

TABLE OF CONTENTS

- 1. INTRODUCTION**
- 2. SCOPE**
- 3. WHAT IS WORKPLACE VIOLENCE?**
- 4. HOW TO SUMMON IMMEDIATE ASSISTANCE**
- 5. EVERY COMMUNITY MEMBER'S DUTY TO REPORT**
- 6. PHYSICAL CONDITIONS THAT SHOULD BE REPORTED**
- 7. ASSESSING AND MANAGING RISKS OF WORKPLACE VIOLENCE**
- 8. THE UNIVERSITY WORKPLACE INSPECTION PROGRAM**
- 9. INVESTIGATING INCIDENTS OF WORKPLACE VIOLENCE**
- 10. SHARING OF PERSONAL INFORMATION**
- 11. DUTY TO WARN**
- 12. INTERIM MEASURES**
- 13. REMEDIES AND PENALTIES**
- 14. REPRISALS**
- 15. VEXATIOUS OR BAD FAITH USE OF THE PROGRAM**
- 16. ROLES AND RESPONSIBILITIES**

1. INTRODUCTION

1.1 The University of New Brunswick is a community of learning, teaching, working, living, and recreation. The University is committed to maintaining a workplace that is free of violence for all members of the UNB community.

1.2 Preventing and addressing workplace violence is a shared responsibility under UNB's policy and this program. All University community members must be aware of and carry out their responsibilities as outlined in the policy and related programs including,

- [Discrimination and Harassment Prevention Policy](#)
- [Student Code of Non-Academic Conduct](#)
- [Environmental Health and Safety Procedures](#)

1.3 The Workplace Violence Prevention and Response Program (the Program) outlines the ways the University addresses workplace violence, including measures and procedures for:

1. Controlling the risks of workplace violence as they are identified through periodic assessment.
2. Summoning immediate assistance when workplace violence is occurring or likely to occur.
3. Reporting incidents of workplace violence by community members.
4. Investigating and dealing with incidents and complaints of workplace violence.

1.4 Any act of workplace violence is unacceptable and will not be tolerated.

2. SCOPE

2.1 The Workplace Violence Prevention and Response Program addresses workplace violence that may occur on UNB Saint John's campus or at work-related activities occurring off-campus. The Program is intended to supplement the University's Environmental Health and Safety policies and Office of Human Rights, as they relate to workplace violence and pursuant to its obligation under the [Occupational Health and Safety Act \(OHSA\)](#).

2.2 Incidents of workplace violence *may* result in the involvement of 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 and are outside the scope of this Program.

2.3 The Program will be reviewed and updated at least once a year and/or as new or modified ways of dealing with workplace violence are developed.

3. WHAT IS WORKPLACE VIOLENCE?

3.1 The term "workplace violence" is defined under the Ontario OHSA as:

- 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; or
- a statement or behaviour that 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 a worker.

3.2 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.

Note: Physical force that is applied as authorized by law is not considered workplace violence. For example, UNB Security may use force to prevent violence in some instances.

4. HOW TO SUMMON IMMEDIATE ASSISTANCE

4.1 **When violence is in progress, or if it is imminent, call Emergency Services then UNBSJ Security.**

External phones: 911

Internal phones: dial “911”

Security – 648-5675

5. EVERY COMMUNITY MEMBER’S DUTY TO REPORT

5.1 We all share responsibility in creating a workplace that is free of violence and does not tolerate incidents of violence. All members of the University community (including employees, managers, union representatives, faculty, students, contract workers, tenants, guests and visitors) have a duty to report:

- incidents of workplace violence, including threats of violence
- behaviours that may indicate a risk of workplace violence as outlined below
- physical workplace conditions associated with a risk of workplace violence that requires attention.

5.2 For a list of behaviours to be reported and what to do, please see the 1 page reference document “Steps to take when you encounter concerning behavior on campus”.

5.3 All community members must report incidents of violence including threats of violence, to UNBSJ Security by dialing 5675 to summon immediate assistance if violence is occurring or is imminent, or calling 5675 or emailing securesj@unb.ca as soon as it is safe to do so after an incident has occurred.

5.4 Those UNB individuals and teams responsible for addressing behaviour that indicates a risk of violence, such as Human Resources, Student Disciplinary Commissioner, Student Services, must report such incidents to the Assistant VP, Finance and Admin.

