of Governors, of the Senate, and any of their respective committees, as well as members of any advisory committee formed to help the University achieve its goals; and,
- Employees of both unionized and non-unionized employee and student groups when on University property or while acting in a capacity defined by their relationship with or to the University.

Visitor: A “Visitor” is any person who is not a Worker, a Student or a Related Third Party who has occasion for any reason to visit the University campus.

Worker: A “Worker” is defined under the *Act*, *namely* a person who performs work or supplies services for monetary compensation. As of 2015, the definition of worker also includes unpaid secondary school students who are participating in a work experience program, and other unpaid learners participating in a program approved by a post-secondary institution. For the purpose of this program and policy, the definition also includes any person recognized by Carleton University as a volunteer or a student.

Workplace: For the purposes of this program, the Workplace includes but is not limited to, the Carleton University campus, locations of business travel and conferences, student placements, field trips, University sponsored social events, and any other place where workers are expected to fulfill their duties.

V. Roles and Responsibilities: Workplace Violence

Shared Responsibility

To ensure the preservation of a productive, safe, respectful and peaceful learning and work environment:

- Everyone involved with Carleton University shares a responsibility to create and maintain an environment free of Workplace Violence and to act respectfully towards one another.
- All those affected or aware of concerns or complaints must work toward addressing and resolving complaints.
- Anyone who witnesses Workplace Violence or is aware of a potential for Workplace Violence must bring it to the attention of his/her Manager/Supervisor and participate in the investigation of the complaint.

University Responsibilities

- Carleton University is responsible to develop, implement and maintain the Workplace Violence Prevention policy and program. The Assistant Vice-President, Facilities Management and Planning, and the Director, Environmental Health and Safety are delegated this responsibility by the Senior Management Committee.
- Program development will be a collaborative endeavor involving stakeholders from across the Carleton campus. The Joint Health and Safety Committee will also be consulted.

Management/Supervisory Responsibilities

Managers/Supervisors are responsible for understanding what constitutes violent behavior and conducting themselves in accordance with the spirit and intent of the program and policy. They are responsible for communicating to all members of the Carleton community that Workplace Violence and abuse will not be condoned or ignored.

Managers/Supervisors shall:

- Act respectfully in their interactions with all members of the University community.
- Communicate to all members of the Carleton community that Workplace Violence and abuse **is prohibited** and will not be condoned or ignored.
- Demonstrate by leadership and action a commitment to the prevention of Violence by maintaining an environment free of Workplace Violence.
- Assess specific risks for Workplace Violence for their faculty/department and review/revise the assessment as necessary but at a minimum, annually. The assessment is to be sent to the Director, Risk and Insurance.
- Communicate the principles of the Workplace Violence Prevention program and policy and uphold its intent.
- Implement workplace arrangements and appropriate procedures that minimize the risk of Workplace Violence including domestic Violence that may result in physical injury in the Workplace.
- Monitor the effectiveness of this program and applicable procedures on an ongoing basis and recommend changes as required.
- Take the steps necessary to immediately end any violent behavior of which they are aware, regardless of whether a complaint has been filed.
- Take all complaints of Workplace Violence seriously
- Promptly, and diligently, investigate any reported or witnessed incident of Workplace Violence.
- Ensure all workers are provided the opportunity to participate in education and training programs provided by the University, and that the training is completed, and understood
- Provide information to Workers on how to access immediate assistance in cases of workplace violence or threats of workplace violence.
- Provide information to Workers on various support programs/mechanisms available to them (e.g. Employee and Family Assistance Program).
- Implement any follow-up actions as required by this program.
- Keep detailed confidential records of any incident or investigation of Workplace Violence, including threats, and forwarding a copy to the Director of University Safety as required.
- Participate in education and training programs as required.

Worker Responsibilities

All Workers share the responsibility to create a Workplace that is free from Workplace Violence and abuse. Each Worker is responsible for understanding what constitutes Workplace Violence and abuse and conducting himself or herself in accordance with the spirit and intent of the policy.

Workers shall:

- Act respectfully in their interactions with all members of the University community.
- Serve as role models with respect to appropriate conduct at work and promoting a non-violent Workplace.
- Provide input as requested to assess specific risks for their faculty/department and review/revise the assessment.
- Cooperate with the University in efforts to investigate and resolve matters arising under the program (the Worker may choose to request union representation in accordance with the applicable collective agreement and legislative requirements).
- Abide by the requirements of this program and applicable procedure(s).
- Report any incidents of Workplace Violence that have been experienced or witnessed in accordance with the applicable procedures. This includes domestic violence that may result in physical injury in the Workplace.
- Participate in education and training programs as required.
- Seek support and assistance from the Employee and Family Assistance Program (EFAP) or other community service when experiencing stress or other personal difficulties that may contribute to Workplace Violence.

The University recognizes that a Worker experiencing domestic abuse may be reluctant for personal safety and other reasons to disclose the problem to a Manager/Supervisor. The University encourages disclosure in order to ensure the Worker's safety and that of his or her co-workers. Disclosure also enables the University to support the Worker and provide links to appropriate community resources.

