



Durham Catholic District School Board

"The Board"

Administrative Procedure

Title: Workplace Violence Prevention - General	Procedure #: AP324-1
Administrative Area:	Human Resources and Administrative Services
Policy Reference:	Workplace Violence (PO324)
Date Approved:	January 24, 2011
Dates of Amendment:	November 12, 2012; May 6, 2019
Date of Annual Review:	June 13, 2016

1.0 Purpose

This administrative procedure and related policy supports a safe working environment through implementation of effective measures to prevent and address violence in the workplace. This procedure does not address workplace violence prevention as it pertains to students.

2.0 Definitions

Occupational Health and Safety Act (OHSA) - sets out the rights and duties of all parties in the workplace, as well as procedures for dealing with workplace hazards and for enforcement as needed.

Incident - any event in which an act of workplace violence as defined by OHSA occurs on Durham Catholic District School Board property or at a Durham Catholic District School Board sanctioned event, or approved attendance at a professional development event (e.g., conference, workshop), associated with a Durham Catholic District School Board employee.

Joint Health and Safety Committee (JHSC) - a committee, composed of employees who represent the workers from various employee groups and the Board committed to improving health and safety conditions in the workplace. The Committee's role is to identify system-wide health and safety issues and brings these matters to the employer's attention. Members of the Committee must be kept informed of health and safety developments in the workplace. The Committee does not deal with school-based or labour relations issues.

Reprisal - any act of retaliation, either direct or indirect.

2.0 Definitions (Cont'd)

Safety Plan – a plan developed for students whose behaviour is known to pose an ongoing risk to themselves, other students, workers or other people in general. It can serve as a crisis-response plan that outlines the roles and responsibilities of the workers in dealing with specific problem behaviours. Safety plans are confidential student information and are not to be shared without the principal's knowledge and agreement.

Supervisor – As defined under the Occupational Health and Safety Act, a person who has charge of a workplace or authority over a worker. This may include a principal or designate.

Threats - any statements, acts, or communication intended or apparently intended to intimidate or threaten a person, in circumstances where the person threatened believes, or has reasonable grounds to believe, the threat may be carried out.

Workplace - any land, premises, location or thing upon which an employee performs work or work-related duties or functions. Schools and school related activities, including but not limited to such as extra-curricular activities and excursions, comprise the workplace, as do Board offices and facilities. Conferences and training sessions fall within the direction of this policy.

Workplace Violence is defined by the Ministry of Labour (MOL) 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 causes or could cause physical injury to the worker,
- a statement or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

Workplace Violence Risk Assessment – under the Occupational Health and Safety Act, School Boards are required to assess the risks of workplace violence that may arise from the nature of the workplace, the type of work or the conditions of work. A risk assessment under OHS Act is not an assessment of an individual or student.

3.0 Procedures

3.1 Workplace Violence Excluding Students

3.1.1 Measures and Procedures to Control the Risks of Workplace Violence

3.1.1.1 The Board, in consultation with the Joint Health and Safety Committee (JHSC), will assess the varying degrees of potential exposure of the Board's employees to violence in the workplace and support a Workplace Violence Prevention Program.

3.0 Procedures (Cont'd)

3.1.1.2 The Board, in consultation with the JHSC, will assess the risks of workplace violence that may arise from the nature of the workplace, the type of work or the conditions of work in accordance with the provisions of the *Occupational Health and Safety Act* (OHSA).

3.1.1.3 The Board will reassess the risks of workplace violence as often as necessary to ensure that the related policy and program continue to protect employees from workplace violence. The assessments and reassessments will take into account:

3.1.1.3.1 circumstances that would be common to similar workplaces; and

3.1.1.3.2 circumstances specific to the workplace.

3.1.1.4 Circumstances that would be common to schools of the Board are:

3.1.1.4.1 the existence of potential risks due to interactions with the public, students, parents and employees; and

3.1.1.4.2 the existence of protocols between the Board and the Durham Region Police Services (DRPS) or other police services

3.1.1.5 The Board shall consult and advise the JHSC of the results of the assessment and reassessment, and provide a copy, if the assessment or reassessment is in writing.

