

# Protection of Employees from Violence in the Workplace

## 4330-10 | Protection of Employees from Violence in the Workplace

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### **Guideline:**

Any act or threat of violence directed towards an employee by another employee or a non-employee, including students, shall not be tolerated and will be dealt with accordingly.

### **Administrative Regulations:**

1. The definition of violence is:

The attempted or actual exercise of 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 the employee is at risk of injury. (Reference WorkSafe, Regulation 4.27)

2. All employees shall be informed of identified risks of violence related to their job responsibilities that they may encounter during their work day.
3. Training may be provided to enable employees to recognize potential risks of violence in order that they may take appropriate preventive measures.
4. All incidents of violence shall be responded to, with appropriate measures taken in accordance with the *School Act* and District Policies and Regulations, in order to minimize or prevent a recurrence. Post incident trauma counselling will be available for employee(s) affected by the incident.

### **Administrative Reporting Procedures:**

1. When an employee believes they are at risk due to an act or threat of violence, the employee shall:
  - a) Secure the safety of the children (if present) and remove themselves from the situation.
  - b) Report the circumstances of the incident to their Administrative Officer/Supervisor, as soon as possible.
2. When a report of such an incident is received by an Administrative Officer/Supervisor, they shall:
  - a) ensure the employee(s) is no longer at risk.
  - b) if deemed necessary, report the incident to the local law enforcement authority, seeking appropriate assistance to eliminate the immediate risk.

- c) complete an investigation into the incident (see Incident Risk Assessment below).
  - d) if it has been determined that a critical incident of violence towards an employee has occurred, immediately report the full circumstances of the incident to the Superintendent or designate.
  - e) if the investigation confirms a violent incident, file a written report on the appropriate form (Form 4330-20) with the Secretary-Treasurer.
3. It is the responsibility of each worksite supervisor (for schools, the Administrative Officer) to ensure all employees are aware of the Threat and Violence Report (Form 4330-20). New employees shall be advised within thirty (30) days of the start of their employment with respect to these reporting procedures. Supervisors, on a yearly basis, are to review these reporting procedures with their staff.
4. The contents of a Threat and Violence Report will be shared with the staff in the workplace, if deemed appropriate by the Superintendent or the Administrative Officer/Supervisor. If a safety plan to address the risk of violence is developed and implemented, all staff in the workplace will be informed of the existence of the safety plan, as required by WorkSafe BC. A copy of the plan will be available for review by staff.
5. The School District Occupational Health & Safety Committee shall review all Threat and Violence Reports and shall make recommendations to the Board, as necessary, to reduce future risk.

#### Incident Risk Assessment

An investigation and risk assessment shall be performed if an incident of violence or threatening behaviour occurs in the workplace (WorkSafe Regulation 4.30(3)(d)). The Administrative Officer/Supervisor will:

1. Investigate the incident, asking employees who were involved in the incident or witnessed the incident to provide a statement of their observations.
2. If the incident involves a student, consider whether the student in question has a documented special need and how that may have contributed to the incident.
3. Call the “in-school” Violence, Threat, Risk Assessment (VTRA) team together to investigate the level of risk to students and staff.
4. Consider asking a member of the the District VTRA team to join the “in-school” VTRA team during the investigation.
5. Make recommendations to the Superintendent and the District Safe School Coordinator.

The written Threat and Violence Reports (Form 4330-20) are an important resource for follow-up assessments.

## Work Site Risk Assessment

A risk assessment shall be performed at all work sites (as per WorkSafe Regulation 4.28) to ascertain the risk of injury to workers from violence arising out of their employment. A work site risk assessment should take place when a new school is opened and whenever there is a significant change in the configuration of a school or other workplace.

A risk assessment must include consideration of:

1. Previous experience in that workplace;
2. Occupational experience in similar workplaces; and
3. The location and circumstances in which work will take place.

In the school setting, risk assessment should consider:

- Relevant history of violence. Records and employees can provide the information on the type, severity, frequency and the nature of past violent incidents.
- Experiences and responses at other schools in the district.
- The nature of the work environment. Work location, number of staff at a work site, workplace layout, lighting, and security provisions should be considered.
- The attributes of workers. Considerations include the level of skill and training employees possess in dealing with confrontational incidents and recognition that women and persons with disabilities are most at risk to violence.

### **Responsibilities:**

Employees will:

- Provide input into risk assessments;
- Follow procedures for prevention of violence;
- Report incidents of violence;
- Provide input into incident investigations; and
- Consider accessing counselling services when offered by the employer.

District Staff, Administrative Officers and Supervisors will:

Risk Assessment:

- Evaluate work-site lay-out, and conduct and document work site risk assessments.
- Conduct and document incident risk assessments.

Inform Staff:

- Inform staff of the nature and extent of the risk of violence as identified in the Work Site Risk Assessment (WorkSafe Regulation 4.30(1)).
- Facilitate on-going discussions on violence issues with staff;
- Provide staff with information related to the risk of violence from persons who have a relevant history of violent behaviour and whom staff are likely to encounter in their work (WorkSafe Regulation 4.30(2)) – specifically this will apply where a safety plan is put in place for a student.

#### Train Staff:

- Instruct staff on procedures for recognizing, preventing or minimizing, responding to and reporting incidents of violence (WorkSafe Regulation 4.30(3)).
- Determine training requirements, in consultation with staff;

#### Investigate:

- Comply with procedures for reporting, investigating and documenting incidents of violence in accordance with WCB regulations and reporting procedures with a copy forwarded to the Secretary-Treasurer.

#### Report Incidents:

- Promote and encourage reporting of violent incidents.

#### Take Action:

- Establish procedures and work arrangements to eliminate or minimize the risk to workers from violence (WorkSafe Regulation 4.29); this will include:
- Identifying what action(s) were taken to eliminate or minimize the risks to the employee(s); and
- Taking corrective action and monitoring its effectiveness.
- If required, ensure staff receive medical attention.
- Advise impacted staff of counselling services available through the Employee & Family Assistance Program (WorkSafe Regulation 4.30(3)(c)).

#### The Work Site Occupational Health and Safety Committee will:

- Provide input into work site risk assessments;
- Review "Threat and Violence Reports" for health and safety implications; and
- After consultation with the VTRA team, make recommendations to the Administrator.

#### The Violence, Threat, Risk Assessment (VTRA) team will:

- Participate in the investigation of an incident of violence or threatening behaviour; and
- Make recommendations to the Superintendent and the District Safe School Coordinator.

#### The joint district Occupational Health & Safety Committee will:

- Review all Form 4330-20 reports; if necessary:
- The form will be returned to the site supervisor if further action is warranted; and/or
- The results of the investigation will be reported in the district minutes so that other sites are made aware of findings that may be relevant to their site.

Other References:

***Basic Threat and Risk Assessment Training Guide, 5th Edition, Level 2: Safer Schools Together WorkSafe BC Regulations 4.27 to 4.30***