Although the University respects a Worker's desire for confidentiality and self-determination, a Worker is responsible for disclosing any situation which threatens the safety of the Workplace. This includes threats an intimate partner or ex-partner has made towards the Worker. A Worker must inform his or her Manager/Supervisor if they have applied for, or obtained, a restraining order that lists a University location as being a protected area, or that requires a person to remain a certain distance away from the Worker at all times including during the work day. This will ensure appropriate Personal Safety Plans can be developed to safeguard the Worker.

VI. Identifying Risk Factors for Workplace Violence

All Workplaces must be assessed for risk factors pertaining to Workplace Violence. Certain types of work or conditions can put employees at higher risk from Workplace Violence, generally from strangers, clients, students or customers. The list below identifies some of the risk factors for Workplace Violence:

- working with unstable or volatile persons

- handling money or valuables
- mobile Workplaces - transporting passengers and/or goods
- direct contact with clients/students/customers with the likelihood of dealing with irate persons
- working alone or in small numbers

Information relevant to identifying risks of Workplace Violence and the risk assessment methodology are described in Appendix “A”.

VII. Workplace Violence Risk Assessment

The overall responsibility for coordinating the risk assessment process shall rest with the Director, Risk and Insurance and shall be updated annually. The Violence Risk Assessment will involve four elements as follows:

1. Examination of Internal Documentation

The Director, Risk and Insurance shall conduct a review of all internal documents that might identify Workplace Violence, such documents include:

- Workplace inspection/safety reports
- Reports about emergencies, incidents and accidents including any reports involving violence or threats of violence
- Grievances
- Workplace Violence and Harassment investigation reports

2. Solicit Input from Workers

Each Manager/Supervisor will hold meetings with their employees in [all](#) positions and locations to seek their input. This will assist to:

- Identify workplace violence risks that the Workers perceive and their sense of personal safety in the Workplace
- Consider Worker’s experience of Violence and whether the situations involved strangers, customers, co-workers, students, estranged partners or family members
- Identify positions or locations in which Workplace Violence is a concern; and
- Gather opinions as to the effectiveness of the controls currently in place.

3. Complete a Workplace Violence Risk Assessment

Having gathered input from employees as to Workplace Violence, the Manager/Supervisor shall complete the *Workplace Violence Risk Assessment Questionnaire*. (See Schedule A – “Workplace Violence Risk Assessment”)

The Assessment is divided into three parts:

- Part 1 General Assessment – looks at the risks posed by the physical environment.

- Part 2 Current Risk Controls – looks at the controls and programs in place.
- Part 3 Identification and Assessment of Specific Risk Factors – looks at specific risks factors related to specific duties or locations.

Upon completion, the risk assessment(s) will be forwarded to the Department Head who will consolidate the information and forward a Departmental Risk Assessment Questionnaire to the Director, Risk and Insurance.

4. Annual Report on Workplace Violence Risk

Upon receipt of the questionnaires, the Director, Risk and Insurance shall prepare a report that identifies areas of risk of Workplace Violence with recommendations for necessary risk control measures.

The report shall be given to the Working Group on Workplace Harassment and Violence, as well as the Joint Occupation Health and Safety Committee and the Senior Management Committee.

VIII. Training and Prevention

- All Workers will be provided information on the contents of the “Workplace Violence Prevention” policy and program. . Training is mandatory and will be refreshed periodically. Further information about course offerings is available on the Learning and Development, and the Environmental Health and Safety websites.
- Based on the Workplace Risk Assessment, faculties/departments may determine that the potential exposure to Workplace Violence necessitates the need to develop specific skills and knowledge in addition to University wide training.
- In addition to training, a written prevention procedure may need to be developed or the Workplace’s physical design may need to be assessed and mitigation efforts implemented to reduce risk.

IX. No Reprisal

This program prohibits reprisals against individuals who have made good faith complaints or provided information regarding a complaint, incident or threat of Workplace Violence.

Persons who engage in reprisals or threats of reprisals may be disciplined up to and including dismissal from employment.

Reprisal includes:

- Any act of retaliation that occurs because a person has complained of or provided information about an incident of Workplace Violence
- Intentionally pressuring a person to ignore or not report an incident of Workplace Violence; and
- Intentionally pressuring a person to lie or provide less than full cooperation with an investigation of a complaint or incident of Workplace Violence.

Although false and frivolous accusations of Violence occur in rare instances, such false accusations are serious offences because they may have serious consequences for the accused.

The insufficiency of evidence to prove a complaint does not mean that the complaint was submitted in bad faith. A malicious or bad faith complaint means that a person who has made a complaint, made such a complaint when he/she knew or ought to have known that it was untrue.

A Worker who makes a false complaint or otherwise abuses this program may be disciplined up to and including dismissal from employment. Such discipline is not a reprisal or breach of this policy.

X. Violence or Threats by/of Students and/or Visitors

The University prohibits Workplace Violence by or toward any student registered in a course or program of study at Carleton University ("Student").

- A Worker who is subjected to violent or threatening behaviour by a Student, should seek support from their Manager/Supervisor who will refer the matter to the Vice-President (Students and Enrolment) and University Registrar.
- A Student who is subjected to violent or threatening behaviour by a Carleton Worker should report it to the Worker's Manager/Supervisor, or to the Department of University Safety. Alternatively, it may be reported to the Vice-President (Students and Enrolment) and University Registrar.

The University prohibits Workplace Violence by/toward Visitors.

