



TO: Business Board

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AGENDA ITEM: 10

ITEM IDENTIFICATION:
Workplace Violence Program

JURISDICTIONAL INFORMATION:

Business Board is responsible for monitoring and recommending policy on the occupational health and safety of members of the staff of the University and other policy pertaining to the health and safety of all members of, and visitors to, the University except for those matters falling within the terms of reference of the University Affairs Board. (Terms of Reference, Section 5).

PREVIOUS ACTION TAKEN:

On April 26, 2010, the Business Board received the recommended Policy with respect to Workplace Violence for recommendation to the Governing Council. The Governing Council did approve the policy on May 13, 2010. When the policy was considered, the Board was advised that the workplace violence program implementing the policy would be in place by June 15, 2010 as required by amendments to the *Occupational Health and Safety Act*, and that it would receive a copy of the program for information. The program is attached.

HIGHLIGHTS:

The Program incorporates the elements required by the Occupational Health and Safety Act as well as some additional elements. It outlines the roles and responsibilities of the workplace parties. It advises employees of who to contact for both emergency and non-emergency situations involving workplace violence and sets out an internal reporting structure for incidents of workplace violence (including an attempt or threat and including domestic violence that may flow into the workplace). It discusses the methods and procedures used at the University to assess risks of workplace violence that may arise from the nature of the workplace, the type of work or the conditions of work, to assess threats presented by individuals, and to control identified risks. The program then discusses how we will investigate incidents of workplace violence and outlines penalties for engaging in workplace violence. Much of the program document incorporates existing measures, for example the method of obtaining assistance as well as the measures and procedures for assessing risks and threats, for controlling risks, and for investigating incidents were to a great extent already in existence. The internal reporting structure is newly formalized.

FINANCIAL AND/OR PLANNING IMPLICATIONS:

N/A

RECOMMENDATION:

N/A

University of Toronto
Workplace Violence Program
June 15, 2010

Workplace Violence Program

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1. Introduction

The University of Toronto is committed to maintaining a workplace that is free of violence. Any act of workplace violence is unacceptable conduct that will not be tolerated. No one shall subject any employee to workplace violence or allow or create conditions that support workplace violence.

U of T currently has many ways of dealing with workplace violence. This Program summarizes the ways that we currently use and it will be updated from time to time as new ways of dealing with workplace violence are developed or as existing ways change.

This Program implements the University's Policy on Workplace Violence (<http://www.governingcouncil.utoronto.ca/policies/violence.htm>) pursuant to its obligation under the *Occupational Health and Safety Act*.

(a) Scope

This Program addresses workplace violence that occurs on University of Toronto premises or at work-related activities occurring off-campus.

This Program was developed to meet the requirements of Ontario's *Occupational Health and Safety Act* (OHSA) and only addresses the way the University of Toronto deals with workplace violence. It should be noted that in some cases incidents of workplace violence may result in the involvement of the campus or local police and, in some cases, charges under the Criminal Code of Canada or other statutes. These are separate processes that are not within the control of the University of Toronto and are outside of the scope of this Program.

It should also be noted that in some cases threats of workplace violence could also fall within the University of Toronto's Human Resources Guideline on Civil Conduct (the Civility Guideline) and the University reserves the right to consider particular circumstances under the Civility Guideline rather than this Program if in the University's view the Civility Guideline is more appropriate.

(b) Definition of Workplace Violence

The term "workplace violence" as it is used in this Program means,

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

(c) a statement or behaviour that 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 may occur in the workplace and would likely expose a worker to physical injury.

In accordance with this definition, the terms “workplace violence” or “incident of workplace violence” as they are used in this Program will incorporate the exercise, attempted exercise or threatened exercise of physical violence that causes or could cause physical injury.

Incidents of workplace violence do not include accidental situations such as a worker accidentally knocking into another worker as a result of an unintended trip or loss of balance.

(c) Roles and Responsibilities

All members of the University community play a role in creating a workplace that is free of, and does not tolerate, violence. Details about the roles and responsibilities of individual groups are set out below. Please note that the following is not an exhaustive list of all duties of each party, but is intended to provide parties with a general understanding of their roles and the roles of others in preventing workplace violence.

