



Follow-up after a Workplace Violence Incident

Tip Sheet

Healthcare workers must remember that workplace violence (WPV) is not considered part of the job. An unfortunate reaction of staff who have been assaulted is to downplay the severity of the aggression, particularly if no injury occurred. This philosophy excuses the patient or abuser and allows administrators to permit the abusive/violent behaviour to continue through silence and inaction. Therefore, our members must be empowered to take the necessary steps following an incident of WPV to help mitigate aftereffects and the risk of recurrence.

Seek Medical Treatment

In addition to physical harm, verbal abuse can also have psychological consequences that may require medical treatment. These can range from short-term psychological trauma to post-traumatic stress disorder. If you go to the emergency room or occupational health service, follow up later with your family doctor and personal counselling. Employer policies may also reference Employee Assistance Programs that may be available or procedures to follow to assist members in these situations. Always check to see if such a policy exists.

Notify your employer

Report the incident immediately to your supervisor/employer. Your employer should ensure your immediate safety and invoke the employer's violence policy and procedures, investigate the incident and take appropriate steps to prevent recurrence. The employer and the member may also contact the police depending on the nature of the assault.

Contact Your Union Representative and JHSC Member or HSR

You should contact your BUP/LRO and JHSC representative immediately after the violent incident. They can assist you in directly responding to the incident, such as helping you to call the police. Where an employer policy, program or collective agreement language is in place that deals with violence, your representative should refer to the procedures in these resources to ensure the employer has responded accordingly.

You should also check the Occupational Health and Safety Act (OHSA) to ensure that your employer's policy and program is comprehensive and consistent with their requirements to protect workers under the OHSA and the Healthcare Regulation (i.e. hospitals, long-term care homes, etc.). If appropriate, your union or JHSC representative may contact the MLITSD and the police if the employer has not done so. Depending on the situation, the union representative may also direct you to ONA's Legal Expenses Assistance Program (LEAP) for advice in speaking with officials. A full investigation of

the incident by the employer, the union, the JHSC, the MLITSD, the police, or any combination of these parties, should commence as soon as possible. If you have any bruises or other visible signs of injury, a colour picture should be taken that will help to show the extent of the injury.

File an Incident Report

You should fully document your injury/traumatic incident in an employer's incident report and tell your JHSC and union representatives. An injury/incident can appear minor at first, but continuing problems may ensue, or problems may only commence sometime after the event (i.e. post-traumatic stress disorder). This documentation will also be necessary for investigating the violence. Filing an incident report is another means of notifying the employer that violence in the workplace must be addressed. If all violent incidents (physical and verbal) are reported promptly and recorded in incident reports, the JHSC can use this information to track problems and identify areas for change.

If the violent incident (physical or verbal) causes any physical or psychological injury/illness which requires you to: (a) receive health care treatment as a result of a physical or psychological injury, (b) lose time from regular work, (c) earn less than regular pay for regular work, (d) require modified work at less than regular pay, or (e) perform modified work at regular pay for more than seven days, you should report to the WSIB. Ensuring your accident is properly reported to WSIB may prevent others from being exposed to a similar incident/hazard. Your employer will more likely address this serious health and safety issue when all injuries/illnesses are properly reported to WSIB. For the claim to be officially registered, workers must report by filing a WSIB Form 6 and providing a copy of this form to their employer. The employer shall also report the incident and provide you with a copy of their submitted form.

File a Grievance

Some collective agreements contain provisions about violence, training or more general language, like requiring the employer to take every precaution reasonable in the circumstances for the protection of a worker. Where such provisions exist, consider filing a grievance if you believe the employer has failed to make appropriate provisions for your health and safety and if you feel you have been subject to harassment. It would be best to speak to your grievance chair and BUP/LRO to determine whether this is possible.

Lay Charges against Client or Other Perpetrator (e.g., family member)

Assault is a criminal offence. If the police do not lay charges, you can still have charges laid. You can go to a Justice of the Peace, give a sworn statement of the event, and file a private criminal charge.