

# Workplace Violence Prevention Corporate Procedure

**ORIGINAL SIGNED BY  
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ON JULY 19, 2024**

<b>Business Unit:</b> Human Resources <b>Division:</b> Corporate Safety	<b>Effective Date:</b> July 19, 2024
<b>Approval Date:</b> July 19, 2024 <b>Approved By:</b> Cathie O'Toole, CAO	<b>Replaces Issue Dated:</b> November 2, 2014 <b>Signature:</b>
<b>Scope:</b> This corporate procedure applies to all municipal employees and volunteers. This Procedure also applies to all contractors and suppliers conducting work for the municipality.	

## 26.01 Workplace Violence Prevention Statement

Halifax Regional Municipality (HRM) is committed to working with employees to provide a workplace free from violence. Violence in the workplace is an occupational health & safety hazard that may result in physical and/or emotional harm.

Any form of violence in the workplace is unacceptable and Halifax Regional Municipality is committed to minimizing and, to the extent possible, eliminating the risk of violence. Halifax Regional Municipality will not tolerate any act of violence committed by or against employees, contractors, suppliers, volunteers or other persons present at Halifax Regional Municipality workplaces.

All employees are responsible to help minimize violence and support HRM's Respectful Workplace Procedure.

## 26.02 Purpose

Halifax Regional Municipality is committed to working with employees to provide a safe workplace where any form of violence is unacceptable. The purpose of the Workplace Violence Corporate Procedure is to minimize the risk of violence at the municipality's workplaces and to provide guidance regarding the handling of violent situations should they occur.

This Corporate Procedure does not limit the authority of any person, concerned about harm to themselves or others, to contact the police at any time (Emergencies 911; Non-Emergencies 902-490-5020).

## 26.03 Definitions

- a) "**Criminal Conduct**" means behaviours prohibited under the Criminal Code, including but not limited to:
- assault (s. 265).
  - intimidation (s. 423); and
  - uttering threats (s. 264.1).

- b) **“Employee”** means an individual employed by the Municipality, and for the purposes of this Procedure includes volunteers, student trainees, interns and individuals employed on a personal service contract or sub-contract. Employee also includes contractors or sub-contractors who are made subject to this Procedure pursuant to the terms of a contract or tender, and their employees, in the course of providing goods and services to the Municipality, where appropriate and to the extent it is reasonable to do so.
- c) **“Leader”** means a supervisor, manager, director, executive director, or employee who has supervising responsibilities in their role (e.g. work assignment, training, etc.).
- d) **“Violence”** includes but is not limited to any of the following:
- Threats, including a threatening statement or threatening behavior that gives an individual reasonable cause to believe that the individual is at risk of physical injury.
  - Conduct or attempted conduct that endangers or is intended to endanger the physical health, or the physical safety of an individual.
- e) **“Workplace”** means the physical worksite including washrooms, locker rooms, lunchrooms, and also includes training sessions, business travel locations, conferences, work sponsored social gatherings, and vessels/vehicles, whether on HRM property or otherwise.

#### **26.04 Roles and Responsibilities**

**Leaders** are expected to communicate this Corporate Procedure and take the necessary and appropriate steps to advance the goal of providing a workplace free of violence by:

- Posting this Corporate Procedure to health and safety communication boards for employees and making it available to any contractor, supplier, or volunteer.
- Providing training or information to employees on the Workplace Violence Prevention Corporate Procedure.
- Completing Violence Risk Assessments and Violence Prevention Plans.
- Communicating measures and procedures to minimize risks to employees, contractors, suppliers, volunteers, or other persons present at municipal workplaces.
- Informing employees, contractors, suppliers, volunteers, or other persons present at municipal workplaces of any significant risk of violence in the workplace (when known) with information on the nature and extent of the risk, including information (except as prohibited by law) related to a risk of violence from a person who has a history of violent behavior if that person is likely to be encountered by the employee.
- Promptly documenting and investigating reports of violence and notifying the Executive Director of the Business Unit and a Corporate Safety Specialist of the incident occurrence and the results of all investigations. **NOTE:** If Criminal activity

is reasonably suspected, notify Executive Director immediately, prior to starting any investigation.

