

Procès-Verbal / Minutes Meeting (by TEAMS)
April 20, 2021, 1:30pm to 2:30pm

Committee members	Names	Attendance
<i>Unions/Associations</i>		
APUO	Jennifer Dekker	x
APTPUO	Gustavo Beritognolo	x
IUOE, 772A	vacant	-
IUOE, 772B	vacant	-
OSSTF	Michèle Lamarche	x
CUPE, 2626	Mikaela Bubna	x
CUPE, lifeguards	vacant	-
PIPSC	Lyra Trstenjak	x
Non-unionized group	vacant	-
<i>Management</i>		
Research	Terry Campbell	x
Faculty Affairs	René Houle	x
Human Resources	Karina Adam	x
Human Resources	Kristie Faasen	x
Office of Human Rights	Noël Badiou	x
Office of Risk Management	Michael Histed	x
Office of Risk Management	Céline Clément	x
Representing Faculties	vacant	-
Representing Services	Julie Tam	-
<i>Functions</i>		
Worker certified members	Scott Dick & Alexandra Gregory	
Management certified member	Nada Nagy (certification in progress)	
Chairing person	Michael Histed	
Worker Co-Chair: Michèle Lamarche		
Management Co-Chair: Michael Histed (interim)		
Secretary	Lyra Trstenjak	

1. Approbation de l'ordre du jour / Approval of the agenda

The agenda was unanimously approved.

2. Approbation du procès-verbal du 9 mars, 2021 / Approval of the Minutes of March 9, 2021

The minutes were unanimously approved.

3. *Affaires découlant du procès-verbal du 9 mars 2021/Matters arising from the Minutes of March 9, 2021*

-Election of a worker co-chair

There was a discussion on Tuesday April 20 @ 1:00pm between the worker members of the committee. Michèle Lamarche was selected as the co-chair representing the workers.

M. Histed indicated that M. Lamarche can contact Céline Clément for any additional information about the role of co-chair or help to guide her through the process. Typically, most committees have between four to six meetings a year and they are shared between the manager co-chair and the worker co-chair. In terms of chairing the meeting, each co-chair is managing between two and three meetings a year. Thank you M. Lamarche for taking on this role.

-Election of a management co-chair

M. Histed indicated that the two candidates were K. Faasen and K. Adam and a decision is still to be made for the selection of the management co-chair.

-Election of a secretary

M. Histed mentioned that the selection of a new secretary and asked if there had been any discussions of this already. C. Clément took the minutes of the last meeting and asked if someone would volunteer. C. Clément is retiring soon so this was her last meeting.

Q: From a Worker Committee Member: Is the responsibility of the secretary just to attend the meeting and take notes or is there preparation to do beforehand?

A: M. Histed indicated that it is mainly just writing up the meeting notes before the next meeting.

Q: From a Worker Committee Member: Where are the documents stored?

A: M. Histed indicated that so far, they are saved on the Office of Risk Management shared pool drive. The document is written in Word. The process can be reviewed with the co-chair if deemed required. Minutes are always attached and sent to the committee members with the invitation of the next meeting.

Q: From a Worker Committee Member: Who comes up with the proposed agenda?

A: M. Histed indicated that the secretary documents the proposed agenda and sends it to the co-chairs for approval before sending to the committee members before the next meeting.

Q: From a Worker Committee Member: How are the agenda items gathered?

A: M. Histed indicated that recurring agenda items include numbers 1 through 3 (Approval of Agenda, Approval of last meeting minutes, Matters arising from last meeting) and then 9 and 10 (New Business and Next Meetings). The rest of the agenda items are brought forward from the worker members or items such as policy reviews. Examples of regular items are statistic reports on terms of harassment complaints or items a member wants to bring up.

Q: From a Worker Committee Member: Are the agenda items brought forward to the secretary?

A: M. Histed indicated that they are, apart from the standard items. Topics for the agenda are always relevant for the time of the meeting.

Q: From a Worker Committee Member: Does the secretary have to be part of the Office of Risk Management?

A: M. Histed indicated that no, it can be any persons nominated by the committee. Committees are owned by the workers for the workers. It is a volunteer committee with management representatives that come to the table.

L. Trstenjak volunteered to be the secretary.

M. Histed indicated that if L. Trstenjak would like to try and if there were any objections by the committee. There were no objections.

C. Clément will send the templates and the secretary will have access to the recording of the meeting to transcribe.

4. *Rapport du Comité Universitaire de santé et de sécurité au travail* /Report from the University Health and Safety Committee

C. Clément indicated that at every committee meeting, the report from the University Health and Safety committee is reviewed. The minutes were not included with the invitation of this meeting but will be in future. C. Clément attached it to the chat of the meeting.

