



Purpose

The Portage la Prairie School Division is committed to providing a safe work environment for all our students and staff. Maintaining an environment free of violence and the threat of violence is a priority of the division. The Division recognizes the potential for violence or threats. Actions have been taken to identify possible sources of violence and implement a violence prevention program to eliminate or minimize risk.

To align with the Manitoba Provincial Teachers Collective Agreement-2022-2026:

1. All Teachers are entitled to a working environment free from violence as defined in the Workplace Safety and Health Act.
2. This Article is subject to the Public Schools Act and regulations and is not intended to abrogate any management right regarding the student disciplinary process.
3. A Teacher shall not have the right to grieve individual student disciplinary decisions made by school administration.

The Criminal Code of Canada prohibits violence.

This administrative procedure reinforces the Workplace Safety and Health Act (C.C.S.M.c. W210) and Regulations. This procedure is intended to provide guidelines to ensure a working environment free from violence and procedures to respond to such situations that may affect the working environment.

PLPSD will not condone improper behaviour that jeopardizes dignity or undermines learning, working relationships, and/or productivity.

Where an employee or student exhibits violent behaviour, disciplinary action, up to and including termination of employment for employees and expulsion for students, may result.

Reasonable steps will be taken to minimize the potential for violence by adopting preventative measures. Employees who may work where there is a risk of violence will be appropriately informed and made aware of the procedures to follow should they experience violent behaviour.

PLPSD will hold accountable all employees, students, parents, volunteers, and visitors to conduct themselves in a manner that promotes and protects the best interests and well-being of students, staff, and others.

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RESPONSIBILITIES

Superintendent's Department

- The Superintendent's Department shall be responsible for administering this administrative procedure.

School Leaders, Supervisors, and Managers

- All school leaders, supervisors, and managers are responsible for creating and maintaining a work environment free from violence. This includes ensuring that this administrative procedure is accessible and communicated to employees.
- School leaders, supervisors, and managers, as per the Workplace Safety and Health Act Regulations, shall, so far as reasonably practicable, take all necessary precautions to protect the safety and health of a worker under their supervision and advise such a worker of all known or reasonably foreseeable risks to safety and health in the area where the worker is performing work.

Employees

- All employees are responsible for ensuring that the workplace is free from violence. Specific responsibilities include:
 - Employees are to inform their supervisor of incidents of violence or threats of violence.
 - Employees are responsible for working together professionally and resolving issues without violence.
 - Employees who cannot mutually resolve conflicts are to bring those issues to their supervisor.
 - Employees must take all reasonable steps to protect their personal safety and remove themselves from a violent situation.
 - Employees are responsible for cooperating with the investigation of a violent incident and maintaining confidentiality regarding such incidents and their investigation.

Students

- All students are responsible for practicing appropriate conduct on the school premises, on the way to and from school, on out-of-school activities that are part of the school program, and while travelling on a school bus or in a vehicle.

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- Students are expected to support a positive school climate and participate in the creation of a safe learning environment.

Parents/Visitors/Volunteers

- All parents, visitors, and volunteers are expected to conduct themselves in a manner consistent with the school's code of conduct on school premises.
- All parents/visitors/volunteers are expected to support a positive school climate.

WORKPLACE VIOLENCE

Workplace violence is defined as the attempted or actual exercise of physical force against an employee or student in a workplace. It also includes any threatening statement or behaviour that gives a person reasonable cause to believe that physical force will be used against them.

Workplace violence can take place in the workplace itself or outside the workplace in a situation that is somehow connected to work. This includes threatening phone calls from one employee to another at their home, or any kind of verbal or written threats or violent actions against an employee's family or property.

Examples of workplace violence include, but are not limited to:

- Direct, conditional, or veiled threats of physical harm
- Vandalism of personal property
- Use of or threat to use a weapon

EMPLOYEE EXPOSURE TO POTENTIAL VIOLENT SITUATIONS INVOLVING STUDENTS

All students have a right to an education, and the Division, under the direction of Manitoba Education and Early Childhood Learning and within the ethical obligation to provide an inclusive education, must allow students the opportunity to attend school.

Working with students who are learning to behave appropriately exposes all employees to some risk, and educational assistants, student services personnel, and school leaders are at a higher risk of experiencing student violence.

Students who have exhibited violent behaviours in the past shall have individualized behavioural plans.

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All employees are responsible for following the approved behavioural plans.

PLPSD provides Nonviolent Crisis Intervention (NVCi) training to all staff to help them understand the types and reasons for behaviours, identify signs of escalation, and respond in the event of a violent incident.