Employees

Employees are individually responsible for their own actions and in particular for not acting or threatening to act violently.

Employees also have the following specific obligations:

- Abiding by the University’s Policy with respect to Workplace Violence and this program.
- Calling Campus Police or 911 when immediate assistance is required to deal with a situation involving workplace violence.
- Reporting incidents of workplace violence, including attempted or threatened workplace violence and including domestic violence that may flow into the workplace, as set out in sections 2(a) and (b) of this Program.
- Reporting concerns about physical conditions in the workplace to their supervisor or others as set out in section 2(d) of this program.
- Cooperating as requested in any investigation into workplace violence.

Managers/Supervisors/Academic Administrators

Managers, Supervisors and Academic Administrators are responsible for:

- Calling Campus Police or 911 when immediate assistance is required to deal with a situation involving workplace violence.
- Immediately reporting any incident of workplace violence (including an attempt or threat and including domestic violence that may flow into the workplace) of which they become aware to the manager/director of their divisional human resources office.
- Promoting an environment that does not tolerate violence.
- Providing direction to appropriate resources for employees who are experiencing or have experienced workplace violence, including attempted or threatened workplace violence and including domestic violence that may flow into the workplace (such as Employee and Family Assistance Program, the Community Safety Office, Campus Police, Health and Well-Being Programs and Services, or services available to students for those employees who are also students).
- Providing workers with information and instruction on the contents of the Workplace Violence Policy and Program and any measures and procedures in place for controlling any risks that may arise from the individual worker's work or workplace.
- Implementing the measures and procedures described in this Program.
- Taking every precaution reasonable in the circumstance for the protection of the worker.
- Working with the relevant University offices as requested in any investigation into workplace violence.

Community Safety Office

- Calling Campus Police or 911 when immediate assistance is required to deal with a situation involving workplace violence.
- Immediately reporting any incident of workplace violence (including an attempt or threat and including domestic violence that may flow into the workplace) of which they become aware to the manager/director of the applicable divisional human resources office.
- Providing support to students and employees with respect to safety issues.
- Preparing safety plans for students and employees who have been victims of workplace violence, including attempted or threatened workplace violence.
- Providing recommendations to human resources offices and any other relevant university office or department to address workplace violence.
- Providing referrals to counseling programs.
- Providing educational outreach and support to University departments; developing initiatives to respond to identified safety issues
- Providing training through workshops offered to students, staff and faculty regarding safety-related issues.
- Contributing to the University's assessment of threats and risks of workplace violence.

University of Toronto Police Service (on each of the three campuses)

The University of Toronto Police Service works in partnership with the University community in providing a reliable 24 hour response to emergencies and violations of rules, including the *Criminal Code*, and in promoting crime prevention, security and safety awareness, and community service and referrals.

The University of Toronto Police Service has the following responsibilities in respect of workplace violence:

- Immediately reporting any incident of workplace violence involving an employee of the University (including an attempt or threat and including domestic violence that may flow into the workplace) of which they become aware to the manager/director of the applicable divisional human resources office.
- Responding to emergencies and providing assistance to faculty, students and staff.
- Protecting persons and property by developing programs that promote safety and security and by broadly communicating these programs to the community.
- Preventing crime, maintaining the peace, resolving conflicts and promoting good order.
- Enforcing the *Criminal Code* and selected provincial and municipal statutes as necessary.

Joint Health and Safety Committees

The University has Joint Health and Safety Committees as required by the OHSA. The role of each JHSC in accordance with the OHSA is as follows:

- Inspecting the physical conditions of the workplace.
- Making recommendations for the improvement of the health and safety of workers.
- Recommending the establishment, maintenance and monitoring of programs, measures and procedures respecting the health or safety of workers.
- Reporting in accordance with existing procedures any physical aspects of the work or workplace that are identified in inspections as ones from which risks of workplace violence may arise.
- Immediately reporting any incident of workplace violence (including an attempt or threat and including domestic violence that may flow into the workplace) of which the committee or any of its members become aware directly to the committee co-chairs, upon receipt of which the management co-chair will immediately forward these issue to the manager/director of the applicable divisional human resources office as well as the supervisor responsible for that area and the responsible line manager.

