

SUPERIOR-GREENSTONE DISTRICT SCHOOL BOARD

Section PERSONNEL

Policy Name WORKPLACE VIOLENCE
Management Guideline Applies

720

Board Approved: _____
December 5, 2011

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POLICY RATIONALE

The Superior-Greenstone District School Board (SGDSB) is committed to the prevention of workplace violence and the promotion of a violence free workplace for all staff/workers, in which all people and staff/workers respect one another and work together to achieve common institutional goals. Workplace violence in any form erodes the mutual trust and confidence that are essential to the safety and well-being of all staff/workers 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 at Superior-Greenstone District School Board to adhere to the *Occupational Health and Safety Act*. The Superior-Greenstone District School Board SGDSB believes in is committed to the prevention of workplace violence for all staff/workers and promotes a violence-free workplace in which all people staff/workers respect one another and work together to achieve common institutional 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 safety and well-being of all our staff/workers. SGDSB takes reasonable steps to protect staff/workers from workplace violence from all sources.

The Board Superior-Greenstone District School Board is committed to implementing establishing a process to implement this policy, including dealing with an incident or complaint of workplace violence, according to the requirements of the *Occupational Health and Safety Act* and in accordance with Safe Schools legislation.

APPLICATION AND SCOPE

This policy applies to all members of the Board Superior-Greenstone District School Board community, including but not limited to, Trustees, students, employees-staff/workers, 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. Everyone is expected to uphold this policy. It applies to work activities that occur while on Board premises, or while engaging in workplace activities or workplace social events.

PROCEDURES GUIDELINES GUIDING PRINCIPLES AND RESPONSIBILITIES

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** *Violent behavior in the workplace is not acceptable from anyone. Employees- Staff/workers, students and other users will strive to foster a respectful workplace through the aimed at the prevention of workplace violence. Superior-Greenstone District School Board will endeavor to and promptly resolve of workplace violence incidents. Complaints or incidents reported will be taken seriously and handled professionally.*
- 2.0** *The Board shall provide a mechanism to lodge and address a formal complaint or report of an incident, as well as to conduct investigations where necessary.*
- 3.0** *The Board shall provide a fair and objective formal process for dealing with alleged incidents or complaints of workplace violence, in a timely manner.*
- 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 evidence.*
- 5.0** *Violence prevention training shall be offered to managers, supervisors and employees. Managers will adhere to this policy and will be responsible for providing staff/workers with necessary information and instruction about this policy.*
- 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 termination. In addition, individuals may be subject to action under the Criminal Code of Canada.*