

SUPERIOR-GREENSTONE DISTRICT SCHOOL BOARD

Section PERSONNEL

Policy Name WORKPLACE VIOLENCE
Management Guideline Applies

720

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POLICY RATIONALE

The Superior-Greenstone District School Board is committed to the prevention of workplace violence and promotion of violence free workplaces in which all people respect one another and work together to achieve common goals. Workplace violence in any form erodes the mutual trust and confidence that are essential to the well-being of staff and is considered unacceptable.

DEFINITIONS

~~“workplace violence”~~ **Workplace violence** is defined in the *Occupational Health and Safety Act (OHS Act)* as:

- 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 a workplace, that could cause physical injury to the worker, and a
- A statement or behaviour that a worker could reasonably interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

~~“domestic violence” is a pattern of behaviour used by one person to gain power/control over another with whom he/she has or has had an intimate relationship. It may include physical violence, sexual, emotional or psychological intimidation, verbal abuse, stalking and/or the use of electronic devices to harass and control.~~

~~“worker” is defined in the *Occupational Health and Safety Act* as a person who performs work or supplies service for monetary compensation.~~

~~“workplace” is defined in the *Occupational Health and Safety Act* as any land, premises, location or thing at, upon, in or near which a worker works.~~

POLICY

It is the policy of the Superior-Greenstone District School Board to adhere to the Occupational Health and Safety Act. The Superior-Greenstone District School Board believes in the prevention of workplace violence and promotes a violence-free workplace in which all people respect one another and work together to achieve common goals. Any act of workplace violence is unacceptable conduct in any form, as it erodes the mutual trust and confidence that are essential to the well-being of our staff.

This policy applies to all work activities that occur while on Board premises, or while engaging in workplace activities or workplace social events. It also applies to all members of the Board community, including but not limited to, Trustees, students, employees, visitors such as parents and community members, volunteers, permit holders, contractors, and employees of other organizations who work on or are invited to participate in Board related functions.

The Board is committed to implementing a process to deal with workplace violence and the requirements of the Occupational Health and Safety Act in accordance with Safe

Schools legislation.

PROCEDURES GUIDELINES

1.0 — Risk Assessment

~~Superior Greenstone District School Board staff shall identify the risks of workplace violence occurring on Board premises, or while engaging in workplace activities. An assessment of the risk should include a rating of the risk of workplace violence taking place in a given workplace. A suggested rating scale follows in Appendix A. Duties of the Employer, Principal and Worker are outlined in the "Management Guidelines".~~

2.0 — Records

~~All correspondence and other documents generated under this procedure must, subject to the *Municipal Freedom of Information and Protection of Privacy Act*, be marked "PRIVATE AND CONFIDENTIAL" and be stored in a locked and secure file in the Human Resources Department. The Superior Greenstone District School Board may be required to provide information obtained during an investigation to an outside agency that has the right to require information otherwise protected by the *Municipal Freedom of Information and Protection Privacy Act*.~~

3.0 — Misuse of the Reporting Procedures

~~It is expected that all reports submitted under this Policy will be filed in good faith. Where it is determined as a result of an investigation into the report that it was issued in bad faith, disciplinary action may occur.~~

4.0 — Investigation and Resolution

~~Reports require an investigation of the allegations. Investigations will most often be done by the supervisory staff of the person who reports. Supervisors have the right to assistance (Superior Greenstone District School Board representation) and support from Human Resources at any stage of the investigation process. The steps to be followed in the investigative process, the Outcome of Investigation, the Appeal Process and Mediated Resolution are outlined in "Management Guidelines."~~

~~If the accused declines to participate in the investigative process, the investigation shall still proceed. The accused should be encouraged to participate in the interest of a balanced and fair process.~~

5.0 — Disciplinary Actions

~~In the event a complaint is substantiated, the appropriate supervisor may impose discipline as appropriate and consistent with the circumstances.~~

6.0 — Work Refusal

~~All employees have the right to refuse to work when they have reason to believe their Health or Safety is in danger. The limited right of teachers to refuse work remains. A teacher cannot refuse to work as per Occupational Health & Safety Act Regulation 857, if the circumstances are such that the life, health or safety of a pupil is in imminent danger~~

7.0 — Disclosing People with a Violent History

~~Superior Greenstone District School Board is required to provide information, including~~

~~personal information, to workers about a person with a history of violent behaviour if the worker can be expected to encounter that person in the course of his or her work and the risk of workplace violence is likely to expose the worker to physical injury. The employer is only permitted to disclose the amount of personal information reasonably necessary to protect workers from physical injury.~~

~~8.0 — Role of the Joint Occupational Health & Safety Committee~~

~~Joint Health and Safety Committees and health and safety representatives have the same powers and responsibilities for workplace violence hazards as they do for other occupational health and safety hazards under the Occupational Health and Safety Act.~~

1.0 *Employees, students and other users will strive to foster a respectful workplace through the prevention and prompt resolution of workplace violence incidents. Complaints will be taken seriously and handled professionally.*

2.0 *The Board shall provide a mechanism to lodge a formal complaint.*

3.0 *The Board shall provide a fair and objective formal process for dealing with alleged incidents of workplace violence.*

4.0 *Confidentiality will be maintained to every extent possible; however, the nature of the investigation may require additional information beyond the complainant(s) and the respondent(s) to verify factual information.*

5.0 *Violence prevention training shall be offered to managers, supervisors and employees.*

6.0 *Violence is a serious offence. Any individuals found to have perpetrated an act of violence may be subject to disciplinary action up to and including dismissal. In addition individuals may be subject to action under the Criminal Code of Canada.*