

7.4 b HEALTH AND SAFETY: WORKPLACE VIOLENCE

Preamble **Mothercraft already** has many policies, procedures and safety measures to protect its staff, children, adult clients and others on Mothercraft premises. Some measures include locked entrances at Centres for Early Development, the Early Intervention office and at the Mothercraft College during the evening where entry requires a confidential access code or staff screening.

Screening and control of visitor access is practised at all locations.

Safety related policies and procedures can also be found in the Emergency Protocol Manual and the respective programs'/departments' policy and procedural manuals.

Policy

Mothercraft is committed to the prevention of violence within the workplace or at work related activities. Mothercraft makes every reasonable effort to identify potential sources of violence to eliminate or minimize these risks.

Purpose

The purpose of this policy is to enhance safety and to define workplace violence, roles and responsibilities, and procedures for reporting and investigating incidents of workplace violence.

Please also refer to HR policy 1.5 on Workplace Harassment and Bullying

Definitions

“Workplace violence” means

- 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,

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- c) a statement or behaviour that it 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.

“Domestic violence” in this context is defined as any use of physical or sexual force by a person who has a personal relationship with a worker or an adult client, such as a spouse/intimate partner or former spouse/intimate partner or a family member who may physically harm or attempt or threaten to physically harm a worker(s) at work.

Under the Occupational Health and Safety Act, “an employer must take every precaution reasonable in the circumstances for the protection of workers when they are aware, or ought reasonably to be aware, that domestic violence may occur in the workplace, and that it would likely expose a worker to physical injury.” (Section 32.0.4)

Potentially Hazardous Work Situations

Employees should alert their supervisor/manager of all unsafe situations involving clients or people they work with, so that the Supervisor/Manager is aware of the situation(s) and can take the necessary action in a timely manner.

This is key to preventing workplace violence.

Roles and Responsibilities for Workplace Violence Prevention

Employer

- Conduct a comprehensive risk assessment of Mothercraft’s operations and establish control measures and procedures to eliminate or minimize risk of violence.
- Provide information and instruction with regards to:
 - workplace violence prevention measures and procedures;
 - how to seek assistance when faced with workplace violence;
 - reporting procedures and
 - the investigation process.

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- Ensure that measures and procedures identified for violence prevention 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 employees, clients, volunteers, students, contact persons from external agencies and contracted service providers.
- Re-assess risks of violence, review and if necessary, revise control measures and procedures as often as necessary (e.g. when there is a new program, new location, significant program changes which may affect exposure to violence).

Supervisor/Manager

- Enforce policy and procedures and monitor compliance.
- Identify and alert employees to hazardous situations including any information that is reasonably necessary to protect an employee from risk of physical injury, when working with clients who have a history of violent behaviour.
- Respond to reports of potentially hazardous work situations in a timely manner
- Investigate and report incidents of workplace violence using Mothercraft's procedures and related form, and contact the police department as required.
- Ensure that debriefing is completed for those either directly or indirectly involved in the incident.
- Track and analyze incidents for trending and prevention measures.

Employee

- Participate in making the workplace safe from violence
- Follow safety policies and procedures, some of which may be specific to the program or department.
- Ensure that his/her visitor(s) stop at the reception desk for screening (instead of bypassing reception) to protect everyone's safety

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- Attend any related training as provided/approved by Mothercraft.
- Report incidents to supervisor/manager immediately

How to recognize domestic violence

Someone:

- coming in with bruises or a black eye,
- dressing in clothing designed to hide bruises or scars (e.g. wearing long sleeves in the summer or wearing sunglasses indoors),
- becoming sad, lonely, withdrawn and afraid, having difficulty concentrating, making last minute excuses, using drugs or alcohol to cope, missing work/class more frequently than usual,
- receiving harassing calls or e-mails repeatedly from someone,
- checking in often with their partner to report where they are and what they're doing,
- talking about their partner's temper, jealousy or possessiveness,
- An outsider showing up at the premises, pestering people for information about the worker/adult client.

