



TO: Chair and Members of the Finance & Facilities Committee

FROM: Christopher Mackie, Medical Officer of Health

DATE: 2014 March 26

PROPOSAL FOR THE COMPLETION OF A WORKPLACE VIOLENCE RISK ASSESSMENT

Recommendation

It is recommended that the Finance and Facilities Committee (FFC) recommend that the Board of Health receive Report No. 018-14FFC re “Proposal for the Completion of a Workplace Violence Risk Assessment” for information.

Key Points

- The Board of Health is accountable for ensuring that requirements with respect to workplace violence and domestic violence in the workplace under the [Occupational Health and Safety Act \(OHSA\)](#) are met.
- This report outlines an approach to addressing two outstanding requirements: the completion of a workplace violence risk assessment and the design and delivery of the associated staff training.
- The risk assessment work will be procured through direct negotiation with a single vendor having specialized expertise, per the Health Unit’s procurement policy.

Background

The completion of a workplace violence risk assessment is a mandatory requirement under the *Occupational Health and Safety Act*. Specifically, employers must assess any risk of workplace violence that may arise from the nature of the workplace, the type of work, or the conditions of the work. Assessment must address both circumstances that would be common to similar workplaces, and those specific to the workplace.

In October 2013, *Report No. 111-13 re The MLHU Workplace Violence Initiative* was presented to the Board of Health. As part of that report, staff informed the Board that analysis was underway to determine the required resources and associated costs to bring the Health Unit into full compliance with the workplace/ domestic violence requirements of the OHSA, including:

1. Identifying, assessing and controlling for all workplace violence risks; and
2. Providing the various levels of training and skills development necessary to facilitate an appropriate organizational response to reports of workplace or domestic violence.

In addition, the Health Unit’s Joint Occupational Health and Safety Committee has tabled a recommendation (Appendix A) to the MOH for the Health Unit to conduct a formal workplace violence risk assessment.

Risk Assessment Implementation Plan

The preferred approach for completing the risk assessment is to engage the services of an external consultant. In particular, Policing and Security Management Services (PSMS) completed part of this work for the Health Unit in 2007 by writing a report with respect to the physical security of the three Health Unit office locations. It is recommended that PSMS be engaged to complete the risk assessment, which would involve:

- 1) Management confirmation of critical issues;

- 2) Document review: incident reports, policies, procedures, guidelines, etc.;
- 3) Employee interviews;
- 4) Information analysis; and
- 5) Drafting and delivery of a final report.

Rationale for the Use of a Non-Competitive Process

While there are other approaches that could and have been considered toward the completion of this work, these options would increase the time and costs required to produce the final deliverable. However, PSMS:

- Has significant experience conducting organizational threat-risk assessments in public health units;
- Is knowledgeable about the OHSA workplace/domestic violence requirements;
- Has the expertise to apply a systems approach to the evaluation of the identified risks; and
- Has successfully worked with MLHU in the past and understands how the Health Unit is structured and the way that the Health Unit works.

Under the Procurement Policy, the requirement for competitive bid solicitation may be waived in such circumstances under joint authority of the relevant Director and the Medical Officer of Health. For contracts under \$50,000, an information report must be submitted to the Board of Health.

Links to Other Projects and Mandates

Education and training in the area of workplace violence is also a requirement of the OHSA. Staff are also in the process of researching and identifying the appropriate training for staff. The level, type and cost of the workplace violence training required by each employee will be identified in the risk assessment.

Anticipated Costs

Preliminary cost estimates for the completion of the risk assessment start at \$12,000.00. A more formal cost estimate will be obtained the Health Unit confirms the scope of work to be completed. This will include a written report that:

1. Identifies role-specific (e.g. PHIs, PAs, PHNs) threats to safety with respect to workplace violence and domestic violence that are associated with the work of MLHU employees;
2. Ascribes a risk rating to the identified risks (based on probability, impact and control measure vulnerability); and
3. Proposes recommendations toward mitigating the identified risks.

