



Anti-Violence / Bullying / Harassment Policy

Date Established: 2008
Date Revised: February 14, 2019

Summary

Trillium College is committed to building and preserving a safe, productive and healthy working environment for its employees, clients and visitors and, as such, treats any act of violence, abuse and/or harassment as a very serious matter. In pursuit of this goal, Trillium College does not condone and will not tolerate acts of violence, abuse or harassment/bullying against or by any Trillium College employee. Trillium College firmly believes that by working together with our employees, the risk of workplace violence can be minimized

Target Audience

All Trillium College employees and students.

Definitions

Workplace Violence or Bullying:

Workplace harassment, violence or bullying is the exercise, statement or behaviour of physical force by a person against another, in a workplace, that causes or could cause physical injury to the individual, such as:

- Physical acts (e.g., hitting, shoving, pushing, kicking, sexual assault).
- Any threat, behaviour or action which is interpreted to carry the potential to harm or endanger the safety of others, result in an act of aggression, or destroy or damage property.
- Disruptive behaviour that is not appropriate to the work environment (e.g., yelling, swearing).

Domestic Violence

A person who has a personal relationship with a worker- such as a spouse or former spouse, current or former intimate partner, or a family member- may physically harm, or attempt or threatened to physically harm, that worker at work. In these situations, domestic violence is considered workplace violence.

Physical Abuse

Physical abuse is defined as but not limited to the use of intentional force that can result in physical harm or injury to an individual. It can take the form of slapping, hitting, punching, shaking, pulling, throwing, kicking, biting, choking, strangling or other abusive use of restraints.

Emotional Abuse

Emotional abuse is defined as but not limited to a chronic attack on an individual's self-esteem it can take the form of name calling, threatening, ridiculing, berating, intimidating, isolating, hazing, habitual scapegoat, blaming.

Verbal Abuse

Verbal abuse is defined as but not limited to humiliating remarks, name calling, swearing at, taunting, teasing and continual put-downs.



Psychological Abuse

Psychological abuse is defined as but not limited to communication of an abusive nature, sarcasm, exploitive behaviour, intimidation, manipulation, and insensitivity to race, sexual preference or family dynamics.

Racial/Ethnic Harassment:

Any conduct or comment which causes humiliation to an employee because of their racial or ethnic background, their colour, place of birth, citizenship or ancestry. Examples of conduct which may be racial or ethnic harassment include:

- Unwelcome remarks, jokes or innuendos about a person's racial or ethnic origin;
- Colour, place of birth, citizenship or ancestry;
- Displaying racist or derogatory pictures or other offensive material;
- Insulting gestures or practical jokes based on racial or ethnic grounds which create awkwardness or embarrassment;
- Refusing to speak to or work with someone or treating someone differently because of their ethnic or racial background.

Sexual Assault and Harassment:

The Sexual Assault and Harassment Policy is available online at: <https://www.trilliumcollege.ca/employment-services/student-services/>

Managing and/or Coaching:

Includes counselling, performance appraisal, work assignment, and the implementation of disciplinary actions, is not a form of personal harassment, and the policy does not restrict a manager/supervisor's responsibilities in these areas.

Roles and Responsibilities

As an employee of Trillium College, you have the following responsibilities to our workplace. We trust that all of our employees will help us eliminate harassment from our workplace.

Co-worker's Role:

If you are a co-worker who has witnessed violence, abuse and/or harassment in the workplace:

- Inform the harassed person that you have witnessed what you believe to be abuse/harassment and that you find it unacceptable. Support is often welcome. If that person does not feel that they have been abused/harassed, then normally the incident should be considered closed.
- Inform the harasser(s) that you have witnessed the act(s) and find it unacceptable.
- Encourage the abused/harassed person to report the incident to their manager.

Managers' and Management's Role:

- Legally, management is responsible for creating and maintaining a violence/abuse/harassment-free workplace.
- Managers must be sensitive to the climate in the workplace and address potential problems before those problems become serious.
- If a manager becomes aware of violence/abuse/harassment in the workplace and chooses to ignore it, that manager and the Company risk being named co-respondent in a complaint and may be found liable in legal proceedings brought about by the complainant and/ or local human rights' authorities.



