

Policy on A Respectful Workplace and Learning Environment

Office of Administration:	Vice President, Administration Vice President, Academic and Provost
Approval Authority:	Board of Governors
Approval Date:	April 15, 2016
Next Review:	February 2017 (Annually)
Review History :	Effective Date: October 19, 2007; revised: April 15, 2011, April 27, 2012, June 21, 2013, February 13, 2015

1. Purpose

1.1 This policy which is Laurentian University’s Policy on Discrimination and Harassment is intended to:

- 1.1.1 Promote a respectful, diverse and inclusive community where every person can work and learn in an environment that is supportive of productivity and academic achievement and respects the dignity and worth of all members of the Laurentian University community;
- 1.1.2 Promote a workplace and learning environment that is free of discrimination, harassment and/or bullying;
- 1.1.3 Protect the health, safety and security of the University community;
- 1.1.4 Outline the rights, responsibilities and types of behaviour that fall within the scope of this policy;
- 1.1.5 Outline procedures for handling and resolving complaints of alleged discrimination, harassment and/or bullying;
- 1.1.6 Meet the requirements of the Occupational Health and Safety Act, 1990 and the Ontario Human Rights Code, 1990 (the Code).
- 1.1.7 This document is the companion policy to Laurentian University’s Policy on Workplace Violence Prevention, a policy aimed at creating and fostering a work environment free from actual, attempted or threatened workplace violence.

2. Scope

2.1 This policy applies to all employees, students, contractors, volunteers and visitors to the Laurentian University workplace and learning environment.

2.2 For the purpose of this policy, the University workplace and learning environment includes all locations where University business occurs, including but not limited to, teaching, learning, research and administration.

2.3 No policy can provide a full description and definition of behaviours that fall within the meaning of discrimination, harassment and/or bullying. Appendix A of the Program supplementing the Policy on a Respectful Workplace and Learning Environment lists examples of behaviours that can fall within these definitions.

2.4 This policy also has an accompanying Program (including procedures) and training.

3. Definition/Principles:

3.1 “Administration or Administrators” means members of the Executive Team, senior academic administrators appointed by the Board, Chief Information Officer, Associate Vice-Presidents, Executive Directors, Associate Deans, Managers and other non-unionized supervisory positions.

3.2 “Alternative Dispute Resolution (ADR)” means a process that parties can use to reach their own agreement and can include mediation, negotiation, facilitation, conflict resolution conferences, and other dispute resolution techniques. The Office of Equity, Diversity and Human Rights shall normally conduct ADR of matters falling under the policy. However, Laurentian University’s Executive Team reserves the right to initiate ADR procedures independent of the Office of Equity, Diversity and Human Rights.

3.3 “Assertive Management Style” means a management style where a manager is fair, firm and direct when needed, recognizes the rights of others, respects and preserves the dignity of others and communicates in a clear and direct manner without threatening, attacking or being hostile.

3.4 “Executive Team” (ET) means the President and Vice Chancellor, Vice Presidents, Executive Director, Student Life, Enrolment Management and International, University Secretary and Legal Counsel, Chief Advancement Officer, Executive Director, Human Resources and Organizational Development and Chief of Staff.

3.5 Harassment includes all forms such as Bullying (Psychological Harassment), Human Rights Harassment, Sexual Harassment and Workplace Harassment.

3.5.1 “Bullying”(Psychological Harassment) means engaging in a course of vexatious comments or conduct against an employee, student, contractor, volunteer or visitor to the Laurentian University workplace and learning environment that is known or ought reasonably to be known to be unwelcome. This includes bullying, which is persistent, offensive, abusive, intimidating or insulting behaviour, abuse of power and/or unfair punitive sanctions which make the individual feel threatened, humiliated and/or vulnerable, which undermine the individual’s self-confidence and/or reduce the individual’s feelings of self-esteem and self-worth, and which may cause the individual to suffer stress. Bullying need not be based on one of the prohibited grounds listed in the Code.

