

NOVA SCOTIA DENTAL ASSOCIATION

**Violence in the Workplace**

*A Guide for Members*

March 2008



Nova Scotia  
Dental  
Association



## INTRODUCTION

On April 1, 2008 all dental offices are required to comply with Violence in the Workplace Regulations.

In the September 2007 NSDA Dispatch members were provided a sample Violence Risk Assessment Form\* that was to be completed prior to October 1, 2007.

We advised that by April 1, 2008 dentists/employers who have identified risk in their place of employment are required to establish a Workplace Violence Prevention Plan, create a Prevention Statement and post a copy of that statement in a prominent place.

**If you have completed your assessment and have identified no significant risk of violence you are done.** Every five years you will need to reassess your workplace. If at any time you change your workplace location, renovate or experience a change in workplace activities you will need to reassess to identify any change in risk.

**If your Risk Assessment Form identified areas with a risk of violence you must create a Violence in the Workplace Prevention Plan.** In this document we will provide a series on "what you must do" to create your plan in compliance with the Violence in the Workplace Regulations. Pertinent excerpts from the Regulations are provided in italics. NSDA commentary is provided in bold.

\* Copies of the sample Violence Risk Assessment Form are available from the NSDA.

**Disclaimer:** This document is adapted from the *Reference Guide to the Violence in the Workplace Regulations* and is prepared for your assistance. For accurate reference an official copy of the regulations is available from the NS Government website <http://www.gov.ns.ca/just/regulations/regs/ohsviolence.htm> or by calling 902 424-5400 or toll free 1-800-952-2687

## **WORKPLACE VIOLENCE PREVENTION PLAN**

*As part of a Workplace Violence Prevention Plan, an employer must do all of the following:*

*(1) An employer must establish and implement a workplace violence prevention plan for each workplace for which a significant risk of violence is identified through a violence risk assessment or that an officer orders a plan for.*

**What you must do at the Dental Office: Create a Violence Prevention Plan**  
**If you have identified risk factors you must create a priority list of risks to be addressed and create a Workplace Violence Prevention Statement. A decision will need to be made on how to control and reduce risks. Take and document measures to lessen or eliminate the risk of violence. Once effective steps to reduce risk have been identified they must be implemented and communicated to everyone in the workplace. This will be the foundation for your Violence Prevention Plan.**

*(2) As part of a workplace violence prevention plan, an employer must do all of the following:*

*(a) prepare a written workplace violence prevention statement;*

**What you must do at the Dental Office: Prepare and post your Violence Prevention Statement (APPENDIX)**

*Your workplace violence prevention statement must include all of the following:*

*(a) a statement of the employer's recognition that violence is an occupational health and safety hazard at the workplace;*

*(b) a statement of the employer's recognition of the physical and emotional harm resulting from violence;*

*(c) a statement of the employer's recognition that any form of violence in the workplace is unacceptable;*

*(d) a statement of the employer's commitment to minimize and, to the extent possible, eliminate the risk of violence in the workplace.*

**Under the Regulations an employer must post a copy of their Workplace Violence Prevention Statement in a prominent place in each of their workplaces so it can be easily accessed by employees, and must ensure that it remains posted.**

*(i) take and document reasonable measures to minimize and, to the extent possible, eliminate the risk of violence in the workplace.*

**What you must do at the Dental Office: Minimize or ideally eliminate violence. Specific measures are not outlined in the Regulations, so the dentist/safety officer must consider the options and choose the most reasonable measures that will reduce the risk. Samples of measures against violence include: keeping cash to a minimum and posting of a sign noting this; keeping drugs locked away and if narcotics are not kept on premise posting a sign stating this; keeping windows free of signs and posters to increase visibility, not allowing employees to work alone etc. It is up to the practice to determine what safety measures must be taken.**

*Information that must be provided to employees*

*(1) An employer must provide an employee who is exposed to a significant risk of violence in a workplace with information on the nature and extent of the risk and on any factors that may increase or decrease the extent of the risk.*

*(2) Except as prohibited by law the duty to provide information to an employee includes a duty to provide information related to a risk of violence from a person who has a history of violent behaviour if that person is likely to be encountered by the employee.*

**What you must do at the Dental Office: Advise employees of any significant risk of violence, including the types of violence and the types of risk exposure they may have. An employer also has an obligation to advise employees if there is an increase or decrease in risk. If you are providing information about a person, the amount of personal information disclosed must be balanced against the privacy rights of the individual under PIPEDA (Personal Information and Protection of Electronic Documents Act) and the Privacy Act of Canada. The person responsible for privacy in your practice (privacy officer) or your lawyer should be contacted for advice on particular issues of privacy.**

*(c) establish and document procedures for providing employees with the information and training;*

*(d) establish and document procedures for reporting, documenting and investigating incidents of violence.*

*Training and supervision for employees*

*(1) In accordance with the procedure in an employer's workplace violence prevention plan, an employer must provide adequate training on all of the following for any employee who is exposed to a significant risk of violence:*