In addition, training is anticipated to cost in the range of \$10,000-15,000. Funding for the assessment and training will be accommodated in the professional services category of the General Expenses and Revenue budget.

Conclusion/Next Steps

The Health Unit is required to complete a workplace violence risk assessment under the OHSA. This will be procured through direct negotiation with PSMS and funded through existing funds for professional services. Based on this risk assessment, staff will be provided with training relevant to their roles.

This report was prepared by Ms. Vanessa Bell, Manager, Privacy and Occupational Health and Safety.



Christopher Mackie, MD, MHSc, CCFP, FRCPC
Medical Officer of Health

FORMAL RECOMMENDATION | JOINT OCCUPATIONAL HEALTH & SAFETY COMMITTEE

To:	Dr. Chris Mackie, Medical Officer of Health (MOH)	
From:	Joint Occupational Health and Safety Committee (JOHSC)	
Subject:	Workplace Violence Risk Assessment	File No.: 002
Date:	March 06, 2014	

Summary of the Issue

At its September 05, 2013 meeting, the JOHSC received a presentation on the status of the Health Unit's progress toward full compliance with Part III.0.1 (Violence and Harassment) of the *Occupational Health and Safety Act (OHSA)*. The JOHSC acknowledges that considerable resources and activities have been invested towards some of the requirements of the violence and harassment requirements of the OHSA.

JOHSC Comments:

In receiving the presentation, the JOHSC has identified that a formalized assessment of risk has not yet been completed. OHSA Item 32.0.3 states:

An employer shall assess the risks of workplace violence that may arise from the nature of the workplace, the type of work or the conditions of work.

The assessment shall take into account,

- (a) Circumstances that would be common to similar workplaces;*
- (b) Circumstances specific to the workplace; and*
- (c) Any other prescribed elements.*

The employer shall,

- (a) advise the committee or a health and safety representative, if any, of the results of the assessment, and provide a copy if the assessment is in writing; and*
- (b) If there is no committee or health and safety representative, advise the workers of the results of the assessment and, if the assessment is in writing, provide copies on request or advise the workers how to obtain copies.*

JOHSC Recommendation:

Pursuant to Section 8 (18) of the Occupational Health and Safety Act, the JOHSC is responsible to " identify situations that may be a source of danger or hazard to workers and to make recommendations to the employer and the workers for the improvement of their health and safety and recommend to the employer and the workers the establishment, maintenance and monitoring of programs, measures and procedures respecting the health and safety of workers, and the trade union representing the workers."

As such, we have identified the following source(s) of danger and/or hazard and provide the following recommendation:

Source(s) of Danger/Hazard

The risk that employees are exposed to workplace violence that has not been formally identified or controlled by the employer (i.e. providing the requisite training and implementing the appropriate control measures).

Recommendation

That the Health Unit:

- 1. Conduct a formal risk assessment of the entire workplace beginning with the highest known risk areas;*

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2. *Document the process and outcomes of the risk assessment; and*
3. *Provide the JOHSC and all staff, as appropriate, with a copy of the written risk assessment in accordance with the requirements of the OHSA.*

Management Co-chair: _____ Employee Co-Chair: _____

MLHU/SLT Response:

Signature: _____ Date: _____
CEO/Medical Officer of Health DD/ MM/ YYYY

One of the mandates of the JOHSC is to evaluate OH&S concerns and make recommendations to minimize the risk of injury or occupational exposure (S. 9(18), OHSA). Committee members will make recommendations to address safety concerns that have come to their attention.

The Medical Officer of Health will have 21 days to respond in writing to the JOHSC (Section 9(20), *Occupational Health and Safety Act*, R.S.O. 1990 and as amended). The response will outline the action taken or to be taken (if any) and where appropriate, the time frame for the action to be completed or outline the reasons for which the employer disagrees with the recommendations (Section 9(20) and (21) of the Act).

The response to the recommendation will be discussed at the next scheduled JOHSC meeting (Scheduled for: May 13, 2014).

The committee member will, if applicable, advise the staff member or party from which the concern arose.