



P072, Workplace Violence Prevention Policy: Annual Review

To: Governance and Policy Committee

Date: 28 April, 2021

Report No.: 04-21-4084

Strategic Directions

- Transform Student Learning
- Create a Culture for Student and Staff Well-Being
- Provide Equity of Access to Learning Opportunities for All Students
- Allocate Human and Financial Resources Strategically to Support Student Needs
- Build Strong Relationships and Partnerships Within School Communities to Support Student Learning and Well-Being

Recommendation

It is recommended that the Workplace Violence Prevention Policy (P072), as presented in this report, be approved.

Context

The Workplace Violence Prevention Policy (P072) (the “Policy”) is being reviewed in accordance with the Policy Review Schedule and the *Occupational Health and Safety Act* which requires school boards to review their policies related to occupational health and safety annually.

In accordance with the Board’s Policy Development and Management Procedure (PR501), section 6.17: “policies that are mandated by legislation to be reviewed on an annual basis may undergo a simplified review process annually and a complete process every four years (e.g., Occupational Health and Safety Policy, Workplace Violence Prevention Policy, etc.). Under the simplified process, the policy may be exempted from consultation requirement if no substantive changes to the policy are being proposed”.

Upon reviewing the governing legislation and other school board policies, no substantial changes are being recommended to the current Policy. It is therefore proposed that the simplified review process be applied.

In compliance with the *Occupational Health and Safety Act*, the Workplace Violence Prevention Policy (P072) is being provided for the Committee's review and approval.

Action Plan and Associated Timeline

Subject to the Governance and Policy Committee's approval, the Policy will be presented to the Board of Trustees on May 26, 2021 for final approval.

Resource Implications

No additional resources will be required for revisions to this Policy.

Communications Considerations

Following Board approval, the Policy will be posted on the Board's public website. In addition, a message will be circulated to the System Leaders' Bulletin instructing site management and school principals throughout the TDSB system to post the Policy in a conspicuous location within their workplace.

Board Policy and Procedure Reference(s)

- Equity Policy (P037)
- Human Rights Policy (P031)
- Occupational Health and Safety Policy (P048)
- Workplace Harassment Prevention Policy (P034)
- Workplace Harassment Prevention and Human Rights Procedure (PR515)

Appendices

- Appendix A: Workplace Violence Prevention Policy (P072) – Revised with Track Changes
- Appendix B: Workplace Violence Prevention Policy (P072) – Revised Clean

From

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Toronto District School Board

Policy P072

Title: **WORKPLACE VIOLENCE PREVENTION**

Adopted: June 23, 2010
 Effected: June 23, 2010
 Revised: April 18, 2018; March 20, 2019; February 5, 2020
 Reviewed: October 11, 2011; September 1, 2013; October 6, 2015;
 April 18, 2018; March 20, 2019; February 5, 2020; [insert new date]
 Authorization: Board of Trustees

1.0 RATIONALE

The Workplace Violence Prevention Policy (the “Policy”) affirms the Toronto District School Board’s (~~“TDSB”~~) commitment to providing a safe, nurturing, positive learning and working environment, free of workplace violence, where every individual is treated with dignity and respect.

This Policy complies with the Board’s obligations under the *Occupational Health and Safety Act* (“OHS~~A~~”) and is consistent with the Board’s Mission, Values, and Goals Policy (P002) and ~~Respectful Learning and Working Environment~~Equity Policy (~~P073~~;P037).

2.0 OBJECTIVE

- To establish the framework for the Board’s compliance with the *Occupational Health and Safety Act* related to workplace violence prevention; and
- To demonstrate the Board’s commitment in providing a work environment that is safe and free of workplace violence.

3.0 DEFINITIONS

Board is the Toronto District School Board, which is also referred to as the “TDSB”.

