



Hi. This presentation can either be facilitated by me or self-serve. If you're looking at this on your own, feel free to go through the slide show. If a point on the slide isn't obvious, escape out of the show and look at the notes section. If that still doesn't make sense, **please give me a call at 424-0319 or 221-2431.**

Thanks,

Tim Delaney

- introduced April 4, 2007
- all workplaces with **significant risk** of workplace violence to comply
- does not diminish employers' general duty clause (*OSH Act* s.13(1)(a)) – ensure the health and safety of persons at or near the workplace
- “violence” strictly defined as **physical violence** or **threat of physical violence**

consider violence from the public, our clients, coworkers and family members

Agriculture
Fisheries and Aquaculture

NOVA SCOTIA

DEL's OH&S Division undertook the development of workplace violence regulations to beef up employee protection from violence. There was and still is the duty for an employer to make sure that their employees are not faced with violence, threats or harassment in the workplace. This regulation gives specific protection from violence.

They have defined violence as **physical violence or the threat of physical violence**. This is a bit better defined on the next slide.

Think about where violence can come from: usually it would be our **clients**, perhaps the **public**, but **coworkers** could easily initiate violent acts and there is also the possibility of **family** violence at the workplace.

definitions – violence (s.2)

- (f) “violence” means any of the following:
- (i) **threats**, including a **threatening statement or threatening behaviour** that gives an employee **reasonable cause** to believe 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**.

Agriculture
Fisheries and Aquaculture


NOVA SCOTIA

Threats are considered an act of violence if the **victim has reasonable grounds for believing they are at risk of physical injury**. The second part of the definition leaves some latitude for interpretation: **conduct or attempted conduct** (whatever that means) of a person **that endangers the physical health** (could be a broad definition of physical health) **or physical safety** (more easily defined) **of an employee**.

- **assessments** to be done at least **every five years** (should be part of our regular hazard/risk assessment and annual review)
- must be done (s. 5(3)) **in consultation with JOHSC** and they must be **given a copy** of the assessment.

Agriculture
Fisheries and Aquaculture


NOVA SCOTIA

Our OHS Program is supposed to account for review of hazard or risk assessments and the regulation states that we are supposed to review violence risk assessments at least every five years.

Consultation with the JOHSC has some flexibility around it (do they actively consult, are they there to assist with questions, tec.) but the **committees must be given copies of risk assessment**, per the regulation

things to consider

- past violent incidents
- violence that happens in similar workplaces
- the condition in which the work takes place
- the interactions that occur in the course of performing work
- the physical location and layout of the workplace

Agriculture
Fisheries and Aquaculture

NOVA SCOTIA

Some workplaces or individuals have faced violence, some may have forgotten about incidents from the past.

As a thought jogger, try and recall incidents of violence or incidents which could have turned violent in dealings with clients, coworkers, the public, etc.

What about similar workplaces (are we just lucky?) or neighbouring workplaces that are a more likely target for violence, such as a bank or convenience store? Do you or your staff work at night, when darkness or the presence of thugs might elevate the likelihood of a confrontation?

Does the work take place in a secure office, at a client's place of business or in a client's home? How are those situations different in terms of controlling the risk of violence?

While working, is there verbal banter back and forth, is there an inspection or enforcement? Could materials be seized or the business disrupted by your visit?

Is the physical location of the workplace remote? If you're in a building (ours or the client's) is the layout of the workplace an impediment to your safety from violence?

geographic & operational issues

- an office **location** may create some violence concerns (several different occupations sharing an office)
- **nature** of an occupation may create different concerns (receptionist versus inspector)
- the assessment may be a hybrid of the two issues

Agriculture
Fisheries and Aquaculture


NOVA SCOTIA

As mentioned on the last slide, there may be geographical concerns if your office is located next to a business that is more of a target (bank, gas station, tavern, etc.). There may also be geographic differences in terms of culture.

The risk of violence associated with the occupation may be different than the risk associated with the workplace itself, especially for field staff.