3.1.1.6 The Workplace Violence Prevention Program requires that administrators, principals, supervisors and workers take preventative measure aimed at reducing the risk of possible workplace violence in the physical environment. Such measures include but are not limited to:

3.1.1.6.1 Reviewing the need for controlled entry points at the worksite;

3.1.1.6.2 Controlling, managing and restricting internal access (i.e., keys/authorized personnel) to vital areas of operation at the worksite;

3.1.1.6.3 Controlling and managing external access (e.g., keys/locks) at the worksite;

3.1.1.6.4 Ensuring a check-in process for all visitors at the worksite;

3.1.1.6.5 Controlling and managing parking and fire routes;

3.1.1.6.6 Monitoring internal security by closing doors and windows and turning off computers when not in use, including after- hours operations;

3.0 Procedures (Cont'd)

- 3.1.1.6.7 Reviewing internal communication systems (e.g., intercoms, walkie talkies, video surveillance, etc.);
- 3.1.1.6.8 Ensuring that emergency exits, corridors, stairwells and grounds are not blocked;
- 3.1.1.6.9 Maintaining good housekeeping practices, including proper storage of items;
- 3.1.1.6.10 Ensuring that classroom(s) and office areas are configured in a manner that does not box in or restrict staff from the exit points;
- 3.1.1.6.11 Ensuring all graffiti is reported and removed as soon as possible from the worksite;
- 3.1.1.6.12 Reviewing and assessing lighting at the worksite (inside/outside of building);
- 3.1.1.6.13 Ensuring all required fire and emergency response drills are conducted on a regular basis;
- 3.1.1.6.14 Ensuring an annual Fall review is conducted of the Board's Emergency Response Plan; and
- 3.1.1.6.15 Training for managers and staff to identify risks of violence and responses required.

3.1.1.7 Applicable Board Policies, Procedures, Guidelines and Resources that Prevent and Mitigate Workplace Violence: The DCDSB has in place many measures and procedures for controlling risks that arise from the nature of the workplace, the type of work or the conditions of work at DCDSB, both generally and in particular positions. These incorporate both prevention/mitigation and reporting mechanisms and are included in the Reference section of this Administrative Procedure.

3.1.2 Workplace Violent Incident Reporting

3.1.2.1 Who May Initiate a Complaint?

- 3.1.2.1.1 All employees who are included under section Application/Scope in the Workplace Violence Policy have access to the complaint procedures. Individuals who are victims of workplace violence, including threats of violence, may initiate a complaint. Only individual complaints are permitted.

In addition, those who have directly witnessed workplace violence directly, have received reports of workplace violence or have reasonable grounds/objective evidence to suspect that workplace violence may occur can initiate a complaint.

- 3.1.2.1.2 All reports will be signed and dated

3.0 Procedures (Cont'd)

3.1.2.1.3 Each employee has the right and is encouraged to contact his/her Union/Association for assistance and advice throughout this reporting process. Non-unionized employees are encouraged to consult with their respective employee group representatives, (i.e. Chaplains, Middle Management, Non-Union, and/or the Director of Education or designated Supervisory Officer).

3.1.2.2 Reporting

3.1.2.2.1 Workplace violence as defined in the Workplace Violence Policy must be reported using the Workplace Violence Incident Report Form 4324 or the Safe Schools Incident Reporting application available on MyDCDSB and submitted to the Principal/Supervisor or designate, unless the alleged aggressor is a student. If the alleged aggressor is a student, refer to AP324-2 Workplace Violence Prevention – Students. If the alleged workplace violence is by the employee's immediate supervisor, the reporting should be to the appropriate Supervisory Officer per 3.1.2.2.3 below.

3.1.2.2.2 Members of a professional college are required to fulfill the reporting requirements as per their respective code of conduct, professional practice, or legislative obligations.

3.1.2.2.3 If the supervisor is the party alleged to be responsible for the workplace violence or alleged to condone the workplace violence, the complaint should be reported to that supervisor's superior.

3.1.2.2.4 Other user complainants should report the complaint to the appropriate supervisory or managerial personnel at the Board or, if they require assistance in reporting.

