

Appendix D–17: Sample Workplace Violence Prevention Policy

(Name of Organization)

Mission

(Name of organization) is committed to providing a safe, healthy and supportive working environment by treating our employees and clients with respect, fairness and sensitivity. Violence in the workplace can have devastating effects on the quality of life for our employees and on the productivity of the organization.

Purpose

(Name of organization) is committed to the prevention of workplace violence. The purpose of this policy is to define behaviour that constitutes workplace violence and to define procedures for reporting and resolving incidents of workplace violence. (Name of organization) is committed to providing a working environment free of violence by ensuring that all workplace parties are familiar with the definitions of workplace violence and their individual responsibilities for prevention and corrective action. To establish this policy, (Name of organization) has consulted the joint health and safety committee and the following legislation governing workplace violence in Ontario:

- *The Occupational Health and Safety Act*
- *The Criminal Code of Canada*
- *The Ontario Human Rights Code*
- *The Workplace Safety and Insurance Act, 1997*
- *The Compensation for Victims of Crime Act*
- *The Regulated Health Professions Act*

Policy Statement

The management of (Name of organization) recognizes the potential for violence in the workplace and therefore will make every reasonable effort to identify all potential sources of violence to eliminate or minimize these risks through the Workplace Violence Prevention program. (Name of organization) refuses to tolerate any type of workplace violence, within the workplace or at work-related activities. (Name of organization) is committed to the expenditure of time, attention, authority and resources to the workplace parties to ensure a safe and healthy working environment for all employees and clients for whom we provide care.

For the purpose of this policy, “violence” is any actual, attempted or threatened conduct of a person that causes or is likely to cause physical and/or psychological harm/injury/illness or that gives a person reason to believe that s/he or another person is at risk of physical or psychological harm/injury/illness, including, but not limited to, any actual or attempted assault (including sexual assault and physical attacks); threat; verbal, psychological or sexual abuse; and harassment.

Definitions Associated with Workplace Violence

- Assault: any intent to inflict injury on another, coupled with an apparent ability to do so; any intentional display of force that causes the victim to fear immediate bodily harm.
- Harassment: engaging in any vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome, and causes the person to believe their health and safety are at risk.
- Near miss: an act of striking out, but missing the target.
- Physical attack: an act of aggression resulting in a physical assault or abuse with or without the use of a weapon (e.g. hitting, shoving, pushing, punching, biting, spitting, groping, pinching or kicking the victim, unwelcome displays of affection or inciting a dog to attack).
- Psychological abuse: an act that provokes fear or diminishes an individual's dignity or self-worth or that intentionally inflicts psychological trauma on another.
- Sexual abuse: any unwelcome verbal or physical advance or sexually explicit statement, displays of pornographic material, pinching, brushing against, touching, patting or leering that causes the person to believe their health and safety is at risk.
- Sexual assault: the use of threat or violence to force one individual to touch, kiss, fondle or have sexual intercourse with another.
- Threat: a communicated intent (verbal or written) to inflict physical or other harm on any person or to property by some unlawful act. A direct threat is a clear and explicit communication distinctly indicating that the potential offender intends to do harm, for example, "I am going to make you pay for what you did to me." A conditional threat involves a condition, for example, "If you don't leave me alone you will regret it." Veiled threats usually involve body language or behaviours that leave little doubt in the mind of the victim that the perpetrator intends to harm.
- Verbal abuse: the use of vexatious comments that are known, or that ought to be known, to be unwelcome, embarrassing, offensive, threatening or degrading to another person (including swearing, insults or condescending language) which causes the person to believe their health and safety are at risk.

Roles and Responsibilities of Workplace Parties

Employer:

- Ensure that measures and procedures identified in the violence prevention program are carried out and that management is held accountable for responding to and resolving complaints of violence.
- Ensure compliance by all persons who have a relationship with the organization, such as physicians, contractors, volunteers, etc.
- In consultation with Joint Health Safety Committee (JHSC), conduct regular risk assessments.
- In consultation with JHSC, establish control measures.
- In consultation with JHSC, establish and deliver training and education for all employees.
- Integrate safe behaviour into day-to-day operations.
- Review all reports of violence or threats of violence in a prompt, objective and sensitive manner. This includes a review of all investigations associated with violence-related incidents.
- Take corrective action.
- Provide response measures.
- Facilitate medical attention and support for all those either directly or indirectly involved.
- Ensure any deaths or critical injuries have been reported to a Ministry of Labour (MOL) inspector, the police (as required), the JHSC, the H&S representative and trade union and investigated with the JHSC, and that a report goes to all parties in writing within 48 hours of the occurrence on the circumstances of the occurrence, including such information and particulars as the *Occupational Health and Safety Act* (OHSA) and regulations prescribe.

- Ensure a report goes to WSIB of all accidents where a worker loses time from work, requires health care, earns less than regular pay for regular work, requires modified work at less than regular pay or performs modified work at regular pay for more than seven days. Copies of accident information (where there is no critical injury) must be provided to the JHSC and trade union within four days of the occurrence, as the OHSA and regulations prescribe.

