

**PROCEDURE NO: 504.2****TITLE: Respectful Workplace violence Prevention**

**SOURCE:** The Workplace Safety and Health Act; Common Guide for Preventing Harassment; A Guide for Preventing Violence in the Workplace; Manitoba Labour Act

**OTHER REFERENCE:** SRSD Student Services Handbook; SRSD Emergency Crisis Plans; Department of Education: A Whole-School Approach to Safety and Belonging, Preventing Violence and Bullying (2005)

**EFFECTIVE DATE:** October 2012

**REVISED DATE:** October 2012

**REVIEW YEAR:**

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**Procedure****Guidelines**

It is the objective of Seine River School Division (The Division) to ensure, so far as is reasonably practicable, that no person is subjected to violence as defined by the *Workplace Safety and Health Act*, in its workplaces. The Division is committed to providing its employees and other persons an environment that is safe and secure and free of violence.

The Division will take investigative actions as necessary relating to any threat, real or perceived of any act of Violence being of physical force or aggression directed to or at an employee.

The Division will not disclose the name of a complainant or the circumstances related to the complaint, except where disclosure is necessary in order to investigate the complaint, required in order to take corrective action, or required by law. Personal information disclosed, regarding an incident of violence, will be the minimum amount necessary to investigate the complaint or take corrective actions, or is required by law.

The purpose of this policy is not intended to discourage or prevent a complainant from exercising any other legal rights.

**1. Defining Violence:**

Workplace violence is defined by the *Workplace Safety and Health Act* as attempted or actual exercise of physical force against a person and any threatening statement or behaviour that gives a person reasonable cause to believe that physical force will be used against the person.

The Division further defines Workplace Violence as a conflict or confrontation between two or more people in an occupational situation that results in an incident involving either verbal or physical abuse.

An incidence may be a threat, real or perceived, of any act of verbal or physical force or aggression directed at person.

Examples of workplace violence include but are not limited to:

- Direct, conditional or implied threats of assault
- Deliberate insults through offensive pictures, practical jokes that could cause embarrassment or physical harm or injury

- Property Damage, Vandalism of personal property
- Use of or threat to use a weapon
- Shouting
- Intimidation
- Sarcasm
- Sexual Harassment
- Scratching, pinching and hair-pulling
- Stalking or loitering
- Groping
- Slapping

Workplace violence can take place in the workplace itself, or outside the workplace in a situation that is somehow connected to work. This includes threatening phone calls from one person to another or any kinds of verbal or written threats to a person, their family or property.

(Violence is against the law - The Workplace Safety and Health Regulation, M. R. 217/2006 and Canada's Criminal Code require workplaces to be free of violence.)

## **2. Employees' Rights and Responsibilities:**

### **2.1 Rights**

Employees' rights include:

- Working in an environment that is free from violence
- Employees have the right to file a complaint with the police
- The ability to obtain medical attention immediately as a result of violent incidences

### **2.2 Responsibilities**

Employees are responsible for:

- Working together in a professional manner and resolve issues in a non-violent manner
- Bring issues to their supervisor if they cannot be mutually resolved
- Reporting incidents of violence to their supervisor
- Cooperating in the investigation process looking into violent incidents
- Keeping investigation information confidential, when giving evidence or information to investigators

## **3. Employer responsibilities:**

The Division is responsible to:

- Ensure, as much as reasonably practical, that no employees are subjected to violence in the workplace
- Work with its managers and supervisors in creating a safe working environment that is free from violence
- Any information that is disclosed will be the minimum required for the purpose of this policy
- The Division will ensure all employees are aware of the risks of violence in the workplace and

are properly trained and equipped to protect themselves

- Hold anyone under their direction who subjects a person in the workplace to violence accountable
- Not disclose the name of a complainant or the circumstances of the complaint to anyone except where disclosure is:
  - Necessary to investigate the complaint
  - Required to take corrective action
  - Required by law

#### **4. Controls, Assessment and Communication dealing with potential Workplace Violence**

The Division will establish controls and assessments through the established administrative resources (Student Services Handbook and Emergency Crisis Handbook)

A potential area in the workplace where violence may occur includes playgrounds, workrooms, lunch rooms, school grounds, extra-curricular activities etc.