The Office of Environmental Health and Safety

The Office of Environmental Health Safety has the following responsibilities:

- Calling Campus Police or 911 when immediate assistance is required to deal with a situation involving workplace violence.
- Immediately reporting any incident of workplace violence (including an attempt or threat and including domestic violence that may flow into the workplace) of which they become aware to the manager/director of the applicable divisional human resources office.
- Participating as requested in the investigation of incidents of workplace violence.
- Participating in the ongoing assessment of the risks of workplace violence that may arise from the nature of the workplace, the type of work or the conditions of work at the University.
- Training and providing resources for JHSC workplace inspectors as they relate to workplace violence.
- Offering training for supervisors regarding due diligence under the OHSA, including as it pertains to workplace violence.
- Responding to work refusals in accordance with OHSA and internal processes.
- Assisting in the annual review of the Workplace Violence Program.
- Notifying the Ministry of Labour where necessary of injuries caused by workplace violence.

Equity Officers

- Calling Campus Police or 911 when immediate assistance is required to deal with a situation involving workplace violence.
- Immediately reporting any incident of workplace violence (including an attempt or threat and including domestic violence that may flow into the workplace) of which they become aware to the manager/director of the applicable divisional human resources office.
- Providing advice and assistance, including referral to the appropriate divisional human resources office, to employees who are experiencing or have experienced workplace violence, including attempted or threatened workplace violence and including domestic violence that may flow into the workplace.

Human Resources

- Calling Campus Police or 911 when immediate assistance is required to deal with a situation involving workplace violence.
- Providing advice and assistance to employees who are experiencing or have experienced workplace violence, including attempted or threatened workplace violence and including domestic violence that may flow into the workplace.
- Referring such employees to appropriate resources such as Employee and Family Assistance Program, the Community Safety Office, Campus Police, Health and Well-Being Programs and Services, or services provided within the Division of Student Life in the case of employees who are also students.
- HR Generalists are responsible for immediately reporting to their managers, and managers are responsible for immediately reporting to the Office of the Vice-

President, Human Resources and Equity, any incident of workplace violence (including an attempt or threat and including domestic violence that may flow into the workplace) of which they become aware.

- Conducting or participating in investigations into allegations of workplace violence as directed by the Office of the Vice-President, Human Resources and Equity, or designate.

2. Who to Contact

(a) Immediate assistance

An employee who is the victim of or a witness to a violent incident at work should, as soon as safely possible, contact:

- campus police at:
 - 416-978-2222 (St. George)
 - 416-287-7333 (UTSC)
 - 905-569-4333 (UTM)

or

- 911 (9-911 from a campus telephone)

Once the immediate response is underway the employee should call his/her immediate superior and advise him/her of the situation.

(b) Non-immediate assistance

Employees with concerns regarding workplace violence (actual violence, attempted violence, threatened violence) that do not require an immediate response (including concerns about domestic violence that may flow into the workplace) should contact one of the following for advice and assistance:

- their supervisor/manager/academic administrator
- their divisional HR office
(<http://www.hrandequity.utoronto.ca/about/divisional.htm>), or
- the community safety office (<http://www.communitysafety.utoronto.ca/CSO-home.htm>)

Employees who are represented by unions may also wish to contact the union for advice and assistance. Unions that become aware of an incident of workplace violence (including an attempt or threat and including domestic violence that may flow into the workplace) should contact the applicable divisional human resources office.

(c) Institutional reporting of incidents of workplace violence

Any **supervisor/manager/academic administrator, equity officer** (including **community safety officer**), **Campus Police Officer** or **other University officer** that becomes aware of an incident of workplace violence (including an attempt or threat and including domestic violence that may flow into the workplace) has a duty to immediately contact the manager/director of the applicable divisional human resources office.

The manager of any divisional **human resources office** that becomes aware of an incident of workplace violence (including an attempt or threat and including domestic violence that may flow into the workplace) must immediately contact the Office of the Vice-President, Human Resources and Equity at 416-978-4865 or vp.hr@utoronto.ca.

