

**TITLE: VIOLENCE IN THE WORKPLACE**

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## 1.0 OBJECTIVE

To establish measures to identify, assess, and control potential and actual hazards related to workplace violence, and to report and respond to incidents of workplace violence in support of the Ottawa-Carleton District School Board's (OCDSB) commitment to promoting a violence-free working and learning environment and preventing workplace violence for all workers.

## 2.0 DEFINITIONS

In this procedure,

- 2.1 **Board** means the Board of Trustees.
- 2.2 **District** refers to the Ottawa-Carleton District School Board.
- 2.3 **Domestic Violence** means a pattern of behavior used by one person to gain power and control over another with whom they have had a familial or intimate relationship. This pattern of behavior may include physical violence, sexual, emotional and psychological intimidation, verbal abuse, stalking and using electronic devices to harass and control.
- 2.4 **Supervisor** means the person designated by title and practice as the person having organizational authority to direct the work of workers in a particular area. In the case of school sites, the supervisor will be the principal or, in the principal's absence, the vice principal or other designate.
- 2.5 **Worker** means any of the following:
- a) a person who performs work or supplies services for monetary compensation;
  - b) a secondary school student who performs work or supplies services for no monetary compensation under a work experience program authorized by the school board that operates the school in which the student is enrolled;
  - c) a person who performs work or supplies services for no monetary compensation under a program approved by a college of applied arts and technology, university or other post-secondary institution;

- d) a person who receives training from the OCDSB, but who, under the Employment Standards Act, 2000, is not an employee for the purposes of that Act because the conditions set out in subsection 1 (2) of that Act have been met; or
  - e) such other persons as may be prescribed under the Occupational Health and Safety Act (OH&S Act) who perform work or supply services to an employer for no monetary compensation.
- 2.6 **Workplace** means the office, school, or other worksite where the individual is customarily employed, and includes all other places which result from employment responsibilities or employment relationships, including Board or committee meetings, work-related social functions, work assignments outside the office/school, field trips, work-related conferences or training sessions, and work-related travel.
- 2.7 **Workplace Violence**, as defined in section 1 of *the Occupational Health and Safety Act* (RSO 1990, c. 0.1, as amended), means:
- 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 a worker;
  - c) a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against a worker, in a workplace, that could cause physical injury to a worker

### 3.0 RESPONSIBILITY

- 3.1 The Occupational Health and Safety Division (OH&S) will be responsible for:
- a) providing advice and assistance to departments and schools in identifying and addressing risk factors related to workplace violence;
  - b) assisting in conducting individual and workplace risk assessments related to workplace violence, including providing templates and tools for completing such assessments;
  - c) coordinating training related to workplace violence; and
  - d) providing information to the Joint Health and Safety Committee (JHSC), as required to allow them to fulfill their responsibilities under *the Occupational Health and Safety Act OH&S Act*.
- 3.2 The Joint Health and Safety Committee (JHSC) will be responsible for:
- a) receiving reports of workplace violence incidents;
  - b) receiving the results of the workplace assessments and reassessments conducted under this procedure; and
  - c) making recommendations to the employer with respect to workplace violence.
- 3.3 Supervisors will be responsible for:

- a) conducting regular assessments of their worksites;
- b) responding to potential or actual hazards or risks of workplace violence, as required, through the implementation of controls;
- c) taking every reasonable precaution to protect workers from incidents of workplace violence;
- d) developing safety plans to protect workers in consultation with appropriate staff; and
- e) ensuring workers are aware of any potential or actual workplace hazards related to workplace violence including hazards associated with the physical worksite as well as hazards associated with the nature of the work being performed at the workplace.

3.4 Workers will be responsible for:

- a) following safe work procedures established by the employer to prevent workplace violence;
- b) reporting all incidents of workplace violence in accordance with the procedures established by the employer; and
- c) cooperating in the prevention of workplace violence, including following safe work processes developed by the employer for their protection and using or wearing any protective equipment, devices or clothing that has been identified by the employer for the worker's protection.

## 4.0 PROCEDURES

### General

4.1 The District is committed to providing a safe environment for all workers. This procedure applies to all workers of the District and their interactions with the District community, including, but not limited to, trustees, students, workers, visitors such as parents and community members, volunteers, Community Use permit holders, contractors, and employees of other organizations who work on or are invited onto District property.

