



SAFE WORK

S
A
F
E

SPOT THE HAZARD
ASSESS THE RISK
FIND A SAFER WAY
EVERYDAY

No. 279
July 2011

Amendments to the Workplace Safety and Health Regulation *on Violence Prevention*

The Workplace Safety and Health Regulation was changed to include new requirements to protect workers from workplace violence. Amendments to Part 11 (Violence in the Workplace) **will take effect on August 31, 2011.**

Key changes to the Regulation are summarized below. Please refer to Part 11 of the Regulation for all requirements on violence prevention in the workplace.

Applicable Workplaces (Section 11.1, 11.2 and 11.8):

Statistics show workers in some sectors are more at risk of violence in the workplace. This section of the regulation outlines which workplaces must develop and follow a violence prevention policy.

- Amendments to the regulations make it mandatory for workplaces to develop and follow a **Violence Prevention Policy** (as described in the regulations), if the workplace provides public services, including:
 - o Healthcare (see section 11.8 for a description of workplaces)
 - o Pharmaceutical-dispensing
 - o Education
 - o Financial
 - o Police, corrections or other law enforcement
 - o Security
 - o Crisis counseling and intervention
 - o Taxi cab and transit bus
 - o Retail sales (between 11:00 p.m. and 6:00 a.m.)
 - o Licenced premises (within the meaning of *The Liquor Control Act*)
- Employers at workplaces not described above must still assess the risk of violence to a worker at the workplace. The assessment must be done in consultation with the committee or representative at the workplace, or if there is no committee or representative at the workplace, with the workers at the workplace. If the assessment identifies a risk of violence, employers must develop and put a **Violence Prevention Policy** in place to protect their workers.

Content of the Violence Prevention Policy (Section 11.4)

A violence prevention policy must describe the actions and measures employers will take to eliminate or control the risk of violence to workers. Building on requirements already in place, this section has been expanded to include:

- Measures to summon immediate assistance when violent or threatening situations occur.
- A description of any worksite at the workplace, where violence has occurred or may (reasonably be expected to) occur.
- A description of any specific job functions where the worker has been or may (reasonably be expected to) be exposed to an incident of violence.
- Procedures a worker will follow to report an incident of violence to the employer.
- Procedures the employer follow to document and investigate any incident of violence, and to put any control measures in place (as a result of the investigation) to eliminate or reduce the risk of further occurrence.
- A statement that the personal information disclosed, regarding an incident of violence, will be the minimum amount necessary.
- A recommendation that a worker who has been harmed as a result of a violent incident at the workplace is advised to consult their health care provider for treatment or referral to post-incident counseling, if appropriate.

Workplace Safety and Health Division Contact Information:

Winnipeg: (204) 945-3446
Toll-Free: 1-866-888-8186 (Manitoba only)
24-Hour Emergency Line: (204) 945-0581

Publications/resources available at: www.safemanitoba.com



Information for Workers (section 11.5):

If a risk of violence has been identified at the workplace, employers are required to inform workers about the nature and extent of the risk of violence to workers. Building on requirements already in place, this section has been clarified to include:

- An employer's release of personal information, regarding the risk of violence from a person who has acted violently in the past and whom workers may encounter while at work, unless otherwise prohibited by law.

Annual Report (section 11.7):

Each year, employers must prepare a report on violent incidents that will contain:

- Records of incidents of violence at the workplace, if any;
- Results of any investigation into an incident of violence at the workplace, including a copy of any recommendations for control measures or for changes to the violence prevention policy and a copy of any report prepared under Part 2 (section 2.9) of the Regulation;
- Description of control measures put in place following investigation into an incident.

The annual report on workplace violence must be provided to: (a) the committee at the work place, (b) the representative at the workplace, (c) if there is no committee or representative at the workplace, the report must be provided to the workers at the workplace.

Reference to legal requirements under workplace safety and health legislation:

- o Workplace Safety and Health Regulations: Part 11 (Violence in the Workplace)
- o Workplace Safety and Health Regulations: Part 2 (Section 2.9)

Additional workplace safety and health information available at www.safemanitoba.com