- Cooperating with any police investigation relating to an incident of violence arising in the workplace.
- Completing an applicable Workers Compensation form if medical aid is sought.
- Addressing any conduct that contributes to violence.
- Provide an employee who has been exposed to or affected by violence at the workplace with an appropriate debriefing and advise the employee to consult a health professional of the employee's choice for treatment or counselling.
- Taking corrective actions where necessary to support this Workplace Violence Prevention Corporate Procedure.
- Consulting with the JOHSC for feedback and/or recommendations on Violence Risk Assessments, Prevention Plans, and updates to this Corporate Procedure.

**Executive Director** of the Business Unit, in consultation with the HRM Solicitor, must contact the police and notify the CAO where it appears that criminal conduct may have taken place or when it is reasonable to suspect that criminal conduct has taken place.

**Employees** are expected to:

- Contact police in the event of emergencies (911). Note: If Criminal activity is reasonably suspected, employees may contact or request their supervisor to contact police.
- Immediately report any incidents of workplace violence either experienced or observed, to their immediate supervisor, any other supervisor, and/or Human Resources.
- Follow established procedures and practices for the prevention of incidents of violence, including recognizing situations where the risk of violence is escalated.
- Cooperate with any police investigation relating to an incident of violence arising in the workplace.
- Cooperate with any management investigation and/or resolution of matters involving violence in the workplace.
- Participate in training and be knowledgeable of what types of potential acts of violence they may encounter in the workplace as per the violence risk assessment for their area of work.

**Human Resources** is responsible for:

- Providing support, advice, and recommendations in relation to this Corporate Procedure.
- Assisting with the completion of investigations on a case-by-case basis.
- Assisting any employee who has been exposed to or affected by violence in the workplace with appropriate critical incident support/debriefing.

- Advising the employee that they may consult a health professional of their choice for treatment or counseling. Employees may also use the employee assistance services provided by the municipality.
- Aiding with communication of this Corporate Procedure.

**Joint Occupational Health & Safety Committees** are responsible for:

- Providing feedback and/or recommendations on:
  - o Violence Risk Assessments.
  - o Violence Prevention Plans; and
  - o Updates to this Corporate Procedure.
- Reviewing violent incident summaries shared with the JOHSC to communicate corrective actions.

#### **26.05 Violence Prohibited**

Violence is prohibited in the workplace and at any HRM work related or sponsored events. No employee or other person shall bring weapons of any kind into the workplace unless issued by the Municipality to the employee for a bona fide employment purpose (i.e. police officers).

#### **26.06 Incident Reporting**

Any employee who witnesses an act of violence, is a victim of violence, or is reasonably aware of violence, will contact the police in the event of an emergency (911) and immediately report the incident to their supervisor, any other supervisor and/or Human Resources.

#### **26.07 Managing the Scene of Workplace Violence**

The on-site supervisor will ensure that the area where the incident of violence occurs is properly managed by:

- immediately calling 911 for medical attention and other emergencies (if required).
- removing personnel from the scene.
- ensuring the area is secured so that it may be adequately investigated; and
- cooperating with any police investigation.

#### **26.08 Incident Investigation**

Complaints or reports of violence in the workplace should first undergo an initial assessment to determine if criminal conduct is suspected. If criminal conduct is reasonably suspected, the Executive Director, in consultation with the HRM Solicitor, will contact the police and notify the CAO. If no criminal conduct is suspected, management will

investigate the complaint or report of violence as soon as possible. The following steps will be followed:

- Complete the Workplace Violence Incident Investigation Form (appendix A) and input into EHSM. This form provides guidance to the investigator on the steps required to capture all required information.
- Determine if the respondent was in breach of this Corporate Procedure.
- Notify the Executive Director of the Business Unit and a Corporate Safety Specialist of the incident occurrence and results of the investigation.
- A designate from Human Resources may be assigned to assist with the investigation and the interview process on a case-by-case basis.

**Note:** If at any time during or at the conclusion of the investigation it becomes apparent that the conduct should be reported to police as a potential criminal offence, do so immediately.