- A Worker who is subjected to violent or threatening behaviour by a visitor, should seek support either from their Manager/Supervisor who will investigate and address the situation accordingly or from the Department of University Safety.
- A Student who is subjected to violent or threatening behaviour by a visitor should report it to the Vice-President (Students and Enrolment) and University Registrar.
- University Safety may be called to escort visitors off campus and/or take other appropriate action.
- Visitors who are subjected to violent or threatening behaviour by a Carleton Worker should contact University Safety and/or the worker's Manager/ Supervisor. If University Safety is called, they will contact the appropriate Manager/Supervisor.

XI. Violent or threatening Behaviour by/of Related Third Parties

The University prohibits violent or threatening behaviour by or toward Related Third Parties.

- A Worker who is subjected to violent or threatening behaviour by a Related Third Party should report it to his/her Manager/Supervisor who will investigate and address the complaint.

- Related Third Parties who are subjected to violent or threatening behaviour by a Carleton Worker should report it to their Contractor.
- The Contractor should report complaints of violent or threatening behaviour to the Carleton Contract Manager who will investigate and address the complaint.

XII. Complaint Process - Informal and Formal Investigation Procedure

Confidentiality

- All reports and disclosures made in the course of action taken pursuant to these procedures shall be considered to be confidential and in accordance with the Freedom of Information and Protection of Privacy Act (FIPPA) and with the provisions of applicable collective agreements by the parties involved and by those who, in providing advice and carrying out duties contemplated in these procedures, are required to know of their existence and content.
- Information obtained about an incident or complaint of workplace violence including identifying information about any individuals involved, will not be disclosed unless the disclosure is necessary for the purposes of investigating or taking corrective action with respect to the incident or complaint, or is otherwise required by law
- The identities of all Complainants, Respondents and Witnesses, and the nature of the complaint itself, will be kept confidential and only persons with a need to know will be informed. Findings and corrective actions taken as a result of the investigation, if any, will be provided to the Complainant and the Respondent in writing.
- Workers who are members of an employee bargaining unit are entitled to all of the protections provided for in their respective collective agreements, including representation, where appropriate

Process

The complaint process will be fair:

- The Respondent will be informed of the allegations
- The Respondent will be provided the opportunity to respond
- An investigation will be made by the appropriate level of management, in consultation with the AVP and/or Director of Labour/Employee Relations, Human Resources if required
- In the event of conflict of interest, appropriate alternative measures will be taken
- The results of the investigation and any corrective action will be provided to the Complainant and the Respondent

Reporting

All Workers are responsible for reporting Workplace Violence, or Sexual Violence as defined by the Ontario *Occupational Health and Safety Act* and the *Carleton University Sexual Violence Policy* that are experienced or witnessed, to their Manager/Supervisor or directly to the Department of University Safety.

If the Worker's immediate Manager/Supervisor is alleged to be involved in the Workplace Violence, the Worker shall contact the next level Manager/Supervisor or the Director of University Safety.

In all cases, the Manager/Supervisor will follow the reporting procedures as outlined below. If the Manager/Supervisor has concerns about whether the matter should be referred to the Ottawa Police, he or she should consult with the Department of University Safety. University Safety will contact the Ottawa Police as appropriate.

Complaints that Pose an Immediate Risk of Injury

- The Worker or the Manager/Supervisor shall immediately call the Department of University Safety at extension 4444. If a Worker initiates contact with University Safety, the Worker shall notify his or her Manager/Supervisor, or the next level Manager/Supervisor if required.
- If required, and as per the Personal Safety Plan developed with University Safety, the Manager/Supervisor shall arrange for a safe place to work that is as near as reasonably possible to the Worker's usual work site. The affected Worker(s) should continue to work in the safe place and be available for the investigation until there is no further risk of Violence.
- In a situation where University Safety is contacted to determine imminent risk, no other investigation should proceed until University Safety completes its investigation and the results are shared as appropriate.
- The Director of University Safety will determine if a credible risk of injury exists. In the case where there is not deemed to be a risk of Violence, the Director will advise the Associate Vice-President Human Resources, who will seek resolution with the Manager/Supervisor and the complainant.

Complaints that do not pose an Immediate Risk of Physical Injury:

- A Worker who has concerns regarding possible incidents of Workplace Violence, including threats of violence (the Complainant) shall report the incident to his or her Manager/Supervisor.
- The Manager/Supervisor shall review the complaint and assess for immediate risks. The Department of University Safety can assist with the risk assessment and should be consulted if there are uncertainties.
- If the complaint is deemed to not pose a risk of physical injury, the process becomes one of resolving inappropriate behaviour, and therefore the resolution process follows the harassment resolution steps. (see Workplace Harassment Prevention Program for full details).

When a Manager/Supervisor Becomes Aware of a Workplace Violence Concern

- The Manager/Supervisor assesses the immediate risk, gathers information and documents the concern within five (5) business days of receiving the complaint. He or she will consult with one of the resources listed on Appendix B and decide whether the concern is based on a complaint under the *Human Rights Code*, or is a University Safety or Human Resources issue.
- If there is an immediate concern, the Manager/Supervisor should refer to University Safety for support.
- If the concern falls within the scope of the *Human Rights Code* the Manager/Supervisor may refer to Equity Services for support.
- If the concern does not fall within the scope of the *Human Rights Code* or University Safety, the Manager/Supervisor determines whether the resolution falls within the informal or formal process for resolution.
- If the Respondent is a student and the incident involves student misconduct, the concern is referred to Student Affairs.
- If a complaint under this program is received directly by Student Affairs, Equity Services, Human Resources or University Safety, the Manager/Supervisor will be involved in the resolution of the concern as appropriate.