Standard Operating Procedure

Trillium College will not tolerate any form of harassment or discrimination against job candidates and employees on any grounds mentioned above, whether during the hiring process or during employment. This commitment applies to such areas as training, performance, assessment, promotions, transfers, layoffs, remuneration, and all other employment practices and working conditions.

All Trillium College employees are personally accountable and responsible for enforcing this policy and must make every effort to prevent discrimination, abusive or harassing behaviour and to intervene immediately if they observe a problem or if a problem is reported to them.

For the purposes of this policy, harassment/bullying can occur:

- At the workplace;
- At employment-related social functions;
- In the course of work assignments outside the workplace;
- During work-related travel;
- Over the telephone, if the conversation is work-related; or
- Elsewhere, if the person harassed is there as a result of work-related responsibilities or a work-related relationship

Reporting Harassment, Violence or Bullying

In the event that you are either directly affected by or witness to any harassment, violence or abuse in the workplace, it is imperative for the safety of all Trillium College employees that the incident be reported without delay.

Reporting Discrimination, Abuse or Harassment

Informal Procedure

If you believe you have been personally abused and/or harassed you may:

- Confront the harasser personally or in writing pointing out the unwelcome behaviour and requesting that it stop; or
- Discuss the situation with the harasser's supervisor, your supervisor or any other supervisor other than your own.

Any employee who feels abused and/or discriminated against or harassed can and should, in all confidence and without fear of reprisal, personally report the facts directly to your supervisor or manager.

Formal Procedure

If you believe you have been personally abused and/or harassed, you may make a written complaint. The written complaint must be delivered to the Director, Human Resources. Your complaint should include:

- The approximate date and time of each incident you wish to report,
- The name of the person or persons involved in each incident,
- The name of any person or persons who witnessed each incident,
- A full description of what occurred in each incident.

Reporting any of the above mentioned situations should be done immediately to management, the Human Resources department or a Community Resource listed below.

The following is a non-exhaustive list of disclosure options that are available to Victims / Survivors. See Appendix 1 for more resources.



i. Trillium Resources

- a) Emergency: Front Desk / Campus Manager
- b) Non-Emergency: Director, HR
 - Anonymous Disclosure
 - Informal Disclosure
 - Formal Report

ii. Community Resources

- a) **Police:** Niagara Regional Police, Hamilton Police Services, Durham Regional Police Services, Kingston Police Services - **911**, Greater Sudbury Police Service
- b) **Medical:** St. Catharines General Hospital, Hamilton General Hospital, Lakeridge Health Oshawa, Kingston General Hospital, Health Sciences North

Support: Niagara Region Sexual Assault Centre, Sexual Assault Centre Hamilton, Domestic Violence and Sexual Assault Centre Durham Region, Sexual Assault Centre Kingston, Voices for Women Sudbury Sexual Assault Centre

Seeking Immediate Assistance

Canada's Criminal Code deals with matters such as violent acts threats and behaviours such as stalking. The police should be contacted immediately when an act of violence has occurred in the workplace or when someone in the workplace is threatened with violence. If an employee feels threatened by a co-worker, volunteer, contractor, student, vendor, visitor or client/ customer then an immediate call to "911" is required.

Investigating Reports of Discrimination, Abuse or Harassment

Once a written complaint has been received Trillium College will complete a thorough investigation. Abuse and/or harassment should not be ignored. Silence can, and often is, interpreted as acceptance.

The investigation will include:

- Informing the harasser's of the complaint,
- Interview the complainant, any person involved in the incident and any identified witnesses,
- Interview any other person who may have knowledge of the incidents related to the complaint or any other similar incidents.
- A copy of the complaint, detailing the complainant's allegations, is then provided to the respondent(s).
- The respondent is invited to reply in writing to the complainant's allegations and the reply will be made known to the complainant before the case proceeds further.
- The Company will do its best to protect from unnecessary disclosure the details of the incident being investigated and the identities of the complaining party and that of the alleged respondent.
- During the investigation, the complainant and the respondent will be interviewed along with any possible witnesses. Statements from all parties involved will be taken and a decision will be made.
- If necessary, the Company may employ outside assistance or request the use of our legal counsel.
- Employees will not be demoted, dismissed, disciplined or denied a promotion, advancement or employment opportunities because they lodged a harassment complaint when they honestly believed they were being harassed.
- Upon the completion of the investigation, a written report of the remedial action will be given to the employees concerned.



