

**Governing Council
Agenda Items 6 (d) and 6 (e)**

TO: Business Board

SPONSOR: Professor Angela Hildyard, Vice-President, Human Resources & Equity

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DATE: April 14 for April 26, 2010

AGENDA ITEM: 4(d) & (e)

ITEM IDENTIFICATION:

Policy with respect to Workplace Harassment
Policy with respect to Workplace Violence

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 December 15, 2009, the Ontario government passed Bill 168, which amends the *Occupational Health and Safety Act* to require organizations to prepare and post in the workplace written policies dealing with workplace violence and workplace harassment. Additionally, organizations are required to develop and maintain programs to implement the workplace violence and workplace harassment policies. These new requirements will take effect on June 15, 2010.

Workplace Harassment

In 2008 the Human Resources department implemented the Human Resources Guideline on Civil Conduct (the “Civility Guideline” – copy attached), which states the requirement for employees to “behave in a civil manner and treat each other with respect and civility.” The Civility Guideline addresses the types of conduct that would be captured by the definition of “workplace harassment” under the amendments to the OHSAA, and accordingly the Civility Guideline will constitute the University’s workplace violence program. The Civility Guideline provides examples of conduct that is considered uncivil as well as examples of conduct that is not uncivil.

It also sets out a process for raising concerns and complaints about uncivil conduct and the way in which the University will resolve those complaints.

Workplace Violence

The University's workplace violence program is still being developed in consultation with relevant University offices. The guideline will be completed by June 15, 2010, and will be forwarded to you for information.

HIGHLIGHTS:

These two Policies meet the legislative requirements that will be in place on June 15, 2010. The Policies include the definitions of workplace violence and workplace harassment that are set out in the amendments to the *Occupational Health and Safety Act*, they specify who to contact in the event of workplace violence or workplace harassment, they state the penalty for engaging in prohibited conduct, and they refer to the applicable program as well as related documents (legislation, University policies and guidelines).

FINANCIAL AND/OR PLANNING IMPLICATIONS:

N/A

RECOMMENDATION:

In order for the University of Toronto to be in compliance with the *Occupational Health and Safety Act* as amended effective June 15, 2010, it is recommended that the Business Board recommend to the Governing Council approval of the Policy with respect to Workplace Violence and the Policy with respect to Workplace Harassment.