



BOARD POLICY MANUAL	
Approval Date November 2011	Replacing All previous documents
Review Date	Page 1 of 11
Policy Section School	Identification SCH-1068

WORKPLACE VIOLENCE AND HARASSMENT POLICY

1.0 Purpose and Commitment

In accordance with our Health and Safety Policy (SUP-3000), which exists pursuant to the *Occupational Health and Safety Act (OHS)* and other related legislation, and in keeping with God's holy word, the Trinity Christian School (TCS) Board of Directors (BOD) is committed to the prevention of workplace violence and harassment.

2.0 Application and Scope

1. The Trinity Christian School Workplace Violence and Harassment Policy and Program (hereafter referred to as "policy") serve all workers of the Trinity Christian School Board of Directors.
2. The scope of this policy applies to all students in attendance, parents and family members, visitors and volunteers, contractors and subcontractors engaged by Trinity Christian School.

3.0 Requirements

1. The BOD will:
 - develop a written policy with respect to violence and harassment prevention and intervention in the workplace;
 - make the policy readily available (including posting in a conspicuous place if six or more workers are regularly employed);
 - maintain and review the policy on a regular basis in consultation with workers and/or the Joint Health and Safety Committee;
 - develop, implement and communicate measures which assess and control risks;
 - collaborate with the Joint Health and Safety Committee in risk assessment;
 - establish reporting and incident investigation procedures;
 - establish emergency response procedures;
 - disclose personal information (only what is reasonably necessary to protect the worker from physical injury in the workplace) concerning a parent or co-worker's history of violence (*Legal advice may be advisable in this matter*);
 - provide workers with information, instruction and supervision to protect the health and safety of the worker;
 - take reasonable precautions where the BOD is aware (or ought reasonably to be aware) that domestic violence is likely to expose worker(s) to the risk of physical injury in the workplace.
2. The BOD and its workers are subject to the legislation, definitions and requirements mentioned and/or outlined in the Health and Safety Policy (SUP-3000).
3. The BOD and its workers will abide by all TCS official policies, procedures and guidelines, including those that relate to health and safety as listed in the Health and Safety Policy (see Section I, Cross Referencing Policies and Procedures).

4.0 Definitions

1. See the Health and Safety Policy (SUP-3000) regarding related definitions including *workplace*.
2. The definition of workplace violence is broad enough to include acts that would constitute offenses under Canada's Criminal Code.
3. Workplace violence is defined by the OHSA to mean:
 - the exercise of physical force by a person against a worker, in a workplace, that causes 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;
 - 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.
4. Workplace violence includes domestic violence that could cause physical injury to a worker in a workplace. (See appendix for additional examples and explanations of workplace violence.)
5. Workplace harassment is defined by the OHSA to mean:
 - engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome. (See appendix for additional examples and explanations of workplace harassment.)
6. Harassment is also prohibited by the Ontario Human Rights Code. Employees may not be harassed or discriminated against because of race, religion, gender, etc.

5.0 Roles and Responsibilities

1. The Principal or COO, as officer of the BOD, has the responsibility for the health and safety of all employees. It is the duty of the Principal to ensure that BOD requirements are implemented.
2. The Joint Health and Safety Committee conducts its responsibilities as per OHSA and the Health and Safety Policy (SUP-3000).
3. The worker contributes to the creation of a safe and healthy workplace. The Health and Safety Policy (SUP-3000) spells out the worker's responsibilities.

6.0 Risk Assessment of Workplace Violence and Harassment

1. Risk Assessment is conducted by the Joint Health and Safety Committee as often as necessary (*it is recommended to do one on an annual basis*).
2. Risk assessment should reference a wide range of policies and practices including but not limited to background record checks, lockdown, supervision practices, the worker's awareness of documents and procedures.
3. The OHSA does not require an employer to assess the risk of workplace harassment.
4. See the attached [Risk Assessment Checklist](#)

7.0 Reporting Process

1. In the case of immediate and vital danger to any worker's health and safety, the worker calls 911 then, if possible or necessary, activates the fire alarm, lockdown alert, etc.
2. In the case of workplace violence resulting in injury, anyone calls 911.
3. In the case of recent workplace harassment or violence, the worker, if able, shall complete the Workplace Incident Report Form and submit it to the Principal. This form is attached to the policy.
4. Depending on the nature of the complaint, the Principal will investigate the allegation/incident as soon as possible (keeping in mind related TCS policies and legal obligations i.e. reporting to JHSC, MOL, WSIB – see the appendix).
5. Reporting to MOL is not required for incidents of harassment.