Threat Risk Assessment (VTRA) training opportunities are provided to divisional crisis response employees. PLPSD has both divisional and school-based Crisis Response Teams that are trained. Guidelines for responding to threats have been developed and are followed.

Employees who may need protective equipment, such as bite guards and shin guards, will be provided with the required equipment.

PREVENTATIVE MEASURES

PLPSD will continually adapt and revise preventative measures to minimize the risk of violence by:

- Establishing safe work procedures and working alone procedures;
- Training employees in Non-Violent Crisis Intervention (NVCi);
- Establishing procedures for reporting, investigating, and documenting violent incidents and;
- Risk/Threat Assessment of employees, students, and/or parents/guardians (when necessary).

NOTIFICATION OF RISK

School leaders, supervisors, and managers are to inform employees who work in settings where they could be at risk of violence. These may include:

- Employees who work with students who have a history of violence;
- Employees who work with students who have specific medical conditions, which may increase the probability of the student(s) becoming perpetrators of violent acts;
- Employees who provide services to a student whose parent/guardian has a history of violence or who has posed a threat to the school.

At any time there is a change in the nature or extent of the risk of violence, school leaders, supervisors, and managers will inform employees who work where the risk of violence is present and provide the information necessary to explain the nature and extent of the risk appropriately. The school leader, supervisor, or manager will also review established safe work procedures to minimize the risk.

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The information released about any individual must be the minimum amount necessary to address the risk.

The release of personal information should only be disclosed in the context in which the employee needs to be aware in order to protect themselves and minimize the risk adequately. It may only be disclosed within the limitations of the law.

REPORTING

All employees have a responsibility to ensure a safe workplace. Employees are to communicate issues relating to violence as follows promptly:

- Employees who believe they have witnessed a violent incident will immediately report the incident to the school leader, supervisor, or manager.
- Employees who have been victims of a violent incident must provide a written summary (Violent Incident Report Form) and forward it to the school leader, supervisor, or manager.
- Employees who believe a student, colleague, or visitor to the workplace represents a danger to the workplace's safety are to notify the school leader, supervisor, or manager immediately.

EMPLOYEE VIOLENT INCIDENT REPORTING INVESTIGATION PROCEDURES

Any employee may choose to complete a violent incident report.

No reprisal shall be allowed against an employee who, in good faith, reports an incident of violence or participates in an investigation.

An employee who has been harmed as a result of workplace violence is encouraged to consult their health care provider for treatment or referral to post-incident counselling, if appropriate.

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STEP ONE - SCHOOL LEADER, SUPERVISOR, AND MANAGER INVESTIGATIONS

All complaints of threats and/or violent behaviour will be acted upon as follows:

- Employees who intend to report a violent incident must complete the report within 48 hours of the incident and submit it to their school leader, supervisor, or manager.
- The school leader, supervisor, or manager shall attempt to investigate and resolve the issue at the school level. They may consult with the Workplace Safety and Health Officer.
- The school leader, supervisor, or manager must document any actions taken and forward copies of the completed report to the Superintendent's Department. The Superintendent's Department may forward a copy to the Workplace Safety and Health Officer. Submitting this report will not initiate any further action. It is for information purposes only.

STEP 2 - UNRESOLVED VIOLENT INCIDENT INVESTIGATIONS BY SCHOOL LEADER, SUPERVISOR, OR MANAGER

If the issue cannot be resolved at the school or workplace level and needs further investigation, the school leaders, supervisors, or managers should contact the Superintendent's Department directly.

The Superintendent's Department, in consultation with the Workplace Safety and Health Officer and the Human Resources Manager, will determine which parties are responsible for conducting the investigation.

An investigation **may be** conducted as follows:

- By the school leader, supervisor, manager, the Workplace Safety and Health Officer, and the Human Resources Manager;
- By the school leader, supervisor, managers, Workplace Safety and Health Officer, Human Resources Manager, site-based employee representative, and employer and worker representative from the Workplace Safety and Health Central Committee.

The investigation shall be conducted using the Violent Incident Investigation Summary Report.

Where employee interviews are necessary in any investigation, the employee must also have union representation present.

Once the investigation is complete, inclusive of any required disciplinary actions, the final report is to be forwarded to the Superintendent's Department.

The Superintendent's Department will determine any final disciplinary actions.

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CONFIDENTIALITY

Confidentiality will be respected, but information will be shared on a need-to-know basis with affected and/or involved individuals when necessary. Complainants will be advised on how much information may need to be shared and with whom.

