



The Manitoba Human Rights Commission Code, the Canada Criminal Code and the Manitoba Workplace Safety & Healthy Act require workplaces to be free from violence.

PRSD is committed to learning and working environments that are free from violence and at all times supports the dignity and self-esteem of individuals. PRSD is committed to the prevention of violence within the workplace or work related activities.

PRSD recognizes the potential for violence or threats of violence against employees. PRSD will make every reasonable effort to eliminate or minimize workplace violence through prevention programs that would ensure, as much as reasonably practical, that no employee is subjected to violence in the workplace.

WEVAS and Violent Threat Risk Assessment training opportunities are provided to PRSD employees. PRSD has both division and school based threat risk assessment teams in place who have received specific training.

DEFINITIONS/EMPLOYEE RIGHTS AND RESPONSIBILITIES/DIVISION RESPONSIBILITIES

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.

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 because 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 as per PRSD Organizational Chart.
- (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) PRSD must ensure, as much as reasonably practical, that no employees are subjected to violence in the workplace.
- (b) PRSD will take corrective action with anyone under its direction who subjects an employee to violence.
- (c) PRSD will ensure all employees are aware of the risks of violence in the workplace and are properly trained and equipped to protect themselves in those situations.
- (d) All supervisors and managers 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.
- (e) This workplace violence prevention procedure 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

PRSD 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.
- (b) Risk of workplace violence is likely to expose the worker to injury.

2. Student Risk Threat Assessment

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

PRSD's Risk and Threat Assessment Administrative Procedure (AP #217 – Responding to Student Threat Making Behaviour) will be followed by the supervisor.



VIOLENT INCIDENT REPORTING AND INVESTIGATION PROCEDURES

Any person who believes that she/he is being subjected to workplace violence should act promptly in order to resolve the situation; allowing PRSD 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.

VIOLENT INCIDENT – INJURY REPORTING AND EMPLOYEE ASSISTANCE

If there is an incident of workplace violence and an employee is disabled or requires medical attention, the Superintendent/CEO shall be contacted immediately.

The Superintendent/CEO will advise the Facilities Supervisor who will then notify the Manitoba Workplace Safety & Health Division.

The employee may also speak directly to his/her Workplace, Safety, and Health Representative or their union/association representative.

Employees who have been the victim of physical 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;

(a) provided with transportation to medical facility and/or residence if needed.

REPORTING AND INVESTIGATION RESPONSIBILITIES - EMPLOYEE

(a) When an employee 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 employee shall immediately report all violent incidents, threats, and attempted 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) In addition to levying a complaint pursuant to this administrative procedure, the employee 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.

CONFIDENTIALITY

PRSD will not disclose the name of a complainant, respondent, or any 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.

REPORTED INCIDENTS – LEVEL I – SITE BASED INVESTIGATION RESPONSIBILITIES – PRINCIPALS, SUPERVISORS

- (b) Principals and supervisors, or designates shall contact the Superintendent/CEO immediately by phone/email/text upon notification of a violent incident report by an employee; followed within 48 hours, a fax or emailed Employee Incident Report Form, which includes a summary of any investigation and/or disciplinary actions, to the Superintendent/CEO.
- (c) Superintendent/CEO forwards report to Assistant Superintendent for review and PRSD record keeping

REPORTED INCIDENTS – LEVEL II – PRSD INVESTIGATION RESPONSIBILITIES – SUPERINTENDENT/CEO

- a) Upon receipt of the Employee Violent Incident Report Form, the Superintendent/CEO will review and forward a copy of the completed form to the Assistant Superintendent with directions that could range from no further investigation required to a full PRSD investigation by the Assistant Superintendent and/or a 3 member investigation committee chaired by the Assistant Superintendent.
- b) Members of an investigation committee could include principals, supervisors, and Workplace, Safety, and Health Committee Co-Chairpersons.
- c) All major investigations may involve law enforcement for their review of potential violations of civil and/or criminal law.
- d) Upon completion of the investigation, the Assistant Superintendent will submit a Final Investigation Report to the Superintendent/CEO. The Final Investigation Report will include all notes from the investigation and a summary of actions that shall be taken and/or other actions that will be put in place to avoid repeat offenses.

FINAL INVESTIGATION REPORT

A copy of the Employee Incident Report, along with a final report of the investigation, will be filed at the PRSD Administration Office.

The final report will include all notes from the investigation and a summary of action taken or other steps put in place to stop and avoid repeat of the violence.

The investigator(s) shall 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.

POSSIBLE RESPONSES FOR VIOLENCE IN THE WORKPLACE:

Where violence in the workplace has occurred, subject to the investigation, Administrative Procedures AP #311 - Progressive Discipline or AP #518 – Student Code of Conduct will be followed.



Claims of violence that are not bona fide but rather malicious in nature will not be tolerated and the false claimant will be subject to disciplinary action (AP #311 - Progressive Discipline or AP #518 – Student Code of Conduct will be followed).