Timelines

The timelines mentioned in this program are meant to ensure that matters are dealt with in a timely fashion. It is understood that there may be compelling reasons that would require additional time to resolve. It can be difficult to determine appropriate timelines for the resolution, investigation or a final disposition with respect to a formal complaint. The intention is always to use a reasonable time period and to act as expeditiously as possible in light of other circumstances that may arise during the process, that are beyond a party's reasonable control.

A Manager/Supervisor who receives or is advised of a complaint of potential or actual Workplace Violence, resolvable through informal resolution, must take reasonable action to assist the Complainant in achieving resolution within ten (10) business days or as soon as reasonable of receiving the complaint. Note: Informal resolution is often the preferred resolution, as these tend to result in more positive outcomes.

- The Manager/Supervisor assesses the immediate risk, gathers information and documents the concern within two days of receiving the complaint. The Department of University Safety may assist with the risk assessment. The parties should receive a copy of the complaint and have the opportunity to respond in writing.
- If the complaint involves a student and the incident involves student misconduct, the concern is referred to the Vice President (Students and Enrolment) who will collaborate with University Safety and SARET if required.
- Efforts at informal resolution are a shared responsibility and should include individual meetings with the parties as appropriate (i.e. Complainant, Respondent and witnesses). The parties may decide to meet as a group to discuss the issue.

- If desired, the parties at the meeting may invite representatives of their union(s). The Manager/Supervisor shall record the details of information provided during the informal resolution process.
- The Manager/Supervisor shall consider if any interim measures are required during the resolution process. Interim measures may change based on the circumstances of the nature of each incident and do not reflect the merit of the incident.
- If the complaint is resolved informally then the file is closed. Closure of the file involves the following:
 - Providing a written summary of the informal resolution to both the Complainant and the Respondent. This may be shared with the appropriate union, at the individual's request.
 - Providing a copy to the Director, University Safety for their files
 - Securing all notes and documentation
- Any of the parties may request a formal review of the decision of the Manager/Supervisor by submitting additional evidence in writing to the Director, University Safety within ten (10) business days of receiving the summary.
- If the complaint is not resolved at this stage, then the Manager/Supervisor may also seek assistance from the Director, University Safety. After consultation, the Manager/Supervisor may attempt further informal resolution.
- If the complaint is resolved informally at this point then the file is closed, as per above.
- If informal resolution is not possible, the Manager/Supervisor shall forward the complaint (Appendix C – *Workplace Harassment Reporting Form*) to the Director, University Safety, to initiate a formal investigation. (Proceed to “Formal Investigation Procedure”)
- The Manager/Supervisor in consultation with the Director, University Safety will make a decision as to what additional interim measures, if any, are required in the Workplace.

Formal Investigation

Where the potential for violence has been assessed as negligible, and informal resolution is not possible, the process for investigation and resolution will mirror the process for harassment investigation, with the Associate Vice-President, Human Resources initiating the investigation.

Initiation of Formal Investigation

In certain circumstances, informal resolution may not be possible, or may require additional resources. In those circumstances, a formal complaint and request for investigation is to be directed to Human Resources by the Supervisor/Manager, as described above.

Once the complaint is provided to Human Resources, there may still be opportunity for mediation and conciliation as part of the investigation process.

The Associate Vice-President Human Resources shall appoint an investigator within ten (10) business days of receiving a request for formal investigation of a Workplace Harassment concern. The investigation shall proceed expeditiously and on a confidential basis.

- One of three types of investigators may be appointed, at the discretion of the Associate Vice-President Human Resources:
 - internal investigator (i.e. Senior Manager or trained investigator)
 - third-party investigator
 - referral to University Safety
- The investigator will be responsible for establishing the facts, including interviews of the Complainant, the Respondent and any witnesses.
- The Complainant, Respondent and witnesses will be provided a summary of the information they provided during the course of the investigation.
- Workers who are members of an employee bargaining unit are entitled to all of the protections provided for in their respective collective agreements, including representation, where appropriate

Investigation Process

The investigation process will be fair:

- the Respondent will be informed in writing 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.
- 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.
- The Complainant, Respondent and witnesses may be called upon with advance notice to ensure the timeliness of the investigation process.
- If required, the investigator will re-interview the Complainant(s), Respondent(s) or witness(es).
- The investigator will prepare and submit a report to the Associate Vice-President Human Resources, generally within thirty (30) days of starting the investigation, providing 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

Copies of the findings will be distributed to the following recipients:

- the Manager/Supervisor
- the Associate Vice-President Human Resources
- the Complainant(s)

- a representative of the union(s) of which the Complainant and/or Respondent are members, as relevant, and as authorized by the Complainant and/or Respondent
- the Respondent(s), if identified
- Any of the parties may request a formal review of the decision of the investigator by submitting additional evidence in writing to the University Legal Counsel within ten (10) business days of receiving the findings of the investigation.
- Based on the investigator's findings, the Manager/Supervisor in consultation with the Associate Vice-President Human Resources, and/or other University officials as relevant, shall determine whether further action is warranted (i.e. initiate corrective action) within ten (10) business days of receiving the investigator's report.
- Once the investigative process has been completed and corrective actions, if any, are implemented, the file will be closed.
- The Complainant and the Respondent will be informed of the results of the investigation and of any corrective action that has been taken or that will be taken as a result of the investigation.

