

## VIOLENCE PREVENTION PLAN

Section: 8 – Occupational Health & Safety	Policy No: 8.01A (To accompany Policy)
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Employees covered: Everyone	Effective: January 2009
Subject: Violence Prevention Plan	Authorized: [Signed by G. MacInnis, VP]

The Joint Occupational Health and Safety Committee (JOHSC) Violence Prevention Plan is intended to increase safety through better preparation and training of all employees on campus. The components of the CBU Violence Prevention Plan include:

- A. Violence and Harassing Behaviour
- B. Hazard Assessment
- C. Training
- D. Reporting
- E. Immediate Incident Response
- F. Responsibilities of Parties Involved in a Complaint
- G. Post Incident Counseling
- H. Investigation
  - Introduction
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The members of JOHSC advise all employees to report all incidents of violence, including threats of violence, and that all reports be classed into categories for analysis and tracking.

1. A risk of violence, which includes work locations or structure that make the possibility of an incident more likely, for example, departments which handle money, public service areas where there are high volumes of traffic. Situations with a risk of violence invite strategies of prevention, for example, development of safe work procedures such as not working alone, or having safe money-handling procedures.
2. The threat of violence, which includes situations where the behaviour of individuals results in an apprehension that violence is possible or likely. These situations invite strategies of prevention, for example, training programs on de-escalating angry behaviour, design of public service space so that there is a desk between the service provider and the customer, or panic buttons.
3. An incident of violence, which includes situations where violence occurs. Please note that violent incidents include both physical and verbal incidents. These situations require clear preparation and procedures. For example, use of panic buttons, an immediate response procedure, and follow up to deal with the repercussions of violence (medical care, counseling).

A. **Violence and Harassing Behaviour**

Violence is defined as the unjust use of force or exertion of power and is often exercised as an extreme on the continuum of harassing behaviour. While harassing behaviour may not always be physical, an individual who is the recipient of harassing behaviour will feel vulnerable and victimized. This is not acceptable.

Harassing behaviour and violence is unwanted, intimidating, abusive, unfair, offensive, or demeaning treatment of a person or group of persons by another person or persons. Harassing behaviours may include, but not be limited to:

- verbal abuse or threats;
- unwelcome remarks, jokes, innuendos or taunting about a person's characteristics, including body, attire, age, marital status, ethnic or national origin, religion, sexual orientation, gender;
- display of sexually explicit, racist or other offensive or derogatory material;
- practical jokes which cause awkwardness or embarrassment;
- unwelcome invitations or requests, whether explicit or indirect;
- intimidation;
- leering;
- offensive gestures;
- behaviour which undermines another's self-respect and/or which exhibits an air of superiority;
- unwelcome or inappropriate physical contact, including touching, patting, pinching, stroking, punching, physical assault.

Harassment does not include appropriate employee/employer supervisory practices or instructor/student instructional processes.

B. **Hazard Assessment**

Hazard assessments are conducted at least once in every five year period. The assessment may include a selection of focus group interviews, departmental surveys, and/or an on-line survey.

C. **Training**

The Employer shall continue to offer a range of education sessions on workplace violence awareness, early warning signs, emergency procedures, prevention and the need for reporting. The purpose of the training is to meet the requirements of the policy and procedures, and to ensure employees are provided with information to handle/prevent violent situations to the best of their ability.

In order to reach all segments of the university community, training must be provided using a variety of methods, with an in house training program that includes web based, printed information, and workshop style events being made available, and advertised through the web page or other methods.

Supervisors and employees are encouraged to identify additional training needs and/or requirements that meet their specific needs or the needs of their particular job and unit.

The Human Resources (HR) department is accountable to track training and departments must report any training provided in their department to ensure that records are accurate.

General training sessions shall be conducted by the Safety Officer. Other training sessions will be made available as identified. The types of training to be done include, but is not limited to the following:

1. General

- a. Awareness sessions for all employees are to be conducted annually; and to include review of policy, procedures, reporting, investigation and work specific discussion.
- b. Orientation sessions for all new employees to be given as part of general new employee orientation, also to include review of policy and procedures.
- c. Included in annual WHMIS training sessions.
- d. Awareness sessions for all managers and supervisors, including responsibilities, criminal code, policy, procedures and work specific discussion.