If you suspect that someone you work with is experiencing domestic violence, speak up!

If you're hesitating, telling yourself that it's none of your business, you might be wrong, or the person might not want to talk about it. Keep in mind that expressing your concern will let the person know that you care and may even save his or her life.

Do's and Don'ts

Do:

- Ask if something is wrong
- Express concern
- Listen and validate

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- Encourage him or her to report the situation to the supervisor if he or she is your co-worker.
- Support his or her decisions.

Don't

- Wait for him or her to come to you
- Judge or blame
- Pressure him or her
- Give advice
- Place conditions on your support.

Talk to the person in private and let him or her know that you're concerned. Point out the things you've noticed that make you worried. Tell the person that you're there, whenever he or she feels ready to talk. Reassure the person that you'll keep whatever is said between the two of you, and let him or her know that you'll help in any way you can.

Roles and Responsibilities for Domestic Violence Situations

Supervisor

If a supervisor/manager becomes aware that domestic violence may occur in the workplace, he/she must take every precaution reasonable in the circumstances to protect employees, children, adult clients and others on the premises.

Ensure privacy and sensitivity at all times but let it be known that you have a duty to prevent violence in the workplace.

The Supervisor/Manager:

- 1) Should not turn a blind eye.
- 2) Should conduct a discussion with the employee/adult client in private.

In order to ensure the safety of everyone at Mothercraft and to comply with Bill 168, a Supervisor/Manager who becomes aware that domestic violence may occur in the workplace MUST report the situation to his/her Director.

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Even if the employee/adult client does not want Mothercraft to take any steps:

- Encourage him/her to get professional help for domestic abuse
- Work with the individual and the Domestic Violence Unit of the Police Department to create a personal safety plan to protect the individual and others on the premises
- Encourage him/her to have the workplace/location included in any restraining orders
- With his/her permission, screen for abuser by providing a photo and/or description to reception staff and/or security personnel. Those personnel should be instructed to alert the Manager-in-charge at the location if someone who fits the description shows up at the premises. To observe privacy, no additional information (e.g. who the abuser is related to) is to be shared with those personnel.
- Consider temporary arrangements for the employee to work at another location, to modify his/her work hours, and/or to ensure someone accompanies the employee to his/her vehicle.

The supervisor should document safety measures undertaken to address the situation and to keep it on file.

Employee

If you are experiencing domestic abuse and are concerned with your safety at work, discuss the situation with your supervisor.

If your co-worker confides in you about domestic abuse, advise him/her to discuss the situation with the supervisor. If an adult client confides in you about domestic abuse, follow the same procedure unless otherwise stated in any program protocols.

No employee is to take his/her own action without consulting with the supervisor first.

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In case of violent confrontation

If an employee is faced with a person who is acting out in a violent or physically threatening way (e.g. carrying a weapon), call 911 and notify the Supervisor/Manager as soon as possible. Let the police take the lead on the investigation.

If an employee is involved in a violent confrontation that does not require a call to 911 (e.g. person showing his or her fist, yelling and stepping closer), the employee is to ensure that any children on site are taken to a place of safety. After that, the employee is to report the situation to the supervisor/manager immediately.

Investigate the Incident

For a situation where there is no need to call 911, the Supervisor/Manager and a non-management representative from the Joint Health and Safety Committee (JHSC) are to conduct the investigation. The Supervisor/Manager is to interview the employee and any witnesses to the incident, with the non-management representative of the JHSC present.

If the accused party is a Mothercraft employee, student or client, the accused party should also be interviewed **after consultation with the Department Director.**

If the accused is a contracted service provider or student from another educational institution, the incident should be reported to the accused party's employer or educational institution **after consultation with the Department Director.**

The supervisor/manager is to keep a record of steps taken.

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In case of injury due to a violent incident

Provide First Aid

Provide first aid according to standard first aid practices, and make an accurate record of the incident and first aid given.

Call an Ambulance (if necessary)

If more serious treatment than first aid is required, either call for an ambulance if necessary, or arrange and pay for immediate transportation to a healthcare professional office/clinic.

