

FREEDOM FROM WORKPLACE VIOLENCE

The Seven Oaks School Division is committed to providing safe and secure workplaces for all staff. It is everyone's responsibility for the creation of a safe working environment that is free from violence. The Division will ensure, so far as it reasonably practicable, that no member of the Seven Oaks Community is subject to violence. Actions are taken to identify possible sources of violence and to implement a violence prevention program to minimize the risk of violence.

Violence is defined as the 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.

A workplace is defined as any place where individuals perform work or work-related duties or functions for the Seven Oaks School Division including, but not limited to:

- The Board Office
- Ben Zaidman Educational Resource Centre
- Service Centre
- Schools
- School Busses
- Work related events and/or
- Other locations where work-related activities take place and where workers or others covered under this Policy perform work related functions.

Canada's Criminal Code prohibits violence. You have a right to live and work without being subjected to violence. This policy outlines what to do if you are subjected to threats or violence at work or if you, as an administrator or an employee, become aware of a violent situation.

Employee Responsibilities

- Employees are responsible for working together in a professional manner and to resolve issues in a non-violent manner.
- Employees are to bring issues to their school administrator or supervisor if they cannot be mutually resolved.
- Employees must report incidents of violence to their school administrator or supervisor.
- Employees must cooperate in the investigation of a violent incident.
- Anyone who gives evidence or information in an investigation or is involved in the process, must keep this information confidential except when it is necessary to deal effectively with the issue.

School Division Responsibilities

The Division, its administrators and supervisors, are responsible for creating a safe working environment that is free from violence. Anyone aware of violence in our workplace must bring it to the attention of administration so the issue can be addressed immediately.

- Where it is determined that there has been a violent incident the Division will take corrective action.
- The name of the complainant or the circumstances of the complaint will not be disclosed to anyone, except where the disclosure is:
 - Necessary to investigate the complaint.
 - Required to take corrective action.
 - Required by law.
- Any information that is disclosed (as above) will be the minimum required for the purpose.
- When communicating information to address a risk of violence staff must comply with the Personal Health Information Act (PHIA) and the Freedom of Information and the Protection of Privacy Act (FIPPA).
 - Under FIPPA the Division may disclose personal information where necessary to protect the mental or physical health or the safety of any individual or group of individuals.
 - Under PHIA the division may disclose personal health information without the consent of the individual the information is about if the division reasonably believes that the disclosure is necessary to prevent or lessen a serious or immediate threat to:
 - The health or safety of an individual; or
 - Public health or public safety.
 - Example – Student at a school with a risk of violence:
 - FIPPA applies.
 - The division may disclose some information to staff (teachers, EA's, etc.) that are unaware of a risk of violence.
 - The division may release situation specific information and precautions (example: The student becomes aggressive, kicks and bites when it is time to come in from recess. Give a two minute warning before the bell rings.).
 - Do not disclose a student's diagnosis.
- 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.

Where might violence occur?

The Division recognizes that employees working with students with identified behavioural issues may be at risk of violence.

Steps to Eliminate or Reduce the Risk of Violence

The Division continually assesses the risk for workplace violence.

Where staff works with students with behavioural issues, behaviour plans have been developed and staff are trained on these plans.

The Division has a Divisional Emergency Response Committee that has developed an Emergency Response Desk Guide. The Guide details procedures to follow if an intruder enters the building and the procedures to follow for a school lock down. Schools practice lockdown procedures throughout the year.

This Policy will be reviewed with all staff at orientation.

Where employees work alone the working alone procedures will be reviewed with those employees. Employees must follow these procedures and administrators/supervisors must ensure that the plan is followed.

The procedure for summoning immediate assistance if violence occurs or is likely to occur is to use the intercom or pull the fire alarm.

Incident Reporting and Record Keeping

1. Any worker of the Division who feels they have been subjected to violence contrary to this policy must report the incident to their administrator/supervisor.
2. The administrator/supervisor must notify the Manitoba Workplace Safety and Health Branch if the violent incident meets the definition of a “serious incident” which are defined as:
 - a. The death of a worker.
 - b. Where a worker suffers:
 - i. An injury resulting from electrical contact,
 - ii. Unconsciousness as the result of a concussion,
 - iii. A fracture of their skull, spine, pelvis, arm, leg, hand or foot,
 - iv. Amputation of an arm, leg, hand, foot finger or toe,
 - v. Third degree burns,
 - vi. Permanent or temporary loss of sight,
 - vii. A cut or laceration that requires medical treatment at a hospital,
 - viii. Asphyxiation or poisoning.

