

# OSSTF/FEESODistrict 9 Workplace Violence Prevention Policy

## Policy

The Ontario Secondary School Teachers' Federation (OSSTF/FEESO) District 9 is committed to ensuring a work environment that is safe, healthy, secure and respectful of each individual and that at no time are staff, volunteers, students, contractors, and visitors exposed to any form of violent, abusive or aggressive acts or potential violent acts in an OSSTF/FEESO environment.

OSSTF/FEESO District 9 is committed to the implementation of measures and procedures to prevent, control and minimize the risk of workplace violence. As a community, we have a shared interest in the prevention of violent, abusive and aggressive behaviour. All members of the OSSTF/FEESO community share a significant interest, role and responsibility in connection with securing and maintaining a work environment that is free from any form of violence.

OSSTF/FEESO District 9 is committed to **zero tolerance towards violent, abusive and aggressive behaviour**. We believe that a safe workplace is built on a solid partnership and relationship among union representatives, union and non-union employees, and management.

This policy applies to all incidents of violence and potential violence involving employees, contract employees, students, volunteers, suppliers, contractors, consultants, vendors and tenants. All workplace parties are accountable for complying with the policy, program, measures and procedures related to workplace violence.

## Purpose

The purpose of this policy is to define behaviour that constitutes workplace violence and to define procedures for reporting and resolving incidents of workplace violence. OSSTF/FEESO District 9 is committed to providing a working environment free of violence by ensuring that all workplace parties are familiar with the definitions of workplace violence and their individual responsibilities for prevention and corrective action. This policy has been established based on the policy developed by OSSTF/FEESO's provincial office, which had consulted their joint health and safety committee (JHSC) and the following legislation governing workplace violence in Ontario:

*The Occupational Health and Safety Act;*

*The Criminal Code of Canada;*

*The Ontario Human Rights Code;*

*The Workplace Safety and Insurance Act, 1997;* and

*The Compensation for Victims of Crime Act.*

## **Definition**

“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.

“Workplace violence” means:

- the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
- an attempt to exercise physical force against a worker, in the workplace, that could cause physical injury to the worker; and
- a statement or behaviour that 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.

To help distinguish the sources of workplace violence, we use these four categories:

**Type I (Criminal Intent)** - Committed by a perpetrator who has no relationship to the workplace.

**Type II (Client/member or Visitors)** - The perpetrator is a client at the workplace who becomes violent toward a worker or another client.

**Type III (Worker to Worker)** - The perpetrator is an employee or past employee of the workplace.

**Type IV (Personal Relationship)** - The perpetrator has or has had a relationship with an employee. (e.g., domestic violence in the workplace)

OSSTF/FEEEO District 9 is committed to the expenditure of time, attention, authority and resources to the workplace parties to ensure a safe and healthy working environment for all employees and clients/visitors.

## **Roles and Responsibilities of Workplace Parties**

### **Employer:**

- Ensure that measures and procedures identified in the violence prevention program are carried out and that management is held accountable for responding to and resolving complaints of violence;
- Ensure compliance by all persons who have a relationship with the organization;
- In consultation with the worker representative, conduct regular risk assessments;
- In consultation with the worker representative, establish control measures;
- In consultation with the worker representative, establish and deliver training and education for all employees;
- Integrate safe behaviour into day-to-day operations;
- Review all reports of violence or threats of violence in a prompt, objective and sensitive manner. This includes a review of all investigations associated with violence-related incidents;
- Take corrective action;

- Provide response measures;
- Facilitate medical attention and support for all those either directly or indirectly involved;
- Ensure any deaths or critical injuries have been reported to a Ministry of Labour (MOL) inspector, the police (as required), worker representative, and investigated with the worker representative, and that a report goes to all parties in writing within 48 hours of the occurrence on the circumstances of the occurrence, including such information and particulars as the *Occupational Health and Safety Act* and regulations prescribe;
- The employer has the obligation to ensure that this policy and process are applied fairly. It is necessary to provide an environment in which people feel free to bring complaints forward. It is equally important to give those identified by the complainants a full and fair opportunity to meet allegations;
- Ensure a report goes to the Workplace Safety and Insurance Board (WSIB) of all accidents where a worker loses time from work, requires health care, earns less than regular pay for regular work, requires modified work at less than regular pay or performs modified work at regular pay for more than seven days. Copies of accident information (where there is no critical injury) must be provided to the workers within four days of the occurrence, as the *Occupational Health and Safety Act* and regulations prescribe for larger workplaces;
- Identify and alert employees to potentially violent person(s) and hazardous situations;
- Investigate all workplace violence using the organization's accident investigation procedure and form, and contact the police department as required;
- Facilitate medical attention for employee(s) as required;
- Ensure that debriefing is completed for those either directly or indirectly involved in the incident;
- Contact human resources (if applicable);
- Track and analyse incidents for trending and prevention initiatives; and
- Ensure there is a review at least annually of the workplace violence prevention program.

