

Violence in Schools is a Serious Problem

No Level of Violence is Acceptable!

ETFO Members are being harmed/injured daily due to increasing violence in schools.

More than two in-five Members (42%) have suffered a physical injury/illness or psychological injury/illness as a result of workplace violence.

Almost all ETFO Members are feeling the negative impacts on their work, with 87% of Members agreeing that violence in elementary schools makes working with students more difficult.

More than three quarters (77%) of ETFO Members have personally experienced violence or witnessed violence against another staff person.

In TVDSB there are approximately 29 incidents of violence and aggression towards educators reported daily.

ETFO ACTION ON VIOLENCE:

REPORT EVERY INCIDENT (Forms)

- 1) Safe Schools Incident Reporting
- 2) Employee Incident Reporting and Investigation Form
- 3) WSIB Form 6

WHERE DO I ACCESS THE FORMS?

- Go to tvdsb.ca
- Log into the employee portal
- On the left side, click on #3 - eBase Sign In
- Log in with your Board credentials

WHY FILL OUT THE FORMS?

- It is our legislative requirement to document all student behaviours that can lead to suspension and expulsion
- It is our legal requirement to identify any hazard within the workplace and report the hazard to your Supervisor/Principal as part of the Internal Responsibility System
- Reporting the incidents identifies the concerns, enables supports, and helps you and your colleagues remain safe

FREQUENTLY ASKED QUESTIONS

1) Safety Plan - When do I get one?

A safety plan should be put into place as soon as a worker feels unsafe. The employer must take every precaution necessary for the protection of the worker, and that includes having plans that keep us safe from student aggression/violence. There should be no delay in creating a plan. Plans to ensure worker safety should be created immediately and adjusted as required.

2) Time Off - Should I?

If you have experienced a violent or aggressive situation, you should be reporting this on the Employee Incident Form and WSIB Form 6. Taking time off after an incident as a result of injury can result in a WSIB claim. The psychosocial impact of experiencing workplace violence can affect one's health. Collective Agreement sick day entitlements are there for appropriate usage, both for physical and mental health.

3) Response from Administration - When should I expect a response from my Principal?

Principals are required to respond to Safe Schools Forms and Employee Accident/Incident Reports in a timely manner. You should be receiving communication back from the Principal within 72 hours for the Safe Schools Forms and 24 hours for Employee Accident/Incident Reports.

Our expectation is that you would be provided a response to the concerns raised. The form (Part II) should be returned, and only indicates Action Taken or No Action Required. It is important to know what actions were taken. Email your Principal directly or meet to discuss the ongoing concern.

4) Suspensions - Is it right that students can't be suspended?

Suspension is a part of the progressive discipline approach schools take to address student behaviour. The purpose of progressive discipline is to correct the behaviour. There should be a plan in place to mitigate these behaviours. Each situation is unique, so have a discussion with your Principal and follow up with your ETFO Local if you are not receiving appropriate support.

5) Work Refusals - Can I refuse to do my work if a student is violent?

The Occupational Health and Safety Act enables workers in Ontario the right to refuse unsafe work. Members considering a work refusal should speak to their ETFO Local Office for support.

Work Refusals

Your Right to a Safe Workplace

A misconception exists that Teachers do not have rights to refuse unsafe work. The OHSA states: "Part V of the Act does not apply to a teacher where the circumstances are such that the life, health or safety of a pupil is in imminent jeopardy". This means that a Teacher has a limited right to refuse work and must first ensure that students are not in imminent jeopardy – NOT that Teachers have to be in imminent jeopardy to refuse work.

CAN I REFUSE UNSAFE WORK?

Yes! ETFO Members have a right to work in a workplace free from violence.

HOW DO I REFUSE WORK?

- You must be at work.
- Indicate to your Principal/ Supervisor that you have reason to believe your work is likely to endanger yourself or your co-worker, and that you are refusing (or intending to refuse) unsafe work under the OHSA, section 43.
- The Principal must investigate in the presence of the worker and the worker health and safety representative and try to resolve the concerns.

WHAT DOES A WORK REFUSAL LOOK LIKE?

- A work refusal can occur at any time as long as students are safe.
- Teachers can use their professional judgement to determine whether or not they believe that the work they are doing is unsafe and is likely to endanger yourself or a co-worker.
- You must be at work, but you do not have to be in the imminent situation.
- You could indicate to your Principal 'today' that if there isn't a plan in place 'tomorrow' that you will declare a work refusal.

NO REPRISALS

OHSA part VI 50 (1)

- reprisals by the employer are prohibited if a worker engages in a work refusal

For reasons you are able to refuse unsafe work, please see accompanying poster on Violence Work Refusal Checklist.



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