



Guide to the Prevention of Workplace Violence

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Introduction

Violence in the workplace is an increasingly serious occupational hazard. Like other injuries, injuries from violence are preventable. This guide presents the regulations on Prince Edward Island and provides information on how to interpret them. Employers are encouraged to visit our website, www.wcb.pe.ca, for more information about safe workplaces, and to consult the list of resources at the end of this document for additional information about their own type of work environment.

Legislation - Violence in the Workplace

On Prince Edward Island, the *Occupational Health and Safety (OHS) Act* and its General Regulations describe the minimum standards for occupational health and safety and the general safety principles for Island workplaces. Please refer to our website, www.wcb.pe.ca, for current legislation and regulations.

Part 52 of the *Occupational Health & Safety General Regulations* addresses violence in the workplace.

Occupational Health and Safety General Regulations, Part 52

52.1 *In this Part, “violence” means the threatened, attempted or actual exercise of any physical force by a person other than a worker that can cause, or that causes, injury to a worker, and includes any threatening statement or behaviour that gives a worker reasonable cause to believe that he or she is at risk of injury.*

52.2 (1) *An employer shall conduct a risk assessment of the workplace to determine whether or not a risk of injury to workers from violence arising out of their employment may be present.*

(2) *A risk assessment under subsection (1) shall include a consideration of*

(a) previous experience of violence in that workplace;

(b) occupational experience of violence in similar workplaces; and

(c) the location and circumstances in which the work will take place.

52.3 *If a risk of injury to a worker from violence in a workplace is identified by an assessment under section 52.2, the employer shall establish procedures, policies and work environment arrangements*

(a) to either

(i) eliminate the risk of violence to workers in that workplace, or

(ii) if elimination of the risk is not possible, minimize the risk of violence to workers in that workplace; and
(b) to provide for reporting, investigating and documenting incidents of violence in that workplace.

52.4 (1) *An employer shall inform workers who may be exposed to the risk of violence in the workplace of the nature and extent of the risk.*

(2) Unless otherwise prohibited by law, the duty to inform workers under subsection (1) includes a duty to provide information related to the risk of violence from persons who have a history of violent behaviour and who may be encountered by a worker in the course of his or her work.

(3) An employer shall instruct workers who may be exposed to the risk of violence in

(a) the means of recognition of the potential for violence;

(b) the procedures, policies and work environment arrangements developed under section 52.3; and

(c) the appropriate response to incidents of violence in the workplace, including how to obtain assistance.

52.5 *An employer shall ensure that a worker who reports an injury or adverse symptom resulting from workplace violence is advised to consult a physician of the worker's choice for treatment or a referral.*

Definition of Violence

Part 52.1 of the Occupational Health and Safety General Regulations defines violence in the workplace.

52.1 *In this Part, “**violence**” means the threatened, attempted or actual exercise of any physical force by a person other than a worker that can cause, or that causes, injury to a worker and includes any threatening statement or behaviour that gives a worker reasonable cause to believe that he or she is at risk of injury.*

Notes:

- This definition states that the threat must consist of a fear of or actual physical violence.
- The definition specifically excludes co-workers.
- The regulations apply anytime the worker is doing assigned duties regardless of the location.

- The regulations set a minimum standard for health and safety. Employers are encouraged to conduct a careful assessment of hazards and go beyond the minimum standard where hazards are identified.

Planning and education are the keys to preventing violent incidents. Employers must develop safe work procedures to minimize or eliminate risks. They must also train workers in their use.

52.2 (1) An employer shall conduct a risk assessment of the workplace to determine whether or not a risk of injury to workers from violence arising out of their employment may be present.

