

A Workplace **Violence Prevention Strategy** for Nova Scotia

Promoting Greater Awareness of Workplace Violence Prevention



April 2007



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***PROMOTING GREATER AWARENESS OF
WORKPLACE VIOLENCE PREVENTION***

**NS Department of Environment & Labour
April 2007**

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Minister's Message



I am proud to introduce Nova Scotia's new Strategy for dealing with violence in the workplace. In the past few months, the Workplace Violence Prevention Strategy project team developed this strategy using the valuable input of over 565 Nova Scotia stakeholders. I extend my appreciation to those of you who brought your perspective to the process, ensuring that it is reflective of the needs of many. I appreciate the involvement and support of several provincial departments and agencies who contributed to this Strategy, including the Department of Health, Department of Education, Department of Community Services, Department of Justice, the Public Service Commission and the Workers' Compensation Board. Thanks also to the members of the team and staff of the Occupational Health and Safety Division, and the Policy Division who devoted their passion and expertise to crafting a strategy designed to have a fast and significant impact.

The Strategy uses education and awareness, legislation and regulation, partnerships, research, and the sharing of best practices to tackle the problem of violence and its consequences in the workplace. It gives employers and employees clear direction, and the tools to effect positive change. It details a path toward even safer Nova Scotia workplaces, with government itself as an employer leading the way.

Whether you are an employer or employee, I encourage you to read this document mindfully. Look for opportunities to apply these resources toward improving safety in your workplace. Remember, we are all responsible for workplace safety!

Honourable Mark Parent
Minister, Nova Scotia Environment and Labour

Executive Summary

The Workplace Violence Prevention Strategy is a multi-faceted approach for dealing with violence in workplaces in Nova Scotia. The Strategy adopts a broad approach, that engages employers and employees to ensure that workplaces remain safe and productive. Training is important and is part of promoting greater education and awareness of appropriate measures to prevent, reduce or eliminate workplace violence. Greater communication and information-sharing among sectors is encouraged, with the expectation that knowledge of situations where control measures have worked can lead to greater cooperation among industry sectors.

As this document illustrates, the Strategy builds on elements of the Occupational Health and Safety system set out in the *Occupational Health and Safety Act*. Many things common to achieving an organization's health and safety objectives, such as hazard or risk assessments and consultation with employees or their representatives, are to be found in the Workplace Violence Prevention Strategy.

Employers, in consultation with joint health and safety committees or representatives should carry out violence risk assessments, which are practical, commonsense reviews of workplaces and their administrative and work practices, in order to identify existing or potential areas that can lead to workplace violence. Where such risks are identified, measures are to be taken to guard against them, and should be reviewed at intervals to take new situations into account.

Implementation of the Strategy is expected to result in a dynamic workplace culture where proactive steps are taken to prevent or eliminate workplace violence. The tools made available, such as risk assessments and violence prevention plans are the first step in achieving the objective of reducing the incidences and effects of workplace violence in Nova Scotia.

Introduction

Within Canada, each province, territory, and the federal government, has Occupational Health and Safety legislation establishing rights and responsibilities for employers and employees. Such legislation is aimed at achieving safe and healthy workplaces in general; at identifying hazards and risks associated with certain occupations; and at establishing minimum conditions and guidelines for particular activities.

Workplace Violence refers to behaviours, actions and occurrences connected with a person's employment, in situations where the employee is threatened, injured or put in reasonable fear of such injury. As workplace violence can occur in a work environment, it is considered an occupational health and safety issue. Violence may be initiated by persons with grievances against the workplace or its employees; co-workers; customers or the public at large. It can result in death, injury or disability to employees, higher employee turnover, absences, stress-related illnesses or lost productivity. Workplace violence can happen in any occupation. However, it may be more likely in occupations where persons handle money; deal with troubled clients; care for others; work alone, particularly at night; or provide services to the public.