3.1.2.3 Timelines for Initiating a Complaint

All complaints must be reported as expeditiously as possible, but no later than within forty-five (45) calendar days of the most recent incident or threat of workplace violence. Reports of workplace violence filed outside this time frame may be considered by the Director or designate

3.0 Procedures (Cont'd)

3.1.2.4 Durham Catholic District School Board Reporting

- 3.1.2.4.1 If an incident of workplace violence were to cause a person to be disabled from performing his/her usual work or to require medical attention, the WSIB/Disability Claims Management Officer or designate would, in accordance with the *Occupational Health and Safety Act (OHS)*, notify the JHSC and the applicable union/association, if any, within 4 days from the incident.
- 3.1.2.4.2 If an incident of workplace violence were to result in a death or critical injury as defined by the OHS, the Health, Safety and Wellness Program Coordinator or designate would, in accordance with the OHS, immediately notify the Ministry of Labour, the JHSC and the applicable union/association, if any. The Health, Safety and Wellness Program Coordinator or designate would then provide the Ministry of Labour with written details of the incident as prescribed within 48 hours.

3.1.2.5 Summoning Immediate Assistance

- 3.1.2.5.1 When workplace violence occurs or is likely to occur, employees are encouraged to act immediately and summon assistance. For threats of violence, assaults or other violent incidents, employees should contact their supervisory or managerial personnel, if possible, and/or call 9-1-1- immediately in emergency situations.
- 3.1.2.5.2 After requesting police involvement and the emergency situation is under the proper control, the particulars of the event must be detailed on the Workplace Violent Incident Report Form 4324 and submitted to the Principal/Supervisor in a timely manner.

3.1.3 Workplace Violent Incident Investigations

3.1.3.1 Confidentiality

- 3.1.3.1.1 To protect the interests of all parties involved, confidentiality will be maintained throughout the complaint process to the extent possible under the circumstances, subject to all relevant legal considerations. Witnesses should be informed that supervisory and managerial personnel, in obtaining a statement, will maintain such statement in strict confidence, subject to their ability to conduct a full and thorough investigation.

3.0 Procedures (Cont'd)

3.1.3.1.2 Notwithstanding the above, due process and procedural fairness requires that the respondent to a complaint be apprised of the nature of the complaint and by whom it has been made so that they have an opportunity to respond to the allegations. This may require the disclosure of witness names and statements to the parties, subject to any applicable privacy considerations under the Education Act and Regulations.

3.1.3.1.3 A complainant has the right to withdraw a complaint at any stage defined in these procedures. The withdrawal must be done in writing. At the same time, the Board may be required to continue to act on the issues identified in the complaint in order to comply with its legal obligations and to address its concerns regarding systemic issues. When the Board determines that the safety of an individual or the community is at risk, it will act to the best of its ability to address this situation. This may mean that the procedures outlined in this policy, including confidentiality, will be set aside.

3.1.3.1.4 The Board may be required to provide information obtained during an investigation to an outside agency, such as police services, court or tribunal, or professional college that has the right to require information otherwise protected by the Municipal Freedom of Information and Protection of Privacy Act.

3.1.3.2 Threshold Assessment

3.1.3.2.1 All reports filed under the Workplace Violence Policy will be subject to a threshold assessment to determine whether the alleged conduct would, if proven, meet the definition of workplace violence by the Principal/Supervisor. The Principal/Supervisor will conduct the threshold assessment in consultation with the appropriate Superintendent and the Human Resources and Administrative Services Department via Health, Safety and Wellness Coordinator.

3.0 Procedures (Cont'd)

3.1.3.2.2 If following this threshold assessment, it is determined that the report of workplace violence filed:

3.1.3.2.2.1 would not, if true, meet the definition of workplace violence;

3.1.3.2.2.2 does not provide sufficient details of the alleged incident or threat of workplace violence, provided the complainant is given notice that insufficient details have been provided and given reasonable time to provide sufficient details; or

3.1.3.2.2.3 is vexatious, frivolous, trivial, or has not been made in good faith or would, if investigated, constitute an abuse of the Workplace Violence Policy, then the complainant shall be so advised in writing by the Director or designate and no further action shall be taken under these procedures.

