



**Environment and Labour**  
**Environnement et Travail**

A Guide to the  
**VIOLENCE IN THE WORKPLACE  
REGULATIONS**  
for Convenience and Small Retail Stores

Produced by the  
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**Disclaimer:**

**This document is not an exhaustive interpretation of the regulations or legal advice to the reader. This document is prepared for convenience only. For accurate reference, the reader should get an official copy of the regulations through our web site at <http://www.gov.ns.ca/just/regulations/regs/ohsviolence.htm> or copies may be requested by calling 902-424-5400 or toll free 1-800-952-2687.**

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## A Guide to the **Violence in the Workplace Regulations** for Convenience and Small Retail Stores

The Regulations are available in Appendix G of this guide, or through our web site at: <http://www.gov.ns.ca/just/regulations/regs/ohsviolence.htm> or copies may be requested by calling 902-424-5400 or toll free 1-800-952-2687.

### **When do the Regulations come into effect?**

There are two dates that you must remember. A risk assessment must be completed by now and you must comply with all of the regulations by April 1, 2008. This guide will help you to be able to meet both of these deadlines.

### **Why do we need Violence in the Workplace Regulations? It's just part of the job.**

Violence in the workplace is an increasing reality; and for convenience and small retail stores the risk of violence is a known one. There have been numerous robberies, assaults, and even deaths right here in Nova Scotia.

This is sober reminder for all employers to ensure that procedures, training, and safety measures are in place to protect workers who are at risk of violence, whether late at night or in the daytime.

It is important to identify what the risks are and then manage them. Everyone deserves protection from violence, and workplace violence is no exception. This guide provides guidelines for the completion of your hazard assessment and violence prevention plan.

### **What is included in this document that will help me comply with the Regulations?**

- Plain Language Guide to the Workplace Violence Regulations
- Sample Risk Assessment (Appendix A)
- Determining Significant Risk (Appendix B)
- Completed Risk Assessment (Appendix C)
- Sample Workplace Violence Prevention Statements (Appendix D)
- Links and Resources (Appendix E)
- Code of Practice (Appendix F)
- Workplace Violence Regulations (Appendix G)

## REFERENCE GUIDE TO THE REGULATIONS

### **What would fall under the definition of “violence” in my industry?**

Actions that would fall within the definition of “violence” include:

- A shooting at a store while it is open, because employees could be hurt
- A customer becoming upset with a store clerk and hitting them or threatening to hit them.

Actions that would fall outside the definition of “violence” include:

- Yelling at a sales associate, unless the yelling includes a threat of physical violence
- Two customers fighting in a clothing store, because no employees are involved or at risk (unless they intervene).

Note that the definition of “violence” deals with any violence that puts an employee in danger at work. This includes violence inflicted on one employee by another. However, the violence must occur at work. Violence that occurs away from the workplace is not covered by these regulations.

### **As a store owner, where do I start?**

The first step for an employer is to figure out whether there is a risk of violence in the workplace, using a violence risk assessment. A violence risk assessment identifies the type of violence risk (i.e. robbery) and the chances it will happen.

The assessment has to be done in consultation with a joint occupational health and safety committee or health and safety representative (if the workplace has them) and a copy of the final assessment report must be given to them. An assessment will need to be done at least every 5 years.

### **What kinds of things do I need to consider for a Risk Assessment? (Section 5)**

Some things to consider when doing an assessment include:

- past violent incidents
- violence that has happened in other similar stores
- the conditions in which the work is done (i.e. alone, late at night)
- the interactions (talking, serving, working with or dealing with people and difficult and emotionally charged situations) that happen while doing the work, and
- the physical location and layout of the workplace (is the cash register visible from the street?; are aisles built in a way that causes blind spots?)

*Appendix A is an example of a violence risk assessment form that you can use. This risk assessment has been made specific to convenience and small retail stores.*

### **I am not an expert in workplace violence. How can I complete a violence risk assessment?**

Employers are not expected to be experts in workplace violence. However, as an employer you are expected to have and maintain a general knowledge of the level of violence within retail and convenience stores and your general location (i.e. urban or rural neighbourhood; high crime or low crime area; in a mall or a stand alone store). This knowledge can be gained through media reports, trade journals or other sources.

### **I operate several locations. Do I have to do a separate violence risk assessment for every workplace?**

If several workplaces are similarly vulnerable to violence, the employer may do a generic violence risk assessment for all of the similar workplaces. The generic assessment must clearly state which workplaces/locations it covers.

### **When does a violence risk assessment need to be redone?**

You must do a new violence risk assessment:

- (a) whenever you become aware of a type of violence that the existing assessment does not deal with,
- (b) whenever there is a significant change in the circumstances, interactions, location or layout of the work (this may be as simple as changing your policies or procedures which may change the exposure your workers have with upset or irate customers),
- (c) whenever you build a new or renovate an existing workplace,
- (d) when a Department of Environment and Labour officer orders you to do a new assessment,
- (e) at least every 5 years.

### **Do I have to do an assessment after all renovations? (Section 6)**

The renovation must be significant in terms of changing the risk of violence. Changes as simple as moving the cash register from the front of the store to the back could affect the risk of violence.

Factors to consider in renovations are:

- (a) has a line of sight changed?
- (b) has a route of escape been blocked or changed?
- (c) have light levels changed?
- (d) have security features or equipment been affected by the renovations?