The effects and costs of violence in workplaces have taken a toll on the workplace culture, on employers and employees alike. Recent research on workplace violence in Nova Scotia in 2007 conducted by Dr. Kevin Kelloway and Dr. Lori Francis of the CN Centre for Occupational Health and Safety of St. Mary's University shows that from a representative group of 1400 Nova Scotians surveyed, 20 percent had been subjected to workplace violence. The largest percentage, more than 12 percent, had been threatened with physical assault, while more than 11 percent had objects thrown at them. In the majority of cases, the violence originated from the public or from clients. Transit services are an example of an affected sector. As a 2007 survey by Geoff Wright and Dr Kevin Kelloway of the CN Centre found, 60% of Metro Transit Bus Operators in Nova Scotia have experienced physical violence from members of the public. It is therefore not

surprising that organizations, entities and individuals have identified workplace violence as an issue that needs to be addressed.

In Nova Scotia, workplace violence has not been specifically identified in legislation until now. Reliance was placed on the general duty of employers under the *Occupational Health and Safety Act*, to ensure the health and safety of employees at workplaces or work-related sites, and to ensure that employees knew and were protected as far as possible from workplace health or safety hazards. Now that the Regulations are in place, the general duty clause will still apply to all workplaces, including those not included in the Regulations.

Workplace violence prevention was highlighted by the Department of Environment and Labour for action in 2006-2007, the second year of the Department's four-year plan for addressing recommendations to improve the Occupational Health and Safety regulatory framework. The Mission of the Department of Environment and Labour is to protect and promote:

- the health and safety of people and the protection of property
- a healthy environment
- employment rights; and
- consumer interests and public confidence in pension services, and in the alcohol and gaming sector.

In fulfilment of this Mission, the Department seeks to deliver effective and sustainable regulatory and non-regulatory measures which support Government's goals for public health, a clean environment and economic competitiveness. In its 2006-2007 Business Plan, the Department made the development of strategies for reducing injuries from workplace violence a priority area, and the implementation of the Violence in the Workplace Regulations is a priority in the 2007-2008 Business Plan. The Occupational Health and Safety Advisory Council, an employer/employee committee which advises the Minister on safety in the workplace, also recognizes workplace violence as an issue requiring action.

With the release of the Discussion Paper: *Strategic Directions: Addressing the risk of Workplace Violence in Nova Scotia*, the Department commenced province-wide consultations on workplace violence in December 2006 . Feedback was received from employers, employees, employers' representatives, stakeholders in various sectors, and the general public. The Strategy benefited from these responses, as well as from resources within the Department, and Violence in the Workplace Regulations were passed in April 2007. The key components of the Strategy are outlined in this document.

Vision and Principles

The Workplace Violence Prevention Strategy is aimed at reducing the incidence and effects of workplace violence on employees and employers in Nova Scotia. It envisages the achievement of a respectful workplace culture which is reflected in the way persons interact in the work environment, and how workplace violence is perceived. The Strategy is based on the following principles:

- **Clear Roles and Responsibilities:** The Strategy operates on several levels; involving the private sector; advisory groups; industry associations; other government departments, and the general public, in workplace violence prevention. It identifies the roles and responsibilities to be fulfilled by these stakeholders, and clarifies the responsibilities of employers in the Regulations. (A copy of the Regulations can be found in Appendix "A").





- **Leadership by Example:** Government is committed to leading by example. The Strategy is consistent with the objectives of the Competitiveness and Compliance Initiative, (CCI). CCI, as part of government's broader Better Regulation Initiative, is an Environment and Labour initiative designed to improve our regulatory system, make it easier for business to comply with our laws, and achieve better compliance with our regulatory programmes. Government departments are revising programmes to integrate workplace violence prevention

- **Partnership Development:** The Strategy builds on existing infrastructures, programmes and policies. Partnerships have been formed with other government departments such as Health, Community Services, Education, the Public Service Commission and the Department of Justice to develop and implement the Strategy. Other agencies such as the Workers' Compensation Board (WCB) and the Nova Scotia Community College are committed to working together to create safer workplaces in Nova Scotia and are involved in delivering workplace violence prevention into their programmes and assisting in education and training opportunities. The Halifax Regional Municipality Policing Services and the Royal Canadian Mounted Police are also involved in providing training opportunities in Crime Prevention Through Environmental Design (CPTED), a prevention strategy used by planners, police services, architects and others to create physical environments with strategic lighting, surveillance and awareness of factors that reduce the likelihood of crime.

- **Greater resource efficiency in accordance with the Regulations:** Initial efforts are being directed where they will do the most good - in higher risk sectors such as health care, retail, government services and police and corrections facilities where specific behaviours associated with workplace violence are more likely to occur. Affected sectors are encouraged to seek out best practices to be shared and implemented.

