



# Violence is not trivial

Report incidents!

## Violence at school: a real concern!

### A significant increase in situations of violence

- In 2021, more than three quarters of the CNESST's accepted claims attributable to physical violence occurred in the health sector (62.1%) and education sector (18.6%), according to CNESST statistics<sup>1</sup> for 2018–2021.
- Hard hit by the pandemic, the education sector saw a significant increase in claims (41.6%) between 2018 and 2021.
- Again, there are a significant number of accepted claims made by teachers which are attributable to psychological violence (12.6%).

This data is just the tip of the iceberg, as it represents only the claims filed and accepted by CNESST. In the spring of 2018, as revealed by a survey carried out among QPAT members, 84% of respondents already described violence against teachers as a worrying phenomenon.<sup>2</sup>

Violence should certainly never be a part of the teaching profession, and it must be taken seriously by employers and everyone involved in the school system. Whether committed by a student of any age, by an adult or by a group, intentionally or not, violence is unacceptable and must be reported.

<sup>1</sup> Statistiques sur la violence, le stress et le harcèlement en milieu de travail 2018-2021 – Commission des normes, de l'équité, de la santé et de la sécurité du travail. (in French only)

<sup>2</sup> Presentation of results from the "Workplace violence experienced by teachers" questionnaire administered to the members of the Quebec Provincial Association of Teachers (<https://qpat-apeq.qc.ca/wp-content/uploads/2019/09/Report-on-Violence-abridged-final-January-2019.pdf>)

## Many forms of violence<sup>3</sup>: strengthened rights and responsibilities

From physical violence (pushing, kicking, biting, throwing objects, etc.) to psychological violence including cyberbullying (threats, insults, rumours, etc.), employers must take the necessary measures to protect workers against all forms of violence. This obligation, set out in **paragraph 1 (16) of section 51 of the Act Respecting Occupational Health and Safety (AOHS)**, has been unequivocal since the occupational health and safety regime was modernized in 2021:

*Every employer must take the necessary measures to protect the health and ensure the safety and physical and mental well-being of his worker. He must, in particular:*

*(16) take the measures to ensure the protection of a worker exposed to physical or psychological violence, including spousal, family or sexual violence, in the workplace.*

## Report incidents

As an employee, you must also take measures to ensure your own health and safety and see that you do not endanger the health and safety of others, by participating in the identification and elimination of risks (section 49 of the AOHS). To fulfill this obligation, it is important to report both incidents and accidents in writing, using the form provided by your SB/SSC, so that a record can be kept and actions implemented, with interventions and appropriate follow-ups to correct the situation at risk and prevent it from deteriorating.

<sup>3</sup> ... "violence": any manifestation of force, whether verbal, written, physical, psychological or sexual, intentionally exerted against a person, which causes distress, harm, injury or a sense of oppression to that person's integrity, to that person's physical or psychological well-being, or to that person's rights or property. [Education Act (art. 13)]



These written reports will also reinforce the role of your SB/SSC's occupational health and safety representative(s), as well as that of the members of your joint health and safety committee—including your union representatives—as they carry out their mandate to identify and analyze risks, ensuring follow-up and recommending appropriate solutions to the employer.

The anti-bullying and anti-violence plan, the school's rules of conduct and safety measures, as well as the operating rules of the centre (sections 75.1, 76, 77 and 110.2 (4) of the Education Act) approved by the governing board but developed with the collaboration of school staff, are also tools designed to protect the staff. It is important to create a safe and healthy environment by ensuring that the plan, rules and measures in place at the school or centre, as well as any health and safety policies at the SB/SSC level, are respected and applied.

Remember that you have a say in the matter; do not hesitate to discuss it in the appropriate forums and meetings so that necessary adjustments can be made.

## Possible actions to take

- Refer to the school's emergency procedure for responding quickly to violent behaviour in the classroom; if there is no such procedure in place, work with other staff members and your school administration to establish one (who, when, what, how?).
- Use the form available at the school or centre (accident register or other) to report an incident in writing and recommend appropriate corrective measures (see your local union website\*).
- If necessary, meet with the school administration to discuss corrective measures, as well as the implementation of the anti-bullying and anti-violence plan, rules of conduct and safety measures.
- If necessary, see a doctor. Provide full details of the incident to help the doctor determine whether it is work-related and to initiate the process with CNESST, if applicable, by signing a medical certificate that includes a diagnosis and duration of absence.
- With the teacher/school council, discuss any issues related to the implementation of the anti-bullying and anti-violence plan, rules of conduct and safety measures, and review as needed.

After the school administration has been informed, if appropriate action has still not been taken, a discussion should be held with the union representative to find solutions. If there is still a dispute, a CNESST inspector can be sent to the workplace to apply temporary measures and demand corrective action from the employer.

In certain cases, if there is reason to believe that your job presents a danger to your health, safety or physical well-being, you may exercise a right of refusal (section 12 of the AOHS and section 10-8.00 of the collective agreement). However, refusal to perform the work may not put the life, health, safety or physical well-being of another person in immediate danger (sections 13 and 19 of the AOHS).

In other, more extreme cases, a complaint may also be filed with the police.

In all cases, it is important to report formally and to keep a log of the behaviour of the student or person involved, making a note of any follow-up provided by you and the administration.

If your efforts are unsuccessful, either with the school or with the centre, contact your local union.

The union will be able to make representations to the SB/SSC to ensure the implementation of measures to protect your health and safety in the workplace. Failing that, a grievance may be filed.



This pamphlet is provided for information purposes. For more information, please refer to the relevant legislation.

# VIOLENCE