Like the slide says, you'll have to consider both aspects in determining risk.

duty to report incidents of violence

- “An employer, contractor, supplier, employee, owner or self-employed person in the workplace has a duty to report all incidents of violence in the workplace to the employer”, s.12

Agriculture
Fisheries and Aquaculture


NOVA SCOTIA

Our OHS program states that we are supposed to report all incidents, including close calls, to our supervisor. This will usually result in an incident form being filled out.

Section 12 of the regulation states that anyone in the workplace that is aware of a violent incident is required to notify the employer. We will still track the incident through an incident report form, but the content of the report will be kept confidential.

what do we need to do?

- by October 1, 2007: complete violence risk assessments
- by April 1, 2008: comply with all aspects of the regulation

Agriculture
Fisheries and Aquaculture


NOVA SCOTIA

By October 1, each work group is supposed to have their risk assessment done.

By April 1, 2008, we are supposed to have a plan developed and begin implementation to reduce or eliminate the risk of violence (prevention plan), have a plan for reporting and investigating incidents (deal with the aftermath of the incident) and provide a training program to staff. See next slide for more details.

what do we need to do?

Step

1. conduct **violence risk assessment**
2. determine workplaces at “**significant risk**”
3. develop a **violence prevention plan**
4. develop a **procedure for aftermath** of violent incidents
5. provide **information and training** for employees at “**significant risk**”

Agriculture
Fisheries and Aquaculture


NOVA SCOTIA

Step 1: Oct. 2007... What are the hazards, what is the risk?

Step 2: Oct. 2007... Which jobs or locations have significant risks?

Step 3: April 2008... How are we going to counteract the risks (the violence prevention plan)?

Step 4: April 2008... What do we do once a violent incident occurs? First Aid? Incident Report? Call Police? Arrange EAP? Rapid remedial action to prevent recurrence?

Step 5: April 2005... Training program developed for employees. Job specific risks of violence should be integrated into new employee orientation program, presented by the supervisor.

quick approach – ask questions



Yes or Unknown	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? (e.g. health care or community workers)
		Are your employees involved in disciplining others? (e.g. teachers)

Agriculture
Fisheries and Aquaculture


NOVA SCOTIA

I say “quick approach” because this method asks generic questions, but does not take into account specific job risks.

Yes or Unknown	No	Question
		Do your employees deliver or collect items of value?
		Do your employees exercise control over others? (e.g. enforcement officers)
		Do your employees inspect other people's private property? (e.g. planning inspectors, assessment officers)
		Do your employees exercise security functions? (e.g. sheriffs)
		Do your employees sell or dispense drugs or alcohol?

Yes or Unknown	No	Question
		Do your employees work in community-based settings? (e.g. nurses, social workers)
		Do your employees work during periods of intense organizational change? (e.g. 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?

Agriculture
Fisheries and Aquaculture



quick approach, cont'd.

Also consider:

- late night or early morning hours
- tax return season
- overdue utility cut-off dates
- Christmas
- pay days
- report cards or patient interviews
- performance appraisals
- being located near businesses at risk of violence (e.g. bars & banks)
- being located in isolated areas

Agriculture
Fisheries and Aquaculture


NOVA SCOTIA

Sometimes risks exist at certain times of the day or certain seasons of the year. Walking in downtown during the daytime may be different than walking along the same street late at night. For the risk of violence from another employee, are there instances where someone may be more likely to become violent, such as performance appraisal time, or during some sort of change in job function, location, etc.

normal risk assessment: step #1

- the first step is to identify job tasks
- this is simply a list of (almost) every conceivable task that someone may do to carry out their job
- creating a list of tasks is one of the two slowest parts of the process

For example, one item for field staff may be to drive a car. An employee may have to:

- **drive a specific type of vehicle**
- **drive under variety of conditions**
- **contend with refueling, or**
- **risk the chance of a breakdown or accident**

Agriculture
Fisheries and Aquaculture


NOVA SCOTIA

Ideally, the violence risk assessment would just be integrated into our regular risk assessment.

