

# **Workplace Violence: Legal Obligations, Risk Evaluation, and Supporting Domestic Violence in the workplace**

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# PSHSA

PSHSA is Ontario's trusted public sector health and safety association, supporting healthcare, education, government, and public safety

**Vision:** To shape a future where health, safety and wellbeing in the workplace converge seamlessly.

**Mission:** To anticipate and apply innovations, advocating for holistic practices that empower individuals, organizations, and communities to thrive in the dynamic landscape of work.



# Chris Arsenault

## Director Health Safety and Wellbeing

- Over 25 years of experience in occupational health and safety across healthcare, education, municipal government, industrial operations, public works, public safety, transportation, and waste management sectors.
- Senior leader at the Public Services Health & Safety Association (PSHSA), with expertise in workplace violence prevention, particularly within healthcare, education, and community-based services.
- Extensive experience supporting violence risk assessments, policy and program development, and alignment with Occupational Health and Safety Act requirements and Ministry of Labour priorities.

# Workplace Violence – Canadian Legislation Landscape

- Workplace violence is recognized as an occupational health and safety hazard across all jurisdictions
- Employer obligations apply to threats, attempts, and actual incidents—injury is not required
- Employers must identify, assess, and regularly reassess workplace violence risks



# Workplace Violence – Canadian Legislation Landscape

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- Effective prevention requires more than policy—it includes controls, reporting, response, and training
- Clear processes must be in place to prevent, report, and respond to workplace violence
- The Internal Responsibility System ensures shared accountability across all workplace parties



# Workplace Violence – Canadian Legislation Landscape

- Workplace violence is defined consistently across jurisdictions as the **use, attempted use, or threat of physical force** that could cause harm
- Most jurisdictions apply a “**reasonable expectation**” **threshold**—violence does not need to result in injury to trigger obligations
- Definitions commonly include **threats, attempts, and actual incidents**, and may extend to psychological harm
- Terminology varies (e.g., “workplace violence” vs. “violence”), but the **core concept remains aligned**
- Where no explicit definition exists, **general duty clauses still require employers to assess and control risks**



# Workplace Violence Prevention through Risk Assessment



# Assessing Risk



# Assessing Risk





# Risk Assessments

## **What is a Hazard?**

A hazard is something that is a potential source of harm. It can arise from people, equipment, materials, environment, or process.

## **What is a Risk?**

A risk is the combination of the probability and the impact or severity of harm occurring. It arises from hazards.

## **What is a Risk Assessment?**

Risk assessment is the process of identifying hazards and evaluating the risks associated with them. Findings from a risk assessment can help prioritize what actions need to be taken and can help inform effective risk communication messages

# Why conduct a Risk Assessment?

- The Occupational Health and Safety Act (OHSA) or Occupational Health and Safety Regulation states that employers must assess the risk of workplace violence
- To ensure that the workplace is continuously evaluated and updated for potential risks.
- To maintain a safe environment for all workers.
  - To reduce injuries, work refusals, and to reduce the associated costs.





## When should a Risk Assessment Be Completed?

The employer or supervisor must conduct risk assessments as often as necessary in collaboration with frontline workers to ensure that organizational policies and programs, including the measures and procedures implemented to control identified risks, continue to protect workers.

## Who Should Complete a Risk Assessment?

The employer or supervisor completes the violence risk assessment with input from front-line workers.

Once completed, share with the members of JHSC or HSR.

# Risk Assessment Process



# Steps of a Risk Assessment

- Recognize Hazards
- Assess Hazards
- Control Hazards (Action Plan)
- Evaluate Action Plan





# Recognize the Risk

- Who is going to be affected?
- What physical locations are being assessed?
- What work is being done or equipment being used?
- What hazards are present on a normal day?
- What hazards could be present on an abnormal day or during an emergency?
- What do the workers think are the current hazards?

# Risk Factors

- Working with the public.
- Handling money, valuables or prescription drugs.
- Carrying out enforcement duties.
- Providing service, care, advice or education
- Working with and transporting unstable or volatile persons.



# Assessing the Risk

- How likely is a hazard going to occur? (probability)
- If it does occur, how bad will it be? (severity)