Policy 67 was discussed at length and Noël Badiou will be presenting this later in the meeting. The other agenda item was the COVID-19 and the recovery plan. M. Histed is presenting what was done at the CRTF and at the University Committee and what is important for the committee members need to know about. The minutes are from January 2021, but it would be better to have the March 2021 meeting minutes, but they aren't ready and approved yet. The new structure implementation was discussed including the Psychological Health and Safety Committee. All the meeting minutes from every functional committee are reviewed at the University Health and Safety Committee which includes the minutes from this committee.

C. Clément continued to explain that we would review the Violence Prevention program today and it will also be reviewed at the University Committee in May for their approval. Policy 66 and 77 were discussed and reviewed. M. Histed's email was lost in transition and was resent today so there is no status today.

Also discussed at the University Health and Safety Committee meeting, was discussed that a complaint was made to the Ministry of Labour, Training Skills Development (MLTSD) from an individual who indicated that their Harassment complaint was not investigated by the University. N. Badiou will discuss this today as well.

It was indicated that the inspections were not completed in 2020. The entire University has to be inspected once a year with a part inspected each month. Obviously with COVID situation, this was challenging last year. Some inspections were conducted by different groups such as the Health Safety Risk Managers, the Student Ambassadors, the Facility Managers and the JHSC Inspector. Overall, it did cover most of it but not as stringent as in past years.

Q: What is the goal of the complaint of the individual? Was it a general complaint or an individual complaint due to working conditions?

A: It is an individual that submitted a complaint to the Ministry of Work that the submitted complaint was not addressed.

Q: Why does it concern us in the committee of Psychological Health and Safety?

A: When the Ministry comes on site, often they ask a worker member of the Health and Safety Committee to participate in the investigation, is informed and has to co-sign the order

N. Badiou commented that the committee is informed when there is a complaint and the results of the complaint, not to discuss the details but it is important to understand when the University has failed in addressing a complaint. At least the committee has enough information without breaking confidentiality to understand in general how it was handled. This information prepares the committee to discuss potential gaps. This item will be discussed further today at the 6 of the agenda. It is important that the Committee knows if there are multiple complaints being escalated to the MLTSD that the University is not addressing complaints in terms of Health and Safety in the workplace, then it becomes a concern for the committee to address this within policies and regulations. N. Badiou will present the case so that the committee can have the necessary information to provide feedback or recommendations for changes or retroaction in regulations and policies in terms of discrimination and/or harassment.

Q: So, the MLTSD decided that the complaint hadn't been addressed even though the Human Rights department stated the complaint was not received?

A: No.

C. Clément summarized that the discussions at the University Committee were the Inspections and the review of the Functional Committee minutes. The minutes from the University Committee level will be included shortly.

5. *Révision de règlement 67a- Prévention du harcèlement et de la discrimination* / Review of Policy 67 a- Prevention of Harassment and Discrimination

M. Histed precluded this next item explaining that the structure comes under the Occupational Health and Safety Act of Ontario of which there are several streams affecting different areas in the University. The general policy that the uO has for Health and Safety is policy 77 which is the governance oversight model for Health and Safety. Then the uO has various procedures and other policies required under the Occupational Health and Safety Act such as Violence in the Workplace (Policy #66), Prevention of Discrimination and Harassment (policy #67a), sexual harassment (policy 67 and 67b), Smoking Policy (policy 58) etc. This committee will focus on Policy 67A (Prevention of Harassment and Discrimination), 67 (Sexual Harassment) and 66 (Violence Prevention). Each of these policies are required to be reviewed annually as per the requirements of the Occupational Health and Safety Act.

This functional committee and the all other Occupational Health and Safety Committees have a role to play in a review of these policies. Once the annual review process is done, the policies go to the Administration Committee for final review and approval before being posted on the Governance website.

For today, we have Policy 67A, the Harassment Policy, which N. Badiou will give an overview of where that stands and what will be the next steps.

N. Badiou doesn't feel that there has been a substantial review since it has been enacted (2016 or 2017). Because of some incidents with anti-black racism, the policies should be further

refreshed. This next year, we will look at policy 67A and the procedures to ensure that they include modern language and are fully compliant with the Occupational Health and Safety Act. As well, any feedback and questions about the adequacy of the existing policy will be incorporated. There have been concerns about whether the policy adequately addresses harassment based on race. N. Badiou confirms that the policies are fully compliant in terms of incorporating the right language and definitions of harassment, discrimination with respect to Occupational Health and Safety Act and the Ontario Human Rights Code. What we will be doing over this next year is to further clarify what the policy does cover since there seems to be some confusion over what the policy covers. The goal is to come back with some language to further clarify the Ontario Rights code and the Occupational Health and Safety Act. As well, update the language and make it more modern and understandable.