2. Specific - Additional training for employees in high risk areas (by department)

- i. library
- ii. finance office
- iii. student services
- iv. athletics
- v. playhouse
- vi. self identified employees/departments

D. **Reporting**

Reporting of all incidents is an essential part of any safety program. It allows the Safety Officer and JOHSC to analyse events and track trends which can lead to better prevention strategies. Therefore, all employees and supervisors must report all incidents including the threat of violence. To foster a safety-conscious work environment, reporting must be easy to do in an environment that is welcoming and non-punitive.

The procedure of reporting all incidents to the employee's supervisor is appropriate and consistent with the *Nova Scotia Occupational Health and Safety Act*. The employee is encouraged to provide a copy of the report to the CBU Safety Officer, but it is the supervisor's responsibility to ensure that this is done. The CBU Safety Officer's role is to serve as a resource, provide advice, and ensure that events are tracked and reported to JOHSC.

The employee reports an incident by using an "incident report" form. If the employee is not comfortable reporting the incident to their supervisor, they may file their report with the next level of management, Human Rights Officer and/or Safety Officer. Reporting may be after-the-fact in cases where there is an incident of violence. ***(Please see the "incident response" section for procedures to follow when an incident occurs.)***

Employees and supervisors are also encouraged to fill out a form if a “near miss” occurs. This may be when events did not escalate to the point of violence, but that the situation was tense and perhaps a predictor of future violence.

E. **Immediate Incident Response**

Any employee who feels at risk of violence is advised to take action immediately. If you feel in danger, take action.

1. Panic buttons: If your unit or department is equipped with a panic button, you are encouraged to use it when you feel at risk.

OR

2. Quick response:

**Police**  
**911 or 9-911 (internal phone line)**

**Campus Security Officer (CSO)**  
**Ext: 1133**  
**Cell: 578-2316**

3. Reporting: Following the incident, ensure that the incident is reported.

F. **Responsibilities of Parties Involved in a Complaint**

CBU seeks to preserve confidentiality regarding matters alleged in the complaint to the extent that such confidentiality does not conflict with efforts to review, investigate and otherwise address the complaint, take remedial or other action in response to the report, and/or prevent further harassment or other inappropriate behavior.

Retaliation against persons who bring a complaint of actual or perceived harassment or violence is strictly prohibited. Employees should not engage in adverse treatment of other employees because they have reported harassment or violent behavior or have provided information in connection with a report of such behavior. Employees who believe they have experienced or observed retaliation should report it immediately to their supervisor. If it is your supervisor who is exhibiting harassing behavior, go to the next level of the chain of command and report it. You may wish to consult with a union representative for advice. If the Department of Labour is contacted it should be done within 24 hours: Retaliatory behavior may result in immediate discharge, disciplinary action, or other remedial action, as deemed appropriate in the circumstances by CBU.

A complaint of harassment or workplace violence that is intentionally fraudulent or malicious, as distinctive from unfounded, may be subject to disciplinary action.

All employees are responsible for conducting themselves in a manner consistent with this policy. If you have any questions regarding harassment or workplace violence, you are encouraged to discuss them with your immediate supervisor, Dean, Human

Resources Advisor, Safety Officer, Safety and Security Manager, or Human Rights Officer.

G. **Post-Incident Counseling**

Employees who are victims of violence and those who are experiencing personal problems in relation to violence are encouraged to seek confidential counseling through the Employee and Family Assistance Program (EFAP). This service is provided on a confidential basis to eligible employees. Eligible employees include permanent employees and employees with a term contract of a minimum of 2 years. Employees may choose to contact their family physician, mental health care center or other means of support.

**Toll-free English language services:**

Canada-wide

1-800-268-5211

TDD 1-800-363-6270 (hearing impaired)

**On-line Appointment Request:**

You may request an appointment via the Internet.

<http://www.shepellfgiservices.com>

H. **Investigation**

**Introduction**

The procedures currently in place to investigate incidents of harassment and/or discrimination (see **Discrimination and Harassment Procedures**), fit very well with incidents of violence, and will be used for incidents of violence between members of the university community and/or visitors. The procedure (which is currently under review) is included here for ease of reference.