### Risk Assessment

4.2 An initial risk assessment will be conducted for each workplace under the direction of the appropriate supervisor, using the template and process established by OH&S in consultation with the JHSC. The purpose of the risk assessment is:

- a) to identify potential or actual hazards in the workplace associated with a risk of workplace violence;
- b) to identify controls in place at the worksite to address or mitigate the hazard; and
- c) to identify areas where additional controls are required to address or mitigate the hazard.

The risk assessment is not intended to serve as a measure of the effectiveness of the controls identified through the assessment. A separate audit process will be established by OH&S for purposes of monitoring and measuring the effectiveness of such controls.

- 4.3 A re-assessment will be conducted under the direction of the supervisor in the following circumstances:
- a) at least once every three (3) years; or
  - b) whenever circumstances change at a site or in a department (e.g., major renovation, addition of a new system program, etc.) which are likely to have an impact on the potential or actual hazards associated with workplace violence at that workplace.
- 4.4 The risk assessment should consider the following:
- a) circumstances that would be common to similar workplaces;
  - b) circumstances specific to the workplace;
  - c) any other prescribed elements under the *OH&S Act Occupational Health and Safety Act*;
  - d) location of the workplace (e.g., urban, rural, unique neighbourhood features);
  - e) physical layout and design features of the building and the workspace;
  - f) requirement for travelling in the community,(e.g., to and from the workplace, visiting families, teaching in sites other than schools);
  - g) parking lot design;
  - h) access to the workplace (entry points);
  - i) working with potentially unstable or volatile clients/students, (e.g. students with severe emotional/behavioural needs);
  - j) requirement for handling cash, (e.g., fundraising activities, registration fees for adult programs); and
  - k) working alone or in small numbers, (e.g., working late, meeting parents after school hours, driving from site to site).
- 4.5 The risk assessment should also take into consideration the presence of specific programs in a school community (in addition to regular programs (e.g., night school programs, programs for students with complex special needs, suspension/expulsion programs, Community Use programs).
- 4.6 The results of all workplace assessments and re-assessments will be shared with the JHSC, as required by the *OH&S Act*.

- 4.7 The JHSC will have an opportunity to be consulted on the workplace violence assessment survey tool on a regular basis.

#### Employee Risk Assessments

- 4.8 In addition to the above, employee groups will be surveyed periodically to determine if workers feel safe and to identify any issues they feel need to be addressed, including follow-up surveys when deemed necessary due to changing workplace circumstances, to determine the extent to which they feel their workplace is safe. The aggregate results of these surveys may be used to identify issues related to workplace violence.
- 4.9 Supervisors will take reasonable steps to mitigate items that were identified and where reasonable controls are not already in place (e.g. develop safe work procedures, instruct workers in safe work procedures, initiate work orders to ensure the work environment is safer).

#### Reporting Workplace Violence

- 4.10 A worker who experiences workplace violence will immediately report the incident to his/her supervisor or designate. The supervisor will be responsible for determining the appropriate response and course of action. If the alleged aggressor is the immediate supervisor, the worker will report the incident to the supervisor's supervisor.
- 4.11 As soon as it is safe to do so, the worker must complete and submit an Employee Violent Incident Report (EVIR), using the District's on-line reporting system, as well as the Safe Schools Incident Report (SSIR), if applicable. (Reference PR.515.SCO)

*Note: In the case of a serious incident, normal emergency procedures should be followed to seek the assistance of emergency first responders, as required.*

- 4.12 Following a report of a violent incident, at the first available and safe opportunity the supervisor will:
- a) ensure that the worker has sought medical attention, where required and is aware of the availability of the Employee and Family Assistance Program (EFAP), and other available supports, as applicable;

*Note: In cases where the worker has been injured, the supervisor should also ensure that the incident has been reported using the on-line accident/incident report (OCDSB Workers Accident/Incident/Occupational Illness Report Form 140).*

- b) ensure the worker has completed an EVIR and SSIR, if applicable;
- c) subject to the nature and seriousness of the incident, contact the police in accordance with the established and approved protocols. Incidents involving physical assaults causing bodily injury requiring medical attention must be reported to police. In other cases, the principal will exercise his/her discretion whether to contact police based on the nature of the incident and extenuating circumstances and in accordance with the established and approved protocols;
- d) subject to the nature and seriousness of the incident, and the identity of the aggressor (e.g., student, co-worker, visitor, etc.) consult and/or seek assistance from other appropriate District staff, which may include the

appropriate Superintendent of Instruction, Human Resources/Wellness, or Learning Support Services, as required. In cases where the incident involves sexual assault, or an incident of a sexual nature, Wellness should be contacted to provide additional support to the worker;

- e) conduct an investigation into the incident; and
- f) assess/reassess the risks of a recurrence, and determine the appropriate course of action (controls) to prevent a recurrence.