Where a complaint is lodged by more than one Complainant or is against more than one Respondent, the Complainant or Respondent, as the case may be, shall receive only the portions of findings applicable to their specific complaint/response.

XIII. Creating a Supportive Environment

- Workers who experience an incident of Workplace Violence that is a traumatic incident may require and are encouraged to seek emotional support from a professional. Support services are available through the Employee and Family Assistance Program, Health Services or other community support services. (provide links to resources)
- Co-Workers affected by an incident should be encouraged to seek support themselves if required. Co-workers should be supportive of any affected Worker(s). In some situations, a group debriefing, utilizing external qualified professionals, may be appropriate. These sessions can be arranged by contacting Human Resources, Department of University Safety or Health Services, or other available services as appropriate.

Action and Prevention Plan

When a violent incident occurs it is important to review the safety protocols in place to ensure their effectiveness. The Manager/Supervisor, in consultation with the Director of University Safety, the Director, Risk and Insurance and the Director, Environmental Health and Safety shall:

- review the incident
- outline what corrective or remedial actions are necessary to prevent or minimize the potential and impact of repeat occurrences
- identify new or previously undefined risks and reassess the Risk Assessment Form
- review employee training and education programs and determine if they are adequate or if additional training should be provided.

Notice of an Injury as a Result of Workplace Violence

The Manager/Supervisor must inform University Safety (extension 4444) immediately in the event of an incident of Workplace Violence that results in injury or death, University Safety will advise the Director, Environmental Health and Safety, and the Director, Risk and Insurance.

In addition, the Manager/Supervisor must:

- Complete the WSIB Form 7 - Employers Report of Injury/Disease, and submit to Human Resources within 24 hours.
- Complete the Carleton University Supervisor Incident/Accident Report and Investigation Form and submit to Environmental Health and Safety within 2 days.

Further information on injury reporting and investigation is available on the Environmental Health and Safety website at <http://www.carleton.ca/ehs/ehsprogramms/injuryreporting.htm>.

XIV. Consequences

Where the investigation findings establish that a respondent has breached the Policy, the respondent will be subject to appropriate sanction or corrective measures falling within the University's jurisdiction. The University will apply any relevant collective agreement provision, student policy or contract, as appropriate in the circumstances.

The University may also initiate criminal or civil proceedings against persons who engage in workplace violence.

XV. Domestic Violence

The Occupational Health and Safety *Act* requires employers to take every precaution reasonable in the circumstances to protect a Worker from domestic Violence that may occur in the Workplace and expose co-Workers to a risk of injury.

Although the University respects a Worker's desire for confidentiality and self-determination, a Worker is responsible for disclosing the following situations to his or her Manager/Supervisor:

- threats to the safety of the Workplace
- threats an intimate partner or ex-partner has made towards the Worker
- if the Worker has applied for or obtained a restraining order, or is the subject of a restraining order that lists a University location as being a protected area
- if a restraining order has been issued that requires a person to remain a certain distance away from the Worker at all times including during the work day.

When the Manager/Supervisor is notified of the potential of a domestic violence situation in the Workplace, he or she shall take specific steps to protect the individual Worker and co-Workers:

- request assistance from University Safety in developing a personal safety plan for the Worker
- accommodate the Worker in alternative work arrangements (schedule flexibility, changes in hours, transfer of location, etc.) if requested or recommended
- provide information on available counseling resources (i.e. Employee and Family Assistance Program or other community services)

- Support the Worker and affected co-workers

The obligation to take every precaution reasonable in the circumstances to protect a Worker from domestic Violence may outweigh an individual's expectation of privacy. The privacy of the Worker must be balanced with ensuring the safety of others.

- The Manager/Supervisor must treat the situation with the utmost confidentiality and communicate only to those who are required to know in protecting Workers from potential physical injury.
- A Manager/Supervisor may seek assistance from University Safety and the Associate Vice-President Human Resources in developing a response to a situation of domestic Violence that may risk the safety of Workers in the Workplace.

XVI. Disclosure of Persons with a Violent History

Supervisors and Managers are required to provide information, including personal information, to a Worker about a person with “a history of violent behaviour” if the Worker could be expected to encounter the person in the course of his/her work and there is a risk of Workplace Violence that may expose the Worker to physical injury.

- Personal information shall only be disclosed as is reasonably necessary to protect the Worker from physical injury.
- A Manager/Supervisor must seek assistance from the Associate Vice-President, Human Resources, before disclosing any information.

Appendix A - Workplace Violence Risk Assessment

PURPOSE:

This Workplace Violence Risk Assessment is designed to assist the University in assessing the hazard of Workplace Violence and identifying possible measures, procedures and controls that can be implemented to control the risk of Violence in the Workplace.