## **Section 7 of the Regulation talks about “significant risk”. What is significant risk?**

It is up to the employer, in consultation with the health and safety committee or representative (if they exist at your workplace) to decide, based on their violence risk assessment, what is a significant risk.

*Appendix B describes one way to determine significant risk. Appendix C shows how this method is applied to a sample risk assessment for your industry.*

## **I’ve done my assessment, and I have no significant risk of violence. What else do I need to do? (Section 7)**

If you have completed your assessment and you have concluded there is no significant risk of violence, then you are done. You will need to reassess your workplace at least once every five years or if you change your workplace, or workplace activities in a way that would change the assessed risk.

## **I found several areas of significant risk. What do I do now? (Section 7)**

Together with your health and safety committee or representative (if they exist at your workplace), you must develop and put into action a violence prevention plan.

As part of a plan you have to:

- write a workplace violence prevention statement
- take and document reasonable measures to lessen, and where possible get rid of, the risk of violence **or** use a code of practice on violence prevention published by the Department of Environment and Labour. *See Appendix F for the Code of Practice for Convenience and Small Retail Stores.*
- establish and use procedures for information and training requirements
- establish and use procedures to report, document and investigate incidents.

There are no specific measures that must be taken. The requirement is for the employer to consider the range of possible options and select and implement those that are most reasonable to their needs.

Some examples of steps that can be taken include:

- keep back doors closed and locked
- prominently display notices stating premises are monitored
- do not cover windows with posters and ads so you cannot see in or out
- arrange with other nearby employers to have employees watch each others’ premises
- keep cash register funds to a minimum and post a sign stating this
- make sure lighting is adequate and that all areas of the store are visible to staff
- adjust the height of the sales counter to make jumping over difficult or impossible

**Do I have to give away copies of my plan to anyone who asks for it? (Section 7)**

No, the requirement is for the plan to be available for examination to other employers, contractors, constructors, suppliers, employees, owners or self-employed persons at that workplace. This should usually be done within one working day of the request. Employers may give away copies of their plan if they wish.

**Once I've completed my plan, am I done? (Section 8)**

The plan will need to be reviewed - and revised if needed - at least once every 5 years or if a new risk assessment shows there have been changes to the potential for violence.

**What is a Workplace Violence Prevention Statement? (Section 9)**

A workplace violence statement must include:

- the employer's recognition that violence is an occupational health and safety hazard at the workplace
- the employer's recognition of the physical and emotional harm resulting from violence;
- the employer's recognition that any form of violence in the workplace is unacceptable and
- the employer's commitment to minimize, or where possible eliminate, the risk of violence in the workplace

*See Appendix D for sample Workplace Violence Prevention Statements.*

**Do I need to post my statement in the workplace? (Section 9)**

Yes, you are required to post a copy of your statement in a prominent place in each of your workplaces so that it is easily accessible for your employees, and you must ensure that it stays posted.

**I already have a Policy required by section 28 of the *Occupational Health and Safety Act*. Can I combine the workplace violence prevention statement with the policy?**

Yes, so long as you include all required statements from both the Act and these regulations.

**The Regulations say I have to inform my employees. What do I inform them of? (Section 10)**

Employees exposed to a significant risk of violence must be informed by their employer of the type of violence and the amount of risk they may run into. Also the employer has to let the employee know the things that could increase or decrease the risk.

### **What about the information privacy laws? (Section 10)**

The extent of personal information disclosed under section 10(2) must be balanced against legislated privacy rights of the individual, as provided for in such laws as the *NS Freedom of Information & Protection of Privacy Act [FOIPOP]*, *Privacy Act of Canada*, *Personal Information & Protection of Electronic Documents Act [PIPEDA]*, and relevant health information legislation. For advice on application of this section of the Regulations, please contact the person responsible for privacy issues in your organization. In the absence of such a person, contact your organization's lawyer, or the Information Access & Privacy Manager for NS Environment & Labour ([DELaccess@gov.ns.ca](mailto:DELaccess@gov.ns.ca) ph: 902-424-8472).

### **What kind of training am I going to need to provide and to whom? (Section 11)**

As part of the Violence Prevention Plan, any employees exposed to any significant risk of violence will need training in:

- employee rights and responsibilities
- the workplace violence prevention statement
- the steps taken by the employer to minimize or eliminate the risk of violence to the employee being trained
- recognizing potentially violent situations and how to respond to them
- responding to an incident of violence including how to get help
- reporting, documenting and investigating violent incidents.

In addition, any employee who must perform any task under the workplace violence prevention plan has to be trained generally on the plan and specifically on their task.

### **Who reports violent incidents? (Section 12)**

Everyone in the workplace must report a workplace violence incident to the employer.

### **What do I do if a violent incident occurs? (Section 13)**

If there is a workplace violence incident, the employer must ensure that it is recorded and promptly investigated. The investigation should determine the causes and allow you to take action to prevent it from happening again.

The employer has to tell the health and safety committee or health and safety representative (if they exist at your workplace), and any employee affected by the violent incident, of actions taken to prevent similar incidents in the future.

**What do I do about employees who have been exposed to or affected by violence? (Section 14)**

The employer must provide an appropriate debriefing and advise the employee to consult a health professional of the employee's choice for treatment or counseling.