4.13 Where the supervisor has reason to believe there is a risk to the physical safety of staff and/or students, of recurrence, the following steps should be taken for purposes of protecting workers (and students) from injury:

- a) develop a Notification of Potential Risk of Injury (Abridged Safety Plan) (Form 737) within five school/working days of the incident where one does not already exist (see Appendix D, and Appendix E);

*Note: Where the violence is related to a threat of domestic violence, please refer to procedure PR.645.HS Domestic Violence in the Workplace, for information on how to proceed;*

- b) develop a Safety Plan (Form 734) within ten (10) working days if one does not already exist, or, where a Safety Plan already exists, review and revise the existing safety plan as appropriate;
- c) make arrangements for the aggressor to be removed temporarily (e.g., student suspension) or indefinitely (e.g., trespass notice for visitors), as required, until adequate measures are put in place to protect workers from a recurrence;
- d) notify the police of the incident and seek assistance;
- e) make arrangements to provide staff with additional training (e.g., Behaviour Management System (BMS));
- f) ensure that all staff who may come into contact with the alleged aggressor in the course of their work are made aware of the risks and measures that can be taken to prevent a recurrence, including by providing them with the Notification of Potential Risk of Injury (Abridged Safety Plan) and/or the completed Safety Plan, as applicable;
- g) ensure that staff who are at risk can summon immediate assistance at all times in the event of a recurrence; and
- h) consult with centrally based staff (e.g., Learning Support Services, Human Resources), as appropriate.

4.14 Based on the outcome of the supervisor's investigation and assessment of the risks, the supervisor will:

- a) complete the appropriate parts of the EVIR indicating the steps that have been or will be taken to prevent a recurrence and provide this response to the worker within 48 hours through the District's online reporting system.

Any incident which creates a reasonable apprehension of serious risk must be brought to the principal's attention immediately and all steps reasonable to protect the worker(s) must be taken without delay. This could include implementation of the Notification of Potential Risk of Injury (Abridged Safety Plan) Form 737.

*Note: Where there are reasonable grounds to believe that the student continues to pose a threat to the physical safety of staff and students, a Safety Plan for Worker and Student Safety (or, at minimum, completion of the Notification of Potential Risk of Injury (Abridged Safety Plan) Form 737, must be developed within a timeline of no longer than five (5) working days.*

The worker, after reviewing the supervisor's response, will complete the form by indicating whether or not they wish the matter to be referred to the JHSC for further review. A worker may elect to refer the matter to the JHSC where they are not satisfied that all reasonable steps have been taken to protect them from risk of injury and is seeking a further review by the JHSC. The worker should include the rationale for referring the matter to the JHSC, including identifying steps the worker feels could be taken to prevent a risk of recurrence;

- b) if an opportunity has not arisen already through the investigation of the incident, arrange for an opportunity to debrief the incident with the affected worker and other relevant staff. Information obtained through the debriefing will help to inform the development or review of the safety plan including recommended steps to prevent a recurrence.
- 4.15 The JHSC will be provided with access to all workplace violence incident reports as part of their right under the *OH&S Act* to be advised of the results of any assessment/reassessment conducted under this procedure.
- 4.16 Where a worker has referred a matter to the JHSC for further review, the JHSC may seek additional information from the Employer with respect to whether all steps reasonable have been taken to protect workers at the site from injury. Where it deems appropriate, the JHSC has the authority to make a recommendation(s) to the employer with respect to additional reasonable precautions that in the JHSC's opinion should be taken to protect workers at the site from risk of injury related to on-going risks of workplace violence.