(2) a risk assessment under subsection (1) shall include a consideration of

- (a) Previous experience of violence in that workplace
- (b) Occupational experience of violence in similar workplaces
- (c) Location and circumstances in which the work will take place

High Risk Workers

Research on workplace violence shows that work activities most at risk for violence are:

- Working with the public
- Handling money, valuables or prescription drugs
- Carrying out inspection or enforcement duties
- Providing care, service, advice or education
- Working with unstable or volatile persons
- Working in premises where alcohol is served
- Working alone or in small numbers or in isolated or low traffic areas
- Working in community-based settings particularly in high crime areas
- Working in a mobile workplace (e.g. taxi drivers)

Occupational groups most at risk for workplace violence are:

- Retail workers, especially gas station attendants, jewelry store clerks, convenience store attendants and service persons in drinking and eating establishments

- Health care workers
- Correctional officers
- Social services workers
- Teachers
- Municipal housing inspectors
- Public works workers

Risk Assessment

Employers with workers who perform high risk work will need to do a risk assessment. Risk assessment involves considering the three areas as outlined in section 52.2(2) a-c.

The **first step** in conducting a workplace risk assessment is to review ***previous experience of violence*** in the workplace. Research states that the best predictor of risk of assault is a history of assault. This includes a history of all injuries and incidents related to violence. The risk assessment will include a determination of the chances for injury from violence for any particular work location or shift.

- Determine if you are in the risk categories mentioned above. Consider other factors that could create a risk such as late night opening, potential for access to drugs, location or clients with a history of unpredictable behaviour.
- Survey all workers about their experiences with workplace violence in the last two to three years. Have them include incidents that happened as well as situations where they might have felt at risk. A safety committee or safety representative can be a good resource to assist with this.
- Review company records and any investigations or recommendations that may have been made.

The **second step** 52.2(2)(b) is to ***look at similar workplaces*** to determine if they have identified a risk. For example, a convenience store may not have been robbed but branches in other locations or stores in the same area may have been. Your head office or association may be of assistance.

The **third step** in determining the risk for workplace violence is to ***consider the location of the work, the type of work***, the hours of operation, lighting conditions, security provisions, the number of workers and the workplace layout to determine the potential risks. Work done late at night or in high crime areas should be considered high risk. If there is

money or alcohol involved or a single worker giving off site care to clients the risks may be higher. Conduct a workplace inspection and consider factors such as lighting, visibility, access control, “entrapment sites”, and access to security to identify risks. The WorkSafeBC publication, *Preventing Violence in Health Care*, listed in the resources at the end of this document contains sample inspection checklists.

Once these three steps are complete, employers should determine which workers and which jobs are high-risk. Employers are required to develop procedures, controls and training for these areas.

52.3 If a risk of injury to a worker from violence in a workplace is identified by an assessment under section 52.2, the employer shall establish procedures, policies and work environment arrangements

(a) to either

- (i) eliminate the risk of violence to workers in that workplace,*
- or*
- (ii) if elimination of the risk is not possible, minimize the risk of violence to workers in that workplace; and*

(b) to provide for reporting, investigating and documenting incidents of violence in that workplace

Procedures

Procedures for prevention must be put in place once the risk is identified. The purpose of the procedure is to eliminate or minimize the risks. Procedures describe the actions to be taken in the event of a violent incident and the actions and training that will be implemented to prevent an incident from occurring in the first place. Procedures must be written and all workers must be trained in each procedure.

The Canadian Centre of Occupational Health and Safety suggests three categories of preventive measures: workplace design, administrative practices and work practices.

Workplace design is the physical building. To reduce risks:

- Use electronic surveillance and post signs indicating this.
- Use locks or install physical barriers like high counters to separate customers /clients from the worker if necessary.
- Keep the workplace entrances, exits, counter and parking area well lit.
- Limit the number of entrances or exits.
- Position the reception or sales area so the counter is visible to fellow workers or from the street.
- Position furniture so that a worker can exit the room without having to get by a client.
- Place emergency call buttons in strategic areas and post emergency numbers.
- Provide workers with portable phones.

