
**WORKPLACE VIOLENCE
PROGRAM**

ST. MICHAEL'S COLLEGE SCHOOL

**Approved by the St. Michael's College School Board
June 15, 2010**

WORKPLACE VIOLENCE PROGRAM FOR ST. MICHAEL'S COLLEGE SCHOOL

SECTION 1: DEFINITIONS AND PURPOSE

1.01 Definitions

“**Act**” shall mean the *Occupational Health and Safety Act*, R.S.O. 1990, c. O.1;

“**Business Day**” shall mean every day except Saturdays, Sundays and statutory holidays in the city where the head office of St. Michael's College School (“St. Michael’s”) is located;

“**Complaint**” shall mean a report of Workplace Violence filed pursuant to the Policy and this Program;

“**Complainant**” shall mean a person making a Complaint pursuant to the Policy and this Program;

“**Visitor**” shall mean a person who is not a Worker [or a volunteer], but who is present upon the property, grounds or facilities of St. Michael’s;

“**Worker**” shall mean a person who performs work or supplies services to St. Michael’s for monetary compensation;

“**Workplace**” shall mean any land, premises, location or thing at, upon, in or near which a Worker works for St. Michael’s.

“**Workplace Violence**” shall mean:

- (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 behavior 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.

1.01 Purpose

In accordance with the Act, the purpose of this Program is to implement St. Michael’s Workplace Violence and Harassment Policy (the “Policy”) with respect to Workplace Violence.

SECTION 2:
MEASURES AND PROCEDURES TO CONTROL THE RISKS OF WORKPLACE VIOLENCE
IDENTIFIED IN THE RISK ASSESSMENT

A report will be completed by St. Michael's after the risk assessment has been conducted. The assessment will be conducted by the HR Manager and member(s) of the Health & Safety Committee (and any other members the HR Manager deems appropriate). The report may include the need for the following:

- Safe work procedures;
- Personal protective equipment;
- Design or physical layout of the workplace such as doors with clear windows, adequate lighting, location and structure of counters, barriers, etc.;
- Designated safe locations for emergency situations;
- Procedures for informing workers of potentially violent situations or people;
- Worker training on the Workplace Violence Policy and Program and dealing with aggressive or violent individuals.

The assessment will be conducted periodically as needed and at least once a year. The report will be kept in the HR Manager's office.

SECTION 3:
SUMMONING IMMEDIATE ASSISTANCE

Emergency contact numbers;

- Emergency services – dial 9-1-1
- Emergency telephone numbers within the school;
 - HR Manager – Ext #308
 - Principal – Ext #139
 - Plant Manager – Ext #129

SECTION 4:
REPORTING WORKPLACE VIOLENCE

(a) Pursuant to the Policy, a Worker who is the victim of Workplace Violence, or believes they have been threatened with violence, or witnesses an act or threat of Workplace Violence toward any individual shall take the following steps:

- (i) If an emergency exists and the situation is one of immediate danger, the Worker shall contact the local emergency services by dialing 9-1-1, and may take whatever emergency steps are available and appropriate to protect him or herself from immediate harm, such as leaving the area;
- (ii) In any event, the Worker shall make a Complaint regarding the incident to the HR Manager as soon as possible and complete the Workplace Violence Incident Report Form, attached to this Policy as Schedule "A".

- (b) Workers who have reason to believe that they or others may be subject to Workplace Violence sometime in the future at the Workplace or as a direct result of their employment with St. Michael's shall immediately inform St. Michael's by completing a Workplace Violence Incident Report Form so appropriate action may be taken. St. Michael's shall take all necessary steps to prevent the potential Workplace Violence including, but not limited to, increasing security measures or contacting local law enforcement authorities.
- (c) Upon receiving a Complaint, HR Manager will assess the Complaint and determine if any immediate steps need to be taken to ensure the safety of the Workers and the public. St. Michael's will immediately take any necessary precautions.
- (d) Nothing in this Program will derogate from or supersede the rights of the Complainant to report the Workplace Violence pursuant to applicable and appropriate legislation such as the *Criminal Code* (Canada).
- (e) St. Michael's shall create and maintain a written record of all Complaints. To the extent possible, St. Michael's shall maintain all records involving the Complaint in a confidential manner. However, St. Michael's may need to disclose information regarding the Complaint where necessary to protect the safety of the Workers and the public, for the purposes of conducting a proper investigation or where required by law.
- (f) Workers shall cooperate fully with St. Michael's in reporting Workplace Violence, in any investigations which may result from such a report of Workplace Violence, or in any investigations which may be commenced by local law enforcement authorities having jurisdiction.
- (g) St. Michael's will ensure that the Complainant is neither penalized nor subjected to any prejudicial treatment as a result of making the Complaint. Disciplinary action will be taken against any Member who takes any reprisal against a person who reports Workplace Violence.