**Do I pay for the employee treatment or counseling? (Section 14)**

There is no requirement for the employer to pay for the health professional or to grant paid time off work to consult a health professional. However, the employer must grant reasonable time away from work for an employee to consult a health professional.

## APPENDIX A: Sample Violence Risk Assessment

This Violence Risk Assessment can be used to comply with Section 5 of the Nova Scotia Violence in the Workplace Regulations. Although you must perform Violence Risk Assessments, this specific form is NOT mandatory, but it has been created for your specific industry. You are free to design your own forms if you wish; Appendix E has links that may be helpful in doing this.

### How to use the assessment form:

As the employer, you must first decide who will do the assessment. Remember, it must be done in consultation with the Joint Occupational Health and Safety Committee or Health and Safety Representative, if they exist in the workplace. The assessor(s), who act on behalf of the employer, should know the principles of the violence risk assessment process.

1. Enter the name of your organization, assessment date and name of the assessor(s).
2. Enter the locations or tasks covered by this assessment.
  - a. The location is the individual address of the store or areas where similar tasks are done and the risk from violence is similar.
  - b. For smaller organizations, there may only be one location, and thus only one assessment.
  - c. Larger organizations may wish to divide their operations into locations or tasks that have similar predictors of violence. For example, a large retail store may divide its staff into those who are customer service staff working in the store and cleaning or stocking staff who have less contact with the public. In this way, the employer can focus its violence prevention efforts on those areas where it is most needed.
3. Check the boxes on the attached form as accurately as possible, being sure to put a mark beside each question. **Some of the boxes have been pre-checked as they are known risks for convenience and small retail stores and therefore ones you must address.**
4. The assessor(s) must individually describe the nature and extent of the risk of violence for each “Yes or Unknown” answer, as well as who may be exposed to the risk.
5. The assessor in consultation with the Committee or Representative must review each individual risk described (including those that have been pre-checked) and decide if the risk is significant.
6. The employer, in consultation with the committee or representative, must address each significant risk in their Workplace Violence Prevention Plan.

### Follow-Up Points:

Copies of any Violence Risk Assessments must be made available to all committees and representatives and to any employee.

A Violence Risk Assessment must be redone:

- if a new or different type of violence occurs in similar workplaces;
- if there is a significant change in either the work, the way staff interacts with the public or the physical location or layout of the workplace;
- if a new facility is erected or an existing facility renovated;
- if ordered to do so by an Occupational Health and Safety Officer;
- at least every five years.

# Sample Violence Risk Assessment

## Part One: Basic Information

Name of Organization: \_\_\_\_\_

Assessment Date: \_\_\_\_\_

Assessors: \_\_\_\_\_

Location or Tasks Covered by this Assessment:

\_\_\_\_\_

This Violence Risk Assessment was discussed with the Joint Occupational Health and Safety Committee/Health and Safety Representative on \_\_\_\_\_  
 (Note that this section can be left blank or deleted if your workplace has neither a committee or a representative).

## Part Two: Predictors of Violence

Yes or Unknown	No	Question
X		Have similar workplaces or tasks in other organizations experienced violence?
X		Do your employees handle cash or other valuables?
		Do your employees deliver or collect items of value?
		Do your employees sell lottery tickets?
		Does your store have an ATM?
		Do your employees sell cigarettes or alcohol?
		When you are open to the public, are there times when only one employee is present?
		Has this workplace or task experienced violence in the past?

		Does your store have a history of shoplifting problems?
		Is your store open late at night or early in the morning?
		Does your store sell weapons or items that can be used as weapons?

Beyond the factors listed in the table, the assessor should consider the following:

- Christmas
- pay days
- performance appraisals
- being located near to buildings or businesses that are at risk of violent crime (e.g. bars and banks)
- being located in areas isolated from other buildings or structures.

**Part Three: Nature and Extent of the Potential for Violence**

Each "Yes or Unknown" answer in Part Two should be reviewed to determine specific potential areas of violence risk which need action. Each of these violence risks should be described separately, with the following information:

Violence Risk # \_\_\_\_\_

- i) What activity or feature of the workplace or task may trigger violence? (i.e. presence of money, interaction with customers)
- ii) Describe how frequently the activities occur (i.e. if describing “presence of money”, the frequency may be “Daily”; if describing “interaction with customers”, the frequency may be “500 customers served per year”)
- iii) Describe the size of the activity that creates the violence risk (i.e. the amount of cash handled is \$20 000 per day; on average, 10 customers become upset each day)
- iv) State who is at risk from this violence, preferably using job titles as opposed to personal names

- i) \_\_\_\_\_
- ii) \_\_\_\_\_
- iii) \_\_\_\_\_
- iv) \_\_\_\_\_

Predicted type of violence (i.e. assault, robbery, threats, etc.)

\_\_\_\_\_

Is there any other information or factor that should be described and considered? (i.e. highlight “peaks” such as “During Christmas, our cash registers may hold twice as much money as normal” or highlight product return policies that are known to frustrate customers)

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## APPENDIX B - Determining the Significance of the Risks

There are ways for coming up with a value for risk. Most risk assessment tools involve determining the chances of an event happening and the consequences or impact of the event happening. Risk assessment involves ranking the probability, or chance, of an event happening with the amount of impact of the event. This means you would be developing a matrix or box of risk. At its simplest the ranking can range from High/High - the chance of something happening is high and the impact or seriousness of the event is high, to Low/Low.

