

Procedure Title	Workplace Violence - Domestic Violence		
Date of Issue	June 15, 2010	Related Policy	BP 7523-D
Revision Dates	October 19, 2011; April 23, 2013; February 15, 2017; November 25, 2020	Related Forms	AF 7520 (online incident report)
Review Date		Originator	Administrative Council
References			
Occupational Health & Safety Act, Charter of Human Rights and Freedoms, Human Rights Code, Criminal Code of Code; Municipal Freedom of Information and Protection of Privacy Act; BP 7520-D "Human Rights", BP 6820-D Safe and Accepting Schools"			

1.0 RATIONALE

- 1.1 Domestic violence which is likely to expose a worker to physical injury in the workplace, is recognized by the Occupational Health and Safety Act (OHSA) as workplace violence. Unlike many risks which may lend themselves to regular and ongoing assessment, the risk of domestic violence taking place in the workplace is much more variable and less easily anticipated, although nonetheless real.
- 1.2 Bluewater District School Board is committed to taking every reasonable precaution for the protection of its employees from domestic violence that would likely expose an employee to physical injury in the workplace.

2.0 DEFINITION

Domestic Violence is defined as a pattern of behaviour used by one person to gain power and control over another with whom they have or have had an intimate relationship. This pattern of behaviour may include physical violence, sexual, emotional, or psychological intimidation, verbal abuse, stalking and using electronic devices to harass and control. (<http://www.women.gov.on.ca/owd/english/ending-violence/stop-domestic-abuse.shtml>, retrieved January 31, 2017)

3.0 PROCEDURE

3.1 Education

Board employees will be made aware of this procedure, and their responsibilities for informing the appropriate staff when they are reasonably aware that domestic violence may occur in the workplace. Links to resource materials related to the subject matter will be available to employees through the Health and Safety site on SharePoint.

3.2 Responsibility

- 3.2.1 The responsibility for creating and maintaining a workplace environment in which employees are protected from injury arising from domestic violence in the workplace rests with all employees sharing the workplace.
- 3.2.2 Bluewater District School Board will take action to reduce the risk of physical injury against all employees from a domestic violence situation.

3.3 Responsibility to Report

- 3.3.1 Section 28 (1) d of the OHSA dictates that employees have a duty to report hazards to their supervisor.
- 3.3.2 Employees who have information that they, or a fellow employee is subject to domestic violence that may expose them or their fellow employees to physical injury in the workplace have a responsibility to inform their supervisor. If the supervisor is party to the domestic violence, the employee shall inform the superintendent of education responsible for human resources services.
- 3.3.3 The supervisor will treat all such reports in confidence and disclose to the superintendent of education responsible for human resources services (or others on a strict need-to-know basis), only information that is necessary for the protection of employees in the workplace.

3.4 Fact Finding

- 3.4.1 Supervisors who are informed that there is an employee who may be subject to domestic violence in the workplace must gauge the nature and extent of the threat. This may require the supervisor to interview both the source of the information about the threat, and the employee(s) who may be subject to the risk of domestic violence in the workplace. It may also require more detailed investigations conducted by the superintendent of education responsible for human resources services. It is the responsibility of the supervisor to make this contact.
- 3.4.2 The supervisor may request reasonable (given the circumstances) documentation from the employee that will be used to assess the risks, and to put in place precautions to protect the employee. Such documentation may include a copy of a court order, police report or photograph of the alleged perpetrator.
- 3.4.3 In all circumstances, a supervisor must tell the victim that if they feel at risk of physical harm, whether inside or outside the workplace or at home, the employee should contact the police.

3.5 Actions

- 3.5.1 If the threat of domestic violence is from a fellow employee, the supervisor, under advice from the superintendent of education responsible for human resources services, must take steps to ensure that the victim and other employees are protected. Such steps may include, but are not limited to, warnings, employee transfers, changing employee assignments, informing police, and requesting restraining orders.
- 3.5.2 If the threat of domestic violence is from someone outside of the workplace, the supervisor, under advice from the superintendent of education responsible for human resources services, must take steps to ensure that the victim and other employees are protected. Such steps may include, but are not limited to, warnings, employee transfers, informing police, and requesting restraining orders.
- 3.5.3 The employer will make available, to all employees, information about supports available for victims of domestic violence. Such supports may include the Employee Assistance Program, community counselling, support groups, shelters, and the police. When possible, supervisors will remind potential victims of domestic violence in the workplace of these resources.