Note: If the behaviour is based on human rights grounds (e.g. sex, sexual orientation, race, disability etc.) Human Rights office may be contacted for advice and assistance.

6. PHYSICAL CONDITIONS THAT SHOULD BE REPORTED

6.1 Physical conditions associated with a risk of workplace violence include:

- isolated areas where workers may be working alone
- impeded sightlines (eg. overgrown shrubbery or other objects blocking areas that create potential for workplace violence to occur hidden from view)
- impeded safety mechanisms (eg. objects interfering with emergency phones or poor lighting in dark areas)
- Physical conditions should be reported to UNBSJ Security by calling 648-5675 or emailing securerj@unb.ca

7. ASSESSING AND MANAGING RISKS OF WORKPLACE VIOLENCE

7.1 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.

7.2 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.

7.3 When risks of workplace violence are identified, such as working alone, dealing with cash, etc., the University will put into place responsive measures and procedures to control such risks. For example, UNBSJ has guidelines on working alone and a related risk assessment checklist.

7.4 Managers must discuss potential risks of workplace violence and appropriate responsive action with appropriate University offices such as Human Resources, Security, Environmental Health & Safety and/or Discrimination and Harassment Prevention Services.

8. THE UNIVERSITY WORKPLACE INSPECTION PROGRAM

8.1 Environmental Health, Safety and Security work closely with Campus Facilities and Sustainability, Student Housing and other campus resources to audit, identify and make changes to areas on the campus 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.

8.2 UNB conducts inspections of physical aspects of work or the workplace from which risks of workplace violence may arise. Any identified issues will be reported in accordance with the program and the line manager should advise their Human Resources Management Consultant.

9. INVESTIGATING INCIDENTS OF WORKPLACE VIOLENCE

9.1 When an incident of workplace violence is reported to Human Resources, Security, Discrimination and Harassment Prevention Services, or the Student Disciplinary Officer, an investigation may be undertaken to gather the facts relating to the incident so that the University may respond appropriately.

9.2 Investigations 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 violence, the investigation may be conducted under the Student Code of Non-Academic Conduct.

9.3 Where an employee is investigated for an incident of workplace violence, an initial investigation will be conducted by Security to provide assistance, summon emergency services if required, take immediate risk mitigation steps and conduct safety planning. Follow-up investigations will be conducted by Human Resources.

9.4 In all cases, investigations will be consistent with the relevant collective agreement, employment policy, student policies, and/or other agreements documenting the relationship between that individual and the University, as well as the *Occupational Health and Safety Act*.

9.5 Situations not involving a student or employee will be investigated by Security in accordance with security policies and procedures. Situations involving persons who work at UNB for a third party contractor will generally be jointly managed by Security, the UNB department that is responsible for the contract and the contract company.

10. SHARING OF PERSONAL INFORMATION

10.1 All collection, use and disclosure of personal information will be carried out in accordance with the Right to Information and Protection of Privacy Act (RTIPPA). The University will share personal information related to workplace violence as appropriate. Managers should seek guidance from the University's Privacy Coordinator or their Human Resources Management Consultant.

11. DUTY TO WARN

11.1 If an individual with a documented history of violent behaviours presents a threat of workplace violence and a community member can be expected to encounter that person in the course of his/her work or study, and the risk of workplace violence is likely to expose the community member to physical injury, then the University will provide information to the appropriate community member(s) or applicable bargaining group should the community member at risk belong to that group.

12. INTERIM MEASURES

12.1 In some cases, measures may be put in place to separate parties during an investigation. 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, and/or security policies and procedures).

13. REMEDIES AND PENALTIES

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

13.2 A student who is found to have engaged in workplace violence will be subject to remedies and penalties under the Student Code of Non-Academic Conduct.

13.3 A person who is not a student or an employee who is found to have engaged in workplace violence will be subject to penalties that are appropriate in view of their relationship to the University.

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

14. REPRISALS

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

15. VEXATIOUS OR BAD FAITH USE OF THE PROGRAM

15. There may be penalties or sanctions outlined in various policies (e.g., HR Policy, Student Code of Non-Academic Conduct and other applicable University policies) for making vexatious complaints of workplace violence, or making such complaints in bad faith.

16. ROLES AND RESPONSIBILITIES

16. Details about the roles and responsibilities of each member of the UNB community to prevent and respond to workplace violence are set out below. It is not an exhaustive list of duties, but is intended to provide each community member with a general understanding of their roles and the role of others in preventing and responding to workplace violence.

