

Policy Title: Violence, Harassment, and Discrimination and Response Prevention
Policy Approver: President’s Office
Policy Holder: Human Resources
Category: Operational
Original Date: September 2021
Next Review: September 2022

Policy Statement

Yukon University expects members of the University community to treat others with dignity and respect. Violence, harassment, and discrimination are prohibited within University spaces and practices and will not be tolerated. The University will take proactive actions to prevent violence, harassment, or discrimination against any University community member, and acknowledges that every employee is entitled to employment free of violence, harassment, and discrimination and that every student is entitled to a learning environment free of the same. The University is committed to eliminating, or if unable to eliminate then minimizing and controlling, the risks of violence, harassment, or discrimination in the workplace, in spaces where the University’s work is being done, and in University learning environments.

Employees and students have the right to bring complaints of violence, harassment, or discrimination forward, whether the complaints involve them directly or they have been witness or bystander to an incident, and to have their complaints heard and responded to quickly and fairly.

To support its commitment to the prevention of violence, harassment or discrimination, the University commits to the following actions:

- The University will conduct periodic workplace hazard assessments, including assessing the potential for violence, harassment and discrimination;
- The University will review and update this policy and the accompanying procedures at least every three years;
- The University will organize, support, and provide education and training to all employees in workplace violence, harassment, and discrimination prevention; the

identification of workplace hazards, including violence, harassment, and discrimination; appropriate responses to incidents and injuries; how to report, investigate, and document incidents and injuries; and on the remaining details of this policy.

Yukon University will act on all alleged incidents of harassment, violence, or discrimination, making use of informal and formal mechanisms as appropriate, and commits to effectively responding to, supporting, or remedying all substantiated allegations. The University has the responsibility to respond promptly to known or apparent incidents of discrimination and harassment, whether or not a complaint has been filed.

The privacy of everyone involved in a complaint or incident of violence, harassment, or discrimination will be protected as much as possible. The University shall not disclose the circumstances related to an incident or complaint of harassment, violence, or discrimination, or the names of the complainant, the person alleged to have committed the violence, harassment, or discrimination, or any witnesses, except where specified in this policy's procedures.

Nothing within this policy or its procedures will be understood to limit employees' exercise of rights under any other laws, including human rights legislation.

Approval Statement

With the consent of the Senior Team, and approval of the President of Yukon University, this policy is hereby deemed in effect the _____ day of _____, 2021.

President, Yukon University

Date

1. Purpose of Policy

This policy is intended to protect members of the University community from harassment, violence, and discrimination in all University spaces, to set out expectations of conduct, and to outline options for responding to incidents of violence, harassment, or discrimination.

2. Governing Legislation and Relevant Documents

Yukon University Act
Collective Agreement
Occupational Health and Safety Act
Yukon Human Rights Act
Yukon University Code of Ethics
Yukon University Emergency Response Plan
AS 23.0 – Emergency Response - Individual Incident Response
PO 2.0 – Health and Safety
SS 11.0 – Threat Assessment
VPA 2.0 – Non-Academic Student Misconduct
HR 7.0 -Sexualized Violence Prevention and Response Policy

3. Scope

This policy applies to all spaces where work is being done by Yukon University campus employees, including all University campuses and spaces, off-campus workplaces, and on-the-land activities. The policy covers all employees of Yukon University, including those in management roles, University students, and visitors to University spaces.

The University will respond to complaints of student-on-student harassment, violence, or discrimination in accordance with the University's Non-Academic Student Misconduct Policy.

The University will respond to complaints of sexualized violence in accordance with the University's Sexualized Violence Prevention and Response Policy.

This policy is not intended to address workplace conflict, which may stem from differences of opinion, communication styles, or personalities. Instances of conflict may be resolved by the individuals involved or with the support and advice of the Human Resources department.

4. Definitions

Bullying

- includes any inappropriate conduct or comment, normally repeated, that the person knew or reasonably ought to have known would cause that worker to be humiliated or intimidated.

Discrimination

- any form of unequal adverse treatment of a person or group, whether intentional or not, on the basis of one or more prohibited ground set out in the Yukon Human Rights Act.

Harassment

- bullying or any other objectionable conduct or inappropriate comment
 - that occurs in a workplace, is work-related,
 - that the person knows, or ought reasonably to know, is likely to be unwelcome, and
 - that adversely affects the employee's physical or psychological well-being or constitutes a threat to the employee's health and safety;
- includes someone engaging in bullying or a course of inappropriate comments to, or in relation to, the employee, or a course of objectionable conduct against the employee
 - that occurs in a workplace, is work-related,
 - that the person knows, or ought reasonably to know, is likely to be unwelcome, and
 - that relates to, or is motivated by, prohibited grounds under the Yukon Human Rights Act;
 - does not include reasonable conduct of a person who is an employer or supervisor in respect of the management of employees or a workplace;

- for example, reasonable and appropriate conduct in giving instructions, assigning or altering workers' job duties, deciding schedules and workloads, evaluating performance, or taking disciplinary actions;
- not every incident of unpleasant interactions, disrespectful behaviours or conflict is necessarily harassment, although it may develop into violence, harassment, or discrimination.