SECTION 5:
INVESTIGATION

- (a) Upon receiving a Complaint, the HR Manager will commence an investigation (the "Investigation"). The Investigation will be undertaken by two individuals ("Investigators") appointed by the HR Manager for the purpose of the Investigation.
- (b) The Complaint must contain sufficient details of the Workplace Violence complained of to allow the Investigators to properly and thoroughly investigate and address the Complaint.
- (c) The Investigators shall interview the Complainant and any witnesses to the alleged Workplace Violence. The interviews will be reduced to writing.
- (d) The Investigation may also include, but will not be limited to, the following procedures:
 - (i) Cooperating with local law enforcement authorities;

- (ii) visiting the scene of an incident as soon as possible;
- (iii) examining the workplace for security risk factors associated with the incident;
- (iv) taking mitigating action to prevent the incident from reoccurring.

SECTION 6:
ST. MICHAEL'S RESPONSE TO INCIDENTS OF WORKPLACE VIOLENCE

6.01 If a Worker is Alleged to Have Committed Workplace Violence

- (a) If a Complaint of Workplace Violence is made against a Worker [or volunteer] (the "Accused"), then the Accused shall be immediately suspended from performing any services or duties for St. Michael's (with or without pay as determined by St. Michael's). The suspension will remain in effect pending the outcome of the Investigation and any investigation by any policing authority. If the above noted procedures are completed with a determination that the Workplace Violence did not occur, then the suspension will end and the Accused will be entitled to return to performing his or her pre-suspension services or duties with St. Michael's.
- (b) In accordance with the Policy, St. Michael's expressly reserves the right to take any other steps it deems necessary in order to ensure the safety and well-being of the Workers and the public.
- (c) If the Accused is convicted in a criminal court of a crime related to the Workplace Violence, or pleads guilty to some lesser and included offense arising from the Workplace Violence, then the Accused shall be immediately terminated with cause from St. Michael's.
- (d) At the completion of the Investigation, the HR Manager shall ask the chair of the Board of Directors of St. Michael's to convene a special meeting of the Board of Directors on seven (7) days notice in writing to the Accused. The Board of Directors shall meet with the Accused and will discuss the Investigation and the findings of the Investigators with the Accused. The Board of Directors shall render its decision as to whether further disciplinary measures will be taken by St. Michael's against the Accused within (3) Business Days. Such disciplinary measures may include, but are not limited to, the following:
 - (i) requiring counseling;
 - (ii) suspension (with or without pay as determined by St. Michael's);
 - (iii) reallocation of duties;
 - (iv) termination (with or without notice, as determined by St. Michael's);
 - (v) permanent ban for the property and facilities of St. Michael's; and/or
 - (vi) making a further report to the police, if it is felt that there is evidence of Workplace Violence that did not form the basis of the original Complaint against the Accused.

- (e) The decision of the Board of Directors shall be final and not open to appeal.
- (f) Pursuant to Section 6.01(a) of this Program, the suspension of the Accused shall remain in effect until the decision of the Board of Directors is delivered pursuant to Section 6.01(c) of this Program.
- (g) Where a Worker who is subject to a Collective Bargaining Agreement is alleged to have committed Workplace Violence then the terms of the Collective Bargaining Agreement respecting discipline of the said Worker shall be applicable and shall supersede the terms of this Program, where the terms of this Program and the Collective Agreement conflict.

6.02 If a Visitor is Alleged to Have Committed Workplace Violence

- (a) If a Complaint of Workplace Violence is made against a Visitor, then the Visitor shall be immediately barred from entering onto St. Michael's property and shall not take part in any St. Michael's programs or activities.
- (b) Incidents of Workplace Violence by a Visitor shall be reported in accordance with the requirements as set out in Section 4 above.

Identify witnesses to the incident (include names, addresses and telephone numbers if available):

Was a call placed to 9-1-1?	YES	NO
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If so, when was the call placed? _____

Was a police report filed?	YES	NO
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Was medical attention required?	YES	NO
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Other information which may be helpful to an investigation (please use additional paper if necessary):

Print name

Signature