#### **26.09 Violence Risk Assessments**

Violence Risk Assessments shall be conducted by each Business Unit in consultation with the Joint Occupational Health & Safety Committee for each type of workplace. Violence Risk Assessments shall:

- Identify violence that may arise from the nature of work and type of work conditions,
  - Violence that has occurred in the workplace in the past.
  - Violence that is known to occur in similar workplaces.
  - The circumstances in which work takes place.
  - The interactions that occur while performing work.
  - The physical location and layout of the workplace
- Review the nature, impact, and probability of any risks.
- Provide a copy of the assessment to Corporate Safety

A new Risk Assessment must be conducted at least every 5 years, and immediately in any of the following circumstances:

- If an incident of violence occurs that is not identified in the current Violence Risk Assessment.
- If management becomes aware of a type of violence occurring in similar workplaces that was not considered during the previous risk assessment.
- If there is a significant change in any of the following:
  - The circumstances in which work takes place.
  - The interactions that occur while performing work.
  - The physical location or layout of the workplace.
- Construction of a new facility or renovation of an existing facility.
- If ordered to do so by an officer.

## **26.10 Violence Prevention Plans**

Each Business Unit is required to complete a Violence Prevention Plan for each workplace which a significant risk of violence is identified through a Violence Risk Assessment.

Violence Prevention Plans address any significant risks identified in the Violence Risk Assessment process with an aim to document reasonable measures to minimize, and to the extent reasonably possible, eliminate the risk of violence.

Violence Prevention Plans will be prepared in consultation with the Joint Occupational Health & Safety Committee. The controls, measures and procedures in each Violence Prevention Plan will be communicated to the employees in that Business Unit. A copy of the Violence Risk Assessment and Prevention Plan (if applicable) must be sent to Corporate Safety.

## **26.11 Training**

For any employee who is exposed to a significant risk of violence (identified in the Violence Risk Assessment), the Business Unit must provide adequate training on:

- The municipalities' workplace violence prevention statement.
- The measures taken by the Business Unit to minimize or eliminate the risk of violence.
- How to recognize a situation which has the potential to escalate to violence and how to respond appropriately.
- How to respond to an incident of violence, including how to obtain assistance.
- How to report incidents of violence.

## **26.12 Confidentiality**

HRM will protect the privacy of the individuals involved and ensure all parties involved are treated fairly and respectfully. Anyone who gives evidence or information in an investigation, or is involved in the process, must keep the information confidential. HRM will protect this privacy so long as doing so remains consistent with the enforcement of this Procedure and adherence to the law. Any employee that violates confidentiality may be subject to disciplinary action.

## **26.13 Non-Retaliation/Non-Retribution**

No employee shall retaliate against any other employee for reporting violence in the workplace, or for having participated in the investigation of an alleged act of violence. Furthermore, no employee shall be disciplined for reporting any violence in the workplace, provided such reporting is done in good faith.

#### **26.14 Discipline**

The following non-exclusive list of factors will be considered when deciding on disciplinary action related to a workplace violence incident:

- the severity of the incident.
- the circumstances surrounding the incident.
- the prior workplace violence history of the employee(s) involved; and
- applicable provisions of other Acts (i.e. the Police Act).

#### **26.15 Related Policies and Practices**

Internal:

Violence Risk Assessment

Violence Prevention Plan

Respectful Workplace Policy

Workplace Violence Incident Investigation Form

Workplace Violence Prevention Guidebook

External:

Nova Scotia Occupational Health & Safety Act

Nova Scotia Violence in the Workplace Regulations

Nova Scotia Workers Compensation Act

#### **26.16 Review**

This Workplace Violence Prevention Corporate Procedure shall be reviewed a minimum of every 5 years by Corporate Safety in consultation with Management and the Joint Occupational Health & Safety Committees.

#### **26.17 Repeal**

Replaces the Workplace Violence Prevention Procedure implemented on November 2, 2014.

#### **26.18 Records Retention**

In accordance with HRM's Municipal Record Centre User Procedures, records must be stored and maintained to satisfy legal, statutory and regulatory provisions before final disposition.

Documents listed below are to be held for the periods listed and may not be destroyed or deleted unless authorized by Corporate Safety who will obtain clearance from legal on behalf of the business unit.

<b>Document Name</b>	<b>Retention Period</b>
Violence Risk Assessments	Current plus 10 years
Violence Prevention Plans	Current plus 10 years