Where a complaint is determined to be filed in a vexatious, frivolous, trivial or bad faith manner, the employee filing such a complaint may be subject to disciplinary action.

3.1.3.2.3 If the report of workplace violence does meet the definition of workplace violence, then proceed to investigate the incident in accordance with section 3.1.4.3

3.1.3.2.4 Where allegations relate to harassment or discrimination on the basis of a ground prohibited by the *Ontario Human Rights Code*, they shall be addressed in accordance with Board policy PO320, Workplace Harassment and Administrative Procedure AP320-1.

3.1.3.3 Investigations and Resolutions

3.1.3.3.1 Reports of workplace violence deemed to meet the definition through the threshold assessment require an investigation of the complainant's allegations. Investigators will most often be the supervisory staff of the complainant. Principals/Supervisors have the right to assistance and support from their respective Superintendent and/or Human Resources and Administrative Services Department.

3.0 Procedures (Cont'd)

- 3.1.3.3.2 Informal inquiries and discussion, with the views of the parties being solicited and assessed, may be sufficient depending on the circumstances.
- 3.1.3.3.3 The Work Related Incident Investigation Report is to be completed by the Principal/Supervisor in all cases of reported employee injury.
- 3.1.3.3.4 Where the employer becomes aware that domestic violence that would likely expose a worker to physical injury may occur in the workplace, the employer shall take every precaution reasonable in the circumstances for the protection of the worker (refer to Appendix A). Employees who believe issues of domestic abuse may flow into the workplace, are obligated to advise their immediate supervisor. Such reporting shall be held in confidence and reviewed confidentially between the supervisor and the Human Resources and Administrative Services Department so as to implement the necessary safety precautions for the employee and their colleagues.
- 3.1.3.3.5 Principals/Supervisors who conduct the investigation shall ensure that the following steps are taken as soon as possible:
 - 3.1.3.3.5.1 Workplace violence incidents are subject to the *Criminal Code of Canada* and may require the Durham Regional Police Services to be contacted.
 - 3.1.3.3.5.2 take appropriate measures to ensure the safety of the complainant;
 - 3.1.3.3.5.3 notify the complainant(s), the respondent(s) and witness(es) that they are entitled to support and assistance throughout the process;
 - 3.1.3.3.5.4 interview the complainant(s);
 - 3.1.3.3.5.5 inform the respondent(s) of the allegations and provide an opportunity for response;
 - 3.1.3.3.5.6 interview witness(es);
 - 3.1.3.3.5.7 interview the respondent(s);

3.0 Procedures (Cont'd)

- 3.1.3.3.5.8 consult with the appropriate Superintendent and Human Resources and Administrative Services Department, and legal counsel where necessary, about findings and determine whether an alleged incident did or did not occur based on a balance of probabilities;
- 3.1.3.3.5.9 provide a written summary of the findings to the complainant and respondent and given them an opportunity to respond; and
- 3.1.3.3.5.10 take appropriate action(s) to address the situation.

3.1.3.3.6 If the respondent declines to participate in the investigative process, the investigation will proceed. The respondent should be encouraged to participate in the interest of a balanced and fair process.

3.1.3.4 Standard of Proof

3.1.3.4.1 The standard of proof to be applied is the balance of probabilities.

3.1.3.5 Outcomes in Investigations

3.1.3.5.1 In the event a complaint is not substantiated, no further action will be taken, subject to the section on maintaining records. In cases where the complaint is found to be trivial, vexatious or an abuse of the process, the complainant may be subject to disciplinary action as outlined in section, "Disciplinary Action". However, if there is need to restore positive learning or working environment or if the complainant and/or respondent require counselling, appropriate steps will be taken to meet such needs.

