



Northeastern
Catholic District
SCHOOL BOARD



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1.0 BACKGROUND

1.1 NCDSB recognizes that violence in the workplace is an occupational health and safety concern, and is committed to providing a safe and secure working environment for our employees, agents, and those who have authorized access to NCDSB premises. It is an expectation of the Board that all its employees or others on Board business will, at all times, conduct themselves in a courteous, polite manner while dealing with the general public or members of the educational community. Accordingly, NCDSB will protect and fully support any employee who is harassed, abused, or put at personal risk in the proper exercise of his/her duties.

2.0 PURPOSE

2.1 To deal with the low frequency, but high priority that threats of violence have in the learning environment, the Manager of Human Resources will monitor the internal risk environment of the Board and respond to events that could jeopardize NCDSB staff. Human Resources will develop tools to assist Principals, Managers and Supervisors to resolve confirmed threats or acts of violence by: monitoring policy, conducting risk assessments, developing contingency plans, organizing resources, investigating serious incidents and ensuring that there is general awareness of Board practices and procedures to respond to workplace threats.

3.0 REFERENCES AND RELATED DOCUMENTS

- *Workplace Violence and Harassment: Understanding the Law, Occupational Health and Safety Branch, Ministry of Labour, March 2010*
- *Ontario Occupational Health and Safety Act*
- *Canadian Charter of Rights and Freedoms*
- *Ontario Human Rights Code*
- *Municipal Freedom of Information and Protection of Privacy Act*
- *Teaching Profession Act*
- *Ontario College of Teachers Act, 1996*
- *Education Act*
- *Safe Schools Act*
- *Board Policy # Occupational Health and Safety*
- *Board Policy # Workplace Violence Prevention*
- *Administrative Procedure# - School Board and Police Protocol*
- *Administrative Procedure# - Student Code of Conduct*
- *Workplace Violence Prevention Resolution, Appendix A*
- *Workplace Violent Incident Report Form, Appendix B*
- *Worksite Risk Assessment Survey, Appendix C*

4.0 SCOPE

4.1 These procedures apply to all work activities that occur while on Board premises, or while engaging in workplace activities or workplace social events organized or sanctioned by the Board or School Administrator.

- Know how to report incidents of workplace violence to the employer or supervisor;
- Know how the employer will investigate and deal with incidents, threats and complaints;
- Know, understand and be able to carry out the measures and procedures that are in place to protect them from workplace violence;
- Be able to carry out any other procedures that are part of the program.

6.4

complainant wishes to proceed under another process. Multiple processes will not be permitted to proceed concurrently, although informal dispute resolution attempts will be permitted at any time with the agreement of the Board and the parties.

- 7.5 The following steps represent the process for reporting incidents or threats of workplace violence to the Board. The complainant is free to commence the complaint procedure at the formal or informal stage outlined herein. The complainant is also free to discontinue a complaint at any time. The Board, however, may deem the circumstances worthy of further investigation and initiate its own action.

7.6 WHO MAY INITIATE A COMPLAINT

All persons who are included under section 4 in the Workplace Violence Prevention Policy have access to the complaint procedures.

Individuals who are victims of workplace violence, including threats of violence, may initiate a complaint. In addition, those who have witnessed workplace violence directly, have received reports of workplace violence, or have reasonable grounds to suspect that workplace violence may occur, can initiate a complaint.

Anonymous reports will not be entertained for dispute resolution under these Procedures. Third party

If an employee requires assistance in completing the formal complaint form, another individual such as a colleague, Union Association representative should make the complaint on the employee's behalf. If the supervisor is the party alleged to be responsible for the objectionable behaviour or

(g) STANDARD OF PROOF

The standard of proof to be applied is the balance of probabilities.

(h) SUBSTANTIATION

In the event a complaint is not substantiated, no further action will be taken, subject to the section on maintaining records. In cases where the complaint is found to be trivial, vexatious, or an abuse of the process, the complainant may be subject to disciplinary action as outlined in section (i).

However, if there is need to restore a positive learning or working environment, or if the complainant and/or respondent require counselling, appropriate steps will be taken to meet such needs.

Follow-up possibilities:

- counselling for the parties;
- application of strategies to restore a positive learning/working environment;
- mediation;
- specific training for the complainant or respondent;
- workshops for the staff and/or others in the school/ workplace regarding their rights and responsibilities;
- permanent separation of respondent and complainant from each other; and/or
- restorative measures.

i) DISCIPLINARY ACTIONSi. *Employee Respondents*

- over time, there appears to be a number of complaints against the same person, even though they may not be substantiated, or;
- over time, there appears to be a number of complaints initiated by the same person, even though they may not be substantiated, or;
- the complainant is subject to any retaliation or intimidation for having pursued a matter under this Policy, or;
- the Board, or its administration, deem an event or activity to be inappropriate and contrary to the spirit of this Policy, then the Board, or its administration, will commence the complaint procedure at any one of the three steps outlined herein.