“Workplace Violence” is defined as (*Occupational Health and Safety Act, sec.1 (1)*):

- *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 behavior 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.*

INSTRUCTION:

The Manager/Supervisor shall:

- Hold meetings with Workers to seek their input. This will assist to:
- Identify risks that Workers perceive and their sense of personal safety in Workplace
- Consider Workers’ experience of Violence and whether the situation involved strangers, clients, co-Workers, students, estranged partners or family members
- Identify jobs, practices or locations in which Workplace Violence is a concern; and
- Gather opinions about the effectiveness of the controls currently in place.

The Department Head shall:

- Determine if there will be one set of assessments filled out for the entire department/faculty, or whether there will be separate assessments for different jobs, tasks, or locations with similar risks of Violence. For a large Workplace, the department head may wish to divide the department/faculty into Workplaces or tasks that have similar risks of Violence. For example, a fee collection office may divide its staff into those that deal with customers personally and those who work in the office with no customer contact.
- Complete or arrange to have Managers/Supervisors complete the Risk Assessment (attached to this document).
- Send the original Risk Assessment to the Director, Risk and Insurance, Room 603 Robertson Hall by the specified date.
- Keep a copy of the Risk Assessment in the department/faculty for future reference and annual review.

The Director, Risk and Insurance shall:

- Prepare an Assessment Report that identifies areas of risk of Workplace Violence with recommendations for necessary risk control measures.
- Send the Assessment Report to the Working Group on Workplace Harassment and Violence, the Joint Occupational Health and Safety Committee and the Senior Management Committee .
- Send the necessary risk control measures to the Department Head for implementation.

Reference:

1. Occupational Health and Safety Council of Ontario-Workplace Violence Assessments January 2010.
2. Canadian Centre for Occupational Health and Safety. Violence in the Workplace Prevention Guide. 3rd Edition.
3. Occupational Health and Safety Act (as amended under Bill 168 and Bill 32).

Risk Assessment Worksheet

Faculty/Department	Completed By: Name/Title	Date
		Phone

Part I - General Assessment

1. Physical Environment

Do you or your Workers have any concerns about risk of Workplace Violence pertaining to the physical environment? (e.g., lighting, entry control and security system, public counters, interior design and hidden areas, workplace location (e.g. neighborhood).

Yes No

If yes, please indicate areas of concern:

For the areas of concern identified, please recommend any specific controls to mitigate concerns. (e.g., install access card entry, increase lighting, rearrange work station, place service request to install locks on doors etc.).

Part II - Current Safety Programs

After consulting with Workers in the area, complete the following questionnaire on safety programs now in place on campus.

Program	Are Workers in your area aware of this program?		Have Workers in your area used this program?		If employees have used the program how often have they use it?	Other Comments
	Yes	No	Yes	No		
Safewalk - provides a safewalk escort to your vehicle, bus stop or residence on request.	Yes	No	Yes	No	Frequently (once a week)	
					Often (once a month)	
					Seldom (once every 3 months)	
Working After Hours Program – University Safety will check in on you by phone or in person at pre-arranged intervals.	Yes	No	Yes	No	Frequently (once a week)	
					Often (once a month)	
					Seldom (once every 3 months)	
EAAA Sexual Assault Resistance Education Program – free 12 hr training program in which young women learn to assess, acknowledge and act in the face of assault hazards.	Yes	No	Yes	No	Frequently (once a week)	
					Often (once a month)	
					Seldom (once every 3 months)	
Panic Pendant Personal Alarm - pendant worn around the neck and works with intrusion alarm system. Activation of alarm sends signal to University Safety.	Yes	No	Yes	No	Frequently (once a week)	
					Often (once a month)	
					Seldom (once every 3 months)	
Prepare Training - participants acquire skills that build confidence to effectively deal with irrational, angry, and hostile persons.	Yes	No	Yes	No	Frequently (once a week)	
					Often (once a month)	
					Seldom (once every 3 months)	

Personal Safety and Crime Prevention Brochures – topics include harassment, personal safety, theft reduction, etc...	Yes	No	Yes	No		
Safety Audit – University Safety personnel can conduct a safety audit of your work area on request.	Yes	No	Yes	No		
Safety Presentations – University Safety will attend your staff meeting on request and provide presentations on a variety of personal safety topics.	Yes	No	Yes	No		

Part III - Identification and Assessment of Specific Risks Factors

Certain types of work or conditions can put Workers at higher risk from Workplace Violence. Review the list of specific risks associated with the type of work or conditions of work included in the table below. If the risk exists, rate the risk using the guideline on the next page. Ranking or prioritizing the risk factors is one way to help determine which are the most serious safety hazards and therefore need to be addressed first (i.e. by implementing controls) and the level of training required.

Managers/Supervisors may complete a separate sheet for each group of Workers with similar tasks. (i.e. Administrative Assistants, Advisors, etc.).