Components of the Strategy

The components of the Strategy are:

-  Education and Awareness
-  Legislation and Regulation
-  Information Sharing
-  Evaluation and Research

▲ Education and Awareness

It is important that everyone recognizes the potential for violence in the workplace so that they can develop preventive techniques and strategies to address it in a practical manner. Understanding what can trigger aggressive or violent behaviour is key to minimizing its effects or preventing it altogether. For example, if one is aware that the risk of violence may be greater at specific times or months of the year, such as tax return season or around overdue utility bill cut-off dates, then it becomes easier to take preventive measures ahead of time. The following education and awareness measures are being taken:

- ▶ The Department is making reference materials on workplace violence easier for Nova Scotia employers and employees to access and apply to their own situations. The Violence in the Workplace Prevention Guide prepared by the Canadian Centre for Occupational Health and Safety (CCOHS) is an example of material that will be distributed by the Department. Online training with CCOHS and the Nova Scotia Safety Council are available for those with internet access. (These sites will be promoted to encourage users. A list of resource links can be found in Appendix “B”).

- ▶ Comprehensive training on workplace violence prevention will be undertaken externally with the involvement of industry and related agencies. The Workers’ Compensation Board is providing resource material and cost-sharing with the Department in the delivery of training courses. Additionally, the Department has contracted with the Nova Scotia Community College to deliver training on the new Regulations to specific sectors as well as to the public. This training will give

specifics on the conduct of violence risk assessments, the development of violence prevention plans, and how to develop policy around these procedures. It is envisaged that these courses will eventually be conducted on an ongoing basis.

- ▶ A presentation on workplace violence and tools required for Nova Scotia workplaces was made at the annual Nova Scotia Safety Council Conference in March 2007. Feedback on the issue from joint occupational and safety committees and other attendees of the conference was used in this Strategy, and use will be made of other outreach events.
- ▶ The Department is developing a Reference Guide for use in interpreting the Regulations and other parts of the Strategy. This is a plain language guide explaining parts of the Regulations in order to assist users to apply workplace violence prevention measures.
- ▶ Under the Regulations, violence risk assessments are to be done by employers noted in Section 4 of the Regulations, to determine whether there is a risk of violence in their workplaces, and the nature and extent of such risk. A brochure with a sample violence risk assessment form has been prepared in order to familiarize employers with the components of an assessment and will be distributed to all employers. (A copy of a violence risk assessment form can be found in Appendix "C".)

Other awareness measures

A public information campaign will accompany the introduction of the Strategy. Information sessions and advertising campaigns will be held across the province to introduce the Regulations, spread awareness of the Strategy, facilitate the adoption of practices to prevent and reduce workplace violence and promote learning opportunities such as those offered by the Nova Scotia Community College.

Within the Department of Environment and Labour, OHS officers will receive

training on the Strategy and the role of the new Regulations; violence response procedures; crisis management; the conduct of inspections and other means of assessing compliance. This will facilitate issues or questions that they may encounter in their daily functions. Other Departments such as the Public Service Commission; Health, Education, Justice and Community Services are also involved in facilitating implementation of the Strategy and in education awareness and training initiatives.

Some sectors already have their own violence prevention tools such as bulletins or codes of practice, and have completed hazard assessments for their areas of operation. This has enabled the development of extensive tools. For example, Credit Union Central of Nova Scotia uses videos, dvd's, interactive training tools and brochures with information on robbery prevention, and dealing with the aftermath or trauma relating to robbery, which staff are required to read and follow in the event of a robbery.

Other organizations such as Sobeys' have instituted violence prevention measures for their convenience stores, such as closed circuit televisions in all locations; personal alarms and electronic door locks in all 24 hour stores; signs warning that security measures are in place and have required that all employees must review loss prevention training material. (Links to related sources can be found in Appendix "B"). Wherever possible, examples of risk factors and current best practices to address them will accompany the roll-out of the Strategy.

▲ **Legislation and Regulation**

Discussion on the enactment of Regulations on workplace violence prevention has been ongoing for some time in Nova Scotia. The Occupational Health and Safety Advisory Council identified the need for Regulations to Government as early as 1993, and work has been ongoing on proposed Regulations since 1995. However, while there has been general agreement on the need to reduce the risk of workplace violence, it has taken time and consultation to arrive at a broad strategy, including Regulations, to address this issue.