8.0 Response Process

1. The Principal must first ensure the safety of all workers including contacting appropriate authorities and consultants.
2. Reports and findings are reviewed with the intent of determining trends and recommendations.
3. Recommendations addressing prevention and response are shared with staff and further assessment or training or drills implemented as needed.
4. The worker has the right to refuse work if conditions are deemed unsafe or unhealthy, however a worker, who protects others, cannot refuse to work if the refusal would endanger the life, health or safety of another person (see the Health and Safety Policy (SUP-3000), Section 2, Introducing the OHS, subsection, Rights).
5. The worker cannot refuse to work on the grounds of workplace harassment.

9.0 Enforcement

1. The Ministry of Labour health and safety inspectors will enforce the new OHS provision for workplace violence and workplace harassment and determine if employers are complying with their new duties.

APPENDIX

FURTHER GUIDELINES:

1. Types of workplace violence and/or harassment include:
 - criminal intent – committed by a perpetrator who has no relationship to workplace but engages in acts such as: physical assault, theft, hostage taking, drugs
 - client – committed by a parent or a student with the intent to cause harm
 - worker to worker – repeated and persistent negative acts toward one or more individual(s) creating a toxic working environment; the worker could be a past worker who is the perpetrator
 - personal relationships i.e. loved one/family member that commits a violent act against a worker; this includes domestic violence
2. Workplace harassment can include bullying, teasing, intimidating or offensive jokes or innuendos, displaying or circulating offensive pictures or materials, or offensive or intimidating phone calls or e-mails or social media. Inappropriate sexual touching, advances, suggestions or requests.
3. Workplace harassment involves comments or conduct that typically happen more than once. They occur over a relatively short period of time or over a longer period of time. They often involve repeated words or actions, or a pattern of behaviours, against a worker or group of workers in the workplace that are not welcomed, belittling a worker, spreading malicious rumours.
4. A workplace harassment policy should not limit or constrain the reasonable exercise of management functions in the workplace even if it sometimes leads to unpleasant consequences for a worker. Examples could include changes in work assignments, scheduling, job assessment and evaluation, workplace inspections, implementation of dress codes and disciplinary action.
5. The risk of violence is higher in service sectors, including education.
6. Workplace violence can include shaking a fist, destroying/throwing objects, written/verbal threats (includes e-mail); arson, murder, carrying or wielding a weapon, hitting or trying to hit a worker, sexual violence against a worker, kicking an object the worker is standing on such as a ladder, trying to run a worker down, bullying, stalking, tampering with workspace or belongings, sabotaging a worker's work.
7. Workplace violence can be committed by anyone at the workplace including family members and unauthorized intruder.
8. Domestic violence occurs when a person who has a personal relationship with a worker, such as a spouse or a former spouse or a family member, should physically harm, or attempt or threaten to physically harm that worker at work. In these situations, domestic violence is considered workplace violence.
9. A medical condition causing a violent response to a stimulus in the environment does not remove the threat of workplace violence and the employer needs to conduct a risk assessment with intent to prevent the response.
10. Injury to a worker who tries to intervene between two non-workers constitutes workplace violence.
11. An employer is not required to do a risk assessment between two individual workers unless there is a likelihood of violence.
12. Risk Assessment should be conducted by the Joint Health and Safety Committee if the workplace moves or is renovated or reconfigured; if there are significant changes to the type of work; if there is new information on the risks of workplace violence; in response to an incident.
13. OHSA clarifies that employers must provide personal information of a person if there is a history of violent behaviour. Only personal information that is necessary to protect the worker(s) from physical injury should be disclosed. This duty is limited and applies only if the worker can be expected to encounter the violent person in the course of his or her work and the risk of workplace violence is likely to expose the worker to physical injury. In order to determine what is likely to expose a worker to physical injury, the employer should consider whether the history of violence was associated with the workplace or work, whether the violence was directed at a particular worker or workers in general and how long ago did the

violence occur. Information need not be disclosed to every worker and information should not be disclosed if the worker was not likely to encounter the violent person in his or her work; or is not at risk of physical injury from that person. There are laws which govern the release of personal or medical information (YCJA, PIPEDA, PHIPA) and so it is advisable for the employer to seek legal advice.