Hazard

- a thing or condition that may expose a person to a risk of injury, including violence or harassment.

Sexualized Violence

- Any sexual act or act targeting an individual's sexuality, gender identity or gender expression, whether the act is physical or psychological in nature, that is committed or threatened or attempted against an individual without that individual's consent. This includes but is not limited to sexual assault, sexual harassment, stalking, indecent exposure, voyeurism, distribution of intimate images, inducing intoxication, impairment, or incapacity for the purpose of making another person vulnerable to non-consensual sexual activity, and other comparable conduct.

University Activity

- any activity that is directly connected to the operations of the University at any location (including online learning environments and field work), voluntary or mandated University-supported cultural or traditional ecological knowledge gatherings, or any activity where an employee, student, or group of employees and/or students are representing the University.

University Community includes:

- credit and non-credit students, including distance students and continuing education students;
- employees, including faculty, support staff, term employees, and casual employees;

- persons contracted to provide a good or service for the University;
- anyone holding a University appointment;
- post-doctoral fellows;
- all persons who are employed under contracts with University faculty members as the employer and who provide research or administrative services directly supporting faculty members' research and/or scholarly activities;
- visiting scholars, research associates, and adjunct faculty;
- anyone contractually required to abide by University policies;
- anyone volunteering with a University program or activity, including those receiving honoraria for their contributions;
- members of the wider public who are not enrolled in any credit or non-credit course but who are nonetheless using a University service or space.
- members of the Board of Governors and Senate; and
- anyone who ordinarily resides on campus because of their relationship with the University.

Violence

- any of the following that occurs in a workplace or is work-related:
 - the threatened, attempted, or actual exercise of physical force by a person that causes, or is likely to cause, an injury to a worker; or
 - a threatening statement made, or any conduct engaged in by a person that gives a worker reasonable cause to believe that the worker is at risk of injury

5. Guiding Principles

- The University recognizes its responsibility to be proactive in creating a culture of inclusivity and respect in its work and operations, and of being responsive to all complaints of harassment, violence, or discrimination;
- Yukon University community members also collectively share in the responsibility of creating and maintaining an environment free from harassment, violence, and

discrimination by conducting themselves in a respectful manner. This includes complying with this policy, as well as with the Yukon University Code of Ethics;

- The University recognizes that harassment, violence, and discrimination are both human rights and health and safety matters which can have an impact on the physical, mental, and emotional well-being of an individual and the overall health of the University and University community;
- Yukon University recognizes that the University is an environment in which power imbalances are inherent. Yukon University recognizes that people’s experiences will be affected by factors for example but not limited to; access to power and privilege, sex, sexual identity, gender identity or expression, racialization, age, family status, religion, faith, ability, disability, national or ethnic origin, indigeneity, cultural worldview, immigration status, socio-economic status, class and language. These factors, along with an individual’s personal history, impact individual experiences of harassment, violence, and discrimination, the ability to access supports, and choices with regard to recourse. Yukon University will take this into account when carrying out its responsibilities under this policy;
- University community members who are in University spaces and/or participating in a University activity are expected to assume responsibility for their actions, follow the laws that apply to the land that they are visiting, and respect the rights, privileges, and safety of others.

6. Other Related and/or Accompanying Documents

Addendum A – Policy Communication Checklist

HR 12.1 – Harassment, Violence, and Discrimination Prevention and Response Procedures

7. Document History

Include all updates here, including maintenance and editorial changes beginning with formal approval.

<i>Date</i>	<i>Update</i>
September 2021	Approved by Yukon University President.

Version:	September 2021	Revised:
Original Date:	September 2021	Revised:
Next Review:	September 2022	Revised:
Policy holder:	Human Resources	Revised:
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Violence, Harassment, and Discrimination Prevention and Response Policy – HR 12.0

Human Resources

ADDENDUM A - POLICY COMMUNICATION CHECKLIST

Policy Name: Harassment, Violence, and Discrimination Prevention and Response Policy
 Number: HR 12.0
 Submitted by: Sarah Hancock

List those consulted with in preparation of this policy:

Name	Department	Date
Michael Kulachkosky	Policy Analyst	
Various	OH&S Committee Members	
Mike Barwell	Yukon University Employees' Union	
Serge Bagranovski	Safety and Security	
Robin Bradasch	First Nations Initiatives	
Various	Human Resources	
Serge Labelle	Occupational Health and Safety Officer	

This checklist must be completed prior to the final draft of a policy being presented to SEC for presidential approval.

Body	Communication Planned?	Completed?	Comments
SEC			
Student Union			
Employee's Union			
Occupational Health and Safety			
Senate			
Board or a Board subcommittee			
Other			
SEC for Final Review	[Month] [Year]		