

VIOLENCE AND BULLYING IN THE WORKPLACE POLICY

Preamble

StFX University recognizes that violence is an occupational health and safety hazard. The University also recognizes the physical and emotional harm which results from violence. Any form of violence in the University workplace is unacceptable. The University is committed to minimizing and, to the extent possible, eliminating the risk of violence in the workplace.

Employees covered by this policy

This policy applies to all employees (including employed students) at StFX University.

A. Purpose and scope

1. It is the goal of StFX University to promote a safe, respectful and productive work environment in which to deliver quality academic programs and administrative services. To this end, the University will not tolerate, condone or ignore **threatening or violent behavior and/or bullying** in the workplace as described in this policy.
2. Each department head, manager, supervisor and employee is responsible for keeping the workplace free of **threatening or violent behavior and bullying**. This includes threatening or violent behavior by employees or non-employees (students, vendors, job applicants, visitors, spouses, etc.) against self, others, University property, or property on University premises belonging to others.
3. This policy covers all University premises and University-sponsored events as well as off-campus sites, if the violent, threatening or bullying behaviour arises out of or in connection with an employee's employment.

B. Existing related law and policy

1. StFX is responsible for providing a safe, secure environment for all employees: Nova Scotia *Occupational Health and Safety Act; Violence in the Workplace Regulations*.
2. Both federal and provincial laws prohibit discrimination as identified in the **StFX University Discrimination and Harassment Policy**. Employees who believe they are victims of or have observed such discrimination or harassment are strongly urged to contact either the HR Department or the Human Rights and Equity Advisor.
3. The University policy: **Firearms and Weapons Prohibitions Policy**, prohibits employees from unauthorized possession of weapons, including firearms or other items deemed by the Campus Security and/or Police to be dangerous, on University premises or at University events.
4. Certain violent or threatening behaviour can constitute a breach of criminal and/or civil law. When appropriate, the University will refer cases for criminal prosecution or civil action.

C. Threatening Behavior

1. Threatening behavior is defined as an expressed or implied threat to harm or interfere with an individual's health or safety, or with the property of the University, or property on University premises belonging to others, which causes a reasonable apprehension or fear that such harm or injury is about to occur.
2. Any employee who engages in threatening behavior will be subject to serious disciplinary action, which may include termination of employment. Examples of threatening behavior include, but are not limited to:
 - a. Direct or indirect threats of harm or injury;
 - b. Words or gestures which create a reasonable fear of harm or injury;
 - c. Prolonged or frequent shouting which creates a reasonable fear of harm or injury;
 - d. Stalking an individual.

D. Violent Behavior

1. Violent behavior is defined as the use of physical force or violence to inflict harm to others, to endanger the health or safety of another person or the property of the University or property on University premises belonging to others, or restrict the freedom of action or movement of another person.
2. Violent behavior is so serious that employees who engage in it can expect termination of their employment. Examples of violent behavior include, but are not limited to:
 - a. Unwelcome physical contact;
 - b. Slapping, punching, striking, pushing, or otherwise physically attacking a person;
 - c. Throwing, punching, or otherwise handling objects in an aggressive manner.

E. Bullying

1. Bullying is a form of violence in the workplace. Workplace bullying adversely affects the health and well-being of individual employees or groups of employees. StFX University recognizes its responsibility to prevent and eliminate bullying in the workplace. All employees have the right to work in an environment free from workplace bullying.
2. Bullying behaviours range from the very obvious such as physical and verbal assault and abuse through to the very subtle such as continually insulting or demeaning another person. The following are examples of the types of behaviour that might constitute bullying:
 - a. behaviour aimed to demean, humiliate or intimidate employees either as individuals or as a group;
 - b. less favourable treatment of a person by another in the workplace, beyond that which may be considered reasonable and appropriate workplace practice;
 - c. unwelcome and unreasonable behaviour that creates a hostile, uncomfortable, offensive or 'charged' work atmosphere leading to stress;
 - d. misuse of relative and/or assumed power;
 - e. comments intended to discredit or demean an employee or to unjustifiably devalue his or her work or capacity for work;
 - f. continual ignoring or exclusion of an employee or group of employees from normal conversation, work assignments, work-related social activities and networks;

- g. derogatory or intimidating remarks;
- h. unreasonable demands or performance targets;
- i. phone calls, letters or emails which are threatening, abusive or offensive;
- j. taking deliberate advantage of a lack of understanding or knowledge due to inexperience;
- k. constant, intrusive surveillance or monitoring;
- l. unnecessary intrusion into the personal relationships or lifestyle of an employee;
- m. unreasonably restrictive or petty work rules;
- n. intentional overwork or inappropriate demands for overtime or additional tasks;
- o. open or implied threats of demotion, dismissal or disciplinary action;
- p. emotional blackmail;
- q. criticism or denigration of an employee or employee(s) in front of others

Workplace bullying is not always a simple abuse of power from supervisors to subordinate employees. Employees or students can bully their supervisors, and workplace bullying can occur between members of an ostensibly equal group.

Procedure:

F. Reporting and investigating threatening or violent behavior or bullying in the workplace

1. Any employee who experiences, observes, or has knowledge of threatening or violent behavior or bullying in the workplace must report the situation as soon as possible.
 - a. In all cases of an actual or imminent act of violent behavior, the employee must immediately notify Campus Security and/or Police.
 - b. Employees must report all cases of threatening or violent behavior or bullying to the employee's supervisor or department head *and* to the Human Resources Department.
2. The Human Resources Department shall ensure the documentation and prompt investigation of any reported incident.
3. The Human Resources Department and, as appropriate, Campus Security and/or Police will undertake the investigation of all reports of threatening or violent behavior, and ensure that such investigation is undertaken promptly, fairly, effectively and as confidentially as possible.
4. The Human Resources Department and, as appropriate, Campus Security and/or Policy will determine the causes of any incident and any actions needed to prevent reoccurrence, including but not limited to a temporary restraining order or injunction on behalf of an employee or the University to reduce the chances of further violence or threats of violence in the workplace.
5. All employees are required to cooperate in any investigation.
6. Notice of the actions taken to prevent a reoccurrence of an incident of violence, threatening behaviour or bullying shall be given to any employee affected by the incident, and the University's Occupational Health and Safety Committee.
7. An employee who believes he or she is a victim of threatening or violent behavior or bullying, whether workplace or not, may also contact the StFX Human Rights and Equity Advisor or the Employee & Family Assistance Program (EFAP), to obtain advice and counselling in dealing with the situation.
8. Any form of retaliation against any person for making a bona fide report concerning threatening or violent behavior in the workplace is prohibited; therefore, such retaliation must also be reported.

9. A false, fraudulent or malicious report will constitute grounds for discipline, up to and including termination, as well as possible criminal arrest and prosecution.

G. Reporting non-work-related violence

1. Employees who are victims of domestic or other threatening or violent behavior outside the workplace, or who believe they are potential victims of such behavior, and fear it may enter the workplace, must report the situation as soon as possible.
2. In all cases of an actual or imminent act of violent behavior, an employee must notify Campus Security or Police in addition to notifying the Human Resources Department.
3. An incident of violence, threatening behaviour or bullying in the workplace, which arises from or causes events outside the workplace, will be addressed through the reporting, documentation and investigation procedures established pursuant to section F, above.

H. Non-disciplinary and disciplinary action

1. Examples of actions that will be taken when an employee has been found to have violated this policy include, but are not limited to, the following:
 - a. Mandatory participation in counseling;
 - b. Corrective/disciplinary action up to and including termination;
 - c. Criminal arrest and prosecution;
 - d. Special procedures such as job relocation or a court order or injunction.