



PRSD affirms its commitment to maintain a learning and working environment that is free from violence and at all times supports the dignity and self-esteem of individuals. The Division is committed to the prevention of violence within the workplace or work related activities.

The Division recognizes the potential for violence or threats of violence against employees. We will therefore make every reasonable effort to identify potential sources of such risk to eliminate or minimize them through our workplace violence prevention program; to ensure as much as reasonably practicable, that no employee is subjected to violence in the workplace.

An employee who believes she/he is being subjected to threats of violence or violence at work should report the incident following the procedures set forth.

The following are the regulations governing procedures and operations for violence as determined by the Superintendent/CEO.

PROCEDURES

Violence is against the law

The Manitoba Human Rights Commission Code, the Canada Criminal Code and the Manitoba Workplace Safety & Healthy Act require workplaces to be free from violence. This administrative procedure outlines what to do if an employee is subjected to threats of violence at work and/or if a manager or an employee becomes aware of a violent situation.

Definitions:

1. What constitutes Workplace Violence?

Consistent with the Manitoba Workplace Safety & Health Act; workplace violence is defined as:

- (a) the attempted or actual exercise of physical force against a person; and
- (b) any threatening statement or behaviour that gives a person reasonable cause to believe that physical force will be used against the person. (« violence »)

2. What does not constitute Workplace Violence?

Violence is rarely a spontaneous act but more often the culmination of escalating patterns of negative interaction between individuals.

- (a) Accidental situations – such as a worker tripping over an object and pushing a co-worker as a result does not constitute workplace violence.

3. What is considered my “workplace”?

Incidents of violence may not occur on the job site i.e. in the workplace; any incident is considered workplace violence if it arises out of the worker’s employment.

Examples:

- (a) Threatening telephone calls from one worker to another at his/her home or;



- (b) Violent actions against a worker's family or property.

Employee Rights and Responsibilities

- (a) Employees are entitled to work free from violence.
- (b) Employees are responsible for working together in a professional manner and resolving issues in a non-violent manner.
- (c) Employees are to bring issues to their supervisor.
- (d) Employees must report incidents of violence to their supervisor.
- (e) Employees must cooperate in the investigation of a violent incident.
 - Anyone who gives evidence or information in an investigation or is involved in the process must keep this information confidential, except when it is necessary to deal effectively with the issue.
- (f) Employees must take all reasonable steps to protect their personal safety and remove themselves from a violent situation.

Division's Responsibilities:

- (a) The Division must ensure, as much as reasonably practical, that no employees are subjected to violence in the workplace.
- (b) The Division will take corrective action with anyone under its direction who subjects an employee to violence.
- (c) The Division will not disclose the name of a complainant or the circumstances of the complaint to anyone except where disclosure is:
 - Necessary to investigate the complaint
 - Required to take corrective action
 - Required by law
- (d) The Division will ensure all employees are aware of the risks of violence in the workplace and are properly trained and equipped to protect themselves.
- (e) All managers and supervisors are responsible for creating a safe working environment, free from violence.
 - Anyone aware of violence in the workplace must bring it to the attention of management so that the issue can be addressed immediately.
- (f) This workplace violence prevention policy is not intended to discourage or prevent anyone from exercising any other legal rights under any other law.

Steps to eliminate or minimize the risk of violence:

1. Notification of Workers at Risk

The Division shall inform workers of known hazards and of how to minimize risk.



This duty is limited and applies only when the:

- (a) Worker can be expected to encounter the violent person in the course of his or her work; and the
- (b) Risk of workplace violence is likely to expose the worker to injury.

Safe work procedures and related administrative procedures will be provided to all applicable employee groups and be included in orientation and appropriate training sessions.

When an actual incident of violence has occurred, the Division will take the following steps to ensure the safety of all employees.

- (a) Principal or designate will advise the employees who are at risk. They will also coordinate a review of current procedures to minimize the risk.
- (b) Personal information disclosed shall be limited to what is reasonably necessary to protect the workers who are at risk.
- (c) Appropriate steps will be taken to protect employees.

2. Student Risk Threat Assessment

All risks and threats will be taken seriously and addressed accordingly.

PRSD's Risk and Threat Assessment Administrative Procedure has been developed for responding to student risk and threat.

Threat assessment team members shall review student risk and threat behaviours, develop action plans and recommendations in order to provide intervention to student, workers, and their families in a proactive manner.