The Office of the VPHR&E will take appropriate steps that may include one or more of the following:

- Record the incident for tracking purposes
- Consult with other relevant University offices
- Direct the office that became aware of the incident of workplace violence, or any other office, to take certain steps
- Convene a high risk committee meeting
- Initiate an investigation
- Notify the Office of Environmental Health and Safety
- Monitor steps taken by other relevant University offices

If an incident of workplace violence were to cause a person to be disabled from performing his/her usual work or to require medical attention, EH&S would, in accordance with OHSA, within 4 days notify the Ministry of Labour and the applicable JHSC. The applicable union, if any, would also be notified in this situation.

If an incident of workplace violence were to result in a death or critical injury as defined by the OHSA, EH&S would, in accordance with OHSA, immediately notify the Ministry of Labour and the applicable JHSC. EH&S would then provide the Ministry with written details of the incident within 48 hours. The applicable union, if any, would also be notified in this situation.

(d) Reporting Physical Workplace Conditions

Employees are encouraged to bring to the attention of their supervisors any physical conditions in the workplace from which a risk of workplace violence may arise, such as:

- Security breaches (e.g., broken locks, windows)
- Dark areas
- Impeded sight lines (e.g., overgrown shrubbery or other objects blocking areas from being seen that create potential for workplace violence to occur in areas hidden from view)
- Impeded safety mechanisms (e.g., objects interfering with emergency telephones or lighting in dark areas)

Additionally, these types of workplace conditions can be reported to a divisional Human Resources office (<http://www.hrandequity.utoronto.ca/about/divisional.htm>) or a member of a Joint Health and Safety Committee (<http://www.ehs.utoronto.ca/committees/HSCComm.htm>).

Each campus also has a phone line for reporting emergency maintenance needs, as listed below.

St. George

During normal working hours*: 416-978-3000. After normal working hours: 416-978-3000

Mississauga

During normal working hours*: 905-828-5301. After normal working hours: 905-828-5200

Scarborough

During normal working hours*: 416-287-7579. After normal working hours: 416-287-7333.

* Normal working hours are 8:45 a.m. - 5:00 p.m., with the exception of July and August when the normal work day is 8:45 a.m. – 4:30 p.m.

3. Assessing Risk of Workplace Violence

The University uses a variety of measures and procedures for assessing on an ongoing basis the potential risks of workplace violence that may arise from the nature of the workplace, the type of work or the conditions of work. The purpose of risk assessments is to identify risks that may expose a worker to physical injury. The risk assessment takes into account both circumstances that are specific to our workplace and circumstances that would be common to similar workplaces. When risks are identified as likely to expose a worker to physical injury, the University will put into place responsive measures and procedures to control such risks.

The results of a risk assessment will be provided to the applicable Joint Health and Safety Committee in writing if the risk assessment is in writing, otherwise orally.

Below are some of the means of assessment that the University currently uses. Other means will be used as appropriate in particular circumstances.

Assessment of Risks of Specific Job Categories

The University will maintain an assessment of the various job categories in the University and the potential risk of workplace violence that may arise in each category from the nature of the workplace and the type and conditions of the work. This assessment will be reviewed on a periodic basis.

Supervisors/Managers/Academic Administrators

Supervisors, managers and academic administrators are responsible for identifying and assessing the risks of workplace violence that may arise from the nature of the workplace, the type of work or the conditions of work in their area, and for taking appropriate responsive action. They should discuss the potential risks and appropriate responsive action with other university offices such as human resources, Campus Police, the Community Safety Office and the Office of Environmental Health and Safety.

Joint Health and Safety Committee Inspections

Joint Health and Safety Committee members will be provided with information to support them in identifying any physical aspects of the work or workplace from which risks of workplace violence may arise. Any identified issues will be reported in the same way as the JHSC reports other issues arising from inspections. When issues are reported to the committee co-chairs, the management co-chair will forward these issues to the applicable divisional human resources office as well as the supervisor responsible for that area and the Responsible Line Manager.

Campus Safety Audits

Campus Police work closely with Facilities and Services, Student Housing, the Community Safety Office and other campus resources to audit, identify and make changes to areas on the campuses from which risks of workplace violence may arise. These initiatives include regular campus lighting audits, addressing issues of poor sightlines, isolated areas, landscaping, emergency communication, workplace layout and design, and specific needs in high risk areas.