How do you do a risk assessment? It starts with the hazard: we have to recognize, evaluate and control the hazard. **R.E.A.C.H.**

There are different ways of doing anything, but my suggestion is that you start by itemizing the tasks that are done in a given job: work in a cubicle, answer phone, meet with clients in the office, etc. If you are doing this with your work group, you may wish to chart your thoughts on a flip chart. Be sure to leave plenty of space on the right margin (you'll need several inches of space)

Once we've got a list of tasks, we can see where the hazards lie, relative to the task.

step #1, part B: identify the hazards

- a hazard is anything that can harm a person, cause property damage or disrupt business. We're primarily interested in the hazards that can cause harm to people or property
- hazards can arise from the **people, equipment, materials and environment (PEME)**
- hazards can be **physical, chemical, biological or psycho-social** in nature
- hazard identification comes from **cross-referencing these two lists**

Agriculture
Fisheries and Aquaculture

NOVA SCOTIA

While we're interested in preventing property damage and wasted time, the primary reason for this exercise is to prevent harm to ourselves, our coworkers or anyone at our workplace.

Therefore, we want to examine all of the things that can hurt people. That could be other people, the equipment or tools they use, the materials, chemicals or products they use or the environment where they work.

The harm hazards can cause is broken down into four groups: physical (including ergonomic); chemical; biological; or psycho-social.

Physical hazards would include a wide range, from things that could strike you or you could strike against, falls, electric shock, cause cuts, scrapes, etc.

Chemical hazards can cause burns, poisonings, sensitivities or other reactions.

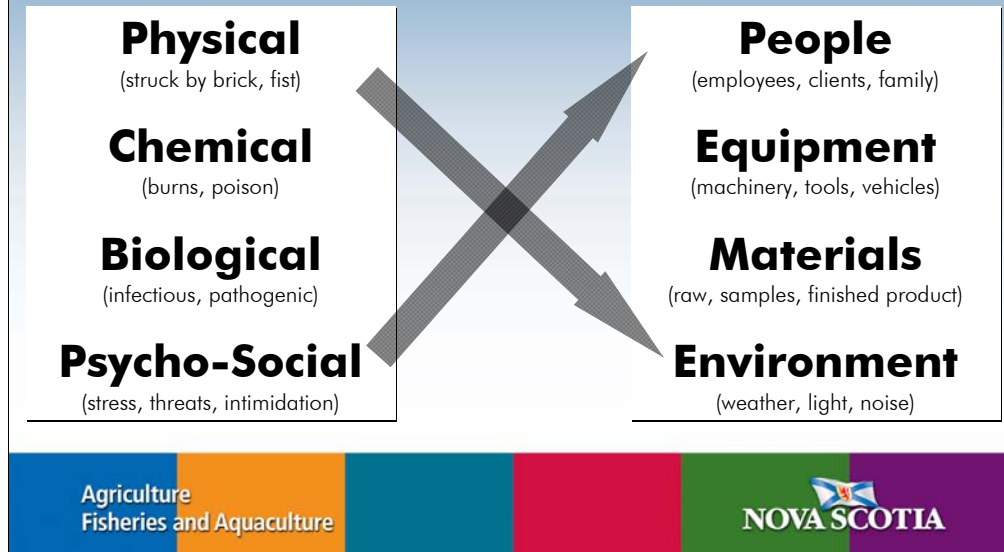
Biological hazards typically cause infections or zoonotic diseases (diseases that can affect humans, like rabies, mad cow, etc.)

Psycho-social hazards are a broad range of psychological or social hazards which range from the mental aspects of being overworked or sleep deprived, stressed, threatened or intimidated, distracted, etc.

The trick is to cross-reference the areas where we can find hazards (PEME) and the types of harm that could arise in these areas.

hazard identification, cont'd.

types of hazards – cross-referenced with – where you find them



Back to the flip chart and itemize hazards with the job tasks.