The Violence in the Workplace Regulations

The Violence in the Workplace Regulations make it clear that workplace violence is an occupational health and safety issue. Following the consultative process and further feedback, a clear line of accountability has been established. The Regulations reinforce the duty employers have under the *Occupational Health and Safety Act* to take reasonable precautions to ensure the health and safety of persons at or near a workplace, and outline the process to be followed in addressing workplace violence in industry sectors where the problem is most acute. In order to allow time for employers to put measures in place, the Regulations are phased in, with six months being allowed for the completion of a violence risk assessment and a year for the establishment and subsequent implementation of a violence prevention plan, including a training programme for employees.

The Regulations do not displace obligations under the Occupational Health and Safety Act. Under the Act, employees are required to take reasonable precautions to protect their own health and safety and that of other persons at or near the workplace. This includes the duty to report those things in workplaces considered to be a danger to an employees' health and safety or others at the workplace, to a supervisor, a safety committee, or safety representative if appointed. Employees are responsible for:

- practising safe work practices and procedures
- participating in training to manage or prevent such hazards and risks and
- reporting such hazards or risks to the employer.

Employers have the responsibility to:

- make themselves familiar with workplace safety hazards and risks
- take steps to make employees aware of such hazards and risks
- provide protection from hazards and risks, and
- provide appropriate training.

These duties, which are stated in the *Occupational Health and Safety Act*, are part of the Internal Responsibility System, where everyone within an organization has direct responsibility for health and safety, while doing what they are expected to do.

The Regulations build on this internal responsibility system. Persons concerned with the workplace such as contractors, constructors, suppliers, employees, owners or self-employed persons, all have a duty to report all incidents of violence in the workplace to the employer. (For more information on this and upcoming consultations on the Internal Responsibility System, please refer to the Department website at <http://www.gov.ns.ca/enla/healthandsafety/>).

The main components of the Regulations are:

- the definition of violence
- workplaces to which the Regulations are applicable
- the conduct of violence risk assessments
- implementation of a violence prevention plan
- a workplace violence prevention statement
- the provision of information and training for employees
- reporting of incidents of violence
- documentation, investigation and actions to be taken to prevent reoccurrence
- dealing with employees affected by violence
- dealing with multiple workplaces and the collective compliance with the Regulations

Definition of Violence

Violence is defined as meaning 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 for physical injury,
- (ii) conduct or attempted conduct of a person that endangers the physical health or physical safety of an employee.

Application of the Regulations

The Regulations apply at workplaces where the primary business carried on includes: health and healthcare services; ambulance and emergency health services; medical, dental and veterinary offices; blood collection services and testing or diagnostic services; and pharmaceutical-dispensing services. The Regulations also apply to schools; education services provided by institutions such as the Nova Scotia Community College; universities and private career colleges; as well as to correctional, security-related services, probation and crisis counselling services.

Other workplaces affected include retail sales premises, delivery services, financial service institutions, insurance and money lending agencies, places where liquor is sold or consumed, or where gaming is conducted; taxi services, passenger transit services; government departments or special operating agencies which involve regular interaction with the public and homemakers services.

Violence Risk Assessments

In conducting a violence risk assessment in accordance with the Regulations, employers in the workplaces listed above should take into account:

- past violent occurrences in the workplace
- violence which is known to occur in similar workplaces
- the circumstances in which work will take place
- the interactions which will occur in the course of performing the work, and;

- the physical location and layout of the workplace.

If there is a joint occupational health and safety committee or safety representative at the workplace, the employer should consult with them in doing a violence risk assessment. For business establishments with fewer than 5 employees, the assessment should be conducted by the owner or manager. These assessments should be reviewed at least every five years, or if circumstances change significantly, e.g if a new workplace is constructed, or the nature of the work changes. If the assessment identifies a significant risk of workplace violence, employers must prepare a written workplace violence prevention plan which includes a workplace violence prevention statement. This statement should include the employers' recognition of:

- (a) violence as an occupational health and safety hazard at the workplace;
- (b) the physical and emotional harm resulting from violence;
- (c) the fact that any form of violence in the workplace is unacceptable;
- (d) the employer's commitment to minimize and, to the extent possible, eliminate the risk of violence in the workplace.

