



POLICY SECTION: HUMAN RESOURCES

SUB- MISCELLANEOUS

POLICY NAME: WORKPLACE VIOLENCE

POLICY NO: H.M. 37

Date Approved: September 29, 2010	Date of Next Review: Annually 2025	Dates of Amendments: May 27, 2014 October 27, 2022 September 21, 2023 December 3, 2024
Responsible Department: Labour Relations and Occupational Health Cross Reference: Legislation: Occupational Health and Safety Act TCDSB Policy / Procedure: H.M. 17 Occupational Health and Safety Policy		

Purpose

Policy

1. This Policy is created to comply with the Occupational Health and Safety Act (OHSA) **and** reinforces the Board's commitment in addressing all forms of workplace violence that can injure workers. ~~This Policy~~
2. The Toronto Catholic District School Board's **(TCDSB)** mission is to provide a safe and welcoming learning environment that is an example of Christian community. As such, the TCDSB is committed as an Employer to the prevention of workplace violence by taking every precaution reasonable in the circumstances to protect all workers.
3. **The** TCDSB shall address workplace violence toward workers from all possible sources (co-workers, supervisors, students, parents, visitors, volunteers, contractors, permit holders, intruders and perpetrators of domestic violence). Violent behaviour towards workers in the workplace is unacceptable.
4. The Internal Responsibility System (IRS) is the cornerstone of the (OHSA).

The TCDSB and its employees share responsibility for the prevention of workplace violence. Every Board employee regardless of job title has direct responsibility and accountability for violence prevention as an essential part of his or her job. Ultimately, the Board as the employer is responsible for all workers.

The policy is in alignment with the TCDSB's Multi-Year Strategic Plan (MYSP) and reflects Catholic values rooted in the love of Christ.

Scope and Responsibility

This Policy applies to all Board employees, contractors, summer students, co-op students, visitors and volunteers. The Employer, through the Director of Education with the assistance of senior staff and the Occupational Health and Safety Department, is responsible for this Policy.

Alignment with MYSP:

~~Learning – Growing in Knowledge~~

~~Continue to develop a Christ-centered learning organization in pursuit of knowledge, innovation, and responsiveness.~~

~~Equity – Growing in Knowledge with Justice~~

~~Apply Catholic Social Justice to nurture a community focused on equity, diversity, inclusion, anti-racism, and anti-oppression.~~

~~Well-Being – Growing in Knowledge with Justice and Hope~~

~~Strengthen an environment rooted in Gospel values that nurture hope and well-being.~~

Regulations:

1. The Director of Education through the Occupational Health and Safety Department shall develop and maintain a workplace violence program that implements this Policy. The program shall include the following:
 - (a) measures and procedures to **assess** access risk and to protect employees from workplace violence
 - (b) means of summoning immediate assistance

(c) protocol for employees to report workplace violence

2. The Occupational Health and Safety Department and **the Talent Management** ~~Staff Development~~ Department shall provide appropriate resources to facilitate training programs on workplace violence for all employees. Workplace violence prevention programs shall be integrated into the overall health and safety training program for all employees, including orientation training for new employees and summer students.
3. All forms of workplace violence shall be addressed by the Employer and the immediate Supervisor and if necessary, in consultation with law enforcement authorities and in consideration of the (OHSA), Education Act and applicable Regulations, Policy and Memoranda
4. TCDSB and its Supervisors shall investigate and deal with all incidents, complaints, or threats of workplace violence in a timely, fair, and equitable manner. TCDSB shall take every precaution reasonable for the protection of workers by developing a safety plan that may include limited disclosure of information pertaining to individuals with a history of violent behavior. The privacy of all concerned shall be respected to the extent possible as per applicable legislation. Individuals dissatisfied with the outcome of an investigation can report to the Ministry of Labour, Immigration, Training and Skills Development (MLITSD).
5. Supervisors shall provide information and instruction on workplace violence to their workers.
6. Workers shall follow the internal responsibility system and report all incidents of workplace violence involving co-workers and visitors using the online **system** ~~Workplace Violence and Harassment Reporting Form~~ including disclosures of domestic violence pertaining to workers to their immediate supervisor. Workers shall also report incidents of workplace violence involving students using the appropriate special services / safe school reports.
7. **Maximum fine for a contravention of the Occupational Health and Safety Act is \$2,000,000** ~~1,500,000.00~~ **for the Employer, a fine up to \$1,500,000 for a director or officer and/or up to 12 months imprisonment, and a fine up to \$500,000.00 for an individual and / or up to 12 months imprisonment particularly for negligence leading to**

- a workplace fatality as a result of workplace violence.
8. There are Workplace Safety and Insurance Board (WSIB) medical and benefit costs and potential fines for Employers associated with injuries from workplace violence to staff ranging from up to \$25,000.00 for individuals and up to \$500,000.00 for corporations.

Definitions from the Occupational Health and Safety Act

Workplace: land, premises, location or thing at, upon, in or near which a worker works

Worker:

- a person who performs work or supplies services for monetary compensation.
- a secondary school student who performs work or supplies services for no monetary compensation under a work experience program authorized by the school board that operates the school in which the student is enrolled.
- a person who performs work or supplies services for no monetary compensation under a program approved by a college of applied arts and technology, university, ~~private~~ career college or other post- secondary institution.
- such other persons as may be prescribed who perform work or supply services to an employer for no monetary compensation;

Supervisor: a person who has charge of a workplace or authority over a worker.

Workplace Violence:

- a) the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
- b) an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker;
- c) a statement or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker.

Financial Impact:

~~Maximum fine for a contravention of the Occupational Health and Safety Act is \$1,500,000.00 for the Employer, up to \$500,000.00 for an individual and / or up to 12 months imprisonment particularly for negligence leading to a workplace fatality as a result of workplace violence.~~

~~There are Workplace Safety and Insurance Board (WSIB) medical and benefit costs and potential fines for Employers associated with injuries from workplace violence to staff ranging from up to \$25,000.00 for individuals and up to \$500,000.00 for corporations.~~

Evaluation and Metrics:

This Policy will be reviewed annually by staff in consultation with the Board's three Multisite Joint Health and Safety Committees. This will ensure that the Policy remains current and reflects Ontario's health and safety legislation.