



DOMESTIC VIOLENCE WORKPLACE PROCEDURE

Responsibility:	<i>Superintendent, Human Resource Services Senior Manager, Human Resource Services</i>
Legal References:	<i>Occupational Health and Safety Act Workplace Safety and Insurance Act</i>
Related References:	<i>Board Policy 1002 – Occupational Health and Safety Board Policy 1009 – Violence in the Workplace Administrative Procedure 3780 – Violence in the Workplace HR-11-420 Domestic Violence – Workplace Administrator/Supervisor Checklist HR-11-425 Domestic Violence – Workplace Safety Plan Pamphlet – “Supporting a Violence and Harassment Free Workplace – A Reference Guide for Employees” “Violence & Harassment in the Workplace – Information and Instruction for School Board Employees” – WRDSB online Employee Training Centre WRSSB Employee Assistance Program – “Resilience”</i>
Revisions:	
Reviewed:	<i>January 2016</i>

1. Preamble

- 1.1 It is now a responsibility of the employer and the employee’s supervisor, under the Occupational Health and Safety Act (OH&S Act), to “**take every precaution reasonable in the circumstances for the protection of a worker when they become aware or ought reasonably to be aware that domestic violence would likely expose a worker to physical injury while in the workplace.**”
- 1.2 The following document is a guideline for individuals in a supervisory role at the Waterloo Region District School Board (WRDSB) who may become aware or ought reasonably to be aware of a potential domestic violence situation at their worksite.

2. Domestic Violence

2.1 Characteristics

- 2.1.1 Domestic violence is recognized as a form of ‘workplace violence’ under the OH&S Act. Although there is no legal definition for domestic violence in the OH&S Act, it can be characterized as:

“A pattern of behavior used by one person to gain power and control over another with whom he/she has or has had an intimate relationship. This pattern of behavior may include physical violence, sexual, emotional or psychological intimidation, verbal abuse, stalking and using electronic devices to harass and control.”

(Source: Ontario Women’s Directorate, Government of Ontario)

2.2 Who are the victims of domestic violence?

- 2.2.1 Anyone can be a victim of domestic violence, whatever their age, race, religion, sexual orientation, economic status or education. Domestic violence can occur between:
 - current or former spouse or intimate partners;

- relative or friend;
- adults or adolescents;
- people of all racial, economic, educational and religious backgrounds;
- people in heterosexual and same-sex relationships who are:
 - living together or separately;
 - married or unmarried; and
 - in short or long-term relationships.

(Source: Ontario Women's Directorate, Government of Ontario)

3. Employer Responsibilities

- 3.1. Under section 32.0.4 of the OH&S Act, under Domestic Violence:

"If an employer becomes aware, or ought reasonably to be aware, that domestic violence that would likely expose a worker to physical injury may occur in the workplace, the employer shall take every precaution reasonable in the circumstances for the protection of the worker."

- 3.2. The WRDSB has developed and made available information and instruction that is appropriate to assist Administrator/Supervisor's in addressing domestic violence situations at their worksites for the protection of the worker. These include, but are not limited to:

- 3.2.1. HR-11-420 Domestic Violence - Workplace Administrator/Supervisor Checklist and;
- 3.2.2. HR-11-425 Domestic Violence - Workplace Safety Plan .
- 3.2.3. "Supporting a Violence and Harassment Free Workplace – A Reference Guide for Employees" information pamphlet
- 3.2.4. "Violence & Harassment in the Workplace – Information and Instruction for School Board Employees" - WRDSB online Employee Training Centre

4. Administrator/Supervisor Responsibilities

- 4.1. When an Administrator/Supervisor becomes aware, or ought reasonably to be aware, that a staff member may be subjected to domestic violence that would likely expose a worker to physical injury in the workplace, they must take every precaution reasonable in the circumstances for the protection of the worker and his or her co-workers. This may include the development and implementation of a customized "Workplace Safety Plan" specific to the situation using the Board's:

- 4.1.1. HR-11-420 Domestic Violence - Workplace Administrator/Supervisor Checklist
- 4.1.2. HR-11-425 Domestic Violence - Workplace Safety Plan

5. Worker Responsibilities

- 5.1. Domestic violence is a form of 'workplace violence' under the OH&S Act and is therefore considered a workplace hazard. Section 28(1)(d) of the OH&S Act:

*"A worker shall,
(d) report to his or her employer or supervisor any contravention of this Act or the regulations or the existence of any hazard of which he or she knows"*

- 5.2. If upon informing an Administrator/Supervisor of a potential domestic violence situation that may put the worker or his/her co-workers at risk of physical injury in the workplace, the Administrator/Supervisor deems that a 'HR-11-425 Domestic Violence - Workplace Safety Plan' is an appropriate measure for the situation, the worker must participate in the development of the plan and adhere to the responsibilities outlined in Section 2.2 Worker Responsibilities.

For more information or assistance contact Safety, Wellness and Security (519-570-0003 ext. 4504) or a Human Resource Manager/Officer (519-570-0003 ext.4225).