



THE UNIVERSITY OF WINNIPEG

POLICY TITLE: Violence Prevention Policy

EFFECTIVE DATE: May 29, 2018

APPROVAL BODY: University Administration

POLICY PURPOSE

The purpose of this Policy is to affirm the University's commitment to providing a safe working, learning, and living environment, to prevent or minimize the occurrence of violent incidents on campus, and to meet our legislative obligations as an Employer in Manitoba, as defined under *The Manitoba Workplace Safety and Health Act and Regulations*.

LEGAL AUTHORITY

The Manitoba Workplace Safety and Health Act and Regulations ("the Act and Regulations")

APPLICABILITY

This Policy applies to all members of the University community including employees, contractors, students, and volunteers, as well as visitors and any other individuals engaged in duties or activities having a substantial connection to the University.

This Policy applies to risks, threats and incidents of Violence that occur on University premises and other work and study sites under the University's jurisdiction, or during the course of a University sponsored event in which our employees or students are participants.

This Policy also applies to conduct involving Social Media that has an identifiable and substantial link to the University or that affects the University's working, learning, or living environment.

This Policy does not apply to:

- incidents involving harassment and discrimination as defined under the Respectful Working and Learning Environment Policy; and
- Incidents involving sexual violence as defined under *The Sexual*



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Violence Awareness and Prevention Act and covered by UWinnipeg's Sexual Violence Prevention Policy (currently under development).

- Incidents arising during sport or other demonstration events that do not meet the definition of Violence under this Policy.

RESPONSIBILITY

The Vice-President, Human Resources, is responsible for the development, administration and review of this Policy.

KEY DEFINITIONS

The following definitions apply to terms as they are used in this Policy and associated Procedures:

- **Administrator:** Anyone who has sufficient authority to take or ensure the taking of remedial action including Deans, Directors, Heads of administrative units, the Registrar, Provost, Deputy Provost, Vice-Presidents, Associate Vice-Presidents, and the President. In the case of a student the Administrator shall in most cases be the Registrar.
- **Employer:** The University of Winnipeg.
- **Serious Incident:** A serious incident as defined under the “Act and Regulations”.
- **Social Media:** Digital communication platforms used to develop social and professional contacts and to share opinions, insights, experiences and perspectives via comments, shared video or audio files. Social Media platforms include, but are not limited to blogs, Wikipedia, Facebook, Twitter, Instagram, Flickr and YouTube.
- **Supervisor:** A person who has charge of a workplace or authority over a Worker and shall include Deans, Department Chairs, Directors, Managers or any other employee with supervisory responsibilities.
- **Violence:** The attempted or actual exercise of physical force against a person; and any threatening statement or behavior that



gives rise to a reasonable belief that physical force will be used against a person or persons.

- **Worker:**

- Any person employed by the University to perform a service whether for gain or reward, or hope of gain or reward or not; or
- Any person engaged by another person to perform services, whether under a contract of employment or not who:
 - Performs work or services for another person for compensation or reward on such terms and conditions that he is, in relation to that person, in a position of economic dependence upon that person more closely resembling the relationship of any employee than that of an independent contractor;
 - Works or performs service in a workplace which is owned or operated by the person who engages him to perform services; or
- Any person undergoing training or serving an apprenticeship at an educational institution or any other place. As an example, at the University of Winnipeg this can include, but is not limited to, individuals who are serving an apprenticeship as part of a community college program, or self-funded post-doctoral fellows.

- **Workplace:** Any building, site, workshop, structure, vehicle, or any other premises or location, whether indoors or outdoors and whether on or off campus in which one or more Workers are engaged in work or have worked.

POLICY ELEMENTS

Principles:

The University strives to provide a safe working, learning, and living environment for employees, students, and visitors. As a responsible Employer, the University will assess risks of Violence for employees, and students and visitors insofar as is reasonably possible, and take steps to minimize those risks.



The University will not tolerate Violence on or off campus or through Social Media, and will take action to address such behaviour. This action will include investigations of incidents or allegations, resulting in the following:

- a) disciplinary consequences up to and including dismissal under any applicable collective agreement or pursuant to applicable University policies;
- b) disciplinary consequences up to and including expulsion under applicable University policies such as the Student Non-Academic Conduct and Discipline Policy;
- c) debarment from the University campus; and/or
- d) taking action for breach of contract, where applicable.

The Policy is not intended to discourage or prevent a complainant from exercising any other rights, actions, or remedies they may have pursuant to law.

Malicious Complaints:

Individuals are prohibited from recklessly and/or knowingly making a false complaint of Violence, or recklessly and/or knowingly providing false information about a complaint of Violence. If an investigation determines that a complainant has deliberately or maliciously filed a claim in order to damage the reputation of an individual or group, or otherwise filed in bad faith, or knew or ought reasonably to have known that the claim had no basis in fact such conduct will be addressed and appropriate action taken by the University. A malicious complaint may be grounds for discipline or sanction under other University Policies, collective agreements or contracts.

ASSOCIATED PROCEDURES

- Violence Prevention Procedures

RELATED POLICIES

- Acceptable Use of Information Technology Policy



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- Respectful Working and Learning Environment Policy and Procedures
- Sexual Violence Prevention Policy and Procedures (*under development*)
- Student Non-Academic Conduct and Discipline Policy and Procedures
- Workers Working Alone/in Isolation Policy
- Workplace Health and Safety Policy

RELEVANT DATES

Originally Issued:	<u>Not Applicable</u>
Revised:	<u>Not Applicable</u>
Effective:	<u>May 29, 2018</u>
Scheduled Review:	<u>2023</u>