8.0 PROGRAM REVIEW

The Workplace Violence Prevention Program shall be



APPENDIX A

Workplace Violence Resolution Process

This flowchart provides an overview of major steps in the workplace violence resolution process. Persons seeking further information regarding the resolution process are advised to refer to the Workplace Violence Prevention policy and program.

INCIDENT	<ul style="list-style-type: none"> • A person exercises physical force against a worker, in a workplace causes or could cause physical injury to the worker; and/ or • A person attempts to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker; and/or • A statement or behavior that 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 is made.
RECORD THE INCIDENT	Complete the <i>Workplace Violent Report Form</i> , Appendix B, documenting the details of the incident, any witnesses, and any pertinent dates or times.
<p>THE COMPLAINANT IS FREE TO COMMENCE THE COMPLAINT PROCEDURE AT THE FORM STAGE OUTLINED HEREIN. THE COMPLAINANT IS ALSO FREE TO DISCONTINUE A COMPLAINT AT ANY STAGE.</p>	
INFORMAL RESOLUTION	<p>Each of the 2 parties involved should seek the assistance of a colleague or Union/Association representative.</p> <p>Contact the appropriate supervisory/managerial personnel to request assistance in resolving the issue.</p> <p>Document the process.</p>
FORMAL COMPLAINT Immediate Response	<p>Where workplace violence occurs or is likely to occur, employees are encouraged to act immediately and summon assistance in the form of supervisory or managerial personnel, or police involvement. The situation may also require initiation of the Emergency Plan, Emergency Response Plan, Hold and Secure Procedures and/or the Lockdown Plan.</p> <p>Following immediate assistance, and once the emergency situation is under control, the Formal Complaint will be documented.</p>
FORMAL COMPLAINT	File a formal written complaint outlining the particulars of the allegation and any initial attempted resolutions.

Documentation and Notification	<p>The formal complaint is recorded on the <i>Workplace Violent Incident Report Form</i> and is submitted to the Manager of Human Resources</p> <p>The Manager of Human Resources may refer a complaint to the appropriate supervisor and the parties for resolution if she or he is not satisfied that reasonable efforts have been made to resolve the dispute informally.</p> <p>The Manager of Human Resources will provide copies to the complainant, respondent, and their supervisory officer(s).</p>
FORMAL COMPLAINT Threshold Assessment	The Manager of Human Resources will conduct a Threshold Assessment ensure that the alleged conduct, if proven, would meet the definition of workplace violence.
FORMAL COMPLAINT Investigation	<p>An investigator(s) will be assigned. An investigation of the complainant allegations will be completed.</p> <p>The respondent will be given an opportunity to respond to the allegations.</p> <p>Interviews will be conducted and conclusions will be drawn based on the balance of probabilities.</p>
FORMAL COMPLAINT Report and Conclusion	<p>A written summary of the findings and conclusions will be provided to the complainant and the respondent. They will be given an opportunity to respond.</p> <p>Appropriate actions will be taken to resolve the issue.</p>
FORMAL COMPLAINT Review	<p>If within ten working days of the final decision a complainant or respondent to a formal complaint has grounds for review, a reviewer will be appointed by the Director of Education.</p> <p>The findings of the review will be reported to the Director of Education who will affirm or amend the final decision or require that a new investigation be undertaken.</p>

MEDIATED RESOLUTION

At any time during the formal complaint investigation, and at the request of both the complainant and respondent, an unbiased third party may be requested to act as a facilitator of communication between the parties.

Any formal 8 (48 107.5 0.48 re f 68.4 194.16 0.43)qu (a)7.6 a fililitat48 10 (b)2

APPENDIX B

PRIVATE AND CONFIDENTIAL

Workplace Violent Incident Report Form

Violent acts in the workplace must be reported. In order for the workplace violence program to be effective, we encourage any victim of, or witness to, a violent incident in the workplace to complete this form. The Board is committed to carrying out a detailed inquiry into all complaints of assault, threat, or physical injury brought about by an employee in the workplace or ~~irk-related~~ related circumstances away from the workplace. The Board assures its personnel that no retaliation will be taken against an employee who reports a violent act.

BASIC INCIDENT INFORMATION
School/Location Name:
Date of Incident:

NATURE OF THE INCIDENT

[Redacted content]