Reporting Incidents of Violence

Any person who believes that she/he is being subjected to workplace violence should act promptly in order to resolve the situation; allowing the Division to work in a proactive and timely manner to prevent further violence.

There shall be no reprisal against any employee who, in good faith, reports an incident of violence or participates in an investigation.

Steps:

- (a) If a staff member feels it is safe to do so, s/he may choose to resolve the issue by communicating (verbally or in writing e.g. email) directly with the person who is believed to be the alleged perpetrator (i.e. the respondent).
- (b) In all other instances, the complainant shall immediately report all incidents or threats and attempted or actual violence to the principal, supervisor or designate and/or the next higher authority if the supervisor is the alleged initiator of the threat and/or attempted or actual violence.
- (c) Employees who have been the victim of violence will be:



- encouraged to get medical help; the principal, supervisor or designate will recommend/advise the worker who has been harmed to consult their health care provider for treatment or referral to post incident counselling, if appropriate.
 - provide with transportation if needed.
- (d) The complainant and the principal, supervisor or designate will assess the risk associated with the situation and complete the Violent Incident Report Form (GBGB-R) within 24 hours and submit it to the Superintendent/CEO's department and the Division's Safety Coordinator. Law enforcement agencies must be contacted when applicable.
- (e) The form must be completed for all incidents, whether they are an attempted or actual violence or threatening situation.
- (f) If any injury occurs, the employee and principal, supervisor or designate must complete an injury report at the earliest opportunity and submit required reports to the payroll benefits office:
- WCB Notice of Injury
 - Incident/Accident Report
- (g) If there is an incident of workplace violence and a worker is disabled or requires medical attention, the Safety Coordinator must be contacted immediately. The Safety Coordinator will be responsible for notifying the Manitoba Workplace Safety & Health Division.
- The complainant may also speak directly to their Workplace Safety and Health Representative and/or their Union Representative in accordance with their respective Collective Agreement.
- (h) In addition to levying a complaint pursuant to the Division procedure, the complainant has the right to pursue her/his complaint through the Manitoba Human Rights Commission, or where appropriate, to law enforcement agencies under the Criminal Code of Canada, or both. This procedure is not intended to discourage or prevent the complainant from exercising any other legal rights under any other law.

Investigating Violent Incidents:

The Violent Incident Report Form must be completed for all violent incidents, including where there is reasonable expectation that the incident or threat may become violent in the future.

The principal, supervisor or designate will report all incidents of violence (including situations where there is reasonable expectation that the threat may become violent) to the Superintendent/CEO or designate as soon as possible (within 24 hours).

Investigation:

The Superintendent/CEO will involve other managers/supervisors in the investigation as appropriate.

The Superintendent/CEO will review the causes of the incident and will develop a safety plan within 24 hours of receiving the report.



Follow up:

If the investigation concludes that a violent incident has taken place, the Division will determine reasonable steps to be taken to end the violence and prevent a repeat.

The investigator(s) must meet separately with the complainant and the respondent to explain the investigation process, conclusions and disciplinary action taken or other steps put in place to stop and avoid a repeat of the offensive conduct.

Record Keeping:

A copy of all violent incident reports will be sent to the Safety Coordinator; incident reports will be logged and a summary report will be reviewed annually by the respective workplace safety and health representatives and the Safety Coordinator.

Possible consequences for violence in the workplace:

Where it is found that a violation of the procedure has occurred, the principal, supervisor, Superintendent/CEO or designate may take disciplinary action including, but not restricted to the following:

- (a) verbal warning
- (b) written warning included in the staff file or student's file
- (c) suspension:
 - of staff with or without pay for a specified period of time
 - of student for a specified period of time or exclusion from a school
- (d) transfer to another location
- (e) dismissal/expulsion
- (f) police involvement
- (g) involvement with Child and Family Services
- (h) requirement for clinical and of counselling services
- (i) exclusion from Division facilities
- (j) suspension from transportation services

Confidentiality

The Division will not disclose the name of a complainant, respondent, or witnesses to anyone except where disclosure is:

- (a) necessary to investigate the complaint
- (b) required to take corrective action
- (c) required by law



All records, documents, notes and transcripts of an investigation shall remain confidential except where disclosure is:

- (a) required by law
- (b) necessary to investigate the complaint or take corrective action (subject to the requirements of the Freedom of Information and the Right to Privacy Act).

Parties to a complaint are advised to refrain from discussing the complaint with anyone not included in the complaint investigation.