To use this risk assessment tool, take each Violence Risk you described in Appendix A and estimate its significance using the following three steps:

### Step One: Estimate the Probability

In this step, estimate the probability of the Violence Risk occurring.

Category	Name	Characteristic
A	Frequent	Will likely happen often in next year
B	Likely	Will likely happen in next year
C	Occasional	Will likely happen sometime in next several years
D	Remote	Unlikely but event could be experienced in next several years
E	Highly unlikely	Event will not be experienced

### Step Two: Determine the Impact

In this step, estimate the most serious, **reasonably possible** outcome (as opposed to the “most likely” outcome) for the Violence Risk you are considering.

For example, for a bank robbery, the most serious outcome is Category 4 - Fatality. Although in many cases no injury occurs, the most serious, **reasonably possible** outcome is Category 4 - Fatality. Thus, the Impact of a bank robbery should be recorded as Category 4.

Category	Name	Characteristic
4	Catastrophic	Fatality, coma
3	Critical	Severe injury - loss of, or use of limbs, hospitalization
2	Marginal	Minor injury - bruises, cuts
1	Negligible	No injury

### Step Three: Determine the Risk

Having estimated the Probability in Step One and the Impact in Step Two, combine the two answers to determine where on the table below the Violence Risk you are considering falls.

		Impact Categories			
		4 Catastrophic	3 Critical	2 Marginal	1 Negligible
Probability	A Frequent	4A	3A	2A	1A
	B Likely	4B	3B	2B	1B
	C Occasional	4C	3C	2C	1C
	D Remote	4D	3D	2D	1D
	E Highly unlikely	4E	3E	2E	1E

The significance of the risk can be interpreted as follows:

4A, 4B, 4C, 3A, 3B, 2A - Significant and unacceptable risks. Address immediately through a violence prevention plan.

4D, 3C, 3D, 2B, 2C - Significant risks. Include in the violence prevention plan.

4E, 3E, 2D, 2E, 1A, 1B - Not significant for the purposes of requiring a violence prevention plan. Should be addressed through regular health and safety measures.

1C, 1D, 1E - Not significant for the purposes of requiring a violence prevention plan. However, where feasible, you should attempt to eliminate or reduce the risk further.

Note that the above risk categories are solely for example purposes. Organizations may develop other factors and characteristics appropriate to their needs.

## APPENDIX C - Completed Example of a Violence Risk Assessment/Risk Significance Estimation

In this appendix, we will take a fictional business and illustrate how they would create a violence risk assessment and determine the significance of the risks.

**Our fictional business is PS Convenience Store - a convenience store on the corner of a busy rural intersection. It sells a variety of goods including basic groceries, candy, magazines, DVDs, souvenirs and cigarettes (located behind the counter). The cash register is located at the front of the store in view of the parking lot. The store accepts payment through cash, credit or debit. They are open from 10 am until 12 midnight everyday.**

PS Convenience Store's Violence Risk Assessment is shown below:

### Part One: Basic Information

Name of Organization: **PS Convenience Store**

Assessment Date: **July 25, 2007**

Assessor(s): Billy Kirke, Flo Mei

Locations or Tasks Covered by this Assessment: **Convenience Store located at 100 County Road, Inverness County**

This Violence Risk Assessment was discussed with the Joint Occupational Health and Safety Committee/Health and Safety Representative on **July 27, 2007**.

### Part Two: Predictors of Violence

Yes or Unknown	No	Question
X		Have similar workplaces or tasks in other organizations experienced violence?
X		Do your employees handle cash or other valuables?
	X	Do your employees deliver or collect items of value?
	X	Do your employees sell lottery tickets?

	X	Does your store have an ATM?
X		Do your employees sell cigarettes or alcohol?
X		When you are open to the public, are there times when only one employee is present?
	X	Has this workplace or task experienced violence in the past?
X		Does your store have a history of shoplifting problems?
X		Is your store open late at night or early in the morning?
	X	Does your store sell weapons or items that can be used as weapons?

From this checklist, the following Violence Risks were determined and are described:

<b>Violence Risk</b>	<b>What activity, task or feature of the workplace may trigger violence?</b>	<b>Describe how frequently the activities occur.</b>	<b>Describe the size of the activity that creates the violence risk.</b>	<b>Who is at risk from this violence? Try to use job titles rather than personal names.</b>	<b>Predicted type of violence.</b>
1. Handling cash	Handling cash	Every day	Usually more than \$100 at any one time, and sometimes up to \$500	Sales counter attendant	Robbery
2. Selling Cigarettes	Presence of large amounts of cigarettes	Continuou s	Sales are up to \$200 a day. Stock is worth up to \$1000	Sales counter attendant	Robbery
3. One person working alone	One person working alone would have to contact someone for help something violent happened	Every day from 6 pm to close at 12 midnight	About 15 to 20 customers	Any staff	Robbery, Assault
4. Shoplifting Problems	Confrontation of shoplifters	A few times a month	Mainly the magazine rack (50 to 75 magazines)	Any staff	Yelling, Scuffles

5. Working Late Hours	Store is open until 12 midnight	Every day	Generally from 10 pm and 12 midnight	Any staff	Robbery, Assault
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Is there any other information or factor that should be described and considered?