If the complainant decides not to lay a formal complaint, Senior Management may decide that a formal complaint is required (based on the investigation of the incident) and will file such document(s) with the person(s) against whom the complaint is laid (the respondent(s)).

If it is determined that personal abuse and/or harassment has occurred, appropriate disciplinary measures will be taken as soon as possible.

Fraudulent or Malicious Complaints

This Anti-Violence, Abuse & Harassment Policy must never be used to bring fraudulent or malicious complaints against employees. It is important to realize that unfounded/frivolous allegations of personal harassment may cause both the accused person and the company significant damage. If it is determined by the company that any employee has knowingly made false statements regarding an allegation of personal harassment, immediate disciplinary action will be taken. As with any case of dishonesty, disciplinary action may include immediate dismissal without further notice.

Disciplinary Measures

If it is determined by the company that any employee has been involved in a violent behaviour, unacceptable conduct or personal harassing of another employee, immediate disciplinary action will be taken. Such disciplinary action may involve counselling, a formal warning and could result in immediate dismissal without further notice.

Special Circumstances

Should an employee have a legal court order (e.g., restraining order, or “no-contact” order) against another individual, the employee is encouraged to notify his or her supervisor, and to supply a copy of that order to the Human Resources Department. This will likely be required in instances where the employee strongly feels that the aggressor may attempt to contact that employee at Trillium College, in direct violation of the court order. Such information shall be kept confidential.

If any visitor to the Trillium College workplace is seen with a weapon (or is known to possess one), makes a verbal threat or assault against an employee or another individual, employee witnesses are required to immediately contact the police, emergency response services, their immediate supervisor, and the Human Resources Department.

All records of violence, abuse and/or harassment, and subsequent investigations, are considered confidential and will not be disclosed to anyone except to the extent required by law. In cases where criminal proceedings are forthcoming, Trillium College will assist police agencies, lawyers, insurance companies, and courts to the fullest extent.

The Right to Refuse Unsafe Work

- This is a legal right of every worker. Trillium College is committed to ensuring a safe workplace.
- If you have any health and safety concerns or concerns related to violence, bring them to the attention of your supervisor.
- If you believe your health and safety may be endangered by the physical condition of the workplace or by any equipment or machine you are to use or operate or any situation related to violence, you have the right to refuse unsafe work. You must immediately report the refusal and your reasons to your supervisor.
- Management will be informed of the situation and your manager and a safety representative will investigate your concern with you.



- If, after the investigation, you still have reason to believe that you could be in danger, you may be assigned to other reasonable work and The Ministry of Labour; Occupational Health & Safety Department will be contacted to assist in further investigation.
- No reprisals will be taken against any employee who acts in compliance with or seeks protection under the provisions of The Occupational Health & Safety Act.

Confidentiality

Trillium College will do everything it can to protect the privacy of the individuals involved and to ensure that complainants and respondents are treated fairly and respectfully. Trillium College will protect this privacy so long as doing so remains consistent with the enforcement of this policy and adherence to the law.

Neither the name of the person reporting the facts nor the circumstances surrounding them will be disclosed to anyone whatsoever, unless such disclosure is necessary for an investigation or disciplinary action. Any disciplinary action will be determined by the Company and will be proportional to the seriousness of the behaviour concerned. Trillium College will also provide appropriate assistance to any employee who is victim of violence, abuse, discrimination or harassment.