Administrative practices relate to how business is done. To reduce risks:

- Keep cash to a minimum. Post signs to indicate this. Use electronic payment systems to limit cash.
- Vary the time of day the cash is moved or stored.
- Install a locked safe and post signs to indicate the worker has no access.
- Set up worker-friendly procedures for reporting incidents. Train workers to follow the procedures. Follow up on all reports and be proactive about making any recommended changes.
- Include violence prevention procedures early in the orientation of new workers. Review regularly with all workers.
- Develop procedures, make worksite adjustments and train workers in robbery prevention strategies. *Appendix A* includes suggestions to assist with this.
- Set up a screening assessment to identify unpredictable or potentially violent clients where workers will be off site with clients.

Work practices are the activities that workers do on the job.

To reduce risks:

- Set up call-in times or a buddy system for workers who are working off site. Identify a workplace contact and stick to the call-in schedule.
- Lock the doors and limit customer access late at night when there is increased risk of violence. Plan escape routes.
- Train workers not to enter any situation where they feel unsafe.
- Provide a means to communicate, a phone number and a person to contact if the worker believes there is a risk.

- Train workers what to do if they are robbed or attacked. Have emergency numbers readily available. See *Appendix B* for suggestions.
- Train workers how to identify signs of escalating behaviours that could lead to violence. See *Appendix C* for warning signs.
- Train workers on techniques to defuse a potentially violent situation.
- Have workers carry portable phones with them if they are moving around the workplace.
- Have someone available to call or report to if a worker needs to report a suspicious person or activity.

The Alberta Employment and Immigration Bulletin, *Preventing Violence and Harassment at the Workplace*, listed in the resources section of this booklet includes suggestions on how workers can conduct themselves to minimize the risk.

Policy

Senior management must issue a clear policy statement about violence prevention and the importance of efforts to eliminate workplace violence.

The policy should indicate:

- The responsibilities of supervisors and management in implementing the policy and procedure.
- The ways in which management will address the risks identified to ensure they are minimized or eliminated.

An effective policy includes:

- A definition of workplace violence. The regulations set the minimum but this definition may be expanded.
- A statement supporting any action that is intended to create a workplace environment free from violence and its consequences.
- The training programs available for prevention, control and elimination of violence.
- A list of measures that will be taken to intervene and manage violent incidents. This will include the level of management responsible for the actions and follow up.
- A commitment to effectively communicate and implement the policy.
- A means to ensure confidentiality.

Reporting, Investigating and Documenting Incidents

Workers must be trained to report all incidents and accidents. Part of a proactive workplace culture is making this easy and comfortable to do. The person responsible should be trained in how to investigate incidents. **Education sessions are available from the WCB Education Consultant at 902-368-5698.**

It is important to take all incidents seriously and reinforce the benefits of reporting for all staff. *Appendix D* offers a sample incident report form.

The occupational health and safety committee or representative can assist with recommendations to help ensure they are appropriate and followed up on. Near misses and incidents are an important part of preventing a serious accident.

Recommendations for prevention and follow up are essential.

- 52.4** (1) *an employer shall inform workers who may be exposed to the risk of violence in the workplace of the nature and extent of the risk.*
- (2) *Unless otherwise prohibited by law, the duty to inform workers under subsection (1) includes a duty to provide information related to the risk of violence from persons who have a history of violent behaviour and who may be encountered by a worker in the course of his or her work.*
- (3) *an employer shall instruct workers who may be exposed to the risk of violence in*
- (a) *the means of recognition of the potential for violence*
- (b) *the procedures, policies and work environmental arrangements developed under Section 52.3 and*
- (c) *the appropriate response to incidents of violence in the workplace, including how to obtain assistance.*

Informed Workers: The Right to Know

Workers have the 'right to know' all risks and safe work policies and procedures associated with the job. They have the right to the proper training, instruction, and pertinent information regarding violence in the workplace.