#2: We keep all cigarettes out of view in a cabinet behind the counter. We only display the brands that we carry.

#3: Triple S Gas is right across the street and is also open to 12 midnight. The two businesses have a good view of each others.

#4: All staff are trained to politely ask a shoplifter “Would you like to pay for that”, and not to confront a shoplifter if they become agitated or aggressive.

Having described the nature and extent of the two predicted types of violence for PS Convenience Store, we have determined the following:

<b>Violence Potential</b>	<b>Impact (Most serious, reasonably possible outcome)</b>	<b>Probability</b>	<b>Risk</b>
Handling cash	4 - Death	C - Occasional	4C - Significant and unacceptable
Selling Cigarettes	4 - Death	D - Remote	4D - Significant
Working Alone	4 - Death	D - Remote	4D - Significant
Shoplifting	1 - Negligible	B - Likely	1B - Not Significant
Working During Late Night Hours	4 - Death	D - Remote	4D - Significant

\* The assessors determined that the danger of Selling Cigarettes, Working Alone and Working During Late Night Hours was remote because the store is in a rural area where most of the customers are known to staff and each other. Also the store is a gathering point in the community and often a few regular customers are around in the evening.

\*\* Violence from Shoplifting was also discussed. The assessors looked at past experience and noted that a plan is already in place for dealing with shoplifters. Also, almost all shoplifting was from pre-teens, and shoplifters have never carried weapons in the past.

**Conclusions:**

Based upon this Violence Risk Assessment and the estimates of the significance of the risks, PS Convenience Store will create and implement a Workplace Violence Prevention Plan that will immediately take steps to reduce the risk of handling cash, and will include steps to minimize the risks from working alone, working during late night hours, and selling cigarettes. Shoplifting need not be in the plan, and can be addressed through normal safety measures

## APPENDIX D - Sample Workplace Violence Prevention Statements

1. The management of ABC Convenience Stores, Inc. recognizes the potential for violent acts directed against staff. Management also acknowledges the potential for physical and emotional harm as a result of these violent acts. No forms of violence will be tolerated in the workplace. Every effort will be made to identify possible sources of violence and implement procedures to eliminate or minimize the risks they create.
2. 123 Company acknowledges that violence in the workplace is an occupational health and safety hazard that can cause physical and emotional harm. We view any acts of violence or threats of violence in the workplace as unacceptable. We are committed to working to prevent workplace violence and to responding appropriately if workplace violence does occur. All members of the company are responsible for creating and maintaining a safe environment.

## APPENDIX E - Additional Resources

### ***Governments in Canada:***

#### **Nova Scotia Environment and Labour - Workplace Violence**

<http://www.gov.ns.ca/enla/healthandsafety/violenceintheworkplace.asp>

#### **Workers' Compensation Board of Nova Scotia - Education and Awareness**

<http://www.wcb.ns.ca/new/prevention.php?id=277>

#### **Ontario Workplace Safety and Insurance Board - Violence Prevention Resources**

<http://www.wsib.on.ca/wsib/wsibsite.nsf/public/ViolencePreventionResources>

#### **Saskatchewan Labour:**

- Violence  
<http://www.labour.gov.sk.ca/safety/fast/VIOLENCE.HTM>
- A Guide to Developing a Violence Policy Statement  
<http://www.labour.gov.sk.ca/safety/violence/guide/index.htm>
- A Sample Policy on Workplace Violence  
<http://www.labour.gov.sk.ca/safety/violence/policy/index.htm>

#### **Worksafe BC:**

- **Preventing Violence, Robbery and Theft - A Guide for Retail Owners, Managers, and Workers**  
[http://www.worksafebc.com/publications/health\\_and\\_safety/by\\_topic/assets/pdf/preventing\\_violence.pdf](http://www.worksafebc.com/publications/health_and_safety/by_topic/assets/pdf/preventing_violence.pdf)
- Take Care: How to develop and implement a workplace violence prevention program  
[http://www.worksafebc.com/publications/health\\_and\\_safety/by\\_topic/assets/pdf/take\\_care.pdf](http://www.worksafebc.com/publications/health_and_safety/by_topic/assets/pdf/take_care.pdf)

### ***Non-Government Organizations***

#### **Nova Scotia Safety Council - Managing Workplace Violence**

[http://w3.youthsafetyportal.ca/images/Outlines/45\\_Managing%20Workplace%20Violence.pdf](http://w3.youthsafetyportal.ca/images/Outlines/45_Managing%20Workplace%20Violence.pdf)

#### **Canada Safety Council - Bullying in the Workplace**

<http://www.safety-council.org/info/OSH/bullies.html>

#### **Retail British Columbia - Tips for a Retail Violence Prevention Program**

<http://www.retailbc.org/portals/0/images/Publications/Retail%20Tips/Safety%20Violence%20Prevention.pdf>

#### **University of Saskatchewan - Developing a Workplace Violence Prevention Plan**

[http://www.usask.ca/dhse/file\\_view/download.php/vppguide.pdf?id=90&view=1](http://www.usask.ca/dhse/file_view/download.php/vppguide.pdf?id=90&view=1)

## APPENDIX F - Code of Practice for Small Retail and Convenience Stores

This code of practice applies to retail stores as prescribed by clause 4(o) of the Nova Scotia Violence in the Workplace Regulations.