Faculty/Department:				
Job/position (e.g., office administrative staff, advisors etc.):				
Does Work Include:	Examples of Activities or Situations	Risk Exists?		Level of Risk H = High M = Moderate L = Low
		Yes	No	(see "Risk Method" on next page)
<ul style="list-style-type: none"> Direct contact with the public including students, Workers or customers with likelihood of dealing with irate persons 	<ul style="list-style-type: none"> Working at complaint centre, appeals office Involved in mediation Carrying out legislative or policy enforcement duties Service counter staff 			
<ul style="list-style-type: none"> Handling money or valuables 	<ul style="list-style-type: none"> Working at cashier station in a fixed location Transporting cash to remote or isolated locations or at night 			
<ul style="list-style-type: none"> Working with unstable or volatile persons 	<ul style="list-style-type: none"> Providing a service to persons with physiological, psychological, or psychiatric conditions and substance abuse issues Working in premises where alcohol is served 			
<ul style="list-style-type: none"> Working alone 	<ul style="list-style-type: none"> Working in a fixed location where there is limited or no access to communication tools (Research Lab) Working in a fixed location where there is a high potential of assault or robbery (i.e. safety officer) Working in isolated areas within a worksite, away from other Workers (i.e. CCS or Maintenance) Working in a remote worksite where public may have access Working during late evening hours or early morning hours (i.e. Maintenance, CCS or Research Lab) 			
<ul style="list-style-type: none"> Mobile Workplace or transporting passengers as part of your job 	<ul style="list-style-type: none"> Transporting student/staff to locations on or off campus (public has physical access to driver/staff) Working in remote unknown areas Working in areas where there is limited or no access to communication tools Working in situations where fare collection and enforcement of fares is required 			

Risk Assessment Method

Category of Risk* = Severity + Frequency**

Note:

*Risk inherent in the job assuming no controls in place.

**In this exercise, it is assumed that high frequency also leads to high probability of occurrence.

Frequency	Severity	Category of Risk
<p>“Regularly”</p> <p>Score = 3</p> <p>Exposure may be part of the normal work routine or assignment</p>	<p>“High”</p> <p>Score = 3</p> <p>- potential for fatal or critical injury - may be exposed to physical injury from physical assault, punching, kicking, hitting, weapons</p>	<p>“High”</p> <p>Total score = 6</p>
<p>“Occasionally”</p> <p>Score = 2</p> <p>Exposure is infrequent</p>	<p>“Moderate”</p> <p>Score = 2</p> <p>- potential for lost time or health care - may be exposed to threatening behaviour such as hostile, intimidating, frightening etc. (e.g., shouting, pushing a table etc.)</p>	<p>“Moderate”</p> <p>Total score = 4 - 5</p>
<p>“Rarely”</p> <p>Score = 1</p> <p>Not a normal part of the work routine or employees are exposed to risk.</p>	<p>“Low”</p> <p>Score = 1</p> <p>- potential for first aid - may be exposed to behaviours that are disruptive and aggressive (e.g., slamming the door, walking out etc.)</p>	<p>“Low”</p> <p>Total score= 1 - 3</p>

Example:

A student advisor who works at a service counter responding to enquiries from students in the day time.

Specific risk:

Dealing with irate customer with potential of Workplace Violence.

Frequency of risk:

“Moderate”, since the Worker may occasionally deal with an irate customer. **Score = 2**

Severity of risk:

“Low”, Worker may be shouted at by the customer demanding to see the Manager. **Score = 1**

Risk category: 2+1= 3 (“Low”)

Enter “L” in “Level of Risk” column on previous page

Appendix B - Safety Tips for Specific Risks Factors of Workplace Violence

These safety tips include examples of control measures that protect Workers from the potential hazard of violence. These tips can be used as resource or training materials by posting or distributing and reviewing with workers at staff meetings.

Dealing with Irate Persons

- Know how to summon immediate assistance when an emergency occurs or is likely to occur
- Be familiar with warning signs of potentially violent behavior
- If you feel you are being harassed, threatened or intimidated:
 - tell the person to stop
 - document the incident (e.g. the nature of the incident, time, place, witnesses)
 - inform your Manager

Verbal Communication

- Focus your attention on the person to let them know you are interested in what they have to say
- Remain calm
- Speak slowly, quietly and confidently
- Speak simply – do not rely on official language or complex terminology
- Listen carefully – do not interrupt or offer unsolicited advice or criticism
- Encourage the person to talk- do not tell the person to relax or calm down
- Try to understand - ask questions like “Help me understand why you are upset.”
- Once you think you understand, repeat it back to the person so they know you understand
- Remain open-minded and objective
- Use delaying tactics to give the person time to calm down (e.g. offer a drink of water)
- Acknowledge the person’s feelings - indicate that you can see he or she is upset

Non-Verbal Behaviour and Communication

- Use calm body language – relaxed posture with hands unclenched, attentive expression
- Arrange yourself so that your exit is not blocked
- Position yourself at a right angle rather than directly in front of the other person
- Give the person enough physical space; this varies by culture, but normally 2-4 feet is considered an adequate distance
- Get on the other person’s physical level; if they are seated try kneeling or bending over, rather than standing over them
- Do not pose a challenging stance, such as standing directly opposite, putting your hands on your hips, pointing your finger, crossing your arms

Problem-Solving

- Try to put yourself in the other person’s shoes, so that you can better understand how to solve the problem
- Ask for his or her recommendations
- Accept criticism in a positive way, when a complaint might be true, use statements like “You are probably right” or “It was my fault.” If the criticism seems unwarranted, ask clarifying questions
- Be honest – do not make false statements or promises you cannot keep
- Remain professional and take the person seriously
- Be respectful