See the next slide if you're doing this for violence risks only...

hazard identification, cont'd.

- in terms of workplace violence, **people** would be involved, but may also involve the rest of PEME, depending on what they tried to do to inflict violence
- the types of violence may also be any of the four groups, but would **typically include physical and psycho-social violence**
- this should create a substantial list of potential hazards and is the other slowest part to the exercise

Agriculture
Fisheries and Aquaculture


NOVA SCOTIA

With specific reference to workplace violence, if we look at people, they can cause us: physical harm (hitting, biting, kicking, stabbing, etc.); they typically wouldn't cause us chemical harm (although they could use chemical materials against us); an infected person could cause us biological harm (Hepatitis, HIV); and a person could easily cause a range of psycho-social harm, from explicit threats and intimidation to more subtle mind games.

This is just a list. We will qualify and quantify the risk in the next step.

step #2: risk assessment

- all hazards are not created equal: **risk is relative**
- risk is a product of **probability and consequence**
- we'll use a simple 3-level matrix (low-medium-high) scale for probability and consequence to create a scale of low-medium-high risk.
- anything **greater than low** is considered “**significant risk**” and must be mitigated, under the regulation

Agriculture
Fisheries and Aquaculture


NOVA SCOTIA

Risk is relative. We make decisions on whether we should or shouldn't take a chance every day. Many decisions are almost sub-conscious or made in a split-second. Is the reward worth the risk...

Risk is a mathematical equation. Risk is the product of exposure and likelihood (probability) and consequence. Simplified to $R = P \times C$, if the probability is 0 or impossible or the consequence is 0, then there is no risk.

We've created a 3-level matrix to determine risk: low-medium-high probability and consequence, leading to a low-medium-high risk. DEL wants us to control violence risks which are “significant” or greater. Our matrix is similar to the threshold DEL prescribes: medium risks are significant. That doesn't mean we ignore low risks, they just aren't dealt with until high and medium ones are controlled, or lessened.

CONSEQUENCE <small>(severity)</small>	Major death; serious injury; illness; permanent disability; extensive property damage; death threats; physical assault causing injury	Medium (1x3=3)	High (2x3=6)	High (3x3=9)
	Moderate lost time injury/illness; temporary disability; considerable property damage; physical assault without injury	Low (1x2=2)	Medium (2x2=4)	High (3x2=6)
	Minor first aid injury; minor illness; no time lost; limited property damage; verbal abuse	Low (1x1=1)	Low (2x1=2)	Medium (3x1=3)
RISK = PROBABILITY X CONSEQUENCE		Rare not likely, improbable, but possible	Possible likely to occur sometime	Almost Certain likely to occur or occur repeatedly during activity/operation
		PROBABILITY <small>(exposure x likelihood)</small>		

Agriculture
Fisheries and Aquaculture

NOVA SCOTIA

UPDATED: September 19, 2007 (I tried to update the descriptors to reflect the probability and consequence of violence as well as safety – Tim)

Our model didn't specifically take into account violence in terms of consequence, but for sake of argument, swearing, yelling and rude behaviour could be considered **minor** consequences (it would be unpleasant, but not as bad as being punched, for example). A **moderate** consequence might be a physical assault, like a shove or being spit upon, assuming no medical aid was necessary. On the high end, legitimate death threats, physical injury and the like would be major consequences of violent behaviour.

You'll note that even if it is **rare** that a **major** or "high consequence" incident might occur, it's still a significant risk and we would have to address it. By the same token, if it was a certainty that staff would be verbally abused, it would trigger some sort of remedial action as would the certainty of physical assault, even if no medical aid was required. On the high end of the scale the almost certainty of a serious injury is a no-brainer, but we have also included certain physical assault and possible physical injury or death threats.

step #2: risk assessment, cont'd.