Managers/Supervisors:

- Enforce policy and procedures and monitor worker compliance.
- Identify and alert staff to violent patients and hazardous situations.
- Investigate all workplace violence using the organization's accident investigation procedure and form, and contact the police department as required.
- Facilitate medical attention for employee(s) as required.
- Ensure that debriefing is completed for those either directly or indirectly involved in the incident.
- Contact human resources to ensure the employee receives further counselling about the employee's legal rights.
- Track and analyse incidents for trending and prevention initiatives.
- Immediately report a death or critical injury to a MOL inspector, the police (as required), JHSC, H&S representative and trade union, and investigate with JHSC and report to all parties in writing within 48 hours of the occurrence the circumstances of the occurrence, including such information and particulars as the regulations prescribe.
- Issue a report to the employer and WSIB on all accidents involving lost time, where a worker requires health care, earns less than regular pay for regular work, requires modified work at less than regular pay or performs modified work at regular pay for more than seven days. Copies of accident information (where there is no critical injury) must be provided to the JHSC and trade union within four days of the occurrence, as the OHSA and regulations prescribe.
- Ensure there is a review at least annually of the workplace violence prevention program.

Employees:

- Participate in education and training programs to be able to respond appropriately to any incident of workplace violence.
- Understand and comply with the violence in the workplace prevention policy and all related procedures.
- Report all incidents or injuries of violence or threats of violence to their supervisor immediately, completing the Workplace Violence Incident Report form.
- Inform the JHSC or worker member of the JHSC about any concerns about the potential for violence in the workplace.
- Contribute to risk assessments.
- Seek support when confronted with violence or threats of violence.
- Seek medical attention.
- Participate in a review at least annually of the workplace violence prevention program.

Joint Health and Safety Committee (JHSC):

- Be consulted about the development, establishment and implementation of violence measures and procedures (the violence prevention program).
- Be consulted and make recommendations to the employer to develop, establish and provide training in violence measures and procedures.
- Take part in a review at least annually of the workplace violence prevention program.
- The worker designate should investigate all critical injuries related to violence.

- Receive and review reports of any critical injury or death immediately and in writing outlining the circumstances and particulars as prescribed within 48 hours of the occurrence.
- Review written notice within four days on lesser injuries where any person is disabled from performing his or her usual work or requires medical attention.

Reporting and Investigation

- Workers are to report all violence-related incidents or hazards to their manager or supervisor. This report can be made confidentially, at the employee's request, with the exception of the steps to ensure the safety of others and prevention of recurrence. For example, a police report may be necessary.
- The reporting worker may make the report confidentially and thus not leave a copy in the log but simply indicate the need for confidentiality to her or his direct manager or supervisor, or in the manager's or supervisor's absence, to another manager or supervisor.
- The manager or supervisor receiving the report investigates the report and ensures that measures are taken to safeguard employees and curtail the violence. No report of workplace violence or risks of violence can be the basis of reprisal against the reporting employee.
- The employer reports all injuries to the MOL and WSIB as required by the OHS Act and *Workplace Safety and Insurance Act*.

Response Procedures

- The manager or supervisor documents all reports of workplace violence and hazard reporting and measures taken to address them using the incident investigation form.
- If the resolution of the incident is beyond the authority of the manager or supervisor receiving the report, they must make the CEO or equivalent aware of the report. The CEO or equivalent involves other managers or supervisors in the investigation, as appropriate (for example, when the incident involves clients or employees under another manager's or supervisor's area of responsibility).
- Management reviews all incident reports, monitors trends and makes recommendations for prevention and enhancements of the Workplace Violence Prevention Program to the CEO or equivalent.
- These findings are shared with the JHSC, which is consulted about any revision to the Violence Prevention Program and Training Program.
- The CEO or equivalent reviews reports of workplace violence and ensures that actions have been taken.
- The managers or supervisors who investigate the reported incident warn all staff who might be affected of dangerous situations. The same managers or supervisors tell the reporting employee of the outcome of the investigation enough to minimize the chance of similar incidents.
- If a violent incident results in a critical injury to a worker, the JHSC representative or worker designate investigates the incident or injury (Section 9(31) OHS Act) and reports to the MOL and JHSC.

Emergency Response Measures

Refer to the organization's emergency response procedure (code white, staff alert).

Supports for Employees Affected by Workplace Violence

Management will respond promptly, assess the situation and ensure that these interventions are followed:

- Facilitation of medical attention
- Debriefing (by skilled professional)
- Referrals to community agencies, treating practitioner and employee assistance program

- Referral to trade union
- Completion of incident reports, WSIB reports, reports to MOL (critical injury or fatality)
- Reporting to police (as required)
- Team debriefing

Risk Assessment

Management (with worker involvement) assesses workplace violence hazards in all jobs, and in the workplace as a whole. Risk assessments are reviewed annually and whenever new jobs are created or job descriptions are substantially changed. A risk assessment tool is appended.

Education

All new employees will receive both general and site-specific orientation to the Workplace Violence Prevention Program. In addition, all employees will receive an annual review of both the general and site-specific components of the program.

Any training developed, established and provided shall be done in consultation with and in consideration of the recommendations of the joint health and safety committee.

Program Evaluation

The effectiveness of the Workplace Violence Prevention Program is evaluated annually by management and reviewed by the joint health and safety committee.

Workers, managers and supervisors are accountable for the policy and procedures related to workplace violence. This is part of the responsibilities to comply with health and safety policy in the manager, supervisor and worker's job descriptions. Management responsibilities for enforcing policy and procedures, investigation of and response to workplace violence are also included in health and safety components of job descriptions.

Accountability

All workplace parties are accountable for complying with the policy, program, measures and procedures related to workplace violence.

Records

All records of reports and investigations of workplace violence are kept for five years.

Policy review

This Violence in the Workplace Prevention Policy and Program will be reviewed annually.

Dated at _____ on _____, 200__

Signed _____

(Senior management to sign)