- Break the issue down into smaller units and offer step-by-step solutions so that the person is not overwhelmed by the situation, issue or solution
- Be reassuring and point out choices
- Try to keep the person's attention on the issue at hand
- Do not take sides or agree with distortions
- Do not reject the person's demands or position from the start
- Find ways to help the person save face
- Establish ground rules if unreasonable behaviour persists
- In a calm and non-threatening manner, clearly state that violence is unacceptable and will not be tolerated
- Avoid issuing commands and making conditional statements
- If the nature of the situation involves punishment or sanctions: delay the punitive action until you have backup or the situation is safe
- If you feel threatened try to politely and calmly terminate the interaction in a non-threatening manner

Handling Money and/or Valuables

- Know how to summon immediate assistance when an emergency occurs or is likely to occur (dial University Safety at ext. 4444 on any internal phone)
- Keep cash register funds to a minimum
- Use electronic payment systems if possible - for example: automatic ticket dispensers or collectors, debit cards, credit cards, cheques
- Vary the time of day that you empty or reduce funds in the cash register
- Remove all large bills (\$50, \$100) from the register frequently
- Install and use a locked safe with a drop slot
- Change the combination of the safe at frequent intervals
- Post visible signs which indicate that minimum cash (state amount, e.g. less than \$50) is kept on the premises
- Ask customers for exact change or the smallest bills possible
- Do not handle large amounts of cash or count money in public view
- Use cash drawer covers
- Install security screens in high-risk areas

Banking Money

- Deposit money to bank on a frequent basis
- Use an unmarked bag or container to carry cash and/or securities
- Vary the route taken to the bank or financial institution
- Vary times of deposit
- Avoid making night deposits
- Observe your surroundings before making your transaction
- Rotate the task so that it isn't always the same person making the deposit if possible
- Avoid making deposits alone especially if employees work in remote and isolated areas. Have one person face the other way to act as a lookout while the other makes the deposit
- Arrange for regular cash collection by a licensed security firm

Working with Unstable or Volatile Persons who may be Potentially Violent

- Know how to summon immediate assistance when an emergency occurs or is likely to occur
- Store away objects or equipment (e.g., sharp objects) that could be used to hurt people
- Use special rooms for meeting (e.g., rooms with windows in the door, rooms close to other employees, rooms with easy exit in case of emergency)

- Be familiar with warning signs of a potentially violent person (refer to e-course on Violence in the Workplace: Awareness)

Working Alone

- Know how to summon immediate assistance when an emergency occurs or is likely to occur
- Carry a communication device (cell phone, radio etc.)
- Know your environment (location of exits, neighbours etc.)
- Make sure someone knows where you are and your plans (when you plan to leave etc.)

Workers who work alone on a regular basis

Should refer to the following:

University Safety: [working late webpage](#)

EHS: [Working Alone Safety Plan](#) and [Working Alone Safety Guidelines](#).

Mobile Workplace or Transporting Passengers as Part of Your Job

- Know how to summon immediate assistance when an emergency occurs or is likely to occur
- Carry a communication device (cell phone, radio etc.)
- Keep your vehicle in good repair - perform circle check regularly (daily or weekly)
- Always lock your vehicle, even when you are in it
- Stay cool - do not react to provocation
- Do not open your vehicle's window more than one inch to speak to someone you are not familiar
- If you suspect another car is following your vehicle:
 - Note the license plate no. of the other vehicle
 - Drive to a service, police or fire station
 - Stay in your vehicle
 - Honk the horn in short repeated blasts until someone helps you
- If you think you have been intentionally bumped from behind:
 - Do not leave your vehicle
 - Motion to the other driver to follow you to the nearest police station or open service station
- Make sure someone knows your plans, your route and your estimated arrival time
- Reduce amount of cash
- Consider a buddy system if you are transporting people or goods in remote and isolated areas

Appendix C – Potential Workplace Violence Reporting Form

Note: if an incident of violence has occurred, it should be immediately reported to the Director of University Safety. This form is ONLY to be used to document concerns.

This form assists the Manager/Supervisor in documenting a complaint or concern reported by a Worker. If the Manager/Supervisor's risk assessment indicates a potential threat of violence, the Manager/Supervisor shall forward the completed form to the Director of University Safety to initiate a formal investigation.

Report Initiation Date: _____

Has University Safety Been Contacted? **Yes** **No**

Worker/Complainant Information:

Reported by (last name, first name): _____

Reported Date/Time: _____

Department: _____

Job/Position: _____

Telephone No.: _____

Incident Occurrence Date/s:

Incident date(s) (Can be specific date or set of dates or over a certain period of time, e.g., three times in the last month.):

Description of Incident:

Exact date and time of incident: _____

Exact location of incident: _____

Exact location of Complainant, Respondent and witness: _____

Activities of Complainant, Respondent and witness/participant before, during and after incident:

Complainant's detailed explanation of events in order of sequence of occurrence:

Respondent's physical and mental state prior to and at the time of the incident:

Unusual activity or behavior that may have contributed to the incident:

Relationship between Complainant and Respondent, if any:

Witness(es) (if any):

1. Name: _____ Dept: _____ Phone : _____

2. Name: _____ Dept: _____ Phone : _____

3. Name: _____ Dept: _____ Phone : _____

Action Taken by Manager/Supervisor: 1st Incident:

Resolutions Discussed:

Next Steps:

Support Services Recommended (Performance Management, EAP, Training, and Professional Support):

Report completed by:

 Manager's Name (please print)

 Signature

Department:

 Telephone

Submit to: Assistant Vice-President (Human Resources) if formal resolution is required

Date of submission: _____