



## University Students' Council of the University of Western Ontario

### DISCRIMINATION HARASSMENT AND VIOLENCE PREVENTION POLICY

**EFFECTIVE:** 26th February 2016

**SUPERSEDES:** 6<sup>th</sup> May 2015

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**AUTHORITY:** Chief Operating Officer

**RATIFIED BY:** Board of Directors

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**RELATED  
DOCUMENTS:**

- Executive Officer Accountability and Discipline Policy
- Volunteer Progressive Discipline Policy
- Discrimination Harassment and Violence Reporting Procedure

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#### **PURPOSE:**

This Policy reflects the USC's commitment to providing a harassment, discrimination, and violence free environment for its hired, elected, and volunteer positions, and those who come into contact with the individuals within those positions.

#### **1.00 SCOPE**

- 1.01** This policy applies to all USC employees and its Members, including hired, elected and volunteer positions. It applies to workplace harassment from all sources including the public.
- 1.02** The USC requires its employees and Members to act in accordance with this Policy while engaged in meeting duties owed to the USC and/or acting on behalf of or representing the USC.
- 1.03** This Policy is not intended to be applied to general student-to-student or student-to-University contact within the University of Western Ontario nor within the USC.
- 1.04** During USC Events or within USC Operations where student to student contact takes place, defer to emergency procedures (contact Campus Police) if needed.

#### **2.00 DEFINITIONS**

- 2.01** “**Discrimination**” means any action which limits or denies, or has the effect of limiting or denying any goods, services, benefits, advantages, opportunities, and/or facilities provided by the USC on the basis of a prohibited ground of discrimination.
- (1) “**Prohibited ground of discrimination**” includes but is not limited to race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex (including gender identity), age, marital status, same-sex partnership status, record of offences, sexual orientation, family status, and handicap.
- 2.02** “**Harassment**” means engaging in a course of vexatious comment or conduct that is known or ought reasonably be known to be unwelcome. Harassment does not include



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legitimate performance management issues or a reasonable action taken by an employer or supervisor relating to the management and direction of workers or the workplace. Conduct and/or behaviours that create an intimidating, bullying, demeaning or hostile working environment also constitutes harassment. Harassment includes sexual harassment.

- 2.03 **“Sexual harassment”** means engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome; or making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.
- 2.04 **“Poisoned environment”** means an environment in which harassing or discriminatory behaviours are sufficiently severe and/or pervasive and cause such significant and unreasonable interference in a person’s campus community environment that they may be deemed to be creating an intimidating, hostile, and offensive campus community environment. A poisoned environment can interfere with and/or undermine work or academic performance and can cause emotional and psychological stress that is not experienced by other employees, volunteers, or students. As such, a poisoned environment results in unequal terms and conditions of employment, involvement, or study and prevents or impairs full and equal enjoyment, involvement, goods, services, benefits, or opportunities.
- 2.05 **“Member”** includes a commissioner, coordinator, councillor, volunteer, committee member, employee, officer, member of the Board of Directors, and USC agent or representative. Individual members of USC ratified clubs are governed by the University of Western Ontario’s regulations.
- 2.06 **“Workplace Violence”** means any behaviour, including violent behaviour that creates a climate of violence, hostility, or intimidation and includes, but is not limited to: violent or threatening physical contact, direct or indirect threats, threatening, abusive or harassing phone call, possession of a weapon on company property, destructive or sabotaging actions against the Corporation’s or an employee’s or Member’s personal property, stalking, violation of a restraining order, threatening acts or abusive language that leads to tension within the work environment.
- 2.07 **“Domestic Violence”** is deliberate and purposeful violence, abuse and intimidation perpetrated by one person against another in an intimate relationship. It occurs between two persons where one has power over the other, causing fear, physical and/or psychological harm. It may be a single act or a series of acts forming a pattern of abuse. Children and young people may experience harm by being exposed to violence in adult relationships, being the direct victims of violence, or a combination of the two.



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**3.00 ADMINISTRATION**

- 3.01 The Human Resources Manager is responsible for administering the provisions of this Policy. In the event the Human Resources Manager is conflicted, the General Manager shall be responsible for administering the Policy.
- 3.02 In the event the General Manager is the Respondent in a complaint, the Human Resources Manager shall immediately notify the President who shall in consultation with the Board of Directors administer the Policy.

**4.00 GENERAL STATEMENT**

- 4.01 All acts of discrimination, harassment and violence are strictly prohibited. Every USC employee and Member must work in compliance with this Policy and the supporting programs.
- 4.02 The Corporation will hold all USC employees, Members and hired, elected and volunteer persons accountable by imposing discipline and other sanctions in accordance with this Policy and any other corporate policy.

**5.00 EXPECTATIONS AND RESPONSIBILITIES**

- 5.01 The USC shall:
- (1) Promote and support employment practices and volunteer opportunities free from harassment, discrimination, and violence;
  - (2) Ensure the protection of workers from Domestic Violence in the workplace that would likely cause physical injury to workers in the workplace;
  - (3) Undertake a Workplace Violence risk assessment, and take reasonable precautions, in order to protect employees and volunteers from Workplace Violence and establish controls for all risks identified in the risk assessment;
  - (4) Enforce this policy's objectives by establishing a complaints reporting procedure, investigating complaints, and responding where appropriate with remedial measures, up to and including termination;
  - (5) Provide educational opportunities that raise awareness of the University of Western Ontario community on issues associated with diversity and to provide skills-training programs that assist in the handling and prevention of discrimination, harassment, or violence;



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- (6) Support equal access to services and quality education for students with physical, sensory, and/or learning disabilities; and,
- (7) Notify appropriately affected employees of other potentially violent employees or persons associated with the USC.

**5.02 Employees and Members of the USC shall:**

- (1) Adhere to the provisions of this policy;
- (2) Refrain from engaging in discrimination, harassment or workplace violence;
- (3) Encourage, recognize, and support the use of:
  - i. gender-inclusive language, and,
  - ii. non-discriminatory language where a person(s) identified by a prohibited grounds of discrimination is concerned;
- (4) Ensure that all projects and events that they supervise and have control over remain non-discriminatory and free from any type of harassment;
- (5) Not contribute to or willfully ignore the presence of a poisoned environment;
- (6) Not participate in or ignore discrimination or harassment;
- (7) Respect the dignity and human rights of others. All Members are responsible for conducting themselves in a way that ensures others are able to function free from harassment and discrimination;
- (8) Report any incident of workplace discrimination, harassment or violence to their Manager/Supervisor immediately, and complete an Injury/Illness Reporting Form as directed by the procedures of the USC Injury/Illness Reporting Policy;
- (9) In the event of an emergency, to report a threat of violence or to seek assistance individuals may contact either Campus Police at ext. 911 or ext. 83300. For non-emergencies, employees should report to their immediate Manager/Supervisor; and,
- (10) Not ignore threatening or violent behavior. If you witness or experience violence or threats of violence, or feel that a colleague, student or visitor is likely to become violent, report the situation to a Manager/Supervisor, person in authority or Campus Police.



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5.03 USC Managers and Supervisors shall:

- (1) Report any act of discrimination, harassment or workplace violence to the Human Resources Manager as soon as possible; and,
- (2) Work with the Human Resources Manager to come up with a plan to address the safety of all employees affected.

**6.00 COMMUNICATION**

6.01 This policy will be explained as needed to workers through orientation health & safety training or task-specific training, and posted in the workplace as required.

6.02 All Members will be trained on this policy annually.

**7.00 EVALUATION**

7.01 This policy will be evaluated on an annual basis through the Continuous Improvement Plan.

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Cathy Clarke, General Manager

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Date