



FOR APPROVAL

PUBLIC

OPEN SESSION

TO: Governing Council

SPONSOR: Kelly Hannah-Moffat, Vice-President, Human Resources & Equity
CONTACT INFO: 416-978-4865, vp.hre@utoronto.ca

PRESENTER: Same as above.
CONTACT INFO:

DATE: March 26, 2020 for April 2, 2020

AGENDA ITEM: 5

ITEM IDENTIFICATION:

Amendments to the *Policy with Respect to Workplace Violence* dated May 13, 2010 (amended October 26, 2017)

JURISDICTIONAL INFORMATION:

Under Section 5 of its *Terms of Reference*, the changes to the *Policy* falls within the Business Board's areas of responsibility:

“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”.

And under Section 5.12 (“Health and safety”) of its *Terms of Reference*, the Business Board also has responsibility for “approval of policies concerning the health and safety of members of the University and its visitors.”

GOVERNANCE PATH:

1. Business Board [for recommendation] (March 18, 2020)
2. Executive Committee [for endorsement and forwarding] (March 24, 2020)
3. **Governing Council [for approval] (April 2, 2020)**

PREVIOUS ACTION TAKEN:

The *Policy with Respect to Workplace Violence* was introduced and approved by Governing Council on May 13, 2010. It was amended October 26, 2017, to incorporate the *Policy on Sexual Violence and Sexual Harassment*.

The *Occupational Health and Safety Act* requires this policy to be reviewed on an annual basis. The review has been conducted by staff reporting to the Vice-President, Human Resources and Equity.

HIGHLIGHTS:

The VPHRE is bringing forward an amendment to clarify that conduct occurring online can constitute workplace violence, as well as additional housekeeping amendments to change the language to be gender neutral and update names and links to other policies and related documents.

FINANCIAL IMPLICATIONS:

Not applicable.

RECOMMENDATION:

Be it Resolved

THAT the amendments to the *Policy with Respect to Workplace Violence* be approved, effective April 3, 2020.

DOCUMENTATION PROVIDED:

- Marked Copy: *Policy with Respect to Workplace Violence*
- Final Proposed: *Policy with Respect to Workplace Violence*



UNIVERSITY OF TORONTO

University of Toronto
Governing Council

Policy with Respect to Workplace Violence

May 13, 2010

(amended ~~DATE~~ ~~October 26, 2017~~)

To request an official copy of this policy, contact:

The Office of the Governing Council
Room 106, Simcoe Hall
27 King's College Circle
University of Toronto
Toronto, Ontario
M5S 1A1

Phone: 416-978-6576

Fax: 416-978-8182

E-mail: governing.council@utoronto.ca

Website: <http://www.governingcouncil.utoronto.ca/>

POLICY WITH RESPECT TO WORKPLACE VIOLENCE

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.

This Policy applies to activities that occur while on University of Toronto premises and to work-related activities or social events occurring off-campus. Conduct that occurs online can constitute workplace violence.

If you are the victim of or a witness to a violent incident at work, 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)**

You may also contact the Community Safety Office at 416-978-1485 to discuss safety concerns.

If you are the victim of or a witness to a ~~sexual violent incident~~ incident of sexual violence at work, you may also contact the Sexual Violence Prevention and Support Centre at 416-978-2266 to discuss available services and supports and options for making a formal report to the University and/or to Police.

What is workplace violence?

Workplace violence is defined in the *Occupational Health and Safety Act* as follows:

"Workplace violence" 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 may constitute sexual violence. Please refer to the University of Toronto Policy on Sexual Violence and Sexual Harassment

<http://www.governingcouncil.lamp4.utoronto.ca/wp-content/uploads/2016/12/p1215-poshsv-2016-2017pol.pdf> or contact the Sexual Violence Prevention and Support Centre at 416-978-2266 or thesvpcentre@utoronto.ca.

Penalty

An employee who subjects another employee to workplace violence may be subject to disciplinary action up to and including the termination of his/her/their employment.

A student who subjects any employee to workplace violence will be subject to penalties under the *Code of Student Conduct*.

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

Program

The University has developed and maintains a Workplace Violence Program to implement this Policy which can be found online at <http://dlr5sywz8ozqw.cloudfront.net/wp-content/uploads/sites/34/2016/04/U-of-T-Workplace-Violence-Program.pdf> <https://ehs.utoronto.ca/wp-content/uploads/2015/10/U-of-T-Workplace-Violence-Program.pdf>.

Related Documents

In applying this Policy, the University is committed to acting conscientiously and in keeping with applicable legislation as well as its own policies and guidelines. These include, for example:

- Ontario *Occupational Health and Safety Act*
- Ontario *Human Rights Code*
- University of Toronto *Code of Student Conduct*

- University of Toronto *Policy on Sexual Violence and Sexual Harassment*
- University of Toronto *Workplace Violence Program*
- University of Toronto *Workplace Harassment Program (Guideline for Employees on Concerns and Complaints Regarding Prohibited Discrimination and Discriminatory Harassment (“Discrimination Guideline”) and Human Resources Guideline on Workplace Harassment and Civil Conduct (“Civility Guideline”))*
- University of Toronto *Policy on Crisis and Routine Emergency Preparedness and Response*
- University of Toronto *Statement on Human Rights*
- University of Toronto *Statement of Institutional Purpose*
- University of Toronto *Statement on Prohibited Discrimination and Discriminatory Harassment*

*May 13, 2010, approved by Governing Council
Amended October 26, 2017
Amended DATE, 2020*

Last annual review conducted: 2019-2020

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