4. Assessing Threats of Workplace Violence

In some cases an individual may present a threat of workplace violence to workers. The University has structures in place to deal with such threats. Many can be managed at the local level, for example by Campus Police, the Community Safety Office, Human Resources and offices on each campus that deal with student life. For issues that cannot be managed at the local level the University has a High Risk Committee that deals with issues from all three campuses.

High Risk Committee

The University has a High Risk Committee comprised of senior University executives and managers with experience and expertise in dealing with individuals who may present a threat of workplace violence. The mandate of this committee is as follows:

- Review incidents of workplace violence that have occurred – determine appropriate response to individual incidents; consider proactive steps to minimize likelihood of future incidents.
- Consider concerns about threats of violence toward employee(s), including threats related to domestic violence – determine whether any steps need to be taken and what those steps might be to reasonably protect employees.
- Assess whether in particular circumstances to make information available about a person with history of violent behavior, and the extent of such disclosure.
- Review patterns to assess effectiveness of existing policies and practices, particularly in respect of controlling the risk of workplace violence and responding to incidents of workplace violence, and where appropriate make recommendations about changes to such policies and practices and/or recommend new policies and practices.
- Review Workplace Violence Policy at least annually.

Incidents of workplace violence (including attempts or threats and including domestic violence that may flow into the workplace) will be referred, as appropriate, to the High Risk Committee by the Office of the Vice-President, Human Resources and Equity, whose office will be advised of all incidents in accordance with the reporting procedures set out in section 2 of this Program.

Sharing of personal information

In cases where an individual with a history of violent behaviour presents a threat of workplace violence that is likely to expose a worker to physical injury, the University will provide information related to the risk of workplace violence to any worker(s) who can be expected to encounter that person in the course of his/her/their work. The information provided may include personal information, though no more than is reasonably necessary to protect the worker from physical injury. Such sharing of

information is authorized, on a need-to-know basis, by privacy legislation, and should be done in a way that reflects privacy principles. Managers and supervisors should seek guidance on this issue from their divisional Human Resource office.

5. Controlling Risk

The University has in place many measures and procedures for controlling risks that arise from the nature of the workplace, the type of work or the conditions of work at the University, both generally and in particular positions. Below is a summary of the measures currently in place. New measures will be put in place from time to time.

(a) Campus resources

- Campus police
 - St. George (<http://www.campuspolice.utoronto.ca/home.htm>)
 - UTSC (<http://www.scar.toronto.edu/~police/>)
 - UTM (<http://www.utm.utoronto.ca/1196.0.html>)
- Escort programs:
 - St. George WalkSmart – call 416-978-SAFE (7233)
(<http://www.campuspolice.utoronto.ca/safety/walkSmart.htm>)
 - UTSC Patrol Service – call 416-287-7022 OR during off hours call 416-287-7398
(<http://www.utsc.utoronto.ca/~police/walksafer.html>)
 - UTM WalkSafer – call 905-607-SAFE (7233)
(<http://www.utm.utoronto.ca/index.php?id=1951>)
- Work alone programs:
 - St. George program – available upon request – call 416-978-2222
 - UTSC Lone Worker Program – call 416-287-7398
(http://www.utsc.utoronto.ca/~police/lone_worker)
 - UTM Work Alone Service – call 905-828-5200
(<http://www.utm.utoronto.ca/index.php?id=1990>)
- Building patrol
 - St. George Building Patrol
(<http://www.campuspolice.utoronto.ca/security-services/building-patrol.htm>)
 - UTSC Patrol Service
(<http://www.utsc.utoronto.ca/~police/walksafer.html>)
- Community Safety Office (<http://www.communitysafety.utoronto.ca/cso-home.htm>)
- Health and Well-Being Programs and Services
(<http://www.utoronto.ca/hrhome/hwb/index.html>)

- Employee and Family Assistance Program (Offers free confidential short-term counselling to eligible employees and their dependents for personal, family, and work-related problems). (<http://www.hrandequity.utoronto.ca/support/EFAP.htm>)
- Services available to students (for employees who are also students)
 - St. George Student Life Programs and Services (<http://www.studentlife.utoronto.ca/about.htm>)
 - UTSC Department of Student Life (<http://studentlife.utsc.utoronto.ca/>)
 - UTM Student Services (<http://www.utm.utoronto.ca/index.php?id=11560>)