Employer is the Toronto District School Board and defined under the *Occupational Health and Safety Act* as a person who employs one or more employees or contracts for the services of one or more employees and includes a contractor or subcontractor who performs work or supplies services and a contractor or

subcontractor who undertakes with an owner, constructor, contractor or subcontractor to perform work or supply services;

Employee is any person included in the definition of “worker” under the *Occupational Health and Safety Act* and *Workplace Safety and Insurance Act*, including, but not limited to regular, temporary, probationary employees, co-op students and contract employees.

TDSB is the Toronto District School Board, which is also referred to as the “Board.”

Workplace under the OHS Act is any land, premises, location or thing at, upon, in or near which an employee works. For the purpose of this ~~policy~~Policy, it also includes any place where ~~individual employees~~ perform work or work-related duties, activities or functions, but does not include a private residence and its related lands. Schools and school-related activities, such as extra-curricular activities and excursions comprise the workplace, as do Board offices and facilities (including eating, lounge/changing areas and vehicles used for work purposes or on work property). Conferences, workshops, training sessions and staff functions (e.g., staff parties, retirement celebrations) also fall within the scope of this ~~policy~~Policy.

Workplace Violence under the OHS Act is a) the exercise of physical force by a person against an employee, in a workplace that causes or could cause physical injury to the employee; b) an attempt to exercise physical force against an employee, in a workplace, that could cause physical injury to the employee; and c) a statement or behaviour that is reasonable for an employee to interpret as a threat to exercise physical force against an employee in a workplace that could cause physical injury to the employee.

4.0 RESPONSIBILITY

The Director of Education holds primary responsibility for implementation of this Policy.

Within the Director’s Office, the responsibility for the day-to-day management and coordination of the Policy is assigned to the Associate Director, Business Operations and Service Excellence and Executive Officer, Facilities and Planning.

5.0 APPLICATION AND SCOPE

This Policy applies to all TDSB employees and Trustees.

The Policy also covers students, parents/guardians, volunteers, permit holders, contractors, customers of the Board and other members of organizations –and includes all activities that occur in Board workplaces or while engaging in Board related functions or social events.

6.0 POLICY

- 6.1. The Board believes in the prevention of workplace violence and is committed to promoting a violence-free workplace in which all people respect one another and work together to achieve common goals.
- 6.2. The Board will take every precaution reasonable in the circumstances for the protection of an employee in accordance with its duties and responsibilities as outlined in the *Occupational Health and Safety Act* and corresponding regulations.
- 6.3. The Board will make every reasonable effort to ensure that all steps are taken to protect employees from workplace violence through the implementation of workplace violence procedures and programs which ~~includes~~include measures for summoning immediate assistance when violence occurs or is likely to occur. requirements for incident reporting and investigation, reduction of violent incidents and risk assessment, prevention and control measures, communication and system training.
- 6.4. The Board will ensure that this Policy is posted in conspicuous workplace ~~location(s)~~locations and made available on the TDSB's website for all employees. and that all employees receive information and instruction about violence in the workplace.
- 6.5. The Board will ensure that employees of the TDSB do not experience reprisal as a result of incident reporting, in accordance with the *Occupational Health and Safety Act*.

7.0 SPECIFIC DIRECTIVES

The Director of Education has authority to issue operational procedures to implement this Policy.

8.0 EVALUATION

This Policy will be reviewed annually, in accordance with the *Occupational Health and Safety Act*.

9.0 APPENDICES

N/A

10.0 REFERENCE DOCUMENTS

Legislative Acts and Regulations:

- Occupational Health and Safety Act, R.S.O. 1990, c. O.1
- Workplace Safety and Insurance Act, 1997, S.O. 1997, c. 16, Sched. A

Policies:

- Equity Policy (P037)
- Mission, Values and Goals (P002)
- ~~Respectful Learning and Working Environment (P073)~~
- Health and Safety Guidelines (Workplace Violence):
 - Domestic Violence Administration
 - Handling Cash
 - Home Visits by TDSB Staff
 - Risk Reduction for Staff
 - Community Outings/Field Trips
 - Work Refusal
 - ~~Road Rage~~

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