3.5.2 “Human Rights Harassment” means a course of vexatious comments or conduct that is known to be or ought reasonably to be known to be unwelcome/unwanted and that is based on race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences (in employment only), marital status, family status or disability as defined by the Code. A single act of sufficient severity may also be found to constitute harassment.

- 3.5.3 “Sexual Harassment” means one or a series of comments or conduct of a gender related or sexual nature that is known or ought reasonably to be known to be unwelcome/unwanted, offensive, intimidating, hostile or inappropriate.
- 3.5.4 “Workplace Harassment” means engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome as defined under the *Occupational Health and Safety Act, 1990*.
- 3.6 “Human Rights Discrimination” means differential treatment of a person based on race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences (in employment only), marital status, family status or disability as defined by the Code. Discrimination has the effect of imposing burdens, obligations, or disadvantages on such individual or group not imposed on others, or which withholds or limits access to opportunities, benefits, and advantages available to other members of the Laurentian University community or society in general.
- 3.7 “Laurentian University Community or Laurentian Community” means employees and students.
- 3.8 “Senior Administration or Senior Administrator” means members of the Executive Team, senior academic administrators appointed by the Board, Chief Information Officer, Associate Vice-Presidents and Executive Directors.
- 3.9 “Systemic discrimination” occurs when regulations, policies, procedures and practices have an unintended adverse impact associated with one or more of the prohibited grounds as defined in the Code.

4. Policy Statement

- 4.1 Each individual has the right to participate, learn and work in an environment that promotes equal opportunities and prohibits all forms of discrimination, harassment and/or bullying as defined in this policy.
- 4.2 All acts of discrimination, harassment and/or bullying are strictly prohibited. All employees, students, contractors and volunteers shall work and learn in compliance with this policy.
- 4.3 Laurentian University shall hold employees, students, contractors, volunteers and visitors accountable by imposing discipline and/or other sanctions. In doing so, Laurentian University will act in accordance with the rights and obligations established by collective agreements and University policy.
- 4.4 All persons have a responsibility to ensure the workplace and learning environment is a safe and healthy environment free from discrimination, harassment and/or bullying.
- 4.4.1 Laurentian University and all members of the Laurentian University community share the responsibility for providing and maintaining a healthy learning and work environment that is free from discrimination, harassment and/or bullying, and where collaboration, comprehension and mutual respect exist. This means not engaging in, allowing, condoning, or ignoring behaviours contrary to this policy.

- 4.4.2 Contractors, volunteers and visitors will also be held accountable for conducting themselves in a manner that is free from discrimination, harassment and bullying.
- 4.4.3 Laurentian University has a duty of care under the *Occupational Health and Safety Act, 1990*, the *Employment Standards Act, 2000*, the *Labour Relations Act, 1995* and the *Ontario Human Rights Code, 1990*. Therefore, no member of the Laurentian Community can ignore unacceptable behaviour. Every member of the Laurentian University community has a legal obligation to bring to the attention of administration any unacceptable behaviour he/she might be subjected to or witness. This policy is consistent with assertive management.
- 4.4.4 Every administrator shall communicate this policy to their employees and require all employees to attend relevant training related to this policy and its procedures.
- 4.4.5 Every administrator shall ensure compliance and when required, take remedial or corrective/disciplinary action against a member of faculty, staff, administration, or a student, volunteer, visitor, or contractor ensuring this is done fairly and in accordance with the disciplinary measures within relevant collective agreements and University policy.
- 4.4.6 Every employee shall:
 - 4.4.6.1 Take responsibility for their own behaviours and actions.
 - 4.4.6.2 Recognize and support the right of all individuals to dignity at work and study and maintain an environment in which this can flourish.
 - 4.4.6.3 Familiarize themselves with this policy and program, which shall include attending appropriate training.
 - 4.4.6.4 Take the initiative in identifying harassment and/or discrimination and shall take reasonable corrective or preventative action in accordance with this policy and its procedures.
- 4.4.7 The Students' Associations have the responsibility, with the University, to promote student awareness about their behaviour and their personal responsibilities under this policy and procedures.