

Anti-Violence Policy

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Category: General Policies

Policy Number: CSM 03

Responsible Authority: President, College of Sports Media

Approval: President, College of Sports Media

Last Reviewed/Revised: August 31, 2018

Mandatory Review/Revision: No later than Augusts 31st, 2020

Purpose

This policy is intended to ensure that every member of The College of Sports Media (CSM) community experiences and contributes to an understanding and respectful study and work environment that is free from violence.

The College of Sports Media ascribes to the **Ontario Human Rights Code** (“the Code”). The Code states that it is public policy in Ontario to recognize the inherent dignity and worth of every person, and to provide for equal rights and opportunities without discrimination. The Code aims to create a climate of understanding and mutual respect for the dignity and worth of each person so each person feels part of the community.

Scope

1. This policy applies to all members of The College of Sports Media community engaged in college-related study, work, relevant off-site activities, social interaction or other contact.

Specifically:

- a) All students;
- b) All faculty, consultants or contract employees, including academic and non-academic;
- c) Members of CSM’s Advisory Board;
- d) Members of any college-related committee, established by the college;
- e) Independent contractors, such as those undertaking construction or providing services or conducting research for CSM;
- f) Volunteers; and
- g) Visitors on campus and at college-related functions off-site.

2. This policy applies to incidents of violence that occur on CSM's premises including, but not limited to:
 - a) While engaged in academic- or work-related activities;
 - b) At college-related social functions;
 - c) This policy applies to incidents of violence that occur between members of The College of Sports Media community when involved in college-related academic or work activities off college premises including, but not limited to:
 - d) In the course of academic placements or academic-related work;
 - e) In the course of work-related field assignments;
 - f) During academic- or work-related travel; or
 - g) At college-related social functions.

Related policies:

- Anti-Oppression, Access and Equity
- Human Resources
- Anti Bullying
- Safety Statement
- Sexual Harassment and Sexual Violence

Definition of Violence for the Purpose of this Policy

Workplace violence is defined as follows:

- Exercise of physical force by one person or group against another person that causes or could cause physical injury to that person;
- Attempt(s) to exercise physical force by one person or group against another person that could cause physical injury;
- A statement or behavior that is reasonable for a student to interpret as a threat to exercise physical force that could lead to physical injury;

Policy

- a. The College of Sports Media is committed to the prevention of workplace violence and is responsible for the health and safety of its students and other stakeholders of the college.
- b. Workplace violence at The College of Sports Media is unacceptable under any circumstances. This policy applies to management, students, faculty, visitors, consultants and other stakeholders.
- c. Everyone is expected to uphold the policy and work collaboratively to prevent workplace violence.
- d. The College of Sports Media is committed to implement this policy and all related procedures are implemented in a timely manner and that all stakeholders are informed and trained appropriately on protection from workplace violence.
- e. All faculty and administrative staff of the college are expected to fully comply with this policy and related procedures and for modeling leadership behavior that is consistent with the purpose, spirit and intent of this policy;
- f. All stakeholders are encouraged to raise any concerns and report any incidence of violence in the school. Management commits to investigate promptly and to address issues in a timely and effective manner while protecting privacy and confidentiality and dignity and human rights of all involved.
- g. What follows are the Workplace Violence Procedures that implement the Workplace Violence Policy. The program sets out measures to control the risks of workplace violence identified by The College of Sports Media, to summon immediate assistance when workplace violence occurs and a process to report incidents of violence in the college.

Procedures

- a. Any immediate danger of violence or any immediate violent actions should be reported immediately to the police
- b. College Faculty or staff should secure the situation as best as possible and wait for the police authorities to manage the violent situation or behavior.

Measures to be taken by The College of Sports Media to Control/ Manage Risks

The following is a list of measures that have been taken to control the risk of workplace violence:

1. Front door is locked at all times and requires students/faculty of administrative staff to use a FOB or be buzzed in.
2. Training of key faculty or administrative staff in de-escalation procedures.
3. Anti Violence training and awareness building for students, faculty and other stakeholders on the Workplace Violence Policy to occur annually at student and faculty orientation.

Summoning Immediate Assistance:

Anyone who requires immediate assistance as a result of the occurrence or likely occurrence of violence at the college should call the Police and inform the staff as soon as possible, to facilitate assistance.