- go back to the list of tasks and hazards and **give a relative risk value** to each
- use the Departmental Hazard Assessment (Risk Assessment) form to record items – it's posted at www.gov.ns.ca/agri/ohs/
- **for the sake of the October 1st deadline, this is as far as you have to go**

Agriculture
Fisheries and Aquaculture


NOVA SCOTIA

For each of your hazards (associated with job tasks), calculate the risk. You may get a range (L-H or L-M-H) depending on conditions or individual assessment. That's okay, put down the range. If you're using the flip chart, assess each hazard for each task. If you have the departmental hazard assessment for, you can certainly use that.

This is what we need by October 1. The JOHSC needs a copy of the hazard (risk) assessments and I would like a copy as well.

step #3: violence prevention plan

- the next step is to explore ways of reducing risk to prevent violence from occurring
- the most effective ways of reducing risk are, in diminishing order: **elimination; substitution; engineering controls; administrative measures; personal protective equipment; training; and emergency equipment**

Agriculture
Fisheries and Aquaculture


NOVA SCOTIA

While we may have done our hazard identification and risk assessments as a group of workers, management has the right to manage how the hazards and risk are controlled. JOHSC may give advice and recommendations, as might employees.

The rest of this slide deck deals with the steps that need to be planned for April 2008.

violence prevention plan, cont'd.

- for each of the risk items, explore ideas for reducing risk, settling on the most appropriate
- for **high risk** items, solutions should be worked on and implemented **immediately**—**medium risk** items deserve consideration **as soon as possible**—**low risk** items should be worked on **once other items are under control**
- while the regulation requires a plan be created in April 2008, we should begin work on this as soon as possible (if an accident happens, the judge may not care about the regulation)

Agriculture
Fisheries and Aquaculture


NOVA SCOTIA

I said the management of risks was management's decision, as management needs to find the most effective solution to the problem, at a price our budget can afford.

step #4: procedure for aftermath

- employees **must complete an incident report form** (gov.ns.ca/agri/ohs or gov.ns.ca/fish/ohs)
- unlike regular incidents, the **JOHSC will not get copies of the form**, but will be given a generic advisory, if there is risk to other employees
- **EAP for the victim**, if appropriate
- **violence is a crime** and the case will be handed over to the **police**

Agriculture
Fisheries and Aquaculture

NOVA SCOTIA

First we itemized hazards and assessed risk. Then we determined the best way to control hazards to lessen the risk. What if one of our hazards hurts someone? Now what?

If the incident resulted in injury to our staff, appropriate first aid would be administered first.

Just like any incident, the employee and supervisor have to fill out an incident report form and send it to Tim Delaney. Normally, the JOHSC would get a copy of the form to make sure the incident was properly investigated and to assess whether something similar could happen to someone else. If the victim refuses to complete an incident report (an offence under Section 12 of the regulation), the OHS Administrator and management reserve the right to complete a John/Jane Doe incident report, so we can collect statistics on violent acts and inform JOHSC's or staff of on-going violence risk.

Incident of violence are handled differently. If it is actually violence or a threat (this is a technical term), the matter would be passed over to the police, as it is a criminal act. The JOHSC and any necessary staff would be informed of "an" incident, without giving specific details. While we try to protect privacy as much as possible, there may be cases where others can guess the victim's identity.

If the assault may cause the victim psychological trauma, the supervisor will work with EAP to make sure we offer assistance to our staff.

step #5: information and training

- the risk of workplace violence will be **incorporated** into our **hazard identification and risk assessment process**
- **violence risks** should be **incorporated into new employee orientation**
- for current employees, education sessions are the responsibility of the supervisor, just as with any workplace hazard

Agriculture
Fisheries and Aquaculture


NOVA SCOTIA

This year, we will be dealing with violence as a separate issue, but it is a risk, as any other. In future, violence will be one of the risks we consider in training our employees.

QA

Agriculture
Fisheries and Aquaculture


NOVA SCOTIA

Thank you!

**for further information,
contact Tim Delaney
at 424-0319 or 221-2431**

Agriculture
Fisheries and Aquaculture


NOVA SCOTIA