Follow-up possibilities, including but not limited to:

- 3.1.3.5.1.1 counselling for the parties;
- 3.1.3.5.1.2 application of strategies to restore a positive learning/working environment;
- 3.1.3.5.1.3 mediation;
- 3.1.3.5.1.4 specific training for the complainant and/or respondent;
- 3.1.3.5.1.5

3.0 Procedures (Cont'd)

- 3.1.3.5.1.6 workshops for the staff and/or others in the school/workplace regarding their rights and responsibilities;
- 3.1.3.5.1.7 restorative measures;
- 3.1.3.5.1.8 permanent separation of respondent and complainant from each other;
- 3.1.3.5.1.9 letter of direction/discipline;
- 3.1.3.5.1.10 access restrictions;
- 3.1.3.5.1.11 employment terminated; and/or
- 3.1.3.5.1.12 other measures deemed appropriate in the circumstances.

3.1.3.6 Disciplinary Actions

3.1.3.6.1 Employee Respondents

- 3.1.3.6.1.1 The appropriate supervisor or manager may impose discipline as appropriate and consistent with the circumstances.
- 3.1.3.6.1.2 Where appropriate under the circumstances and notwithstanding the Board's management rights, the principles of progressive discipline will be applied in dealing with disciplinary actions under this policy. These would include the following possibilities:
 - 3.1.3.6.1.2.1 verbal warning;
 - 3.1.3.6.1.2.2 written reprimand;
 - 3.1.3.6.1.2.3 suspension with pay;
 - 3.1.3.6.1.2.4 suspension without pay;
 - 3.1.3.6.1.2.5 other employment related restrictions; or
 - 3.1.3.6.1.2.6 dismissal for cause from employment with the Board.
- 3.1.3.6.1.3 Nothing precludes the Board from bypassing lesser forms of discipline where the employee behaviour is egregious.

3.0 Procedures (Cont'd)

3.1.3.6.2 Other Respondents

3.1.3.6.2.1 Actions must be determined as appropriate for the individual situation and may include such responses as a letter of disapproval and caution or warning, a revoking of permits or contracts, an issuing of a trespass warning, or other remedies as provided by the common law and/or the appropriate legislation. The involvement of the Director or designate is recommended in these cases.

3.1.3.7 Mediated Resolution

3.1.3.7.1 Mediation involves an unbiased third party acting as a facilitator in direct communication between the parties who voluntarily agree to enter into this process. It is an opportunity to resolve disputes in a respectful manner. It provides the opportunity to generate a variety of options for resolution and contributes to restoring the working relationship between the parties.

3.1.3.7.2 Where there is already a report of workplace violence being investigated under these procedures, at any time during the investigation, the parties may agree to hold the investigation in abeyance and attempt to achieve a mediated resolution.

3.1.3.7.3 Mediation is appropriate when all parties agree that a mutually agreeable solution is achievable and desirable. The investigator will request approval to mediate or attain a trained mediator when the parties have expressed an interest in a mediated resolution. In cases where mediation is sought, the Human Resources and Administrative Services Department will make arrangements to obtain the services of a trained and appropriately qualified mediator.

3.1.3.7.4 Meetings required for mediation sessions will be scheduled as soon as possible and, where practical, in a time and place convenient for the complainant, the respondent and the mediator.

3.0 Procedures (Cont'd)

3.1.3.7.5 When matters are resolved through mediation, the complainant and the respondent will sign a memorandum of agreement outlining the terms to which they have agreed. Supervisory and managerial personnel will ensure that the terms that the parties have agreed to have been met.

3.1.3.7.6 Mediation is voluntary and the complainant or the respondent may choose to withdraw at any time.

3.2 Review/Appeal Process

3.2.1 Within ten (10) business days of having received the investigator's final written report, the complainant or respondent may request, in writing, to the Director or designate for a review of the Investigator's conclusions and/or report for one or both of the following reasons:

3.2.1.1 the investigators did not comply with the procedures; or

3.2.1.2 new evidence has become known after the final decision but before the expiry of the ten working days limitation period for requesting a review.

3.2.2 No review of the final decision will be undertaken with regard to the claim that the conclusions drawn by the investigator(s), based on findings of fact, were incorrect.

3.2.3 The reviewer will report its findings to the Director or designate who will affirm or amend a final decision or require that a new investigation be undertaken.

3.3 Records

3.3.1 All correspondence and other documents generated under these Procedures 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 and Administrative Services Department. Records will be retained per legislated requirements. Only a record of the negative consequence, warning, caution, or other disciplinary action will be placed in the respondent's personnel file, with a copy to appropriate employee group representative.