#### Worker Concern about Risk of Exposure to Workplace Violence

- 4.17 A worker who is concerned that they or another worker(s) may be exposed to a risk of workplace violence should bring the concern to the attention of their supervisor. Such concerns can be raised with the supervisor directly and/or using a Health and Safety Concern through the online reporting system. Where a worker is not satisfied that all reasonable measures have been taken in response to their concern, to prevent an injury, the concern form can be forwarded to the JHSC to review and, where applicable, make recommendations to resolve the concern.

#### Disclosure of Information Related to a Person with a History of Violent Behaviour

- 4.18 Where a supervisor is aware or has reason to believe that workers may be exposed to a risk of workplace violence from a person with a history of violent behaviour, the

supervisor has an obligation to provide information to workers at the site using a Notification of Potential Risk of Injury (Abridged Safety Plan) Form 737 (see Appendix D), if:

- a) the worker can be expected to encounter the person with a violent history in the course of his/her work; and
- b) the risk of workplace violence is likely to expose the worker to physical injury.

The information provided to workers who may be at risk can include personal information, but should not include any more than is reasonably necessary to protect the worker from physical injury and in keeping with the *Municipal Freedom of Information and Protection of Privacy Act* and the protections afforded confidential student information under the *Education Act*.

4.19 In determining whether there is an obligation to provide information, the supervisor must consider which workers are likely to encounter the person in the course of their work and whether the person presents a risk to those workers. Factors to consider include:

- a) whether the history of violence was associated with school or the workplace;
- b) whether the history of violence was directed at a particular person, including a worker or workers in general, or at others;
- c) length of time since the most recent incident(s);
- d) measures and procedures already in place to protect workers; and
- e) any other extenuating or mitigating factors that impact on the risk of violent incidents recurring.

4.20 The information provided to a worker under this part should include:

- a) sufficient information to ensure that workers can recognize or identify the person with the violent history (e.g., name, description (including a photo where one is available)); and
- b) where appropriate, the triggers or observable behaviours that have preceded aggressive behaviour in the past.

4.21 When a student is transferring into a school, either from another school within the District or from outside the District, the receiving school shall take appropriate steps to identify whether the student may have a history of violent or aggressive behaviour, and where applicable ensure that appropriate notice is provided to workers who may come into contact with the student, as outlined in the attached guidelines (Appendix B)

To the extent reasonably possible, the process will endeavour to ensure that such information is made available prior to the student's admission to the school.

### Summoning Immediate Assistance



- 4.22 The supervisor will ensure that appropriate measures and procedures are in place for summoning immediate assistance when workplace violence occurs or is likely to occur. Examples of types of communication devices include class phones, cell phones, and walkie talkies.
- 4.23 Depending on the nature, location and level of risk, this may include summoning assistance from the supervisor on site, the site emergency response team (as appropriate), as well as community assistance through 911. Measures will take into consideration the employee's location, specific assignments and time of day (i.e., working during or outside regular hours).

### Safety Plans

- 4.24 Where an actual or potential risk of workplace violence is identified, the supervisor will, in consultation with affected staff, and where appropriate, staff from OH&S, Human Resources, Learning Support Services, develop a safety plan for the protection of the workers who may, in the course of performing their duties, be exposed to a risk of violence or aggression. A safety plan:
- a) identifies actions to increase worker safety;
  - b) is prepared in advance, where there are reasonable grounds to believe there is a potential or actual risk of workplace violence;
  - c) needs to be created in consultation with the affected worker(s);
  - d) identifies actions that the worker and the employer can take for the protection of the worker; and
  - e) is fluid and should be reviewed regularly and revised as needed to respond to changes.
- 4.25 A safety plan (see Appendix A for Safety Plan for Worker and Student Safety and Appendix F for General Safety Plan) will be developed in accordance with the established guidelines (see Appendix B for Guidelines for Developing and Implementing a Safety Plan for Worker and Student Safety and Appendix G for Guidelines for Developing and Implementing a General Safety Plan). Every reasonable effort will be made to develop and implement a safety plan prior to exposing workers to a person who is known or what ought reasonably to be known is presenting a risk of aggressive or violent behavior. Safety plans must be shared with all staff that may, in the course of their work, come into regular and direct contact with the person for whom the plan was developed.

### Work Refusal

- 4.26 The *OH&S Act* OHSA allows workers the right to refuse work where the worker has reason to believe that workplace violence is likely to endanger themselves. Should a situation of work refusal arise, Board Procedure PR.624.HS Refusal to Work will apply.