Each workplace has the option of developing its own violence prevention plan and of documenting reasonable measures to minimize or eliminate the risk of workplace violence as far as possible; or of adopting a code of practice on workplace violence published by the Director of Occupational Health and Safety of the Department for the primary business conducted at the employer's workplace. For more detailed information on these requirements, please refer to the Regulations in Appendix "A" to this Strategy, or to the Reference Guide prepared by the Department which will be available in print or online at <http://www.gov.ns.ca/enla/healthandsafety/pubs.asp#violence> .

The Regulations clarify the responsibility of employers under the Occupational Health and Safety Act, to provide employees with such information, instruction, training, supervision and facilities as are necessary for their health and safety in respect of the risk of violence. Such training on violence prevention should include:

- information on the nature and extent of the risk

- how to recognize, respond to and report a violent situation
- steps the employer has taken to minimise the risk

If an employee is affected by workplace violence, he or she should also be appropriately debriefed and advised by the employer to consult a health professional of the employee's choice for treatment or counselling. An employer does not have to pay for the services of the health professional, but should grant reasonable time away from work for the employee to consult a health professional.

Consultation

Consultation and notification are important tools in monitoring safety concerns in a workplace. Consultation, and ensuring that the interests of parties concerned are taken into account, are common threads running through the Regulations. When conducting a violence risk assessment, and establishing, reviewing or revising a workplace violence prevention plan, employers are required to consult with joint occupational health and safety committees, or safety representatives. Employers are also required to give a written report of a violence risk assessment to the committee or representative, if any, and where action is taken to prevent reoccurrence of violent incidents, the committee or representative are also to be notified.

▲ Information Sharing

Information Sharing on the Web

Electronic distribution of e-bulletins, and links to other reference material can contribute to wider and quicker dissemination of information on workplace violence prevention, assisting both the Department and the end user by sharing industry, evidence-based, and real-world best practices and offering perspective into their advantages and drawbacks. Users of the NSEL website will find a section that features tips, ideas and anecdotes to show businesses, employees, employers or sectors how their peers are addressing specific violence prevention challenges.

Submitting tested ideas - whether successful or not - to a shared resource, will allow for wider and faster dissemination of information. It also invites and captures the creative solutions of a big group that operates within a common business environment - Nova Scotia. The Department website will shortly include much more information on workplace violence prevention and will be a place where current information on the progress of the Strategy and helpful tools can be obtained.

► **Evaluation and Research**

As the Strategy progresses, there will be need to review whether progress is being made in reducing the incidences and impacts of violence, and achieving safer work environments. Tools such as surveys of employers and employees will be used to measure results and track trends. Employees may be willing to provide information anonymously, and this can lead to identifying and fixing reporting and prevention deficiencies. Credible and relevant research in workplace violence prevention is also useful for this purpose, and the ability to track trends through statistics is important for effective prevention efforts.

 **Action Plan**

The Strategy complements the occupational health and safety system which targets unsafe work practices, hazardous industrial conditions, or exposures to harmful chemical, biological or physical agents, and will help create a safer and healthier work environment. Various means will be used to address violence prevention in workplaces.

Widespread circulation of the Strategy - The Department will continue to work with other government departments and agencies to inform them of the Strategy and partner with them in its implementation. The Department will play a leadership role, supporting the efforts of other workplaces to implement the measures promoted by the Regulations and the Strategy. Externally, a combination of public awareness campaigns, an enhanced

website presence, distribution of workplace violence prevention literature and tools will be used to facilitate this process.

Training and Education initiatives - In addition to the training opportunities for personnel involved in workplace violence prevention within the targeted sectors, it is intended that the specific guidelines for workplace violence prevention outlined in the Strategy should be included in occupational safety and health programmes of all organizations. The nature of such programmes or policies may differ, based on the size and complexity of the workplace, but some features such as orientation for new employees and consultation with employees or their representatives, should be common to all programmes.

Resource sharing among entities - The Department will take the lead in providing tools to assist in risk assessments, and promoting the sharing of information, best practices and resources among affected service sectors. The Codes of Practice to be developed by the Occupational Health and Safety Division of the Department will assist workplaces in coming into compliance with the Regulations.