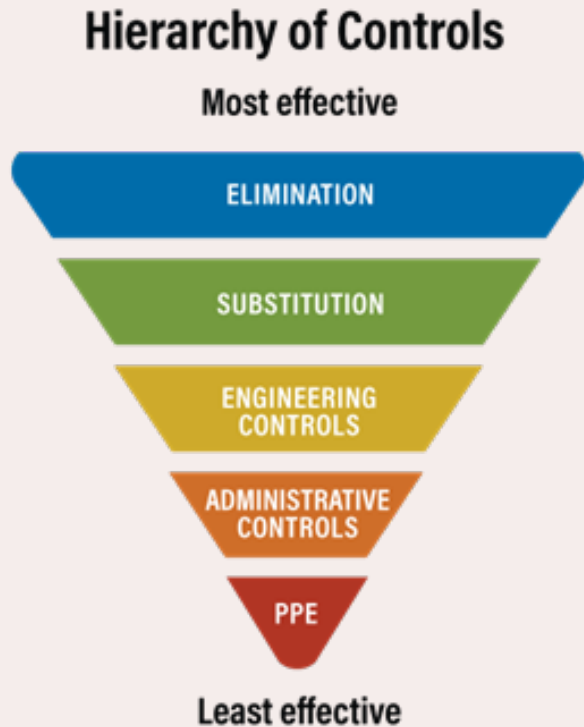
		<b>Severity</b>		
		<b>Major</b>	<b>Moderate</b>	<b>Minor</b>
<b>Probability</b>	<b>High</b>	<b>High</b>	<b>High</b>	<b>Medium</b>
	<b>Medium</b>	<b>High</b>	<b>Medium</b>	<b>Low</b>
	<b>Low</b>	<b>Medium</b>	<b>Low</b>	<b>low</b>

# Various Risk Matrix

		Severity		
		Severe (time lost from work)	Moderate (needing assistance from a healthcare practitioner)	Minimal (first aid provided or no injury sustained)
Probability	Frequent (weekly or monthly)	High	High	Medium
	Occasional (once a school year)	High	Medium	Low
	Rare (once every 1-5 years)	Medium	Low	Low

# Identify Current Controls and New Controls

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- What controls are currently in place?
- Is there any applicable legislation on these controls?
- What controls can feasibly be put in place?
- Will these controls protect everyone involved, in normal and abnormal circumstances? Are there redundancies?
- Action plan! (who is responsible for control implementation/training/purchase/informing staff)



## Evaluate the Action Plan

- Has the likelihood of the Hazard occurring changed?
- Has the probability or severity of the Hazard changed?
- Have all controls been implemented? Do they have the desired effect? Are the controls introducing a new hazard or do they have any other side effect (positive or negative).
- Communicate, how do staff feel about any changes?
- Keep monitoring

# Reassessment

*When should this happen?*

# When to Conduct Reassessments?

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Multiple occurrences of security incidents at the school (e.g., vandalism, break-ins)

Rising workplace violence incidents or critical injuries.

Significant changes in behaviour or new behavioural triggers.

Changes in legislation, regulatory requirements, or recommendations from Ministry of Labour.

Recommendations or concerns from Joint Health and Safety Committees or Health and Safety representatives.

# When to Conduct Reassessments?

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Changes to the physical environment (e.g., new building wing).

Changes to the community (changing demographics or up-coming community event(s) .

Changes to functional roles (adding in new unit)

Higher number of reported incidents



# Consider Confidentiality

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- Handle all information with care maintaining trust and safety.
- Ensure policies respect both individual privacy and community safety.
- Share only when essential to prevent harm or address immediate threats.
- Follow OHSA and workplace procedures

What if WV does happen?

# What to do if a workplace violence incident occurs?

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- **Always** comply with your organization's Workplace Violence and Harassment policy and programs.
- **Always** comply with the organization's internal and external incident reporting obligations.
- **Always** follow your employer's protocol and training
- **Ensure Safety of all involved.** Intervene and de-escalate where possible. Keep control of the situation. Set boundaries and expectations.
- **Separate** alleged perpetrator(s), Victim(s) and witness. Provide supervision and support as required.

# What to do if a workplace violence incident occurs?

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## Short Term Actions

- **Confirm what happened.** The type of incident- location, severity, who is involved, this will determine all the next steps. Triage your response and minimise harm.
- **Follow relevant protocols.** Organizational Emergency Procedures/Practices
- **Communicate**, as needed, contact upper management

## Long Term Actions

- **Perform a risk assessment or reassessment.** Update safety or support plan- as appropriate.
- **Monitor** and revise as needed.

# Debriefing

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## Do

- Find the facts of what happened
- Validate Feelings
- Ensure confidentiality
- Ensure everyone involved has a voice
- Discuss and provide additional support as needed i.e. EFAP, etc.

