



The following procedure has been established so that reports of violence can be resolved in a fair, expedient and judicious manner. The goal of this Procedure in conjunction with the Violence in the Workplace Procedure is to prevent, correct and remedy situations involving workplace violence.

These Procedures do not prevent complainants from exercising their rights under other reporting avenues. Accommodation of special needs (e.g., documents in alternate formats, interpreters, off-hour meetings) will be provided as required to ensure that parties can fully participate in the resolution process.

1. Reporting Workplace Violence

- 1.1. Individuals who believe that they have been subjected to or have witnessed workplace violence, including domestic violence, must file a report and provide a copy to their immediate supervisor. Where the immediate supervisor is at issue, the report should be directed to the appropriate Supervisory Officer.
- 1.2. The Report to be completed is the Employee Accident/Incident Report, which can be found at: https://ldsb.ebasefm.com/auth/login?return_uri=aXI%3D

2. Formal Investigations

- 2.1. Formal Reports and Investigations: All formal complaints will be referred to the Site Supervisor, Human Resources and the Occupational Health & Safety Coordinator for investigation.
- 2.2. All formal reports of violence will be subject to an immediate threshold assessment to determine whether the alleged conduct would, if proven, meet the definition of violence, as per the Occupational Health & Safety Act, as amended.



2.3. No further action will be taken in cases where:

- The allegations, if proven, would not meet the definition of violence, as per the Occupational Health & Safety Act;
- The formal report does not provide sufficient details of the alleged behaviour, despite subsequent requests for more detail; or
- The allegation(s) is frivolous or trivial, has not been made in good faith or would, if investigated, constitute an abuse of the Procedure.

2.4. Anonymous complaints will not be accepted. Formal complaints must be in writing and signed by the complainant and should include, where possible, the following details:

- A description of the events or situation;
- Dates and times of the events or incidents;
- Where the incident occurred;
- Potential witnesses, if any; and,
- Injuries and/or medical attention required, if any.

2.5. Appropriate measures will be taken, as necessary and appropriate to ensure the safety of the complainant.

3. Notices

3.1. When an incident of workplace violence occurs, the Site Supervisor should first notify police or emergency responders for immediate assistance, if required.



- 3.2. If an incident of workplace violence occurs and a worker requires medical attention or is disabled as a result, the supervisor must notify the Superintendent of Education and the Occupational Health & Safety Coordinator, or designate, who will notify the Certified Worker Member of the Joint Health & Safety Committee, Human Resources as well as the respective Union/Federation/Association, in writing, within four days of the incident.
- 3.3. If a workplace incident results in a person being killed or critically injured, the Board must:
 - a. Immediately notify, by direct means such as telephone, a Ministry of Labour Inspector, the Occupational Health & Safety Coordinator and the respective Union/Federation/Association; and,
 - b. Within 48 hours notify, in writing, a director of the Ministry of Labour, giving the circumstances of the incident and information that may be required.
- 3.4. Respondents to an allegation will be notified as soon as practicable during the investigation process.
- 3.5. Human Resources will determine, in consultation with others as necessary, and on a case-by-case basis, whether the complainant or respondent should be placed on a paid leave, relocated within the Board, or provided with an alternate reporting relationship during an investigation.
- 3.6. A thorough, fair investigation, which will include interviewing the complainant(s), respondent(s) and witnesses, gathering and reviewing documentary evidence and exploring whether broader issues contributed to the incident will be conducted by the Board.
- 3.7. Once the investigation is completed, a summary of the findings and any action taken should be provided to the Superintendent of Human Resources, or designate, for sharing with the Director of Education and appropriate Supervisory Officers. In



addition, a summary report that does not include any personal or identifying information relevant to the victim and/or the perpetrator will be shared with the Joint Health & Safety Committee.

3.8. The Health & Safety Committee, Human Resources and/or other relevant parties may make recommendations to correct any existing problems and/or to prevent similar problems from occurring in the future.

4. Reprisals

4.1. The Violence in the Workplace Procedure strictly prohibits any retaliation, either direct or indirect, against an individual for:

- Exercising their rights under the procedure,
- Initiating a complaint in good faith,
- Investigating a complaint,
- Being a decision maker in a complaint,
- Participating as a witness in an investigation,
- Being a respondent to a complaint, or
- Having been associated with, or representing a complainant, witness or respondent.

4.2. Employees found to have engaged in reprisals may be subject to discipline, up to and including dismissal. Appropriate discipline for a policy violation is not considered a reprisal.



5. Informal Resolution

- 5.1. Where appropriate to the circumstances, an informal approach can foster prompt resolution, without a formal investigation. Quick resolution of a complaint can prevent escalation and further negative consequences and is best achieved if issues are raised as soon as possible.
- 5.2. This is an opportunity for parties to resolve a potentially threatening and/or violent situation, of a minor nature, ensure the workplace is free from violence and address broader issues that caused or contributed to the threatening behaviour/violence.

6. Records of Reports

- 6.1. Written reports/notice will be provided to the Joint Health and Safety Committee or health and safety representative and union if a person is disabled from doing their usual work or requires medical attention because of an incident of workplace violence within four days of the incident.
- 6.2. Records of a report of violence will only be placed on an employee's personal file when the violent incident has been substantiated and written counsel or disciplinary action is taken. This record of discipline is subject to the provisions of any applicable collective agreement. All records pertaining to inquiries and reports under this Procedure will be kept in confidential secure storage – separate from personnel files. All records are subject to the provisions of the Municipal Freedom of Information and Protection of Privacy Act and the Record Retention By-law.

7. Investigation Outcomes

Disciplinary Action

- 7.1. Any employee who engages in violent behaviour in the workplace, reprisals, or breaches confidentiality may be subject to appropriate disciplinary action up to and including termination of employment. Staff who are in a supervisory position and



fail to take action when advised of violent behaviour may also be subject to disciplinary action. Disciplinary action may also be taken if a complaint is found to have been made fraudulently and with malicious intent.

7.1.1. Consequences for Procedure violations may include but are not limited to: an apology, counselling, education and training, a verbal or written reprimand, suspension with or without pay, a transfer or termination of employment. In determining appropriate consequences, factors will be taken into account that include, but are not limited to the nature of the violation, the severity, whether the individual has previously violated the Procedure and, or whether there is relevant discipline on file.

Alternate Outcomes

7.2. Where a complaint is not substantiated, no further action will be taken. However, if there is a need to restore a positive learning or working environment or if the complainant and/or respondent require counselling, appropriate action will be taken, including, but not limited to:

- Counselling for the parties
- Mediation between affected parties
- Training
- Separation of the parties / transfer to alternate sites
- Other restorative measures to regain a positive learning/working environment

8. Posting of Procedure

8.1. The Violence in the Workplace Procedures shall be in written form and shall be



posted in a conspicuous place at each worksite.

9. Procedure Review

9.1. The Violence in the Workplace Procedures must be reviewed as often as is necessary, but at least annually.

10. Education and Training

10.1. The Board shall provide employees with information and training that is appropriate for the worker on the contents of the Procedure and Program with respect to violence in the workplace, as well as any other prescribed information.

Legal References:

Ontario Occupational Health & Safety Act

Related Procedures:

AP 404 Occupational Health and Safety

AP 405 Respect and Inclusion in the Workplace: Understanding Harassment & Discrimination

AP 406 Reporting & Investigating Workplace Harassment & Discrimination

AP 407 Violence in the Workplace

Safe Schools

Emergency Response Plans

School Lockdown Procedures



REPORTING PROCESS

