

Workplace Violence Awareness

Presented by
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CANADIAN INITIATIVE
on **WORKPLACE VIOLENCE**



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In the short time we have...

- ▶ Arriving at a definition of workplace violence
- ▶ The Canadian experience
- ▶ What does the law say
- ▶ What are progressive organizations doing



What are we talking about...

- ▶ Continuing disagreement regarding the definition and parameters of violence.
- ▶ Two parameters:
 - Physical versus Non physical
 - The source (who is the perpetrator)



Definitions Can Vary

- ▶ **BC** – "...attempted or actual exercise by a person , other than a worker, of any physical force..."
- ▶ **Sask.** – "...attempted, threatened or actual conduct of a person that causes or is likely to cause injury..."
- ▶ **NS** – "...attempted, threatened or actual conduct that endangers the health & safety of the employee..."



Pressure for an Expanded Definition

► OC Transport Inquest

- We recommend that workplace violence be defined, not only as physical violence but also as psychological violence such as: bullying, mobbing, teasing, ridicule or any other act or words that could psychologically hurt or isolate a person in the workplace.

► Rationale: Non-physical violence can have as much impact as physical violence



Psychological Harassment



"...means an vexatious behaviour in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures, that affects an employee's dignity or psychological or physical integrity and results in a harmful work environment..."

(Bill 143, 2002)



Bullying

- ▶ Workplace bullying is the **persistent** mistreatment of one or more employees, sometimes by an employee in a position of influence or authority, who, intentionally or unwittingly, subjects others to behaviour that humiliates, demoralizes or otherwise undermines the victim's credibility, effectiveness and personal wellbeing.



Bullying & Mobbing

- ▶ Bullying and mobbing often include patterns of behaviour that are displayed over a period of time. Because of this and the sometimes subtle nature of the offensive behaviour, both bullying and mobbing can be difficult to recognize.



How Common is “Bullying”

- ▶ Within Quebec it was estimated that 1 in 10 employees may have experienced some form of “Bullying” which prompted new legislation.
- ▶ The CIWV Labour Report of 2000 suggested a high incidence of harassment and intimidation on the job
- ▶ The ILO (1997) Global Report on Workplace Violence suggested that 43% of international civil servants experienced bullying
- ▶ Depending on how “Bullying” is defined estimates range from 2% to 45%



Our Working Definition

“Any incident in which a person is abused, threatened or assaulted in circumstances relating to their work. These behaviors would originate from customers, co-workers at any level of the organization. This definition would include all forms of harassment, bullying, intimidation, physical threats/assaults, robbery and other intrusive behaviors”



The Canadian Experience

- ▶ Women have 19% higher rate of physical or psychological assaults than the US
- ▶ Stats Can. 12,000 women 51% attacked
- ▶ CUPE 1994 70% reported verbal aggression, 40% struck, 30% grabbed
- ▶ Sexual Harassment fastest growing complaint since 1991 (Ont. Human Rights Commission)



Violence: A Global Problem

- ▶ France, Argentina, Romania, **Canada**, & England reported highest rates of assaults & sexual harassment on the job. (ILO)
- ▶ In Canada wage-loss claims by hospital workers due to violence increased 88% since 1985 (BC Comp. Board)



Canadian Initiative Preliminary Findings

- ▶ Violence has increased (66%)
- ▶ Physical violence reported from outside, whereas Psychological from within
- ▶ 78% have taken concrete steps to act
- ▶ 53% suggest not enough being done
- ▶ 91% believe **Canada** different than US but moving in that direction