This code of practice can be used to meet the requirement of the violence prevention plan to take and document reasonable measures to lessen, and where possible get rid of, the risk of violence. You must still write a workplace violence prevention statement, establish and use procedures for information and training requirements, and establish and use procedures to report, document and investigate incidents.

You are not required to use this code of practice, and may take and document your own measures to minimize or eliminate violence in your workplace(s). However, if you choose to use this Code of Practice you must comply with ALL of the “Required” measures below.

You are encouraged to implement as many of the “Recommended” measures as you can. All of these measures have been shown to have an impact in reducing the likelihood and/or severity of violence.

### REQUIRED MEASURES

<b>Visibility and lighting</b>	
Employees must be able to see in and out of the sales area (posters, brushes, etc must not block their view)	Required
Employees at the cash register must be visible to potential witnesses outside	Required
Lighting must be adequate to ensure that would-be robbers will be recognizable	Required
<b>Building layout and design</b>	
Access to employee-only areas must be controlled with locks	Required
The cash-handling area (where the drop-safe is, where cash deposits are made, or where the tills for shift changes are prepared, etc) must be separate and out of sight from the public area of the workplace. The most common example is an office separate from the public sales area.  If your building does not have such a space, locking the doors before you prepare cash drops, prepare tills for shift changes, etc, will also meet this requirement.	Required
All aisles/areas in the store should be visible from the cash register. This can be done by arranging the aisles, using surveillance cameras, or e mirrors	Required
<b>Signage and emergency information</b>	
Emergency numbers must be posted in a prominent place or on phones	Required

<p>Robbery prevention signs must be prominently displayed (For example: “Area monitored by video camera,” “Store has less than \$40 after dark,” and “Time-Lock Safe — Clerk Cannot Open.”)</p> <p>Note: Businesses must follow the measures, not just use the signs</p>	Required (where applicable)
<b>Security guards and equipment</b>	
Door alarms or other devices that alert employees that someone is entering the store must be used between 10:00 p.m. and 6:00 a.m.	Required
<b>Employees working alone</b>	
A system must exist to contact employees who work alone between 10:00 p.m. and 6:00 a.m. regularly to ensure that they are okay. This can be done using phone calls, a buzzer that must be responded to by the employee at regular intervals, etc.	Required
A plan of response if the employee does not respond to a contact	Required
Back doors must be locked when an employee is alone	Required
<b>Handling money</b>	
The area where cash transactions are done (the till area) should have a high, wide counter to make it difficult for someone to reach across and access the till or the cashier	Required
Safes or drop boxes that cannot be opened by staff must be installed for stores open anytime between 10:00 p.m. to 6:00 a.m.	Required
Employees must not make bank deposits alone at night	Required
Have a standard practice to keep as little cash in the till as possible	Required
<p>Employers can implement a cash-less system and only receive payment through debit or credit card transactions to comply with all the requirements of the “Handling money and deposits” section.</p> <p>Another option is to only accept debit or credit card and exact cash (i.e. no change is available). In this situation, cash is immediately put in the drop safe. You would still need to have safe practices in place for emptying the safe. Other than emptying the safe, this option would also meet all the “Handling money” requirements.</p>	Meets all requirements for Handling money
<b>Opening and closing</b>	
Have written procedures for opening and closing that emphasize personal safety. For example, “Don’t count the cash from the till at the sales counter.”	Required
<b>Training and Communication</b>	
Every employer must ensure that there is a written procedure for the steps to take in the event of a robbery (theft of gasoline, cash, etc.)	Required
Employers must establish a procedure for reporting violent or suspicious incidents and explain this procedure to all employees	Required

Employers must review and communicate to all existing employees this Code of Practice and all required work procedures	Required
Employers must review and communicate to every new employee on their first day of employment this Code of Practice and all required work procedures	Required
Employers must provide all employees training in how to recognize and respond to situations where there is a potential for violence	Required
Employers must provide all employees training in how to respond when a violent situation has occurred, including how to obtain assistance	Required
Employers must communicate to employees the importance of keeping security information confidential (i.e. sales volumes, cash volumes, and security information).	Required

## RECOMMENDED MEASURES

<b>Building layout and design</b>	
An elevated place for cash registers	Recommended
Anti-jump barriers fitted in front of cash-handling devices	Recommended
Security guards and equipment	
A silent, centrally monitored holdup alarm	Recommended
A controlled access door (buzz in system) for stores open anytime between 10 p.m. to 6 a.m.	Recommended
A closed-circuit television or surveillance camera	Recommended
Security guards	Discretionary
<b>Employees working alone</b>	
Take measures to physically separate employees who work alone between 10:00 p.m. and 6:00 a.m. from the public. This can be done using a locked door or barrier that prevents physical contact with the worker while still allowing transactions (through a pass-through tray for example)	Recommended
<b>Handling money</b>	
Employees should not make bank deposits alone after dark	Recommended
Don't accept large bills, or put them into a drop box, safe, or strongroom that is out of sight	Recommended
The time and routine for making deposits should vary to make it less predictable	Recommended
Employees should transport cash in an inconspicuous way (i.e. not in a bag that has the company logo) to make it less obvious that they are carrying cash	Recommended
<b>Opening and closing</b>	
Have employees work in pairs at opening and closing, especially when doing the rounds at the end of a shift	Recommended