*Note: Pursuant to regulation, a teacher cannot refuse to work where the circumstances are such that the life, health or safety of a pupil is in imminent jeopardy.*

### Information and Instruction for Workers

- 4.27 The supervisor, with support from OH&S, will ensure that all workers are made aware of the existence and contents of this procedure and any applicable programs with respect to workplace violence.
- 4.28 The supervisor, with support from OH&S, will ensure that workers are knowledgeable, including information and instruction required to minimize the risk of workplace violence to which they may be exposed in the course of their regular duties.
- 4.29 In fulfilling its obligations to provide appropriate information and instruction, the supervisor will ensure that:
- a) all workers have received information and instruction in the nature and recognition of the risks specific to their assignment;
  - b) all workers have received information and instruction in procedures/safety measures that minimize the risks specific to their assignment;
  - c) where personal protective equipment (PPE) has been deemed reasonable and necessary in the circumstances, as a measure of last resort, ensure that affected workers receive appropriate training and instruction on its use (Appendix H);
  - d) ensuring procedures are in place when workers are absent to make casual replacement workers aware of any risks and either have the necessary information and instruction or are supported by additional workers who have the necessary information and instruction;
  - e) individual physical demands analysis has been conducted where deemed necessary to ensure that all workers have the physical ability, with appropriate support where necessary, to carry out procedures/safety measures that minimize their risk of injury and these are reviewed on an ongoing basis;
  - f) the affected and necessary workers are involved in the development of safety plans;
  - g) safe work procedures and safety measures are available to the affected workers as required; and
  - h) information and instruction is updated and/or refreshed as deemed necessary.
- 4.30 The District, through OH&S, will ensure that supervisors are provided with sufficient information and instruction regarding the process for reporting and responding to incidents of workplace violence, including the following:
- a) information on their obligations under the *OH&S Act* for the protection of workers;
  - b) information on any other obligations under the *OH&S Act* with respect to workplace violence; and

- c) information and guidance on precautions that should be considered to prevent workplace violence.
- 4.31 The District, through OH&S and supervisors, will ensure that workers are provided with sufficient information and instruction regarding the process for reporting and responding to incidents of workplace violence, including the following:
- a) information on their obligation to report known hazards to their supervisor, including risks of workplace violence;
  - b) information on their obligation to report incidents of workplace violence and the process for doing so; and
  - c) their rights under the *OH&S Act* with respect to protection from risks associated with workplace violence.

## 5.0 APPENDICES

(Please right-click on the links below to open appendices in new tabs)

- Appendix A: [OCDSB 734 Safety Plan for Worker and Student Safety \(Revised 2022\)](#)
- Appendix B: [Guidelines for Developing and Implementing a Safety Plan for Worker and Student Safety \(For Existing and New Students to an OCDSB School\)](#)
- Appendix C: [Occupational Health and Safety Concern Form](#)
- Appendix D: OCDSB 737 [Notification of Potential Risk of Injury \(Abridged Safety Plan\)](#)
- Appendix E: [Guidelines for Developing and Implementing an Abridged Safety Plan](#)
- Appendix F: OCDSB 738 [General Safety Plan](#) (Please download to view form)
- Appendix G: [Guidelines for Developing and Implementing a General Safety Plan](#)
- Appendix H: [Guidelines for Selection, Care and Use of Personal Protective Equipment to Protect Workers from Aggression/Violence](#)

## 6.0 REFERENCE DOCUMENTS

[Criminal Code of Canada](#)

[Education Act](#) s.264 Duties of Teacher

[Education Act](#) s.265 Duties of a Principal

[Ontario Occupational Health and Safety Act](#) R.S.O. 1990 (as amended in 2022)

OCDSB [Policy P.009.HR Respectful Workplace \(Harassment Prevention\)](#)

OCDSB [Policy P.032.SCO Safe Schools \(Managing Student Behaviour\)](#)

OCDSB [Policy P.058 HS Occupational Health and Safety](#)

OCDSB [Policy P.073.GOV Board Member Code of Conduct](#)

OCDSB [Policy P.125.SCO School District Code of Conduct](#)

OCDSB [Policy P.132 HS Violence in the Workplace](#)

OCDSB [Procedure PR.624 HS Refusal to Work](#)

OCDSB [Procedure PR.645.HS Domestic Violence in the Workplace](#)