Reporting Campus Violence:

- a. All stakeholders are encouraged to raise concerns about violence at the college. All occurrences of violence must be reported to the President or his designate as soon as possible after the incident occurs.
- b. If possible, the complainant will be required to complete a written incident report which will include information about the incident including the time, date and location of the incident and the names of any individuals who may have witnessed the incident.
- c. Alternatively, if the complainant is not able to complete a written report, s/he will be able to orally provide the aforesaid information to the President or his designate.
- d. **In the event that the allegation is against the President or his designate, the College's Advisory Board of Trustee's designate will receive the complaint.**

Investigation Process:

- a. Upon receiving a formal complaint of violence at the college, or upon otherwise becoming aware of an incident of violence, the President or his designate will:
 1. investigate the complaint or incident;
 2. advise the respondent(s) in writing of the investigation of the complaint or incident;
 3. advise the complainant of the investigation;
 4. carry out the investigation or assign the investigation to another designated individual not involved in the incident.
 5. The investigator will explore the allegations by conducting interviews with the complainant, the respondent, and any others that may have knowledge of the incident; and
 6. prepare a written report of his or her findings regarding the incident **within 7 days** of receiving the complaint or otherwise becoming aware of the incident. More time to complete the report can be permitted to allow for a complete investigation. The report will clearly indicate whether there is:
 - I. sufficient evidence to substantiate that workplace violence has occurred and/or that the Workplace Violence Policy was contravened; or
 - II. insufficient evidence to substantiate that the workplace violence has occurred and/or that the Workplace Violence Policy was contravened.
 7. The report of findings will be shared with affected parties as well as the President whose task it is to review reports and develop recommendations for enhanced safety in the school and other appropriate action- if applicable and possible.
- b. All documents related to a complaint or incident of violence, including the written complaint, witness statements, investigation notes and reports, and documents related to the complainant will be maintained by the President or his designate – unless the complaint is against the President or his designate in which case it will be maintained by the appropriate representation from the College’s Advisory Board of Trustees.

Incident Reporting Requirements

- a. If a student or other stakeholder is temporarily disabled from performing his or her usual school work or requires medical attention because of an **incident of workplace violence**, but no person dies or is critically injured because of that occurrence, the President or his designate must give written notice and full details of the occurrence within four days to the appropriate workplace incident file:
- b. Incident reports will be reviewed by the President or his designate **annually** with an eye to enhanced activities for safety in the workplace.

Corrective Action:

If sufficient evidence was found to substantiate that workplace violence has occurred and/or that the Workplace Violence Policy was contravened, the President or his designate will consider corrective action. Possible corrective actions include:

1. an apology from the respondent to the complainant with a commitment not to repeat the action;
2. a simple contract with offending party to alter behavior;
3. a verbal warning to the respondent
4. transfer or relocation of one party to another program stream if possible;
5. mandatory counseling of the respondent;
6. mandatory anger management training
7. written warning
8. suspension of the respondent from school for a period of the school term
9. Expulsion of the respondent.

Non-Retaliation

All persons involved in the processing of a complaint will ensure that the Complainant is neither penalized nor subjected to any prejudicial treatment as a result of making the complaint. Disciplinary action will be taken against any person who takes any reprisal against a person who reports workplace violence.

Making False Statements

(a) It is a violation of this anti-violence Policy for anyone to knowingly make a false complaint of violence or to provide false information about a complaint. Disciplinary measures as outlined above will also apply.

(b) Individuals who violate this Policy are subject to disciplinary and / or corrective action up to and including termination of employment of instructors or staff or expulsion of a student.

Opportunity for Review/Appeal of Findings

The Complainant or Respondent may request a review of the complaints resolution process to the President and or their designate on the following grounds:

- That the procedures outlined in this policy were not followed; or
- That there were compelling or extraordinary circumstances that were not considered.

The Complainant or Respondent must request a review within ten (10) working days of receiving the copy of the decision. The request must include the reasons for requesting the review, and evidence to support the request.

The President and or his designate will review the decision to identify whether there is evidence that:

- The procedures outlined in this policy were not followed;
- Procedural fairness was not demonstrated; or
- Compelling or extraordinary circumstances that were beyond the complainant's or respondent's control, and that could have had a bearing on the decision, were not considered.

If appropriate evidence is identified, the President and or his designate will make amendments to the decision. If no evidence is identified, the decision will stand.

A letter will be filed with the complainant and respondent that sets out the outcome of the review, and informs both parties that the decision is final with no internal avenue for further review.

Definitions

Workplace Violence:

- a) the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker,
- b) an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker,
- c) a statement or behavior that it 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 the worker.

Stakeholder: For the purpose of this policy, a stakeholder at The College of Sports Media means a person who is engaged and present at the school as a student, faculty member, administrative staff, volunteer or consultant who performs work or services for monetary compensation.

Management: For the purpose of this policy, Management at The College of Sports Media means a person has specific responsibility and authority for areas of operation-e.g. the President or his designate.