In the formal complaint procedure, an investigator is a CBU employer or employee member trained in harassment investigation. When incidents of alleged violence are reported to the Joint Occupational Health and Safety Committee (JOHSC) trained investigators from the JOHS committee will be used, where possible.

At the conclusion of an investigation, statistical information related to occupational health and safety will be forwarded to the JOHS committee.

**Discrimination and Harassment Procedures (April 2004)**

**Step One: Assessment**

Assessment by the Human Rights Officer may include:

- receiving complaint;
- meeting with the Complainant and Respondent separately;
- requesting all information pertaining to the allegation, such as dates, witnesses, remarks, or actions;

- meeting with the alleged Respondent making him/her aware of the complaint; and
- determining if the complaint falls under the jurisdiction of the Cape Breton University Discrimination and Harassment Policy.

If the complaint does not fall under the jurisdiction of the Cape Breton University Discrimination and Harassment Policy, the Complainant will be notified in writing. If appropriate, the Human Rights Officer shall refer the Complainant to the appropriate person and/or service (either on or off campus).

If the complaint falls under the jurisdiction of the Cape Breton University Discrimination and Harassment Policy, the Human Rights Officer shall determine, based on the nature and/or severity of the complaint, whether the complaint will proceed as an informal or formal complaint.

Appropriate steps may be taken to physically separate the Complainant(s) and Respondent(s) where deemed necessary.

### **Step Two: Informal Complaint Procedure**

Informal resolution does not involve a report or an official decision. The Human Rights Officer may utilize a variety of dispute resolution techniques (including mediation) at any point during the Discrimination and Harassment Procedure to help the parties find a resolution to the complaint.

The Human Rights Officer will act as a facilitator between the Complainant(s) and Respondent(s) to try to resolve the issues under the complaint. If the informal complaint process is unsuccessful, then the Complainant, the Respondent or the Human Rights Officer may initiate the formal complaint procedure.

### **Step Three: Formal Complaint Procedure**

Formal complaints involve filing the complaint, appointing an investigator(s) from within or outside the organization who were not involved at the previous level, investigating, reporting the findings, decision making, as well as recommending remedies for the Complainant and corrective action for the Respondent.

- If the Complainant or Respondent initiates the formal procedure, the Human Rights Officer shall determine, based on the nature and/or severity of the complaint, whether the complaint will proceed under the formal complaint procedure, or if the complaint should be dismissed.
- If the formal complaint procedure is invoked, the Human Rights Officer, in consultation with the Director of Human Resources or the President and Vice-Chancellor (or designate), shall appoint a person or persons, other than the Human Rights Officer, to investigate the complaint.
- The investigator(s) will meet with Complainant and take a statement. The Complainant will receive a copy of the statement. The statement will be provided (in confidence) to the Respondent.

- The investigator(s) will meet with the Respondent and take a statement. The Respondent will receive a copy of the statement. The statement will be provided (in confidence) to the Complainant.
- The investigator(s) will meet with pertinent witnesses and take statements. These statements will be provided (in confidence) to the Complainant and Respondent.
- A second interview with the Complainant and/or Respondent may occur at the end of the investigation process so that the Complainant and/or Respondent have an opportunity to respond to witness statements.
- The investigator(s) will prepare a written report with their reasons. The report will contain the background of the complaint, the number of witnesses interviewed, and the evidence presented for each incident to the complaint. A conclusion or finding under the Discrimination and Harassment Policy for each incident will be included along with an over-all conclusion or finding.
- All documentation is forwarded to the Human Rights Officer for processing and implementation and distribution.

I. **Consequences**

Once an investigation into the alleged violation of policy has occurred and if the policy or procedures have been determined to be violated, CBU (this includes the President, Director of Human Resources, and/or the appropriate Dean), may take disciplinary action up to and including dismissal or expulsion or other sanctions against the respondents. It is understood that the person imposing the discipline must review the evidence. Any discipline taken will follow any applicable procedures of relevant collective agreement(s) (including where called for under the Agreement prior consultation with the Union Representative), or for non-union employee(s), any applicable University policies.

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