- c. That involves:
 - i. The collapse or structural failure of a building, structure, crane, hoist, lift, temporary support system or excavation,
 - ii. An explosion, fire or flood,
 - iii. An uncontrolled spill or escape of a hazardous substance, or
 - iv. The failure of an atmosphere-supplying respirator.
3. The employee and the administrator/supervisor must complete a Violent Incident Report form. The form must be completed for all incidents, whether the incident involves a threat or act of violence.
4. The administrator/supervisor will provide the original of the Violent Incident Report form to the Superintendent or designate as soon as possible.
5. All incidents must be investigated.

Incident Investigation

When an incident of violence occurs or could reasonably be expected to occur, the Division will take the following steps:

1. Serious Incidents
 - a. The Division must ensure that each of the following is investigated as soon as reasonably practicable after it occurs:
 - a. a serious incident;
 - b. an accident or other dangerous occurrence
 - i. that injures a person, and results in the person requiring medical treatment, or
 - ii. that had the potential to cause a serious incident.

An investigation also includes any incident where an employee seeks medical treatment.

Only a “serious incident” as defined in Part 2.6 of the Manitoba Workplace Safety and Health Regulations needs to be reported to the Manitoba Workplace Safety and Health Branch. These incidents, along with those violent incidents which do not meet the definition of a “serious incident” must all be investigated by the Workplace Safety and Health Committee Co-Chairs or their alternates.

- b. The administrator/supervisor will immediately notify the Workplace Safety and Health Branch (notifying the WSH Branch is only necessary if the incident meets the definition of a “serious incident”) and the co-chairs of the Workplace Safety and Health Steering Committee.
- c. The site of the serious violent incident must be secured.
- d. The Workplace Safety and Health Steering Committee co-chairs, the administrator/supervisor and any other persons required will complete an investigation into the incident using the Violent Incident Investigation Summary Report form.

- e. All information available and relevant to the violent incident will be provided to the investigation team.
 - f. The investigation results will be summarized by the employer co-chair of the Workplace Safety and Health Steering Committee in consultation with the steering committee with copies of the report given to the administrator/supervisor, employee co-chair, Superintendent and Workplace Safety and Health Steering Committee.
 - g. Any recommendations that may result from the investigation will be reviewed by the Workplace Safety and Health Steering Committee and the Superintendent.
 - h. Any decision to implement any recommendations will be the decision of the Superintendent in consultation with the Workplace Safety and Health Steering Committee in consultation with the Superintendent and will be recorded in the minutes.
2. Non-Serious Incidents
- a. The administrator/supervisor and any other persons required will complete an investigation into the incident using the Violent Incident Investigation Summary form.
 - b. All information available and relevant to the violent incident will be provided to the investigation team.
 - c. The administrator/supervisor will determine any corrective action required.
 - d. The investigation results will be summarized by the administrator/supervisor with the original report given to the Superintendents' Department for distribution to the School's Workplace Safety and Health Site Committee and Workplace Safety and Health Steering Committee.
 - e. Any recommendations that may result from the investigation will be reviewed by the Workplace Safety and Health Steering Committee and the Superintendent.
 - f. Any decision to implement any recommendations will be the decision of the Superintendent in consultation with the Workplace Safety and Health Steering Committee in consultation with the Superintendent and will be recorded in the minutes.

Assistance to Workers Subjected to Violence

Employees who have been victims of violence may be:

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

The division has an Employee Assistance Plan that provides counselling and debriefing services for employees and their families.

The Violent Incident may require the employee (support staff) to file a report of injury with the Workers' Compensation Board.

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Annual Report

Each investigation report will be included in the annual workplace violence report. The annual report on violence will be provided to the Superintendent and the Workplace Safety and Health Steering Committee no later than June 1 of each year.

This policy is not intended to discourage or prevent the complainant from exercising any other legal rights.