- (a) the rights and responsibilities of employees under the Act;*
  - (b) the workplace violence prevention statement;*
  - (c) the measures taken by the employer to minimize or eliminate the risk of violence;*
  - (d) how to recognize a situation in which there is a potential for violence and how to respond appropriately;*
  - (e) how to respond to an incident of violence, including how to obtain assistance;*
  - (f) how to report, document and investigate incidents of violence.*
- (2) An employer must provide any employee who is required by the employer to perform a function under the workplace violence prevention plan with training on the plan generally and on the particular function to be performed by the employee.*
- (3) An employer must consult with any committee established at the workplace when establishing, reviewing or revising a workplace violence prevention plan.*
- (4) An employer must consult with any representative selected at the workplace when establishing, reviewing or revising a workplace violence prevention plan.*
- (5) An employer must make a copy of the workplace violence prevention plan available for examination at the workplace by any employer, contractor, constructor, supplier, employee, owner or self-employed person in that workplace.*

**What you must do at the Dental Office: Provide training to any staff who are or will be exposed to any significant risk of violence. The employee will need to be aware of their rights and responsibilities, and they must be provided the Workplace Violence Prevention Statement. The dentist must inform the employee of steps taken to minimize or eliminate the risk of violence. Employees must be trained to recognize potentially violent situations and how to respond including how to obtain assistance. Employees must be trained in reporting, documenting and investigating incidents of violence. The dentist is responsible to ensure training takes place.**

**In addition to the above any employee who must perform any task under the Workplace Violence Prevention Plan has to be trained “generally” on the plan and “specifically” on their tasks.**

*Duty to report incidents of violence*

*An employer, contractor, constructor, supplier, employee, owner or self-employed person in the workplace has a duty to report all incidents of violence in a workplace to the employer.*

**What you must do at the Dental Office: Everyone in the workplace must know of their responsibility to report any incidence of workplace violence to the Dentist.**

*Documentation, investigation and actions to prevent reoccurrence*

*(1) An employer must ensure that incidents of violence in a workplace are documented and promptly investigated to determine their causes and the actions needed to prevent reoccurrence in accordance with the procedures established under clause 7(2)(d).*

*(2) An employer must ensure that notice of the actions taken to prevent reoccurrence of an incident of violence are given to all of the following:*

- (a) any employee affected by the incident of violence;*
- (b) any committee established at the workplace;*
- (c) any representative selected at the workplace.*

**What you must do at the Dental Office: The dentist must ensure all incidents of violence are recorded and immediately investigated. The investigation should determine the cause of violence and action must be taken to prevent future incidents. The dentist must tell the safety officer (safety committee) if they exist in your practice, and any employees affected by the violent incident, of actions taken to prevent similar incidents in the future.**

*Dealing with employees exposed to or affected by violence*

*An employer must provide an employee who has been exposed to or affected by violence at the workplace with an appropriate debriefing and must advise the employee to consult a health professional of the employee's choice for treatment or counseling.*

**What you must do at the Dental Office: The dentist must provide a debriefing and advise the employee to consult a health professional of the employees choice for treatment and/or counseling. There is no requirement for the dentist to pay for the health professional or to grant paid time off for the employee to access the health professional. The dentist, must however, grant reasonable time off for the employee to consult the health professional.**

*Employers with multiple temporary workplaces*

*Despite anything in these regulations, an employer who has employees performing work at multiple temporary workplaces is not required to conduct a violence risk assessment or prepare a workplace violence prevention plan for each individual workplace if the employer conducts a violence risk assessment and prepares a workplace violence prevention plan that covers similar workplaces collectively and takes into account the circumstances and interactions that an employee is likely to encounter in the performance of their work.*

**What you must do at the Dental Office: If the dentist has employees working at several “temporary” workplaces a separate violence risk assessment is prevention plan is not required. For separate “permanent” workplaces an assessment is required for each workplace.**

*Ability to meet duties collectively*

*(1) Despite anything in these regulations, 2 or more employers may enter into a written agreement to collectively provide and maintain the statements, plans and services required under these regulations.*

*(2) A copy of any agreement made under subsection (1) must be kept by each of the employers and must be provided to any of the following, engaged at the workplace of 1 of the employers, who request a copy:*

- (i) an employee,*
- (ii) a contractor,*
- (iii) a constructor,*
- (iv) a supplier,*
- (v) an owner or self-employed person,*
- (vi) an officer*

**What you must do at the Dental Office: Two or more employer dentists should consider entering into a written agreement to collectively provide and maintain the required statements, plans and services that are required under the regulations. A copy must be kept by each employee/dentist and must be supplied to the following persons if requested: an employee, contractor, constructor, supplier, owner, self-employed person or an officer.**

*For more information on the Regulations or for information on training contact the Nova Scotia Department of Environment & Labour*

- Tel: 1-800-952-2687
- Web: [www.gov.ns.ca/enla/healthandsafety/](http://www.gov.ns.ca/enla/healthandsafety/)

**APPENDIX**

**Sample Prevention Statement**

Dental Office XYZ recognizes that violence is an occupational health and safety hazard at the workplace; and recognizes the physical and emotional harm resulting from violence;

Dental Office XYZ recognizes that any form of violence in the workplace is unacceptable; and is committed to minimize and, to the extent possible, eliminate the risk of violence in the workplace.

Signed \_\_\_\_\_  
Employer

Date Posted \_\_\_\_\_