

## **3190 Violence in the Workplace**

Policy 3190

STATUS: ADOPTED

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### *VIOLENCE IN THE WORKPLACE - EMPLOYEES*

Board Approved and Codified: October 18, 1995

Last Revised: June 19, 2013; January 2014

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#### Description:

The Board recognizes the right of all employees to work in an environment free from violence as described by the Occupational Health and Safety Regulation issued by WorkSafeBC. Acts or threats of violence toward an employee by non-employees, including students, shall not be tolerated.

1. The Board of Education directs that the Superintendent of Schools ensure that the Occupational Health and Safety Regulation relating to protection of workers from violence in the workplace is adhered to.
2. The Superintendent will ensure that:
  - a. risk assessments are undertaken;
  - b. risks are eliminated or minimized;
  - c. procedures are in place for reporting, investigating and documenting violent incidents;
  - d. employees who may be exposed to risks of violence are informed of the nature and extent of the risk;
  - e. employees at risk are trained to recognize, respond to, and report violent incidents.

#### Note:

All records and incidents are to be treated in a confidential manner with information being shared with those who may be in contact with the individual.

Provisions for dealing with violence between two or more employees of the Board will be covered by other Board policies and the terms of any applicable collective agreement.

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Description:

Violence means the attempted or actual exercise by a person, other than an employee, of any physical force so as to cause injury to an employee, and includes any threatening statement or behaviour which gives an employee reasonable cause to believe that he or she is at risk of injury. Verbal abuse or harassing behaviour is “violence” for the purpose of this policy, it includes threats which give the employee reasonable cause to believe that the employee or his/her family is at risk of injury.

### **1. Identifying Violence against staff**

- When an employee believes they are at risk due to an act or threat of violence, they shall:
  - Use whatever means necessary to escape from the situation;
  - Ensure, within reasonable limits, the safety of students under their supervision;
  - Report the incident to their principal/supervisor as soon as possible.
- Upon receipt of a report, the principal/supervisor shall:
  - Ensure the employee(s) is no longer at risk;
  - Ensure, within reasonable limits, the safety of students under their supervision;
  - If deemed necessary, report the incident to the RCMP, seeking appropriate assistance to eliminate the immediate risk;
  - Complete an investigation into the incident;
  - Refer the employee to the Employee Family Assistance Program (EFAP)
  - Ensure that a Workplace Violent Risk Assessment (WVRA) has been completed and can be located at: <http://www.sd59.bc.ca>staff>e-services>Incident Reporting – WVRA>.
- In the case of a Violent Incident involving a student, the principal will notify the student and parent(s) that a Violent Incident Report (VIR) has been filed as a result of threatening or violent action.

### **2. The Documentation Process:**

- If an incident occurs where the employee perceives themselves to be at risk or is at risk due to a violent act of a non employee, the employee shall notify their Principal or supervisor and complete an online Violent Incident Report (VIR) located at: <http://www.sd59.bc.ca>staff>e-services>VIR form>;

- The VIR will automatically be forwarded to the Principal and the District staff;
- WorkSafe Form 6A must be completed by the injured worker and sent to the Director of Human Resources. Download the form at: First Class>All Staff>Health and Safety>Forms>WCB6a;
- One employer representative and one worker representative, who are knowledgeable about the work, must complete:
  - Form 52E40-**Accident Investigation Report**. Download at: First Class>All Staff>Health and Safety>Forms>WCB52E40;
- Copies of the VIR are made for the investigation team comprised of a sub-committee of the Joint Occupational Health and Safety Committee (JOHSC).

### 3. **The Investigation Team:**

- The principal or the JOHSC will identify one of their members to be chairperson for the VIR investigation. The chairperson coordinates a meeting time as expeditiously as possible to review the event;
- The investigation team must be no less than two (and should be no more than four), one employer representative, and a minimum of one worker representative who have knowledge of the work routinely conducted by the injured worker.

### 4. **The Investigation:**

- Members of the JOHSC are informed of the incident and of immediate actions that have occurred. A time and location are identified for a meeting with the injured staff;
- The intent of the investigation is to determine the cause or causes of the incident: to identify any unsafe conditions, acts or procedures that contributed to the incident, and to recommend corrective action to prevent similar incidents.
- A risk assessment will be completed to assess the risk of injury to workers from violence. If a risk of injury to workers from violence is identified by the risk assessment, the JOHSC will make recommendations relating to procedures, policies and work environment arrangements to eliminate or minimize the risk to workers.
- Witnesses should provide a written account if possible. A witness is a student, staff or other person that actually saw what took place during the event.

### 5. **Reporting:**

- The Principal will report to the investigation team and the injured worker any preliminary actions that were taken (e.g.: suspension, parent meeting) and their recommendations emerging (e.g.: adjustment to timetable of student, IEP adjustments), regarding what will be done to remediate risk;
- When completing WCB form 52E40, the members of the investigation team will make recommendations that will address all of the contributing factors.
- The injured worker will receive a copy of WCB form 52E40;
- The injured worker agrees that they understand the content of the letter and the recommendations;
- Final copies of the initialed letter are forwarded to District staff responsible for Safe Schools (Keith Maurer) and the District staff responsible for WCB matters, Director of Human Resources (Kim Maurer);
- Form 52E40, with names removed, must be posted at the worksite.

**6. Appeals:**

- The employee may appeal a decision by the Principal within 10 working days to be reviewed by the District Safety Committee. Further appeal may be made to WCB;

**7. Records:**

- A copy of the VIR is placed in a VIR file (not the student's permanent records file);
- For non-students, a second VIR file is created;
- Reports will be presented in summary to the District Safety Committee with identities omitted;
- Any plan i.e., safety intervention plan, behavior plan etc. developed as a result of the VIR will become part of the student's permanent record;
- Records of VIRs will stay on file and will transfer to subsequent principals until the student is no longer a part of School District #59, or until the student-offender moves to another district. If the VIR involves a non-student, the file will be kept for a period of time that in the judgment of the principal there is a low probability of future contact with the offender.

**8. Information Dissemination:**

- Workers who may be exposed to a risk of violence will be informed about the nature and extent of the risk as soon as the hazard has been identified. When a risk for violence is communicated it needs to be accompanied by details about the nature of the risk and the interventions that minimize the risk of injury to the worker.
- Any plan i.e., Safety Intervention Plan or Behaviour Plan, developed in this process will be placed in the student's permanent record file.
- The strategies that are put in place to manage the behavior of the offender will be reviewed as often as necessary. The Principal or designate will monitor the need for review. Strategies will be adjusted to prevent the reoccurrence of a violent incident. Ongoing monitoring will occur where a student-offender is "flagged" as a risk to the school environment;

**9. The Training Process:**

- Each year, this policy will be reviewed at each worksite with staff;
- General training is required for all employees in:
  - How to manage, document, and report, an incident of violence;
  - Specific training will be provided by the employer, as required under law to provide a safe environment for employees;
  - ERASE Bullying awareness and Non-Violent Crisis Intervention training is advised for all staff.