HUMAN RIGHTS AND CRIMINAL CODE OF CANADA - EMPLOYEE RIGHTS

In addition to or instead of levying a complaint pursuant to the policy, a complainant has the right to pursue his/her complaint through the Human Rights Commission or, where appropriate, to lay information under the Criminal Code of Canada or both.

The complaint procedures of this policy do not prohibit the individual's right to respond to a complaint through collective agreements or to seek redress as provided under the law.

Where employee interviews are necessary for any investigation, the employee must also have union representation present.

RIGHT TO REFUSE

If a complaint is filed, the employee has the right to refuse to work if the reported behaviour substantially interferes with the employee's ability to perform his or her work and the employee reasonably believes the behaviour will continue, or the employee's health or safety is jeopardized by continuing to work.

If an employee refuses to work, they must advise their school leader, supervisor, or manager and complete a Workplace Safety and Health Concern Form identifying the reasons for refusing to work.

If it is determined that the employee does not have to work, reasonable alternative work arrangements will be made for the employee.

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RISK ASSESSMENT

Each workplace will have a unique risk assessment on violence, which will include a review of the frequency and nature of previous incidents of violence in the workplace.

Criteria to consider when evaluating the risk of violence:

- The people – age and gender, personality and attitude, nature of the interactions between the people, and the physical status and emotional stability of the persons involved.
- The workplace includes work locations, types of work, the number of staff, whether employees are working alone, workplace design and layout, lighting and security, and hours of operation.
- The history—the number and frequency of violent incidents, the type and severity of incidents, the nature of the incidents (between employees or employees and others in the workplace), the types of jobs performed by those involved, and the cause or trigger for previous violent incidents.

Where employee interviews are necessary for any investigation, the employee must also have union representation present.

ANNUAL REPORT

As per Workplace Safety and Health Regulation Section 11.7, each year, an Annual Workplace Violence Report must be produced that includes the following:

- Records of incidents of violence at the workplace, if any;
- Results of any investigation into an incident of violence at the workplace, including a copy of any recommendations for control measures or for changes;
- Description of the control measures implemented as a result of an investigation of workplace violence.
- A copy of any report prepared under Part 2 Section 2.9(3) of the Workplace Safety and Health Regulation.
- The Annual Workplace Violence Report must be provided to the Superintendent's Department, which will then ensure that it is shared with the following :
- Board of Trustees
- Senior Administration Team
- School Leaders
- Workplace Safety and Health Central Committee
- Site-Based Workplace Safety and Health Committees

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REFERENCE PAGE FOR ADMINISTRATORS

PRINCIPAL OR SUPERVISOR INVESTIGATION FOLLOW-UP

- The Principal/Supervisor shall respond to all Employee Violent Incident Reports.
- The Principal/Supervisor shall advise the Superintendent's Department within 24 hours.
- The Principal/Supervisor shall first try to resolve issues at the school or worksite level.
- The Principal/Supervisor shall document any actions taken on the Freedom From Violence Report Form.
- Suppose the other person involved was an adult (employee or non-employee). In that case, the principal/supervisor shall forward a copy of this completed report to the Superintendent's Department. A copy will be sent to the Human Resources Manager and Safety Officer.
- If the other person was a student, the principal/supervisor shall forward a copy of this completed report to the Superintendent's Department.

Employee's Responsibility

- Always speak directly to your supervisor/administrator, without undue delay, in person or by telephone, to inform them of your workplace injury or safety/health incident.
- Document the incident – complete the Incident Report form and forward it to the HR Department **within 48 hours**.
- Report future medical attention from a physician to the Administrator/Supervisor as soon as possible.
- Report future time loss from work due to injury to the Administrator/Supervisor as soon as possible.

Administrator's/Supervisor's Responsibility

- Ensure completeness of documentation on Employee Incident Report
- Document follow-up as required
- Assist the employee in forwarding the completed Employee Incident Report to the HR Department **within 48 hours**
- Immediately report any new information regarding medical attention or time loss from work due to injury to the Human Resources Manager.

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WCB Claim Guidelines for Non-Teaching Staff

- Report the incident to the Administrator/Supervisor as soon as possible
- Complete the Employee Incident Report and forward to the HR/Payroll Department **within 48 hours**
- Report the incident to WCB by phone, fax, or mail:
 - Phone: (recommended by WCB), 8:00 a.m. to 7:00 p.m. Monday-Friday, (204) 954-4100 or 1-855-954-4321
 - Fax WCB Claim Application (available online: [Worker Incident Report | Workers Compensation Board of Manitoba](#)) (204) 954-4999 or 1-877-872-3804
 - Mail WCB Claim Application. Application available online at: [Resources by type Worker Form](#)

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