Occupational Health and Safety Outreach Forum - The forum will bring together government, the private sector, unions and experts in plenary and sector -specific sessions to address workplace violence. This event, scheduled for 2008, is intended to share creative solutions on workplace violence prevention, and evaluate the impact of measures taken under the Strategy. The forum will also identify ways of promoting incentives to encourage greater compliance.

Concluding Remarks

The Workplace Violence Prevention Strategy is a comprehensive initiative to make workplaces safer by reducing the risk and consequences of violence to employees in high-risk occupations. It uses available structures and mechanisms, and includes education and awareness campaigns, a regulatory instrument and other non-regulatory tools such as training and technical support.

It is envisaged that the Strategy will have an impact on workplaces affected by the Regulations, as well as those that are not specifically targeted. Some of the measures provided, such as the conduct of violence risk assessments and the establishment of workplace violence prevention plans, are useful tools that can be adopted in all workplaces. It is important that the Strategy and Regulations are readily understood and promoted by employers and employees, and that compliance is seen as beneficial by affected sectors.

The Strategy represents a significant step in the ongoing effort to establish and maintain procedures to manage significant aspects of workplace violence prevention. Implementation of the Strategy should result in improved awareness and dedication to improving workplace safety by all stakeholders, dispelling the notion that workplace violence is 'part of the job' in high-risk sectors and in workplaces as a whole.

APPENDIX 'A'

Violence in the Workplace Regulations

(Note: These Regulations are effective April 1, 2008, except Sections 1 to 6 which are effective on and after October 1, 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;

© "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,

(ii) conduct or attempted conduct of a person that endangers the physical health or physical safety of an employee.

Violence as an occupational health and safety hazard

3 These regulations do not diminish the responsibility of all workplace parties to recognize violence as a 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*;
 - (l) 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 Workplace Violence Prevention Strategy*
-
- Nova Scotia Department of Environment & Labour (April 2007)*

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 counselling 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;
- © 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;

© 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;

© 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

(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;

© 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 behaviour 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;
- © 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 counselling.

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

Appendix “B”

Links to selected resources

CCOHS - OHS Answers

<http://www.ccohs.ca/oshanswers/psychosocial/violence.html>

Canadian Association of University Teachers - OHS Bulletin with Tips

<http://www.caut.ca/en/publications/healthandsafety/Violence.pdf>

The Canadian Initiative on Workplace Violence - Research, Papers, Articles

<http://www.workplaceviolence.ca/research/ciwwpapers.html>

Nova Scotia Environment and Labour - OHS Resources

<http://www.gov.ns.ca/enla/healthandsafety/pubs.asp#violence>

Nova Scotia Safety Council- <http://nssafety.ns.ca/CourseList.php>

Workers’ Compensation Board of Nova Scotia - Prevention Resources <http://www.wcb.ns.ca>

British Columbia - Resources for General use, small business, retail, health care

http://www.bcpublicservice.ca/wphealth/work_enviro/prevent.htm

http://www2.worksafebc.com/PDFs/Small%20Business/violence_draft.pdf

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

<http://www2.worksafebc.com/Portals/HealthCare/Violence.asp>

Canada Safety Council - Bullying in the Workplace

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

Government of Canada - OHS Answers

http://chp-pcs.gc.ca/CHP/index_e.jsp/pageid/4005/odp/Top/Health/Public_Health_and_Safety/Violence_and_Abuse/Workplace_Violence

Health Care Health and Safety Association of Ontario - Prevention Bulletin

http://www.hchsa.on.ca/products/newsletters/sa_f2000.pdf

Ontario Education Society - hazard assessment form

http://www.esao.on.ca/downloads/checklist_pdfs/WORKPLACE%20VIOLENCE%20HAZARD%20ASSESSMENT%20FORM.dot

Occupational Safety and Health Administration (OSHA) - OSH Answers

<http://www.osha.gov/SLTC/workplaceviolence/>

National Institute for Occupational Safety and Health (NIOSH) - Prevention Articles

<http://www.cdc.gov/search.do?action=search&subset=niosh&queryText=violence+in+the+workplace&x=18&y=3>

American Association of Occupational Health Nurses Inc. - Press Release

http://www.aaohn.org/press_room/workplace_violence_120103.cfm

Florida Department of Education - Best Practices and indicators

http://www.firn.edu/doe/besss/safe_passage/2006doc/2006_best_practices_and_indicators.doc

