

**administrative
regulation**

Administrative
Regulation No.
4080

Classification:
Staff

Effective Date:
June 24, 2015.

Workplace Violence

1 | Purpose

The purpose of this Administrative Regulation is:

- to ensure that employees understand that acts of workplace violence are unacceptable and will not be tolerated.
- to ensure CBE employees subjected to workplace violence are aware of the resources available to assist in pursuing a complaint.
- to identify the processes and accountabilities for reporting and investigating workplace violence.

2 | Scope

This Administrative Regulation applies to:

- all CBE employees, those working at CBE worksites and all other persons that enter CBE properties.

3 | Compliance

All persons identified in section 2 are responsible for knowing, understanding and complying with this Administrative Regulation.

Violation of this regulation may result in loss of privileges and/or contracts, agreements and status, legal action, removal from school or program, employee disciplinary action up to and including suspension or termination of employment.

Violation of this regulation by anyone other than a CBE employee may result in loss of privileges for access to a CBE worksite or loss of volunteer position.

4 | Principles

The following principles apply:

- CBE is committed to a culture of respect, trust and participation in support of student learning.
- CBE supports the prevention of workplace violence and promotes an abuse-free environment in which all people respect one another and work together to achieve common goals.
- Workplace violence committed by or against any CBE employee or volunteer is unacceptable and will not be tolerated.
- CBE is committed to investigating reported incidents of workplace violence in an objective and timely manner.
- CBE is committed to providing appropriate support for victims and taking necessary action.

5| Definitions

CBE delegated person: means the director or superintendent responsible for the particular school, program or service unit.

CBE: means The Calgary Board of Education.

Complainant: means the individual making the complaint.

Respondent: means the individual who is alleged to have committed the act of violence.

Workplace violence: means the threatened, attempted or actual conduct of a person that causes, or is likely to cause, physical injury that occurs at a worksite or is work related.

6 | Regulation Statement

Workplace violence

- 1) No CBE employee shall subject any person to workplace violence or allow the conditions that create or support workplace violence.

Role of supervisor

- 2) All supervisors are responsible for:
 - a) identifying existing or potential hazards for workplace violence;
 - b) developing workplace arrangements to minimize and effectively control the risk of workplace violence;
 - c) promoting a non-violent workplace;
 - d) communicating expectations to employees;
 - e) ensuring the staff is aware of the process for reporting workplace violence;
 - f) providing immediate intervention;
 - g) identifying specific training needs for employees;
 - h) reporting incidents appropriately;
 - i) cooperating with investigations; and
 - j) keeping all information, in connection with a complaint, confidential.



Role of employee

- 3) CBE employees are responsible for:
 - a) participating in required workplace violence training/education sessions;
 - b) participating in assessment, control and elimination of workplace violence;
 - c) taking reasonable precautions to ensure their own physical safety;
 - d) accessing assistance when required;
 - e) bringing an issue of workplace violence involving themselves to the attention of the supervisor;
 - f) making the decision to file a workplace violence complaint;
 - g) cooperating with efforts to report, investigate and resolve matters related to workplace violence.

Informal Resolution

- 4) Incidents may be reported to the appropriate worksite or school supervisor(s) of the complainant which may initiate an informal resolution.
- 5) An informal resolution may take place between the complainant and the alleged offender, directly or with the assistance of a third party.
- 6) The complainant must inform the alleged offender either directly or with the assistance of a third party, that the conduct is offensive.
- 7) The complainant must record and personally retain the details of the incident including:
 - a) date and time
 - b) nature of the violence, and
 - c) names of any persons who may have witnessed the violence.

Formal Reporting

- 8) If an informal resolution is not possible, a formal investigation may be initiated by the complainant submitting the completed form to Corporate Security.

Review of Formal Complaint

- 9) A review of all formal complaints received in writing will be conducted by Corporate Security to determine if the issue is considered workplace violence and requires further investigation.