(b) Communication systems

- University Emergency Alert System – provides emergency alerts to subscribers' cell phones (<https://alert.utoronto.ca/callme/>)
- UTPS community safety alerts (<http://www.campuspolice.utoronto.ca/site3.aspx>)
- U of T Mississauga safety alerts (<http://www.utm.utoronto.ca/12338.html>)

(c) Electronic security measures

All three University campuses utilize a variety of electronic security measures including both general measures such as emergency call stations located around campus, and specific measures appropriate to particular areas such as closed circuit televisions and building access control. Some of the key campus-specific measures are set out below.

St. George:

- Over 140 emergency call stations located at several points on the campus grounds, buildings & underground parking lots. These emergency call stations ring directly to the Campus Community Police dispatch centre and are given the highest priority by the dispatcher. The emergency call stations provide two way communication between the caller and the dispatcher.
(<http://www.campuspolice.utoronto.ca/emergencies-and-response/emergency-phones.htm>)
- Telephone Emergency Locations System (TELS). Offers all members of the University community the ability to register their office phone with TELS. To register contact U of T Campus Community Police at 416-978-2222.
(<http://www.campuspolice.utoronto.ca/emergencies-and-response/emergency-phones.htm>)

- Free Emergency calls from any campus Bell Canada phone. Dial 416-978-2222 and you will be connected with a Campus Community Police dispatcher.

Mississauga:

- Over 50 emergency telephones located throughout the campus that let Campus Police know exactly where the caller is.
- No cost dialing on all pay phones for 911 service or the Campus Police emergency line.

Scarborough:

- The upper and lower UTSC campus, including the residence areas and parking lots, are equipped with Emergency telephones, providing a direct line to UTSC police when the receiver is removed from the cradle or the button is pressed. No dialing is necessary and the University police can pinpoint the location of the call immediately.
- No charge to call University police when using any Bell pay phone on campus. The UTSC police telephone number is displayed on all Bell pay phones.

(d) Physical/Structural security measures:

Crime prevention through environmental design

The University uses Crime Prevention through Environmental Design (CPTED) in its building designs so that the University's physical spaces are designed to minimize opportunities for violence.

(e) Policies

Code of Student Conduct:

<http://www.governingcouncil.utoronto.ca/policies/studentc.htm>

Policy on Crisis Preparedness and Response:

<http://www.governingcouncil.utoronto.ca/policies/crisis.htm>

Policy on Disruption of Meetings:

<http://www.governingcouncil.utoronto.ca/policies/disrupt.htm>

Statement on the bearing of firearms:

<http://www.governingcouncil.utoronto.ca/policies/firearms.htm>

Health and safety policy: <http://www.governingcouncil.utoronto.ca/policies/healthsa.htm>

Police Policy: <http://www.governingcouncil.utoronto.ca/policies/police.htm>

(f) Information Sheets

The University currently maintains the following information sheets, which may be found at <http://www.communitysafety.utoronto.ca/CSO-home.htm>:

- "Safety in University Buildings"
- "Safety on Elevators"
- "Safety in Parking Lots and Garages"
- "While You Are Out"
- "Using an ATM machine"

The University will develop additional information sheets providing advice on safety topics that will be posted on the Community Safety Office website and employees are encouraged to check back regularly for updates.

Additional safety tips can be found on the U of T Mississauga website at: <http://www.utm.utoronto.ca/index.php?id=1995>.

Online safety is addressed on the Sexual Harassment Office website at <http://www.enough.utoronto.ca/Page13.aspx>.

(g) Training

The University provides various training programs about safety issues, including the following:

Organizational Development and Learning Centre

- ODLC conducts sessions for managers on managing difficult/volatile behaviour.

Environmental Health and Safety

- Supervisors are provided with training on their responsibilities under the *Occupational Health and Safety Act*, which will include their responsibilities in respect of workplace violence.
- Joint Health and Safety Committees are provided with training on their responsibilities, which will include the identification of risks of workplace violence that may arise from the nature of the workplace or the conditions of the work at the University as well as their role in the case of a violent act causing a critical injury.