Training workers to recognize escalating behaviour that has the potential to result in violence is an excellent way to minimize risk. *Five Warning Signs of Escalating Behaviour and Possible Responses are listed in Appendix C.*

In the service sector this may require identifying individuals with a history of unpredictable or violent behaviour in the store, bar, mall or taxi. The identity of the person and the nature of the risk must be given to staff likely to come into contact with that person. While workers have the right to know the risks, it is important to remember that this information cannot be indiscriminately distributed.

In the healthcare sector, this will involve documenting unpredictable or violent behaviour by clients. This must be flagged in the chart or care plan and all workers with contact must be made aware. It is helpful to document the best or most effective response to the behaviour such as what has worked in the past. The WorkSafeBC website, www.worksafebc.com, has excellent resources for the health care sector on violence prevention.

In all cases, details of previous incidents, warning signs, type of behaviour to watch for and who to report concerns to must be included in the procedure. If the potential aggressor is known, strategies to prevent escalation must be communicated to the worker.

Rapid access to someone who is able to respond and who will know what action to take is essential in preventing a violent incident. Consider the situation where a trained worker notes an escalation in behaviour and is looking for backup to prevent an incident. Calling 911 may not be the most appropriate action and the worker may hesitate to do this until it is too late. If the plan involves calling a co-worker or the sales person in the next shop, ensure they will know what to do and have the authority to do it.

This information should be reviewed regularly, posted in appropriate places and be guaranteed to get the necessary response. These situations should be included in training and work procedures developed under section 52.3.

52.5 An employer shall ensure that a worker who reports an injury or adverse symptom resulting from workplace violence is advised to consult a physician of the worker's choice for treatment and referral.

Exposure to violence, robbery or threats can have serious long term consequences. Counseling should be considered a normal response to such incidents and should be encouraged as part of the recommendations. A Workers Compensation Board claim must be filed if the incident results in medical treatment or lost time from work.

Resources

Workers Compensation Board of Prince Edward Island. For information about safe workplaces, including current occupational health and safety legislation on PEI, visit www.wcb.pe.ca

Canadian Centre for Occupational Health and Safety (CCOHS). The *OSH Answers* contains a section on violence prevention. Available at www.ccohs.ca

Alberta Employment and Immigration. To download a copy of *Preventing Violence and Harassment at the Workplace*, visit www.employment.alberta.ca

WorkSafeBC. The publications, *Take Care: How to Develop and Implement a Workplace Violence Prevention Program* and *Preventing Violence in Health Care - Five steps to an effective program* are available at www.worksafebc.com

Department of Labor and Industries, Washington State. *Workplace Violence Awareness and Prevention for Employers and Employees*. Visit www.lni.wa.gov

National Institute for Occupational Safety and Health (US) has a comprehensive guide titled *Violence in the Workplace*. Available at www.cdc.gov/niosh

U.S. Department of Labor Occupational Safety and Health Administration has an e-tool for young workers in the restaurant sector. Also available is the *Recommendations for Workplace Violence Prevention Programs in Late-Night Retail Establishments*. Visit www.osha.gov

Appendix A

Suggestions for the Prevention of Robberies

- Make the store attractive to customers and unattractive to robbers by keeping the store clean, tidy and well lit.
- Stay away from the sales counter when there are no customers. Keep busy cleaning, dusting or stocking shelves. A robbery is much more difficult when the clerk is away from the cash register.
- Ensure the sales counter is clearly visible from outside the store. A cash register hidden behind posters and hard to see from the street helps robberies go unnoticed.
- Workers should be alert at all times. Know the escape routes, the location of phones or assistance; be aware of any areas of poor lighting.
- Avoid looking directly at suspicious persons. Prolonged eye to eye contact, especially if there is a group involved may be seen as a challenge and may escalate the situation.
- Fill out a description sheet. If loiterers arouse suspicion, call police and ask for a patrol check.
- Greet everyone who enters the store.
- Be friendly and briefly make eye contact.
- Ask the customer ahead of someone suspicious, “Are you together?” The customer will usually turn to look at the person which may deter the robber.
- Keep the cash register fund to a minimum. Post signs advising “minimum cash kept on premises.” Use electronic banking to minimize cash transactions.
- Remove all \$50 and \$100 dollar bills from the cash register as soon as you receive them.
- Take extra precautions after dark and during slow periods. Check to ensure outside lights are on and working.
- Operate only one register late at night and leave the closed one open and tipped up to show there is no cash.
- Where possible, limit service to the drive through late at night and keep the store locked.