Steps to eliminate or reduce the risk of violence include

- Assessing the risk for workplace violence annually or more often if the workplace changes or if a violent incident occurs
- Training employees to deal with emergency situations should they arise
- Notifications of the risk and extent of violence to appropriate employees or individuals relating to those who have been identified as posing a threat or risk of violence to others
- Safe work procedures have been developed to train and inform employees about the risks of violence and violence prevention such as but not limited to emergency response plans, working alone or in isolation and dealing with the public

Any time there has been a change in the nature or extent of the risk of violence, the Division will provide employees all of the necessary information available including personal information within the limitations of the law. Information provided to the extent necessary for the purpose of this policy/regulation.

#### **5. Reporting threats or incidents of violence**

##### **5.1 General Reporting**

Any employee, volunteer, or other person having knowledge of acts of violence should promptly report the incident to the applicable Principal, Manager or Supervisor in charge of the workplace and complete a Violent Incident Report Form.

##### **5.2 Management Reporting**

###### **5.2.1 Student to student related reports**

School administrators when receiving violence reports shall follow the requirements found within the Emergency Crisis Response Plan and/or the Student Services Handbook.

### 5.2.2 Employee Reports

When an employee is subjected to a violent incident, managers receiving such information shall provide a completed Workplace Violent Incident Report Form to the applicable Workplace Safety and Health Committee co-chairs and the HumanResources office and the Superintendent or designate.

Additionally, Managers shall notify the Seine River SD Safety and Health Officer (SHO), if the incident meets the definition of a serious incident as defined by M.R.217/2006, Part 2.6. ([M. R. 217/2006, Part 2.6](#)) (Ctrl+ click to view). The manager in consultation with the SHO will notify Manitoba Workplace Safety and Health Division and secure the scene without delay.

If the situation has or is likely to escalate into a major act of physical violence, contact the police immediately by calling 911. (i.e. fire arms and weapons use).

## 6. Incident Investigation

All reported incidents of violence will be investigated by the appropriate persons based on the incident type and those involved in the incident. Investigations shall be documented and completed as soon as possible, but no later than two working days. Investigation evidence and documents shall be filed at the workplace for a period no less than 5 years.

- The supervisor will advise any employees who may be at risk of violence and will notify the Superintendent or designate and SHO.
- The Workplace Safety and Health co-chairs or administrators/supervisors or a member of the Workplace Safety and Health committee at that location will complete an investigation into the incident, reporting using the divisional forms.
- All information available and relevant to the violent incident will be provided to the investigation team.
- Investigation team(s) shall provide their investigation findings and their recommendations to the incident location Administrator/Manager, Superintendent or designate, the Workplace Safety and Health Committee and the SHO.
- Progress on the implementation of any recommendation will be documented in the Workplace Safety and Health Committee minutes and staff will be notified of the implementation of the recommendations.
- Incident location Administrator/Manager shall provide the investigation findings that resulted from a serious incident to Manitoba's Workplace Safety and Health Division office by either, fax, mail or e-mail.

**7. Annual report**

An annual report summarizing the reported occurrence(s) of Workplace Violence shall be prepared and distributed to the Superintendent or designate and the applicable Workplace Safety and Health committee(s) by the SHO

**8. Post violent incident follow up**

Employees who have been victims of violence are:

- Encouraged to seek medical help from their healthcare providers or seek a referral for post-incident counselling, if required
- Given the opportunity to be examined by a doctor and transported to a medical facility, if required

**9. Review of Policy**

The Division and the Workplace Safety and Health Committee(s), shall review this policy a minimum of once every three years.