There are two sets of procedures, one for students and one for employees. The goal is to amalgamate into one set of procedure to report complaint since both current procedures are similar. They were written before the Human Rights Office was created. As well, we need to review to use the most current language and best practices. Other universities and counterparts are also looking at updating their policies, so we are not alone. N. Badiou will be connecting with his counterparts to ensure we are on the same page and we are using the best practices when updating Policy 67A and procedures 36-1 and 36-2 and the proposed language will be proposed to this committee, members of the community, student groups, employee groups, unions, and administrative groups, will all need to be consulted to get all the right feedback so that everyone is satisfied with the proposed changes. N. Badiou confirms that all the existing policies cover all the grounds but are not understood as the language is technical and very legal so we need to make them more accessible in that sense.

6. *Ministère du Travail, de la Formation et du Développement des compétences- Rapport et Ordres/ Ministry of Labour, Training and Skills Development (MLTSD)- Field Visit Report and Orders*

There have been 2 field visit reports from the MLTSD.

1. An Inspector from the MLTSD came on site on December 18, 2021 to investigate a workplace violence, sexual harassment and harassment complaint. The complaint received by the MLTSD Call Center was about a situation where it was deemed the uO didn't follow up with their internal policies and procedure for investigation a complaint. N. Badiou confirms that the University had followed up as per the internal policy and procedure and provided information about the handling of the matter by the Human Rights office. The MLTSD Inspector was satisfied that the University had fulfilled its duty of investigation into the complaint.
2. On March 18, 2021, the MLTSD investigated a matter where a person complained to the MLTSD Call Center that an investigation had not been done following a complaint of workplace harassment. There had not been an official complaint to the Human Rights Office nor a substantive form that a complaint would normally be made. The MLTSD Inspector provided two orders to the University:
 - a. That the matter be investigated with a deadline of the end of April 2021.
 - b. Recommendation to change the procedure 36-2. It wasn't clear to them that if the administrative authority was in a conflict, who would be investigating the matter.

Language has been added to comply with the recommendation provided by the Ministry of Labour, Training Skills Development. This is with the Administrative Committee for approval either this week or next week.

The policies and procedures will be reviewed to ensure there are no gaps and all areas are made clear. This is part of the reason why N. Badiou thinks it's time for the University and the Human Rights Office to do a substantive review of Policy 67A and related procedures.

A person who feels that a matter under the Occupational Health and Safety Act has not been adequately addressed is able to go externally to the MLTSD and have a MLTSD Inspector investigating the matter.

Q: A Worker Committee Member indicated that if a worker has a complaint, they can go to the MLTSD for recourse. If a student has a complaint about an investigation, what is the student's recourse?

A: N. Badiou indicated that if a student is also a worker such as under the Work Study program or has a contract, they would fall under the Occupational Health and Safety Act. If it is related to a Human Rights issue which also falls under policy 67A, they could go to the Ontario Rights Tribunal if they felt the matter had not been addressed adequately. The Ombudsman is also available to assist persons in understanding and working through the procedures and the policies.

Policy 67B, Sexual Violence Prevention Policy is also being reviewed as well. The Ontario government has mandated that the two policies be separate: Sexual Violence Prevention and Prevention of Harassment and Discrimination, but the work together.

7. *Programme sur la prévention de la violence / Violence Prevention Program*

M. Histed: This is under Policy 66 under Violence in the Workplace. This fits under the Occupational Health and Safety Act and is to do with completing periodic risk assessments. When the policy was first put into place, a risk assessment was conducted of the institution to try to identify potential areas of violence or risk of violence. This includes things like people doing money transfers. If there was petty cash and the task was to travel between Colonel By and Tabaret to pick up \$3000, the risk is higher if this was done the same day of the week, same hour and by the same person. There were also assessments done on campus to look at potential areas such as dark areas, hiding spots, low lighting. There are physical and operational aspects that are looked at. As well housing because large volumes of people collecting together, first time on campus or away from home and situations can occur.

The idea is this is reviewed on a regular basis. Last year, we were in the process of working with Protection Services to hire an external company to come and do an onsite review of the University and the campus and see if there were areas that were not covered in the original assessment and needed to be updated. Because of COVID, this became a challenging exercise as this would include on site activities with workarounds, reviews and interviews. With COVID extending so long, the decision was made that an internal update will be done to try to look at some of the new pertinent issues from the time that assessments started being done. With the intent that within the next year this group will be engaged to work with Protection Services and Office of Risk Management to look at the whole concept of potential violence and potential areas of risk on

campus.

C. Clément: The document provided (Violence Prevention Program version 2.2) was recently reviewed with Protection Service and the ORM. It will be presented at the next University Committee on May 12th. There is also the Risk Assessment document (Copy of Policy 66 Violence Risk Assessment) separate. The committee is invited to review and to provide feedback before the next University Health and Safety Committee.