Campus Police

- Self defence courses.

6. Investigating Incidents of Workplace Violence

When an incident of workplace violence is reported to the Office of the VP, HR&E, an investigation may be undertaken to gather the facts relating to the incident so that the University can respond appropriately. Each situation of workplace violence is, by definition, unique, and a variety of investigative techniques could be suitable. Accordingly, the investigation may proceed through one of several different mechanisms, depending upon contextual factors such as the subject-matter of the complaint and the parties involved in the complaint. For example, if a student engages in workplace violence, the incident may be investigated under the Code of Student Conduct (<http://www.governingcouncil.utoronto.ca/policies/studentc.htm>). Where an employee engages in workplace violence, the investigation will be conducted in accordance with human resources procedures. In all cases investigations will be consistent with the relevant collective agreement, employment policy, student policies, and/or other agreement documenting the relationship between that individual and the University, as well as the *Occupational Health and Safety Act*.

Any employee who has been a victim of workplace violence or is alleged to have engaged in workplace violence will be advised of the process that will be followed if the matter is being investigated and will be provided with a fair process that will include an opportunity to meet with the investigator, an opportunity to respond to relevant statements made by the other party, and being advised of the outcome of the investigation in a timely manner. Please note that while employees have a right to be advised of the outcome of the investigation they will not generally be advised of the details of any sanction/remedial action against any other party.

It should be understood that the word “investigation” does not necessarily involve a full-scale, complex inquiry. Often, informal inquiries and discussion, with the views of the parties being solicited and assessed, will be sufficient.

While efforts are made to provide appropriate protection of the confidentiality of information obtained during the investigation process, anonymity is not possible. In almost all cases the person(s) against whom allegations of workplace violence have been made will need to know who is making the allegations in order to respond, and others will need to know information in order to process and respond to the complaint.

Any employee who has been a victim of workplace violence or is alleged to have engaged in workplace violence will be entitled to invite one support person to accompany him/her to investigation interviews should he/she wish to do so. This person may be a representative from the employee's union. The support person's role will be limited to support and that person will not be permitted to speak on behalf of the person being interviewed.

Interim measures

In some cases measures may be put in place to separate parties during an investigation. For example, reporting structures may be changed or an individual alleged to have committed workplace violence may be placed on an administrative, non-punitive suspension during the investigation. For example, an employee might be placed on a leave of absence or a suspension, either with or without pay. A student might be subject to interim measures under the Code of Student Conduct. In all cases such measures will be in accordance with the relevant agreement documenting the relationship between that individual and the University (e.g., employment contract, collective agreement, residence agreement, student contract, consulting agreement, etc.).

Penalty

An employee who is found to have subjected another employee to workplace violence will be subject to disciplinary action up to and including the termination of his/her employment.

A student who is found to have subjected any employee to workplace violence will be subject to penalties under the Code of Student Conduct.

Others who are found to have subjected any employee to workplace violence will be subject to penalties that are appropriate in view of their relationship to the University.

Criminal conduct may be subject to action Canada's *Criminal Code* or other statutes.

Reprisals

There will be no reprisals against persons who, in good faith, raise issues under this Program.

Vexatious or bad faith use of Program

There may be penalties or sanctions for utilizing this Program in a way that is in bad faith or is vexatious.

Appendix “A”

Related Laws, Policies and Guidelines

Ontario Laws

Occupational Health and Safety Act

Human Rights Code

(Ontario laws and their regulations can be found on the government's e-laws website at <http://www.e-laws.gov.on.ca/navigation?file=browseStatutes&reset=yes&menu=browse&lang=en>)

Federal Laws

Criminal Code (<http://laws.justice.gc.ca/PDF/Statute/C/C-46.pdf>)

University of Toronto Policies

Policy on Violence in the Workplace

Policy on Harassment in the Workplace

Policy on Crisis Preparedness and Response

Statement on Human Rights

Statement of Institutional Purpose

Statement on Prohibited Discrimination and Discriminatory Harassment

University of Toronto Code of Student Conduct

University of Toronto Guidelines

Guideline for Employees on Concerns and Complaints Regarding Prohibited Discrimination and Discriminatory Harassment

Human Resources Guideline on Civil Conduct