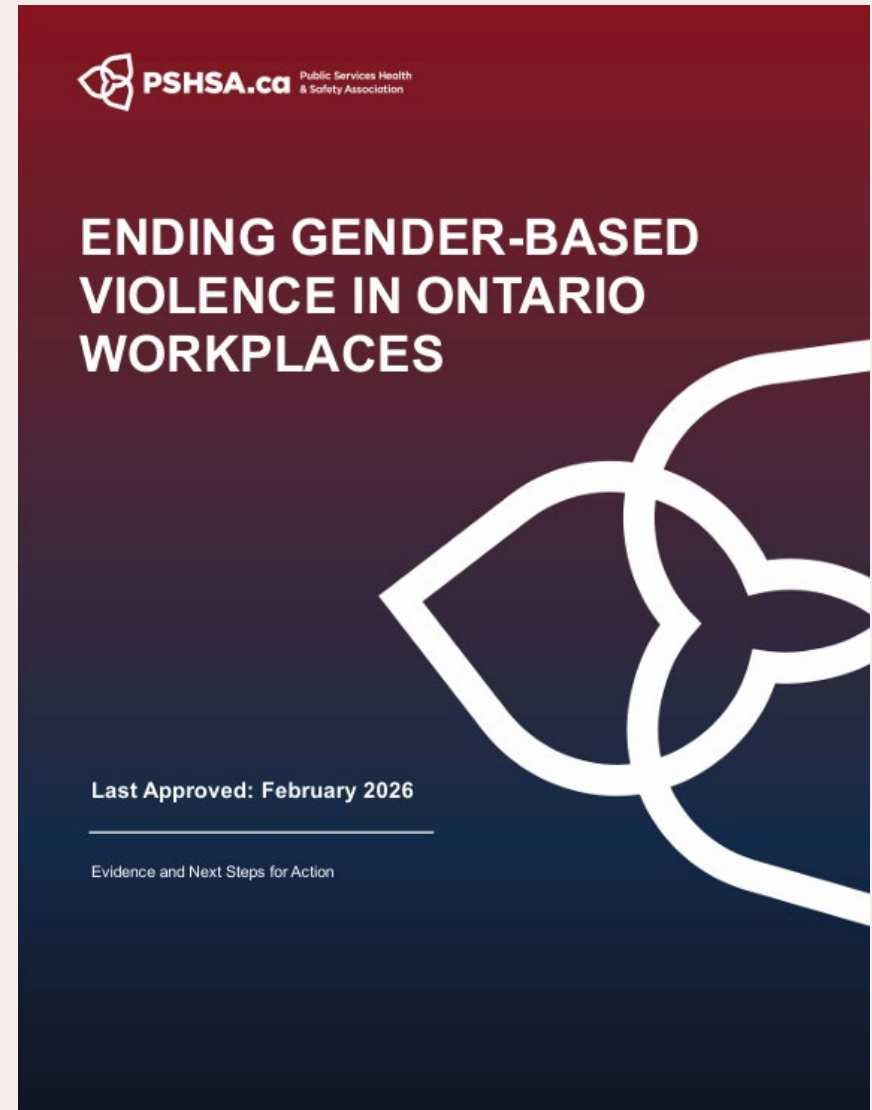
## Don't

- Assume you know what happened
- Judge or criticize
- Use cliches or platitudes
- Treat debriefs as counselling sessions

***Want to uncover context, what happened and why. It can help get staff on the same page to move forward together.***

# PSHSA & reporting on Gender-Based Violence (includes Domestic Violence) in Ontario Workplaces (Public Safety)

- Public Safety employers report higher Technology Facilitated Harm and Violence (69%) and sexual harassment (63%) than other sectors.
- Level of participation in Workplace Violence Training is lower in the Public Safety than other public sector employers.
- 27% of public safety employers rely on one-time training related to Gender-Based Violence



# Domestic Violence

When a worker reports domestic violence to their supervisor it must always be taken seriously.

- Supervisors should review and get all the relevant facts,
  - What has happened?
  - Who is the person of interest? What information do they have ?
  - What is the nature of the specific threat to the individual?
- Immediate actions:
  - Maintain the individual's confidentiality, safety and wellbeing.
  - Ensure that the organization follows the procedures for door security and controlled entry
  - Inform leaders of the situation, seek guidance and resources as needed

# Managing when Disclosure of Domestic Violence Occurs

## **Domestic Violence Safety Plan**

Template by Public Services Health  
and Safety Association (PSHSA)

# Supporting your discussion

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- Employee Information
- Emergency Contact Information
- Supervisor/Manager Information
- Personal Safety Plan
  - Entering/Exiting the Workplace
  - Security Measures
  - Supports/Leave Provisions
- Person of Concern Identification/Information
- Confidentiality & Consent to Disclose

# Potential Employer Actions

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## Long Term Actions

- A safety plan for the worker (e.g., escort to car, screening calls for workers, etc.)
- Specific measures and procedures for the protection of a worker (e.g., personal alarm, cell phone etc.)
- Reasonable modification of work duties, and/or flexible accommodations to the work schedule
- With the assistance of leaders' issue trespass letters etc., as needed.
- Regular follow – up is needed, set times to meet again, adjust the plan as needed.

# Q & A

# Thank you

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