Source, WorkSafeBC, *Take Care How to Develop and Implement a Workplace Violence Prevention Program*

Appendix B

Safety Practices in the Event of a Robbery

1. Remain cool and calm and handle the entire procedure as if you are making a sale. Most robberies last under two minutes. The longer it takes the more nervous the robber becomes so keep it short and smooth.
2. Listen carefully to what the robber says and obey instructions.
3. Don't fight. Do not use weapons. Don't jeopardize your own safety or that of co-workers. Don't be a hero.
4. Give the robbers all the cash or merchandise they want. Your life and health are worth much more.
5. Do not delay or argue.
6. Warn the robbers of any surprises. Inform them about workers in a back room so they are not startled if someone appears.
7. Observe what the robber is wearing, their size, coloring, mannerisms and distinguishing characteristics but do not stare.
8. Activate the alarm after they have left the store. Observe which direction they go and what type of vehicle they are driving.
9. Call police and give them information you have.
10. Do not touch the crime scene or disturb evidence. Ask witnesses to wait for police. Call any other designated person who should be notified according to your store procedure.

These recommendations can be used to develop written work procedures.

Source, WorkSafeBC, *Take Care How to Develop and Implement a Workplace Violence Prevention Program*

Appendix C

Five Warning Signs of Escalating Behaviour

Warning Signs by Client/ Customer	Possible Responses
<p>Confusion -Behaviour that indicates person is bewildered or distracted. Person may seem unsure of what to do.</p>	<ul style="list-style-type: none"> • Listen to concerns • Ask clarifying questions • Supply facts
<p>Frustration -Behaviour will indicate resistance to information or reaction, impatience or a sense of defeat. May try to bait you.</p>	<ul style="list-style-type: none"> • Relocate to a quiet, safe location • Reassure person • Be sincere in an attempt to clarify
<p>Blame - Behaviour will escalate. Person may find fault with other's actions, accuse you, hold you responsible or blame you. This is the start of a potentially hazardous situation.</p>	<ul style="list-style-type: none"> • Disengage and bring another person into the discussion where possible. • Use a team approach. • Draw client back to the facts • Use probing questions to indicate an attempt to understand.
<p>Anger - Characterized by a visible change in body posture. Actions may include pounding fists, pointing fingers shouting. This signals very risky behaviour.</p>	<ul style="list-style-type: none"> • Use venting techniques • Don't offer solutions • Don't argue with comments made • Prepare to evacuate or isolate • Contact supervisor or security
<p>Hostility - Physical actions of threats which appear imminent. Acts of physical harm or property damage. Out of control behaviour signals they have crossed the line.</p>	<ul style="list-style-type: none"> • Disengage and evacuate • Attempt to isolate person if it can be done safely. • Alert help and leave if possible.

Workers can be trained to watch for these signs. Written procedures can indicate a specific action to take at different points in the escalation of the behaviour.

Source: *Workplace Violence Awareness and Prevention for Employers and Employees* Department of Labor and Industries, State of Washington.

Appendix D Violent Incident Report Form

Date of Incident:	Time:	Location of Incident:	
Name of Victim:		Job Title:	
Medical Attention Required?	WCB Form completed?	Supervisor Notified?	Police Called?
Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
Description of Incident:			
Was victim injured? Describe in 5-6 lines		Were weapons used? Yes <input type="checkbox"/> No <input type="checkbox"/> Describe:	
Witnesses (if any) & contact information 1. 2. 3.			
Description of the offender if not known or name and status with respect to worker if known . (client? co-worker?)			
Recommendations			



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902-368-5680
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