#### **Employees:**

- Participate in education and training programs to be able to respond appropriately to any incident of work place violence;
- Understand and comply with the violence in the workplace prevention policy and all related procedures;
- Report all incidents or injuries of violence or threats of violence to their supervisor immediately, completing the form;
- Inform the worker representative about any concerns about the potential for violence in the workplace;
- Contribute to risk assessments;
- Seek support when confronted with violence or threats of violence;
- Seek medical attention; and
- Participate in a review at least annually of the workplace violence prevention program.

## **Health and Safety Worker Representative**

- Be consulted and make recommendations to the employer to develop, establish and provide training in violence measures and procedures;
- Be consulted about the development, establishment and implementation of violence measures and procedures (the violence prevention program);
- Take part in a review at least annually of the workplace violence prevention program;
- The worker designate should investigate all critical injuries related to violence;
- To receive and review reports of any critical injury or death immediately and in writing outlining the circumstances and particulars as prescribed within 48 hours of the occurrence; and
- Review written notice within four days on lesser injuries where any person is disabled from performing his or her usual work or requires medical attention.

## **Reporting and Investigation**

1. Workers are to report all violence-related incidents or hazard to the District President.
2. The District President receiving the report investigates the report and ensures that measures are taken to safeguard employees and curtail the violence.
3. The employer reports all injuries to the Ministry of Labour (MOL) and WSIB as required by the *Occupational Health and Safety Act* and *Workplace Safety and Insurance Act*.

## **Confidentiality**

Workers are to report all violence-related incidents or hazards to the District President or designate. OSSTF/FEESO District 9 will do its best to preserve and protect the confidentiality in the alleged case. However, where required by law or required in order to investigate and/or resolve the matter it may be necessary for OSSTF/FEESO to take action.

Employees or clients who report acts of violence or aggression will not suffer retribution or reprisal as a result of their actions. Disciplinary measures may be taken should any such retribution or reprisal take place.

Individuals must recognize that any complaint found to have been made in bad faith will be considered serious misconduct, could result in severe disciplinary action being taken by the employer and could result in legal action by the individual accused.

## **Emergency Response Measures**

Refer to suggested emergency response procedure found in the GECDSB Emergency Response Manual.

**Prevention** – OSSTF/FEESO District 9's commitment to preventing workplace violence/aggression includes, but is not limited to, the development and communication of a workplace violence policy, prominently displayed signage and risk/assessments designed to identify potential risks and recommend changes and controls to minimize/alleviate these risks.

**Education** – OSSTF/FEESO District 9's commitment to education includes, but is not limited to, specific public/community, employee and supervisory education. Employees and supervisors will receive education regarding general and site-specific training to the Workplace Violence Prevention Policy/Program including the employees and supervisor reporting/response expectations/requirements (internal and external), interventions to minimize risk and the supportive processes available to them e.g. Employee Assistance Program (EAP). Education will also entail increasing awareness of specific disease processes that can affect client understanding of their actions and measures to promote employee and client safety. Supervisors will also receive training to ensure competency under the *Occupational Health and Safety Act* and how to investigate, document and follow-up incidents, including corrective action.

As part of the general orientation to OSSTF/FEESO District 9, all new employees will receive education and training regarding general and job specific training to OSSTF/FEESO District 9's Workplace Violence Prevention Policy/Program

**Control** - This step includes but is not limited to the implementation of systems to identify, analyze, control and communicate information about potentially violent or aggressive situations and/or clients. All reported incidents of workplace violence will be monitored for purposes of trending and system improvement.

### **Supports for Employees Affected by Workplace Violence**

OSSTF/FEESO District 9 is committed to the provision of a safe, healthy, secure and respectful workplace. Any member who has been exposed to any form of workplace violence or has witnessed any form of workplace violence will be supported through all aspects of the event including reporting, investigating, the follow-up and treatment and/or corrective action stages.

Management will respond promptly, assess the situation and ensure that these interventions are followed:

- Facilitation of medical attention;
- debriefing (by skilled professional, i.e. EAP programs);
- referrals to community agencies, treating practitioner and employee assistance program;
- referral to trade union (Bargaining Unit President if applicable);
- completion of incident reports, WSIB reports, reports to MOL (critical injury or fatality);
- reporting to police (as required); and
- team debriefing.

### **Policy Review**

This policy will be reviewed annually, in June of each year or more frequently if necessary upon advice of the worker representative, the employer, or if there is a change in circumstances that may affect the health and safety of a worker.