Health and Safety Executive - Resources

<http://www.hse.gov.uk/violence/index.htm>

Halifax Regional Municipality Policing Services

<http://www.halifax.ca/Police/>

Toronto Police Service - Taxi Safety

<http://www.torontopolice.on.ca/crimeprevention/taxisafety.php>

RCMP - Creating Safer Communities -CPTED

http://www.rcmp-grc.gc.ca/ccaps/safecomm_e.htm

Appendix 'C'

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. While all workplaces covered by the Regulations must perform Violence Risk Assessments, this specific form is NOT mandatory. Employers are free to design their own forms if they so wish.

How to use this assessment:

1. 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. For workplaces with fewer than 5 employees, the assessment should be conducted by the owner or manager. The assessor(s) should also be trained in the violence assessment process.
2. Enter the name of your workplace, assessment date and name of the assessor(s).
3. Describe the workplaces or tasks covered by this assessment.
 - a. For smaller workplaces, there may only be one workplace, and thus only one assessment.
 - b. Larger workplaces may wish to divide their operations into workplaces or tasks that have similar predictors of violence. For example, a larger retail store may divide its staff into those who are customer service staff and those who perform administrative support functions and have little or no contact with customers. In this way, the employer can focus its violence prevention efforts on those areas where it is most needed.
4. Check the boxes on the attached form as accurately as possible, being sure to put a mark opposite each question. If you are unsure of any point, you should answer "Yes."
5. If the answer to any of the questions is "Yes," the assessor must describe the nature and extent of the risk of violence, as well as who may be exposed to the risk.
6. The assessor in consultation with the Committee or Representative must review the risk described and decide if the risk is significant.
7. If the answer to this is "Yes," the employer, in consultation with the Committee or Representative, must prepare a Workplace Violence Prevention Plan. If the answer to

this is "No" then a violence prevention plan is not required.

Follow-Up Points:

Copies of any Violence Risk Assessments should be made available to all committees and representatives and, if requested, to any employee. In highly computerized offices, posting to the Internet or Intranet may be adequate.

A Violence Risk Assessment must be redone:

1. if a new or different type of violence occurs in similar workplaces;
2. 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;
3. if a new facility is erected or an existing facility renovated;
4. if ordered to do so by an Occupational Health and Safety Officer;
5. at least every five years.

Sample Violence Risk Assessment

Name of Workplace: _____

Assessment Date: _____

Assessors: _____

Workplace or Tasks Covered by this Assessment:

Yes	No	Question
		When you are open to the public, are there times when only one employee is present?
		Do your employees handle cash or other valuables?
		Do your employees provide a service where they may deal with troubled persons?
		Do your employees care for others? (i.e. health care or community workers).
		Are your employees involved in disciplining others? (i.e. teachers).
		Do your employees deliver or collect items of value?
		Do your employees exercise control over others ? (i.e. enforcement officers).
		Do your employees inspect other people's private property? (i.e. planning inspectors, assessment officers).
		Do your employees exercise security functions ? (i.e. sheriffs).
		Do your employees sell or dispense drugs or alcohol?
		Do your employees work in community-based settings ?(e.g. nurses, social workers and other home visitors).
		Do your employees work during periods of intense organizational change (i.e. conciliators during strikes or lock-outs).
		Do your employees deal with or handle firearms or similar weapons?
		Has this workplace or task experienced violence in the past?
		Have similar workplaces or tasks in other organizations experienced violence?

Beyond the factors listed in the table, the employer should consider the following times and factors that may increase the potential for violence:

- late hours of the night or early hours of the morning
- tax return season
- overdue utility bill cut-off dates
- Christmas
- pay days
- report cards or parent interviews

- 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.

If there is the potential for violence at this workplace or while doing this task, describe the violence:

What activity or feature of the workplace or task may trigger violence?

Describe the predicted type of violence (i.e. assault, robbery, threats, etc.)

Describe how frequently the predictors of violence occur (i.e. if the predictor of violence was "Taking gate receipts to the bank", the frequency may be "Every Monday"; if the predictor of violence was "Customer service", the frequency may be "500 customers served per year")

Are there other ways the potential violence could be described in order to get a fuller picture?

State who is at risk from this violence, preferably using job titles as opposed to personal names