## APPENDIX G - Violence in the Workplace Regulations

made under Section 82 of the  
Occupational Health and Safety Act  
S.N.S. 1996, c. 7

O.I.C. 2007-200 (April 4, 2007, effective on and after April 1, 2008, except Sections 1 to 6 which are effective on and after October 1, 2007), N.S. Reg. 209/2007

### Citation

1 These regulations may be cited as the *Violence in the Workplace Regulations*.

### Definitions

2 In these regulations,

- (a) "Act" means the *Occupational Health and Safety Act*;
- (b) "adequate" means sufficient to protect a person from injury or damage to health;
- (c) "committee" means committee as defined in the Act;
- (d) "health care workplace" means any of the following:
  - (i) a district health authority under the *Health Authorities Act*,
  - (ii) a nursing home, a home for the aged, a residential care facility under the *Homes for Special Care Act* or any other long-term-care facility, and
  - (iii) a place where emergency health services or home care services are provided;
- (e) "representative" means representative as defined in the Act;
- (f) "violence" means any of the following:
  - (i) threats, including a threatening statement or threatening behaviour that gives an employee reasonable cause to believe that the employee is at risk of physical injury, conduct or attempted conduct of a person that endangers the physical health or physical safety of an employee.
  - (ii)

### Violence as an occupational health and safety hazard

3 These regulations do not diminish the responsibility of all workplace parties to recognize violence as an occupational health and safety hazard in carrying out their precautions and duties under the Act.

### Application of these regulations

4 These regulations apply at any workplace where the primary business is any of the following:

- (a) health services, including services provided at a healthcare workplace;
- (b) ambulance, emergency ambulance and emergency health services provided under the *Emergency Health Services Act*;
- (c) medical services;
- (d) dental services;
- (e) veterinary services;
- (f) blood collection services;
- (g) testing and diagnostic services;
- (h) pharmaceutical-dispensing services, including facilities operating under the *Pharmacy Act*;
- (i) education services provided by institutions including any of the following:
  - (i) the Nova Scotia Community College,
  - (ii) a degree granting institution designated under the *Degree Granting Act*,
  - (iii) a private career college registered under the *Private Career Colleges Regulation Act*,
  - (iv) a school governed by the *Education Act*;
- (j) policing services, detective services and other law enforcement services including services provided under the *Police Act*, the *Police Services Act* and the *Constables Act*;
- (k) correctional services, including services provided at any of the following:
  - (i) a correctional facility as defined in the *Corrections Act*,
  - (ii) a facility under the *Correctional Services Act*,
  - (iii) a facility under the *Court Houses and Lockup Houses Act*,
  - (iv) a place or facility designated as a youth custody facility under subsection 85(2) of the *Youth Criminal Justice Act* (Canada),
  - (v) a place or facility designated as a place of temporary detention under subsection 30(1)

- of the *Youth Criminal Justice Act* (Canada);
- (l) probation services provided by a probation officer or assistant probation officer appointed under the *Correctional Services Act*;
- (m) security and related services including, licensees under the *Private Investigators and Private Guards Act*;
- (n) crisis counseling and intervention services including, any services provided by an agency as defined in the *Children and Family Services Act*;
- (o) retail sales;
- (p) delivery services, including parcel delivery services;
- (q) financial services including, services provided by any of the following:
  - (i) facilities operating under the *Trust and Loan Companies Act*,
  - (ii) facilities operating under the *Credit Union Act*,
  - (iii) insurer licensed to carry on business under the *Insurance Act*,
  - (iv) a money lender under the *Money-lenders Act*;
- (r) sales of liquor or providing premises for consuming liquor including, premises licensed under the *Liquor Control Act*;
- (s) taxi services;
- (t) passenger transit services;
- (u) gaming activities conducted and managed under the *Gaming Control Act*;
- (v) services provided by or on behalf of the departments, offices and special operating agencies established under the *Public Service Act* that involve regular interaction with the public;
- (w) homemakers services as defined in the *Homemakers Services Act*.

#### Violence risk assessment

- 5
- (1) An employer must conduct a violence risk assessment for each of their workplaces in accordance with this Section to determine if there is a risk of violence in the workplace and prepare a written report concerning the violence risk assessment detailing the extent and nature of any risk identified by the assessment.
  - (2) In conducting a violence risk assessment, an employer must take all of the following into consideration:
    - (a) violence that has occurred in the workplace in the past;
    - (b) violence that is known to occur in similar workplaces;
    - (c) the circumstances in which work takes place;
    - (d) the interactions that occur in the course of performing work;
    - (e) the physical location and layout of the workplace.
  - (3) An employer must consult with any committee established at the workplace when conducting a violence risk assessment and must provide the committee with a copy of the written report of the assessment.
  - (4) An employer must consult with any representative selected at the workplace when conducting a violence risk assessment and must provide the representative with a copy of the written report of the assessment.

#### When new violence risk assessment required

- 6
- (1) An employer must conduct a new violence risk assessment for a workplace in any of the following circumstances:
    - (a) the employer becomes aware of a type of violence occurring in similar workplaces that was not taken into consideration when the previous violence risk assessment was conducted;
    - (b) there is a significant change in any of the following:
      - (i) the circumstances in which work takes place,
      - (ii) the interactions that occur in the course of performing work,
      - (iii) the physical location or layout of the workplace;
    - (c) the employer plans to construct a new facility or renovate an existing facility;
    - (d) the employer is ordered to do so by an officer.
  - (2) An employer must conduct a new violence risk assessment for each of their workplaces at least every 5 years.

