

# ETFO ACTION

## *on Violence in Schools*

### **Making Our Schools and Workplaces Safe**

ETFO's call to action and strategy to address violence in school board workplaces involves many stakeholders and it starts with collaboration, training, and accountability.



# ACTION PLAN

## on School Violence

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ETFO is pursuing a multi-year strategy to address violence in schools.

- Public relations and lobbying directed at the Ministries of Education and Labour, MPPs, school board and principal organizations to address violent incidents in schools.
- Working with the Ontario Ministries of Education and Labour to improve school board compliance with health and safety legislation and policies.
- Working with Ministry and school board representatives to improve workplace violence reporting and compliance procedures and develop training materials.
- Building an advocacy campaign through ETFO's Building Better Schools community outreach for review of the education funding formula and more funding for special education.
- Working with community groups and providers of children's mental health services to press the government for more support for students with high-risk behaviours.

ETFO locals and members have important roles to play in effectively bringing about change. To assist them, the Federation's action plan provides for enhanced education, training, and resources for locals and members on dealing effectively with workplace violence.

# CHANGES to Make Our Schools Safe

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Increasingly, ETFO members are facing violent incidents in schools and workplaces. When workplace violence happens there is a risk of physical and mental harm to both adults and children. Teaching and learning are disrupted and the whole school community can be affected. Educators and students can become fearful at the prospect of violence happening again.

Since January 2017, ETFO has taken the lead and issued a public call to action outlining the steps needed to make our workplaces and schools safe:

- The Ontario government must ensure the necessary funding and resources for special education programs.
- A comprehensive community approach to children's mental health in schools is needed.
- The Ministries of Education and Labour must proactively support school board compliance with health and safety legislative and policy requirements and reporting of incidents.
- A stronger health and safety culture needs to be built within school boards with increased training provided at all levels.

It's going to take a multi-faceted approach by all education partners to ensure that school environments are physically and psychologically safe for the best possible working conditions and learning outcomes for students.

# LEGAL and Policy Requirements

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There are a number of legislative and policy requirements that relate to workplace violence and serious student incidents. As identified by ETFO, there needs to be greater compliance by administrators and school boards to these requirements.

## WORKPLACE VIOLENCE

The *Occupational Health and Safety Act* (OHSA) sets out several duties for employers such as school boards and supervisors such as principals, for example:

- assessing and reassessing the risks of violence as often as necessary;
- measures and procedures to control the identified risks of violence;
- measures and procedures for summoning immediate assistance when workplace violence occurs or is likely to occur;
- measures and procedures for workers to report incidents of workplace violence to the employer or supervisor;
- setting out how incidents or complaints of workplace violence are investigated and dealt with;
- providing information about a person with a history of violence;
- providing information and instruction about the school board's workplace violence policy and program; and
- taking every precaution reasonable in the circumstances for the protection of a worker.

## SERIOUS STUDENT INCIDENTS

Under the *Education Act*, a serious student incident is an activity for which a student may be suspended or expelled.

- Ministry policy, Policy/Program Memorandum (PPM) 145, sets out the requirement to report serious student incidents using the Safe Schools Incident Report – Parts I and II.
- The Safe Schools Incident Report – Part I must be combined with the Violent Incident Report online and may be combined with the Accident/Injury/Illness/Incident Report. This reporting system is to be readily accessible to all members.
- The principal must investigate the reported incident and provide the board employee with acknowledgement using the Safe Schools Incident Report – Part II.
- In accordance with Ministry policy, PPM 120, school boards have a requirement to collect data on some of the most serious violent incidents for annual reporting to the Ministry of Education.

## OHSA Definition of Violence

Workplace violence means:

- The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
- An attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker; and
- A statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

# Your Right to a **SAFE WORKPLACE**

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Under the *Occupational Health and Safety Act*:

- Your principal has a duty to provide you with information about the risks of harm from a person with a history of violence. This duty happens if two factors are in place: you can be expected to encounter that person in the course of your work, and the risk of workplace violence from that person is likely to expose you to physical injury. There are limits on the disclosure of this information to what is “reasonably necessary” to protect you from physical injury.
- You may refuse to work or do particular work where you have reason to believe that the work is likely to endanger you. Work refusal is sometimes necessary. If you are a teacher, the legislation limits your right to refuse work due to your responsibilities to the students. If you believe you are being endangered by workplace violence, then report your concerns to the principal right away and get immediate assistance. Contact your ETFO local for advice and support.

# Everyone Has a Responsibility Concerning **WORKPLACE VIOLENCE**

ETFO has identified that a lack of compliance to policy and program requirements by some principals and school boards has put a “chill” on reporting, investigating, and dealing with workplace violence and serious student incidents. The Federation continues to work with the government, school board representatives and other unions to improve reporting systems, increase compliance by boards and principals and encourage a stronger health and safety culture with appropriate training within school boards.

While these efforts continue, it’s important to remember how the reporting system should work.



### **ETFO Members:**

- Under the OHSA, ETFO members have specific duties to report workplace violence.
- Under the *Education Act*, ETFO members have specific duties to report serious student incidents. These duties are further described in Ministry policy PPM 145.
- Should workplace violence cause an injury or illness, an accident/injury/illness report is required. It is just as important to seek medical attention for psychological and emotional harm as it is for physical injury when workplace violence happens.
- Your duties to report workplace violence and serious student incidents cannot be limited by age, needs or other mitigating factors. If you are having difficulties making these required reports, get in touch with your steward or ETFO local as soon as possible to get support.

### **School Boards and Principals:**

- School boards and principals are required to investigate and deal with reports of workplace violence and serious student incidents.
- Both are required to conduct assessments of the risks of violence as often as necessary to continue to protect ETFO members from the risks of harm.
- Both are required to take measures and procedures to control identified risks. In the school setting, these steps could include, for example, a safety plan, a behaviour plan, staffing and supports.



# ETFO Support For MEMBERS

Contact your ETFO local for advice and support. Your local can answer questions and provide support if you have challenges dealing with workplace violent incidents. The Federation's Professional Relations Services (PRS) staff are also available to provide support.

Professional Relations Services staff provide advice to ETFO members on a wide variety of topics related to violence and student high risk behaviours in schools. PRS Matters Bulletins on the topic are found on ETFO's member website at [members.etfo.ca/prsmattersbulletins](http://members.etfo.ca/prsmattersbulletins).

Many ETFO conferences and workshops include content on preventing and addressing violence in schools.

Your ETFO local and ETFO provincial staff address workplace violence, harassment, and serious student incidents through:

- provincial health and safety workshops;
- successful reporting and response actions;
- labour-management relations;
- Joint Health and Safety Committees (JHSCs);
- grievance arbitrations; and
- Ministry of Labour investigations and/or police interventions. Through provincial and local collective bargaining, meaningful gains have been negotiated for health and safety.

For information on how to contact your local, go to [etfo.ca/link/locals](https://etfo.ca/link/locals).

You can contact ETFO staff in Professional Relations Services at 416-962-3836/1-888-838-3836.

For information and resources on workplace violence and serious student incidents, see ETFO's Health and Safety website at [etfohealthandsafety.ca/](https://etfohealthandsafety.ca/).

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