M. Histed: If you see glaring issues or errors not addressed, please let us know. This is important. The policy is probably one of the shortest policies. We do not want to have or see violence on campus. As much as we can reduce the potential risk by presenting opportunity, the better off the university community will be. The intent is to have a more comprehensive review within the next year. We need to be prepared as everyone is coming back on campus.

Q: From Worker Committee Member What is the meaning of Score in the Risk Assessment document?

A: M. Histed When the document was initially set up, the goal was to establish a risk level. You look at the potential for frequency and the potential for severity. Severity refers to potential of significant issue of violence that may occur. Frequency is what the potential of it occurring. There is a large piece of subjectivity and objectivity put into that. People will have different opinions about the scoring but at the time, we felt that this at least provides a measure for giving us some guidance as to how to look at the potential risk on campus. If we look at having a company comes on campus to look at this, they may provide us with a more comprehensive scoring ability based on more information that they may determine and find out once on campus. In the meantime, this is more of guidance.

Q: From a Worker Committee Member: What is it that we should be reviewing for this document?

A: M. Histed indicated that there is a level of subjectivity and that is ok. From the group you represent, let us know if you are hearing from members issues that there are issues to be addressed and if items required that may not be reflected here. If you feel there may be something that needs to be addressed and brought forward as a potential risk, then bring back that feedback and it will be assessed and incorporated in the document.

Q: From a Worker Committee Member: When does the feedback need to be provided?

A: M. Histed indicated within the next two weeks so that the feedback can be incorporated before presenting at the upcoming University Health and Safety Committee meeting.

8. *CSA standard Z1003 Santé et sécurité psychologiques en milieu de travail* / CSA- Standard- Psychological Health and Safety in the Workplace

M. Histed indicated that currently underway is a program looking at the CSA standard looking around psychological health and safety. This is being led under the umbrella of Human Resources. There have been a number of presentations. It would be good to have this group come into the next meeting because it would be important for this committee to also look into this process. Karina and Kristie, do you agree?

K. Faasen asked if this is from Excellent Canada?

M. Histed indicated that it is.

K. Faasen indicated that they can connect with Sylvie and see if her and Benoit would come and present at the next meeting.

M. Histed It is an excellent initiative and really does impact the entire institution, the culture and how we look at things. It would be very valuable for this committee to be involved.

K. Adam indicated that it would be valuable, and I am very passionate about this. I see I will need your help on this committee. There are 13 workplace factors that look at leadership, respect in the workplace, culture and it goes on. It is a big endeavor, not just about accreditation but it is about transforming the organization. Hopefully we invite these representatives to come and present and answer all questions. The support of this committee is needed to be successful.

C. Clément indicated that she contacted Elizabeth Kristjansson who was appointed as the new University Advisor. Mme Kristjansson would like to come and make a presentation at the next meeting in June. She is mandated to develop and implement a long-term strategy for achieving health and wellness at the university on campus. She would really like to partner with this committee to collaborate to promote her actions.

K. Adams has worked on the last wellness survey with E. Kristjansson and she would bring great value. She has a wonderful aspect and is passionate about mental health. She is a good advocate in front of the Administrative Committee. If everyone is in agreement, this would be fantastic.

M. Histed thinks this would bring good synergy.

From a Worker Committee Member: Concern that this would be a lot to have 2 presentations at the same meeting. Maybe we should stagger the two presentations between two meetings. Today we had a lot of business to get through already.

Discussion ensued about the separating the two presentations. K. Adam will discuss with E. Kristjansson. The two presentations are complimentary but if we were to choose one, recommendation is to have the overview of the 13 workplace factors, Excellence Canada and where we are going. It would then make more sense with the foundation set.

C. Clément indicated that if we want to have both presentations, a two-hour meeting could be scheduled.

M. Histed recommends a poll to be sent out before the next meeting to get a vote to see which way is preferable.

9. *Nouvelles affaires* / New Business

M. Histed: One new item of new business. There was an incident last week with a female student, where they were part of the ambassador program. The student was in a building with not a lot of occupants. The student was faced by an individual that was not connected with the University. The

individual was asked why they were there, for what purpose. They became a little bit belligerent and started following the student around. The process was followed, and Protection was called. Protection issued an order to leave campus. This is being brought up as an example when looking at the issue of violence. We have 10% of the number of people currently on campus so we are in a bit of a unique situation right now. When reviewing the violence program, look at it from a perspective of multiple scenarios. Not only when campus is full.

The proper protocols were followed, and everything worked out this time.

10. *Prochaines rencontres* / Next meeting

- Next meeting dates

- June 15, 11 am - 12 pm
- September 8, 10 am- 12pm
- November 17, 10 am to 11 am.

Signature

Appointed Co-Chairperson, Michael Histed (interim)



Elected Co-Chairperson, Michèle Lamarche

Date

July 14, 2021

Date