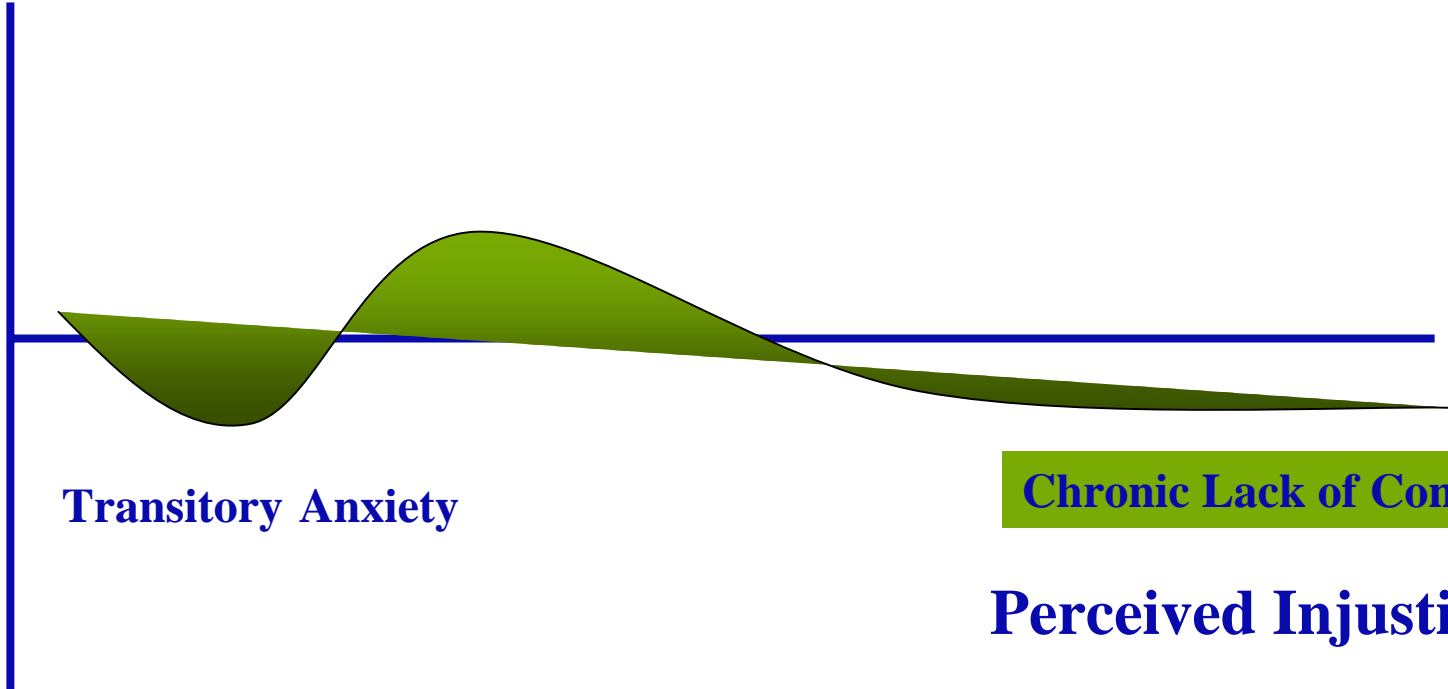
Violence: An Interaction

- ▶ An interaction between three factors:
 - Stimulus that leads subject to think this is the only way out
 - A viable solution to the problem at hand
 - An organization that facilitates/permits violence, or at least does not stop it from occurring.



The Concept of “Control”

High Locus Control



Low Locus of Control



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The Letter

" ...I'm going to commit an unforgivable act...I have no choice. I'm tired, exhausted and completely backed against the wall...They will never leave me alone. I can't go on living like this! They have destroyed my life, I will destroy their life...OC Transpo and the unions can't hide from what they do to me...They will pay dearly for what they've done to me. The people who I hold responsible are: (four names listed) along with many others ...all I wanted was for them to leave me alone, not to bug me but it was too much to ask. They have spread lies, especially that I was a rat who denounced my own union members to try and have them stop laughing at me."



Responsibility

▶ Common Law Liability

- Liability of the employer for the acts of its employees.
- Liability of the employer for its own acts.

▶ Statutory Liability

- Occupier's Liability Act.
- Occupational Health & Safety act.
- Human Rights Code.



Statutory Liability

- ▶ Occupier's Liability Act
 - People who are in control over land must ensure that their premises are safe for persons who may be reasonably expected to enter.
 - There are a number of security steps that can mitigate the risk - **lighting, intercom, alarm systems, electronic access, ID tags, single reception, etc.**



Human Rights Code

- ▶ 11 grounds under the code
 - An employer may be liable for harassment of workers where it knew or ought to have reasonably known that harassment was taking place and failed to take reasonable action to prevent it.



Occupational Health & Safety Act

- ▶ Employers have a responsibility to take reasonable care to provide employees with a safe workplace.
- ▶ Some provinces have made specific reference to violence – BC, Alberta, Sask, Manitoba & NS.
- ▶ Individuals can refuse “unsafe” work.



The Criminal Code of Canada

- ▶ Trespassing at Night (Sec. 177)
- ▶ Offensive Volatile Substance (Sec. 178)
- ▶ Criminal Harassment (Sec. 264)
- ▶ Uttering Threats (Sec. 264.1)
- ▶ Extortion (Sec. 364)
- ▶ False Messages (Sec. 372)
- ▶ Intimidation (Sec. 423)



Your road map to prevention



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Workplace Violence Prevention Policy

- ▶ Every organization should have a workplace violence prevention policy developed by management and employees.
- ▶ This document will be the foundation of your violence prevention program

Prevention Policy



Risk Assessment

- ▶ To effectively prevent workplace violence you need to have a general understanding of workplace violence risk factors.
- ▶ Your risk assessment should build on this general understanding and include input from both management and employees.

Risk Assessment



Developing preventative measures

- ▶ The next step is to develop specific measures to eliminate or minimize these risks
- ▶ Preventive measures include training and education as well as improvements to your workplace design, administrative practices and work practices

Prevention Measures



Reporting & Investigating

- ▶ Workplace violence is frequently under reported.
- ▶ Every workplace should have a clearly defined system set up for the reporting, recording and investigating incidents or possible incidents of violence.

Reporting & Investigation



Emergency Response Planning

- ▶ From an both an individual and organizational perspective, it is essential that you have a specific plan that clearly outlines how to respond to a serious incident before it happens.
- ▶ The plan should be comprehensive enough to deal with most incidents, but easy enough to understand and remember

Emergency Response Planning



Victim Assistance

- ▶ In the aftermath of an incident of workplace violence, traumatized individuals may require emotional and medical support.

Victim Assistance



Incident Follow-up

- ▶ Incident follow-up is part of your ongoing effort assess risk and improve prevention and response strategies.

Incident Follow-Up



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Program Review

- ▶ Continuous program review should not be overlooked
- ▶ Routine program review is critically important for meeting organizational and individual employee needs.
- ▶ Ensuring that your program is current and responsive is a testament to your commitment for a safe workplace.



Where to go From Here...

- ▶ Violence in the Workplace: Prevention Guide – Canadian Centre for Occupational Health & Safety – 1-800-668-4284
- ▶ Violence in the Workplace, Eric Roher, Carswell Publishing – 1-800-387-5164
- ▶ Human Resources Guide to Workplace Violence, Norman Keith, Canada Law Book



Thank You

For further information contact:

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