#### Workplace violence prevention plan

- 7
- (1) An employer must establish and implement a workplace violence prevention plan for each workplace for which a significant risk of violence is identified through a violence risk assessment or that an officer orders a plan for.

- (2) As part of a workplace violence prevention plan, an employer must do all of the following:
  - (a) prepare a written workplace violence prevention statement;
  - (b) either
    - (i) take and document reasonable measures to minimize and, to the extent possible, eliminate the risk of violence in the workplace, or
    - (ii) adopt a code of practice on violence in the workplace published by the Director governing the primary business conducted at the employer's workplace;
  - (c) establish and document procedures for providing employees with the information and training required by Sections 10 and 11;
  - (d) establish and document procedures for reporting, documenting and investigating incidents of violence as required by Sections 12 and 13.
- (3) An employer must consult with any committee established at the workplace when establishing, reviewing or revising a workplace violence prevention plan.
- (4) An employer must consult with any representative selected at the workplace when establishing, reviewing or revising a workplace violence prevention plan.
- (5) An employer must make a copy of the workplace violence prevention plan available for examination at the workplace by any employer, contractor, constructor, supplier, employee, owner or self-employed person in that workplace.

#### Review and revision of workplace violence prevention plan

- 8 (1) If a new violence risk assessment indicates a significant change to the extent and nature of the risk of violence, an employer who is required to establish and implement a workplace violence prevention plan must ensure that the plan is reviewed and, if necessary, revised.
- (2) At least every 5 years, an employer who is required to establish and implement a workplace violence prevention plan must ensure that the plan is reviewed and, if necessary, revised.

#### Workplace violence prevention statement

- 9 (1) An employer must prepare a workplace violence prevention statement that includes all of the following:
  - (a) a statement of the employer's recognition that violence is an occupational health and safety hazard at the workplace;
  - (b) a statement of the employer's recognition of the physical and emotional harm resulting from violence;
  - (c) a statement of the employer's recognition that any form of violence in the workplace is unacceptable;
  - (d) a statement of the employer's commitment to minimize and, to the extent possible, eliminate the risk of violence in the workplace.
- (2) An employer must post a copy of their workplace violence prevention statement in a prominent place or places in each of their workplaces so it can be easily accessed by employees, and must ensure that it remains posted.

#### Information that must be provided to employees

- 10 (1) An employer must provide an employee who is exposed to a significant risk of violence in a workplace with information on the nature and extent of the risk and on any factors that may increase or decrease the extent of the risk.
- (2) Except as prohibited by law the duty to provide information to an employee under subsection (1) includes a duty to provide information 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.

#### Training and supervision for employees

- 11 (1) In accordance with the procedure in an employer's workplace violence prevention plan, an employer must provide adequate training on all of the following for any employee who is exposed to a significant risk of violence:
  - (a) the rights and responsibilities of employees under the Act;
  - (b) the workplace violence prevention statement;
  - (c) the measures taken by the employer to minimize or eliminate the risk of violence;
  - (d) how to recognize a situation in which there is a potential for violence and how to respond appropriately;
  - (e) how to respond to an incident of violence, including how to obtain assistance;

- (f) how to report, document and investigate incidents of violence.
- (2) An employer must provide any employee who is required by the employer to perform a function under the workplace violence prevention plan with training on the plan generally and on the particular function to be performed by the employee.

#### Duty to report incidents of violence

- 12 An employer, contractor, constructor, supplier, employee, owner or self-employed person in the workplace has a duty to report all incidents of violence in a workplace to the employer.

#### Documentation, investigation and actions to prevent reoccurrence

- 13 (1) An employer must ensure that incidents of violence in a workplace are documented and promptly investigated to determine their causes and the actions needed to prevent reoccurrence in accordance with the procedures established under clause 7(2)(d).
- (2) An employer must ensure that notice of the actions taken to prevent reoccurrence of an incident of violence are given to all of the following:
- (a) any employee affected by the incident of violence;
  - (b) any committee established at the workplace;
  - (c) any representative selected at the workplace.

#### Dealing with employees exposed to or affected by violence

- 14 An employer must provide an employee who has been exposed to or affected by violence at the workplace with an appropriate debriefing and must advise the employee to consult a health professional of the employee's choice for treatment or counseling.

#### Employers with multiple temporary workplaces

- 15 Despite anything in these regulations, an employer who has employees performing work at multiple temporary workplaces is not required to conduct a violence risk assessment or prepare a workplace violence prevention plan for each individual workplace if the employer conducts a violence risk assessment and prepares a workplace violence prevention plan that covers similar workplaces collectively and takes into account the circumstances and interactions that an employee is likely to encounter in the performance of their work.

#### Ability to meet duties collectively

- 16 (1) Despite anything in these regulations, 2 or more employers may enter into a written agreement to collectively provide and maintain the statements, plans and services required under these regulations.
- (2) A copy of any agreement made under subsection (1) must be kept by each of the employers and must be provided to any of the following, engaged at the workplace of 1 of the employers, who request a copy:
- (i) an employee,
  - (ii) a contractor,
  - (iii) a constructor,
  - (iv) a supplier,
  - (v) an owner or self-employed person,
  - (vi) an officer.