



## **Backgrounder**

### **WORKPLACE VIOLENCE**

#### **Women Should NOT have to choose between Their Safety or Their Job**

*The workplace can be the site of threats, harassment, and assaults, it can also be the site of effective interventions that save lives and preserve health.*

Violence is not part of any job description, but it is part of all too many jobs.

Violence against women is a workplace issue, whether or not it originates in the workplace. Women carry between home and work the trauma of violence. The effects of workplace violence do not stop when a woman leaves work for the day. Similarly, women who are abused at home carry the effects of that abuse to work with them. Indeed, the workplace is no sanctuary from stalking, threats, or violence when abused women receive threatening calls at work or are assaulted at work by husbands or boyfriends. The Ontario Federation of Labour has long advocated for workplace legislation and comprehensive societal supports and actions to prevent the senseless violence women face at work, in the home, and in the community.

Women make up half of the workforce, and much more than that in some sectors. Workplace violence is on the rise and has been the subject of high profile coroner's inquests and collective efforts for change. Nineteen years after the shocking murder of 14 women in one day in Montreal, we are still a long way from ending violence against women.

Workplace violence inflicts psychological and physical harm, and can be lethal. While the workplace can be the site of threats, harassment and assaults, it can also be the site of effective interventions that save lives and preserve health. Governments, including Ontario, have the power and the obligation to pass and enforce laws to end workplace violence.

#### **Forms of workplace violence**

Workplace violence is not just limited to physical assault, but also includes near misses, verbal abuse and harassment. Homophobic, racist or sexist insults against a worker are also violent acts. Even the fear of assault, or witnessing an assault on a co-worker, can have serious health effects.

#### **Effect of domestic violence on the worker and the workplace**

Not surprisingly, an abused woman may have problems in the workplace due to her stress levels, absenteeism and job performance. Domestic violence can interfere with a woman's ability to get, perform or keep a job.

### **Causes of workplace violence:**

<b>Public sector:</b>	Government cuts to funding and public services
<b>Private sector:</b>	Maximized corporate profits, downsizing and controlled spending
<b>All sectors:</b>	Lack of enforcement, training, policies and education

There are many causes of workplace violence. The safety of workers is compromised when there is not enough funding to do the jobs the way they need and want to, and not enough services to meet the demand. Women are most at risk because they are most often the front-line workers – social workers, service providers, receptionists, cashiers, nurses, and teachers. They are the first point of contact for patients, clients, students, customers and family members who are frustrated and angry because they can't get the services they need.

### **Summary of the principle causes of workplace violence**

- Understaffing, where workers are forced to work alone or with inadequate support from co-workers.
- Failure to train workers to recognize and defuse potentially violent situations.
- Failure to assess and determine which clients, patients, students, etc. may exhibit violent or aggressive behaviour.
- Failure to emphasize safety measures in the workplace, including designing the workplace to minimize potentially violent situations.
- Failure to create and enact emergency procedures to address violent situations.
- Failure to highlight violent hazards and develop control measures, anti-violence workplace policies and training programs.
- Failure of employers to respect a workers right to know and inform workers about the history of violent behaviour of clients, patients, students, etc.
- The most prevalent however, is the continuation of the attitude that violence will never happen in their place of employment.

Effects of all these factors have made the potential for violence a daily concern and stress in many workplaces.

### **Ontario Coroner's inquests have addressed workplace violence**

#### **Theresa Vince, murdered June 1996**

After years of sexual harassment at her workplace in Chatham, Ontario, Theresa Vince was murdered at work by her boss.

***Coroner's recommendation:** Public education campaign and the enforcement of existing harassment provisions in Ontario Human Rights Code.*

### **Gillian Hadley, murdered June 2000**

The inquest into the death of Gillian Hadley was the first to address the impact of domestic violence in the workplace. Hadley's ex-husband murdered her in her home. At work, the ex-husband's parents had been verbally abusing and harassing Hadley. The workplace culture was openly hostile to women.

**Coroner's recommendation:** *Review and amendment of all employment-related legislation to ensure the definition of violence includes harassment, stalking and threats of violence. This includes the Employment Standards Act; the Human Rights Code; the Occupational Health & Safety Act and the Workplace Safety and Insurance Board policies.*

### **Lori DuPont, murdered November 2005**

Dupont was a nurse at Hôtel-Dieu Grace Hospital in Windsor. She was murdered at work by her ex-boyfriend who worked as a doctor in the same hospital.

**Coroner's recommendation:** *Changes to workplace legislation to define abuse and harassment as an occupational health and safety issue.*

### **Better laws and strong, timely enforcement of existing law**

#### **Occupational Health & Safety Act**

The Ministry must develop regulations and training for workplace safety audits on the issue of all forms and sources of violence. Where a potential hazard is identified, the employer must take measures to eliminate the hazard. The Ontario Ministry of Labour must amend the Act to permit workers to exercise their right to refuse work in potentially-violent situations.

#### **Employment Standards Act**

The Act provides job protection for employees taking ten weeks of compassionate leave. The definition for compassionate leave should be expanded to cover abused women who need time to address legal issues, find housing and child care, and time to heal.

### **Hadley Inquest Jury Recommendation 48, February 20, 2002**

*We recommend that all employment related legislation, including the Employment Standards Act, the Human Rights Code, the Occupational Health and Safety Act and the Workplace Safety and Insurance Act be reviewed and amended to ensure that:*

- *violence is defined to include harassment, stalking and threats of violence;*
- *women experiencing violence in an intimate or personal relationship may take a leave of absence sufficient to address the violence in the relationship and establish themselves and their children in a safe place without fear of losing their employment or fear of experiencing some other employment related reprisal.*

**Human Rights Code**  
**Occupational Health and Safety Act**  
**Employment Standards Act**

These laws must be changed to require employers to accommodate the needs of abused women. This could include the right to alternative work, flexible hours, and job transfers to a different work location.

*Our vision of equality must lead to a world in which girls and women are safe in homes, schools, streets and the workplace.*

*It is a world we can create.*

**Workplace Safety and Insurance Board Policies**

Policy on compensation for chronic stress is too restrictive. It must be expanded to cover workers who experience harassment, verbal, and emotional abuse.

**National Day of Remembrance and Action on Violence against Women  
December 6**

Each year, people in communities across Canada mark the anniversary of the murder of 14 women who were singled out for their gender. The site of the 1989 massacre in Montreal, the École Polytechnique, was not only a college, but a workplace. Two of the murdered women were members of the Canadian Union of Public Employees. It is a time to honour those who have been the victims of gender-based violence, and to commit to work every day of the year to prevent it.

**For more details on the campaign go to:**

Ontario Federation of Labour website: [.ofl.ca](http://.ofl.ca)

**Other Links:**

Workers' Health & Safety Centre: [.whsc.on.ca](http://.whsc.on.ca)

Check your union's website

**Community links:**

Step It Up Ontario: [www.stepitupontario.ca](http://www.stepitupontario.ca)

Ontario Association of Interval and Transition Houses: [www.oaith.ca](http://www.oaith.ca)