3.4 Misuse of the Workplace Violence Reporting Procedures

3.4.1 If there is a determination on a balance of probabilities that a report of workplace violence has been filed in bad faith, the investigation process may discontinue and disciplinary action may occur.

3.0 Procedures (Cont'd)

3.5 Reprisals

3.5.1 Reprisals against individuals because they have reported a complaint are strictly forbidden. Alleged reprisals shall be investigated and, if substantiated, are subject to the same consequences as complaints of harassment.

3.6 Sharing of Personal Information

3.6.1 In cases where an individual with a history of violent behavior presents a risk of workplace violence that is likely to expose the employee(s) to physical injury, the Board will provide information related to the risk of workplace violence to employee(s) who can be expected to encounter that person in the course of his/her/their work.

3.6.2 The information provided will include personal information, though no more than is reasonably necessary to protect the employee(s) from physical injury. Such sharing of information is on a need to know basis, is governed by appropriate privacy legislation. Principals, managers and supervisors should seek guidance on this issued from their Superintendent and the Human Resources and Administrative Services Department. Notification of Risk of Injury Form 4324-2 will only be used after consultation with their Superintendent and the Superintendent of Human Resources and Administrative Services.

3.7 Information and Instruction with Respect to Workplace Violence

3.7.1 All employees of the Durham Catholic District School Board will be provided information and instruction respecting workplace violence. This will cover the basics of workplace violence and strategies to deal with the issues. It will include, but is not limited to ensuring employees:

3.7.1.1 know how to summon immediate assistance;

3.7.1.2 know how to report incidents of workplace violence to the employer or supervisor;

3.7.1.3 know how the Board will investigate and deal with incidents, threats or complaints;

3.7.1.4 know, understand and be able to carry out the measures and procedures that are in place to protect them from workplace violence; and

3.7.1.5 be able to carry out any other procedures that are part of the program.

3.0 Procedures (Cont'd)

3.7.2 All employees will be made aware of the Workplace Violence Prevention Administrative Procedures. Principals and Supervisors will be supported with resource material suitable for staff meetings. Every fall of each school year, Principals, Supervisors and Superintendents will review with staff the Workplace Violence Policy and Administrative Procedures. Principals shall advise parents/guardians of the Policy and Administrative Procedures within a school newsletter in the fall.

3.7.3 Information and instruction will be repeated:

3.7.3.1 when there are significant, non-housekeeping changes to the risks encountered;

3.7.3.2 when there are significant, non-housekeeping changes to the workplace violence policy or program;

3.7.3.3 when circumstances indicate additional instruction or training is needed;

3.7.3.4 when procedures are not being followed or workers do not know about them.

3.7.4 Training Records

3.7.4.1 The provision of workplace violence information and instruction will be tracked by the Human Resources and Administrative Services Department.

3.7.4.2 As part of the annual program audit and review described in the section, "Program Audit and Review", workplace violence information and instruction needs and other related workplace policy training needs will be continually assessed and up-dated.

3.8 Program Audit and Review

The Board, in consultation with the Joint Health and Safety Committee, will annually review the Workplace Violence Prevention Policy and Administrative Procedures to ensure that they are effective.

4.0 Sources

Statutes and Regulations

- Criminal Code (Canada)
- Ontario Human Rights Code
- Ontario Occupational Health and Safety Act
- Education Act
- Teaching Profession Act
- Ontario College of Teachers Act
- Canadian Charter of Rights and Freedoms
- Accepting Schools Act, 2012
- Municipal Freedom of Information and Protection of Privacy Act

4.0 Sources (Cont'd)

Ministry of Education Policy/Program Memoranda

- PPM 120 School Board Policies On Violence Prevention In Schools
- PPM 128 Provincial Code of Conduct
- PPM 144 Bullying Prevention and Intervention
- PPM 145 Progressive Discipline and Promoting Positive Student Behaviour

Professional Colleges

- College of Audiologists and Speech-Language Pathologists of Ontario
- College of Early Childhood Educators
- College of Psychologists of Ontario
- Ontario College of Teachers
- The Ontario College of Social Workers and Social Service Workers and/or;
- Any other professional colleges or associations recognized under Provincial statutes.