Roles in Maintaining a Positive & Safe Work Environment

- When an employee has asked their manager to deal with a violence/abuse/harassment incident, the manager should:
- Support the employee without prejudging the situation.
- Work with the employee and document the offensive action(s) and have the employee sign a complaint.
- Contact their superior and/or senior management and provide details of the incident on behalf of the employee

Other Sections

Sexual Assault and Harassment Policy
Appendix 1 (attached)



Appendix 1

Resources:

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| ON-CAMPUS RESOURCES | |
| Campus Director | |
| ST. CATHARINES – 289.438.1918 | SUDBURY – 705.479.6541 |
| OSHAWA – 905.723.1163 | KINGSTON – 613.531.5138 |
| DIRECTOR, HUMAN RESOURCES | |
| 905.448.4130 x228 | |

OFF CAMPUS RESOURCES

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| <p><u>Niagara Regional Police</u></p> <p>Reporting of sexual violence, VICLAS report (anonymous report for crime tracking), Sexual Assault Unit.</p> <p>24-Hr Emergency: 911</p> <p>Non-emergencies: 905.668.4111</p> <p>In person: 68 Church St, St. Catharines</p> | <p><u>Durham Regional Police</u></p> <p>Reporting of sexual violence, VICLAS report (anonymous report for crime tracking), Sexual Assault Unit.</p> <p>24-Hr Emergency: 911</p> <p>Non-emergencies: 1.888.579.1520</p> <p>In person: 77 Centre St. N, Oshawa</p> | <p><u>Kingston Regional Police</u></p> <p>Reporting of sexual violence, VICLAS report (anonymous report for crime tracking), Sexual Assault Unit.</p> <p>24-Hr Emergency: 911</p> <p>Non-emergencies: 613.549.5660</p> <p>In person: 705 Division St, Kingston</p> | <p><u>Greater Sudbury Police</u></p> <p>Sudbury and Area Victim Services (SAVS), The Sudbury Rainbow Crime Stoppers, B.E.A.R. Unit (Break Enter and Robbery), Tactical and K9</p> <p>24-Hr Emergency: 911</p> <p>Non-Emergencies: (705) 675-9171</p> <p>In person: 190 Brady St, Sudbury, ON P3E 1C7</p> |
| <p><u>Victim Services Niagara</u></p> <p>24-hr crisis intervention for Victim / Survivors of crime and trauma, emotional support, referrals for</p> | <p><u>Victim Services Durham Region</u></p> <p>24-hr crisis intervention for Victim / Survivors of crime and trauma, emotional support,</p> | <p><u>Victim Services Kingston</u></p> <p>24-hr crisis intervention for victims of crime and trauma, emotional support, referrals for</p> | <p><u>Sudbury and Area Victim Services</u></p> <p>Offers on-site early intervention and crisis intervention; Provides safety planning and referrals to community</p> |



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| <p>additional community resources.</p> <p>24-Hr Crisis Line: 905.682.2626</p> | <p>referrals for additional community resources.</p> <p>Emergency Line: 911 (referral will be given by police department)</p> | <p>additional community resources.</p> <p>Emergency Line: 911 (referral will be given by police department)</p> | <p>services; Offers enhanced support for vulnerable victims; Provides assistance with applications to VQRP</p> <p>24-Hr Emergency: 911</p> <p>Office Phone:(705) 522-6970</p> |
| <p><u>Niagara Region Sexual Assault Centre</u></p> <p>Free counselling by therapists specializing in trauma, accompaniment and advocacy, legal advice and resources.</p> <p>24-Hr Crisis & Support Line: 905.682.4584</p> | <p><u>Sexual Assault Centre Durham</u></p> <p>Free counselling by therapists specializing in trauma, accompaniment and advocacy, legal advice and resources.</p> <p>24-Hr Crisis & Support Line: 905.668.3050</p> | <p><u>Kingston Sexual Assault Centre</u></p> <p>Free counselling by therapists specializing in trauma, accompaniment and advocacy, legal advice and resources.</p> <p>24-Hr Crisis & Support Line: 1.877.544.6424</p> | <p><u>Voices for Women Sudbury Sexual Assault Centre</u></p> <p>Voices for Women is a free, community based, service for women (women identified) who have experienced sexual violence.</p> <p>24 Hr -Sudbury Crisis Service: 1 877-841-1101</p> |

ACKNOWLEDGEMENT & AGREEMENT

I, _____, acknowledge that I have read and understood the **Anti Violence, Harassment & Bullying Policy** of Trillium College. Further, I agree to adhere to this Policy at all times. I understand that if I violate the rules and/or procedures outlined in this Code, I may be subject to corrective action up to and including termination without pay in lieu of notice.

Employee Signature

Date

Witness Signature

Date