14. A criminal background check is not required by the OHSA yet it is advisable to include this in risk assessment.
15. The OHSA clearly spells out that a teacher cannot refuse work when a pupil's life, health or safety is in imminent jeopardy.
16. Crisis response procedures should spell out where workers go to locate a safe place.
17. In case of workplace violence resulting in a person being killed or critically injured, the employer must immediately notify by telephone a MOL inspector and the JHSC; notify in writing within 4 days a director of the MOL. If workplace violence causes a worker to be disabled or in need of medical attention, the employer shall notify the JHSC within 4 days. The employer should call a MOL inspector in order to determine if the MOL should be officially notified.
18. Red flag indicators of potential violence include: making overt or veiled threats; showing aggressive, belligerent, intimidating behaviour; frequent conflicts with supervisors and co-workers; drug or alcohol abuse; mood swings; increased absenteeism; deteriorating hygiene; a slip in job performance; statements of suicide; showing a fascination with weapons and acts of violence.

Acronyms:

JHSC:	Joint Health and Safety Committee
MOL:	Ministry of Labour
OHSA:	Occupational Health and Safety Act
PIPEDA:	Personal Information Protection and Electronic Documents Act
PHIPA:	Personal Health Information Protection Act
YCJA:	Youth Criminal Justice Act

Credit: *Ted Postma of Calvin Christian School in Hamilton*

TRINITY CHRISTIAN SCHOOL

Burlington

WORKPLACE INCIDENT REPORT FORM

Incident: violence, harassment, injury, accident

Please see the back of this form regarding specifics involving workplace violence and harassment.

Date/Time

Name of Staff Member

Form Completed by:

(if other than injured staff member)

List Witness(es)

Briefly describe the nature of the incident or the alleged harassment and its impact

Briefly describe any action in dealing with the incident or allegation

When was the Principal notified?

Response Information

(completed by office)

In case of harassment, complainant's signature:

Further Information if Workplace Violence and Harassment was involved:

Classification of Incident:

- perpetrator has no relationship to TCS
- parent or student
- worker to worker
- personal relationship to worker (domestic violence)

Incident Type:

- threat
- physical assault
- verbal assault
- harassment
- carrying a weapon
- arson, robbery, vandalism

Nature of Injury:

- life threatening injury
- physical injury requiring medical attention beyond first aid
- physical injury requiring first aid only
- psychological injury

Notification:

- 911
- TCS Principal
- JHSC
- WSIB
- MOL

TRINITY CHRISTIAN SCHOOL

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VIOLENCE RISK ASSESSMENT CHECKLIST FORM

I) JHSC AUDIT

GROUND AND FACILITY	YES	NO	EXPLANATION / ACTION
Are the entrances and exits well marked and signs posted?			
Is lighting sufficient at parking lot?			
Is lighting sufficient at entrances and exits?			
Are there outside physical objects that someone can hide behind?			
Are the entrance doors locked during evening meetings?			
Is there a system in place to track the distribution of keys?			
Are locks replaced if keys are lost or stolen?			
Is the PA system easy to operate?			
Can the office receptionist see incoming visitors?			
Is the building locked or easily locked during school hours?			
Are signs posted to advising visitors to report to the office?			
Can objects in the reception area be easily used as weapons?			
Can objects in the classroom be easily used as weapons?			

Is it easy to view whether the elevator is occupied before entering?			
Is there a response procedure for elevator emergencies?			
Is there a functioning emergency telephone or call button in the elevator?			
Can the lights in the washrooms be turned off?			
Can the lights in the gym washroom / change rooms be turned off?			
Do classroom doors lock?			
Are filing cabinets containing confidential files/records locked?			
Are gates properly locked?			
Is the outdoor surveillance camera functioning?			

POLICIES AND PROCEDURES**YES NO****EXPLANATION / ACTION**

Are emergency/crisis response documents in place?			
Are lockdown drills being practiced annually?			
Are relevant policies (as stated in the TCS Health and Safety Policy) reviewed and accessible?			
Are there incident report forms in place?			
Do any workers work alone on a regular basis?			
Are there safeguards or precautions in place to protect them?			
Are there existing factors that might lead to violence?			
Do you believe that all reasonable steps have been taken to prevent or reduce the risk of violence?			

2) SELF – AUDIT

GENERAL	YES	NO	EXPLANATION / ACTION
Are there areas where you do not feel safe?			
Are there secure areas to store personal belongings?			
Are there emergency policies in place which you do not understand or cannot locate?			
Do you feel sufficiently trained for lockdown situations?			
Has your first aid training prepared you to respond to injuries?			
Are you given opportunity to provide input in updating the Workplace Violence and Harassment program?			
Does the principal investigate incidents without undo delay?			
Do you ever work alone?			
Are you concerned about working alone with a particular co-worker?			
Have you ever noticed a situation that you thought could or would lead to violence?			
Do you believe that all reasonable steps have been taken to prevent or reduce the risk of violence?			