It is recommended that the supervisor accompany the employee or assign a suitable employee with that responsibility. The employee accompanying the injured employee should be instructed to maintain communications with the supervisor and report back.

Direct the Employee to Consult a Physician

In a situation where the employee does not require emergency medical care involving an ambulance, but who needs to see a medical professional as a follow up, the employee should be provided with an envelop that has a standard Mothercraft letter to the Attending Physician/Health Care Professional and a Functional Ability Form For Timely Return to Work. The employee should be instructed to provide the letter and form to the doctor.

Report to the HR Department

The Supervisor/Manager is to ensure that a completed "Employee Related Incident/Accident at work (includes any workplace violence) Report Form" is submitted to the Human Resources Manager (or designate) **within 24 hours if it is a critical injury or fatality, and for other injuries, no later than 3 calendar days from the day of the incident.**

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Report to the WSIB

The Human Resources Manager (or designate) will complete a WSIB Form 7 and submit it to WSIB within 5 calendar days of the injury if the following conditions apply:

If the injured employee requires health care and/or:

- Is absent from regular work or
- Earns less than a regular day's pay (i.e. works partial hours)
- Requires modified work arrangements at less than regular pay
- Requires modified work at regular pay for more than 7 calendar days
- Dentures, eyeglasses and/or artificial appliances (e.g. prosthetic arm) were damaged while being worn during a work related violent incident.

The incident does not have to be reported to WSIB if the employee only needs first aid.

The completed Form 7 has to be received by the WSIB within 7 business days after learning of reporting obligation. Mothercraft will be charged a penalty fee for not complying with reporting requirements.

Human Resources and the employee's supervisor/manager must keep a record of the incident and what happens during the time the employee recovers. The supervisor must keep the Human Resources Manager informed about the progress of the employee, including written medical notes.

Health Care

Health care is defined by the WSIB to include:

- Services requiring the professional skills of a health care practitioner;
- Services provided by or at hospitals or health facilities.

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WSIB

Work-related injuries and disabilities are covered by the Workplace Safety & Insurance Board (WSIB).

Eligibility

Employees are covered from the first day on the job.

Coverage

Subject to legal requirements, WSIB insurance covers medical and disability expenses resulting from work-related injuries.

Employers are required to pay employees, their regular earnings, for the day of the injury.

Approved WSIB lost time earnings are effective the day after the accident or injury.

Cost

There is no employee cost; **Mothercraft** pays the entire cost for this coverage at an assessment rate determined by WSIB.

Critical Injury

Ontario Regulation 834/92 defines "critical injury" as an injury of a serious nature that:

- Places life in jeopardy;
- Produces unconsciousness;
- Results in a substantial loss of blood;
- Involves the fracture of a leg or arm;
- Involves the amputation of a leg, arm, hand or foot, but not a finger or toe;
- Consists of burns to a major portion of the body or
- Causes the loss of sight in an eye.

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Fatality

A fatality is a workplace injury resulting in the death of a worker or workers.

Action required for critical injuries and fatalities:

- You must contact 911 (Police and EMS) immediately.
- The Human Resources Manager will immediately contact by telephone or fax, the local office of the Ministry of Labour.
- Within 48 hours, the Human Resources Manager will notify the Ministry of Labour in writing, reporting details of the incident.
- The WSIB account manager/representative will be contacted. WSIB may provide a Crisis Intervention Counsellor to help Mothercraft and its employees deal with the incident.

Reporting to JHSC

A summary on workplace accidents/incidents will be reported by the Human Resources Manager who is also a management representative of the JHSC. The Privacy Act is observed in this reporting procedure.

Exposure to Infectious Diseases

- Mothercraft must report all cases to WSIB where an employee suffers a needlestick injury or other possible exposure to an infectious disease (e.g. child bite resulting in broken skin).
- Please also refer to other reporting protocols in the Childcare Policy Manual and other program manuals.

BERNARD KOVEN
Name of Executive Director

Bernard Koven
Signature

June 15/2010
Date