- 10) The review process may include interviewing the complainant, the respondent, witnesses to the incident, or persons who are responsible for the workplace.
- 11) The findings of this review must be communicated in writing to the complainant, respondent, site supervisor and CBE delegated person.
- 12) If the findings indicate the need for the commencement of a formal investigation this shall be communicated in writing and :
 - a) advise the complainant and the respondent of the investigation and that they may have representation at their own expense; and
 - b) notify the person(s) responsible for the worksite that there is an investigation underway.

Investigation of Workplace Violence report

- 13) All investigations of reported workplace violence allegations will be conducted by Corporate Security.
- 14) The investigation will be conducted in a fair and unbiased manner.
- 15) The investigation may include interviewing the complainant, respondent, witnesses to the incident or persons who are responsible for the workplace.
- 16) The respondent or complainant may be removed from the workplace pending the outcome of the investigation.
- 17) Upon completion of the investigation, a written report will be prepared within twenty (20) working days from the time the respondent was advised of the complaint.
- 18) The findings will be forwarded, in writing, to the complainant, the respondent, the person responsible for the worksite and the CBE delegated person.

Response to Investigation

- 19) Upon receipt of findings resulting from an investigation, the CBE delegated person must:
 - a) make a decision to act upon the findings of the investigation within ten (10) working days of receiving the report; and
 - b) advise the complainant, the respondent, and the person(s) responsible for the worksite in writing of the CBE delegated person's decision including any required actions.

- Retaliation** 20) No person will engage in reprisal against an individual for:
- a) reporting an incident;
 - b) cooperating with an investigation; or
 - c) associating with those involved in an investigation.
- False Accusations** 21) If an investigation determines that a complainant made a false accusation, the complainant may be subject to disciplinary action up to and including termination of employment or legal action.
- Review process** 22) A complainant may ask the Chief Superintendent or designate for a review of a decision resulting from the conclusion of the investigation made by Corporate Security to ensure compliance with this regulation.
- 23) A request for a review of the decision of Corporate Security must be made within 10 working days of the complainant receiving the report and must outline in writing the complainant's reasons for the request.
- 24) Upon receiving a request for a review of the decision of Corporate Security or the CBE delegated person, the Chief Superintendent or designate must conduct a review and render a written decision within 21 working days.
- Confidentiality** 25) CBE workplace violence inquiries, complaints and findings are confidential, and may only be disclosed to a CBE delegated person in accordance with current legislation to:
- a) investigate and respond to an inquiry or complaint;
 - b) advise the respondent about the complaint and the identity of the complainant;
 - c) advise the person responsible for the worksite about the complaint and the identity of the complainant and respondent; or
 - d) respond to a request for a review of a matter under section 22.
- 26) Any unauthorized disclosure of confidential information relating to a workplace violence complaint may result in disciplinary action.
- Records** 27) All records will be maintained according to CBE records retention schedule.

Student initiated workplace violence

- 28) Where a person suffers workplace violence that is initiated by a student, or is the result of behaviour by a student:
- a) the incident and its effect on the worksite must be addressed under this administrative regulation;
 - b) the student's behavior must be addressed under the *School Act* and other applicable and appropriate CBE administrative regulations and practices (eg. behaviour support plan, or student safety plan);
 - c) the incident of student initiated workplace violence must be addressed on an individual basis taking into consideration all relevant factors including, but not limited to, circumstances, student learning plan; and
 - d) principals will consult and collaborate with appropriate CBE personnel to provide assistance and support as required.

7 | History

Approval	April 30, 2004
Next Review	June 2018
Revision/Review Dates	October 25, 2004 September 8, 2005 October 2, 2006 July 20, 2007. June 2015

8 | Related Information

- CBE AR 4027 - Code of Conduct for Employees
- CBE AR 4027.2 - Personal and Sexual Harassment
- CBE AR 6001 - School Discipline
- CBE Workplace Violence Reporting Form
- Occupational Health and Safety Act, R.S.A. 2000, c. O-2, ss. 2, 18, 19
- Occupational Health and Safety Code, October 2003, section 7, and Part 27, Violence
- School Act, R.S.A. 2000, c. S-3, section 45(8)