5.0 References

- Ontario Ministry of Labour
- Working Alone Protocol, Facilities Services Staff, September 2008
- School Banking Protocol, Business Services, January 2011

6.0 Related Board Policies and Administrative Procedures

- Workplace Violence Policy (PO324)
- Freedom of Information and Protection of Individual Privacy Policy (PO201)
- Employee and Family Assistance Program Policy (PO304)
- Occupational Health and Safety Policy (PO318)
- Workplace Harassment and Workplace Sexual Harassment Policy (PO320)
- Emergency Preparedness Policy (PO414)
- Code of Conduct Policy (PO610)
- Workplace Harassment and Workplace Sexual Harassment Administrative Procedure (AP320-1)
- Employee Injury Administrative Procedure (AP414-1)
- Accident/Personal Injury Administrative Procedure (AP414-2)
- Lockdown Administrative Procedure (AP436-1)
- Handling Racial/Ethnic Incidents Administrative Procedure (AP570)

Related Sources

- Workplace Violence in School Boards: A Guide to the Law, March 2018
- Ontario Ministry of Labour, Health and Safety Guidelines, *Workplace Violence and Harassment: Understanding the Law*, March 2010
- Ontario Education Services Corporation, *Resources for Implementing Bill 168*, April 2010
- Catholic Consortium, *Workplace Violence Policy – General*, March 26, 2010

7.0 **Related Forms**

- Workplace Violent Incident Report Form (Form 4324)
- Notification of Risk of Injury Form (Form 4324-2)

8.0 **Appendices**

- Appendix A – Domestic Violence

Appendix A

Domestic Violence

Domestic violence that could occur in the workplace is recognized by the *Occupational Health and Safety Act (OHSA)* as one form of workplace violence. Unlike many risks which may lend themselves to regular and ongoing assessment, the risk of domestic violence taking place in the workplace is much more variable and less easily anticipated. The Durham Catholic District School Board will take every reasonable precaution to protect workers from domestic violence that is likely to expose workers to physical injury in the workplace.

The responsibility for creating and maintaining a workplace environment in which workers are protected from domestic violence that may expose workers to physical injury in the workplace rests with all workers sharing the workplace.

1.1 Notification

Workers who have information that they or a fellow worker is subject to domestic violence that may expose them or their fellow workers to physical injury in the workplace have a responsibility to inform their supervisor (Workplace Violent Incident Report Form 4324).

The supervisor will treat all such reports in confidence and only disclose to Human Resources and Administrative Services, or others who need to know, information that is necessary for the protection of workers in the workplace.

1.2 Investigation

Supervisors who are informed that there is a worker who may be subject to domestic violence in the workplace must gauge the nature and extent of the threat in consultation with their Family of Schools Superintendent and the Human Resources and Administrative Service Department. This may require the supervisor to interview both the source of the information about the threat, and the worker(s) who may be subject to the risk of domestic violence in the workplace. It may also require more detailed investigations conducted by their respective Superintendent and/or Assistant Superintendent Human Resources and Administrative Services. It is the responsibility of the supervisor to make this contact.

The supervisor may request reasonable documentation from the worker in the circumstances to assess the risks and to put in place precautions to protect the worker. Such documentation may include a copy of a court order, police report or photograph of the alleged perpetrator.

The employer will make available information about supports available for victims of domestic violence. Such supports may include the Employee Assistance Program, community counselling, support groups, shelters, and the police. When possible, supervisors will remind potential victims of domestic violence in the workplace of these resources.

In all circumstances, a supervisor must tell the victim that if they feel at risk of physical harm whether inside or outside the workplace or at home, the worker should contact the police.

1.3 Actions

If the threat of domestic violence is from a co-worker or from someone outside the workplace, the supervisor, under advice from Human Resources and Administrative Services/Legal, must take steps to ensure the victim and other workers are protected. Such steps may include, but are not limited to, warnings, employee transfers, informing police, and requesting restraining orders.