

What does compliance with the Occupational Health and Safety Regulation regarding workplace violence prevention in BC schools look like?

This document outlines school district responsibilities under the Occupational Health and Safety Regulation to address violence prevention in the workplace. It is intended to inform the employer, district health and safety professionals, and other staff involved in aspects of school health and safety.

How to use this document

This document is not a comprehensive explanation of the regulation, and does not identify all of the employer's responsibilities. However, it may be used as a guide that summarizes the district's regulation compliance obligations. Additional information and guidance may be found in the related resources identified at the end of this document.

What does compliance with the regulation look like in BC schools?

Compliance means to act in accordance with the requirements of the regulation. To do this the employer, represented by the school district executives, must appoint supervisors (principals and managers) and take all reasonable steps to ensure that, at a minimum, everything required by the regulation to protect workers from harm is done. Only then are the requirements of the regulation met.

Understanding workplace violence as defined

The definition of "violence" in Section 4.27 of the Regulation must be clearly understood, including the nuances of violence in schools and in various district level departments and facilities. It is particularly important to note that the regulation does not require that an intent to injure a worker exists for an act of violence to have occurred. For example, an act of workplace violence occurs when a student strikes a worker during dysregulation, even though the student is not aware that their

behavior could cause physical and/or psychological injury to a worker.

"violence" means the attempted or actual exercise by a person, other than a worker, of any physical force so as to cause injury to a worker, and includes any threatening statement or behaviour which gives a worker reasonable cause to believe that he or she is at risk of injury.

OHSR Section 4.27

What does the regulation ask me to do?

The regulation requires that employers do the following:

1. Assess the risk
2. Control the risk
3. Provide instruction to workers

Assessing the risk

Section 4.28 of the Regulation states that "A risk assessment must be performed in any workplace in which a risk of injury to workers from violence arising out of their employment may be present". This means that even if a violent incident has never occurred at your site, if there is the risk of violence at similar workplaces, a risk assessment must be conducted for your workplace.

The section further provides examples of what must be included in consideration of the risk. At all stages of a risk assessment, the employer should consult with the joint health and safety committee, and workers and management personnel in each area affected.

Risk assessments are a proactive process designed to ensure workers are protected. The employer must ensure the assessment is done accurately and thoroughly; being clear about who might be harmed and how. Remember to include the entire workplace and all workers

and their tasks when assessing the risk of violence. This will help identify reasonable measures to control the risks.

Part of the risk assessment involves identifying the workers' tasks and where these tasks are done. This helps determine which risks are most serious and should be dealt with first. The risk assessment requires that the findings are recorded. These findings will be the primary tools used to control the workplace risk. This includes noting the hazards, how people might be harmed by them, and what's already in place to control the risk.

Controlling Risk

Section 4.29 of the Regulation requires the employer to establish procedures, policies and work environment arrangements to eliminate the risk to workers from violence, and, if elimination of the risk is not possible, establish procedures, policies and work environment arrangements to minimize that risk.

If a risk cannot be eliminated, control measures to minimize the risk must be implemented. Frequently the risk will be addressed through a combination of engineering controls, administrative procedures, and personal protective equipment that inform and support the way people work. The findings of the risk assessment will form the basis of these control measures. The procedures, and work arrangements which a school district may have to implement will vary depending upon the nature of the work being carried out, and the circumstances of the work. For example, an educational assistant working with students will have different risks compared to a custodian who works alone at night.

Instruction of workers

Section 4.30 of the Regulation requires an employer to inform workers who may be exposed to the risk of violence of the nature

and extent of the risk. This includes a duty to provide information related to the risk of violence from persons who have a history of violent behaviour, and whom workers are likely to encounter in the course of their work.

Workers who may be exposed to the risk of violence must be instructed in how to recognise the risk violence in the workplace, the controls in place to eliminate or minimize this risk, and how to appropriately respond to incidents.

Employers affected by sections 4.27 to 4.31 should have a Workplace Violence Prevention Program as part of their general Occupational Health and Safety Program.

Where the employer has undergone a process of consultation with the joint health and safety committee and workers in the performance of a risk assessment, and the development of the employer's workplace violence prevention policies and procedures, and has provided instruction to workers, the Board will generally assume that the regulation has been complied with. However, the Board always reserves the right to determine whether the measures taken by an employer are in fact sufficient to meet the requirements of the Regulation.

Related resources

- [Sections 4.27 to 4.31](#) of the Occupational Health and Safety Regulation and associated policies.
- [General duties](#) under the Worker's Compensation Act sections 21 to 23.
- [Managing Risk](#) at WorkSafeBC.com.
- WorkSafeBC's [Violence page](#).
- [Managing Safety in Education: A Guide for Leaders](#), an on-line eBook at WorkSafeBC.com.

For specific questions relating to the regulation and violence prevention in the workplace contact WorkSafeBC's Prevention Information Line at 604.276.3100 or Toll Free 1.888.621.7233 (621.SAFE).