16.1 Employees

As employees, we are all individually responsible for our own actions and in particular, for not acting or threatening to act violently.

Employees have the following, specific obligations:

- Abiding by the University's Environmental Health and Safety Management System Policy and this program.
- Contacting UNB's Security when immediate assistance is required to deal with a situation involving workplace violence.
- Reporting in accordance with the requirements set out above (Duty to Report).

16.2 Managers

The term “manager” as used throughout this document refers to individuals with supervisory responsibilities such as Managers, Supervisors, Chairs, Directors, Deans, Senior Directors, faculty and instructors, Principle Investigators, etc.

Managers are responsible for:

Prevention

- Promoting a work environment that promotes civility and does not tolerate harassment or violence.
- Taking every precaution reasonable in the circumstance for the protection of the worker.
- Providing information to workers that they require to be protected from physical injury from persons with a history of violent behaviours when the risk of workplace violence is likely to expose a worker to physical injury.

Response

- Contacting Security when immediate assistance is required to deal with a situation involving imminent or actual workplace violence.
- Working with Human Resources and other relevant University offices as required in any investigation into workplace violence.
- Implementing actions and measures to address and prevent further or escalating incidents of violence.
- Reporting in accordance with the requirements set out above (Duty to Report).
- Awareness of counselling services for affected personnel if required.

16.3 Environmental Health and Safety (EHS) and Security

The EHS and Security department is responsible for:

Prevention

- Notifying persons of potential risks in compliance with the *Occupational Health and Safety Act's* Duty to Warn obligations.
- monitoring the implementation of risk mitigation plans
- Developing programs that promote safety and security and broadly communicating these programs to the community.
- Leading the proactive process of 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 University workplace inspectors as they relate to conditions of workplace violence hazards.
- Maintaining a central repository and records management program of institutional knowledge of situations, information, reports and conditions relating to actual or potential incidents and risks of workplace violence, through the Integrated Threat and Risk Assessment Service.
- Escalating issues to the UNB Threat and Risk Assessment Team as required.
- Annual review of the Workplace Violence Prevention and Response Program

Response

- Responding to all instances where immediate assistance is required, taking steps to mitigate immediate risks and notify emergency services if required.
- Conducting an initial investigation into all incidents of workplace violence, taking steps to mitigate immediate risks, and conducting safety planning with affected persons.
- Assisting with investigations into workplace violence led by other departments.
- Responding to work refusals in accordance with the *OHSA* and internal processes.
- Liaising with law enforcement agencies and participating in legal processes as and if required.
- In accordance with the *OHSA*, immediately notifying WorksafeNB and the Joint Health and Safety Committee, if an incident of workplace violence were to result in a death or critical injury as defined by the *OHSA*.

16.4 Human Resources/Student Discipline Office/Discrimination and Harassment Prevention

The above departments are responsible for:

Prevention

- Collaborating with appropriate stakeholders on campus in order to provide appropriate training on matters related to workplace violence.
- Providing advice and assistance to Managers on creating a civil and respectful work environment, free from discrimination and harassment.

Response

- Contacting Security & Emergency Services when immediate assistance is required to deal with a situation involving imminent or actual workplace violence.
- Conducting or participating in investigations into allegations of workplace violence, as appropriate.
- Participating as requested in the risk assessment process and case management of concerns brought forward.
- Reporting in accordance with the requirements set out above (Duty to Report).

16.5 Joint Health and Safety Committee (JHSC)

The University has the Joint Health and Safety Committee (JHSC) as required by the Occupational Health and Safety Act (OHSA). The role of each JHSC in accordance with the OHSA is as follows:

1. Inspecting the physical conditions of the workplace.
2. Making recommendations for the improvement of the health and safety of workers.
3. Recommending the establishment, maintenance and monitoring of programs, measures and procedures respecting the health or safety of workers.
4. Following the existing procedures for reporting any physical aspects of the work or workplace that are identified in inspections as ones from which risks of workplace violence may arise.

5. 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 Security & Emergency Services, and the committee co-chairs. Upon receipt of the report, the management co-chair of the JHSC will immediately forward this issue to the Human Resources Management Consultant and the manager.

6. Collaborate with appropriate stakeholders on campus in order to provide appropriate training on matters relating to workplace violence. Refer appropriate matters to the University's Threat Assessment Team.