



**Environment and Labour**  
**Environnement et Travail**

A Guide to the  
**VIOLENCE IN THE WORKPLACE  
REGULATIONS**  
for the Taxi Industry

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**Disclaimer:**

**This document is not an exhaustive interpretation of the regulations or legal advice to the reader. This document is prepared for convenience only. For accurate reference, the reader should get an official copy of the regulations through our web site at <http://www.gov.ns.ca/just/regulations/regs/ohsviolence.htm> or copies may be requested by calling 902-424-5400 or toll free 1-800-952-2687.**

July 18, 2007  
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## A Guide to the **Violence in the Workplace Regulations** for the Taxi Industry

The Regulations are available in Appendix I of this guide, or through our web site at: <http://www.gov.ns.ca/just/regulations/regs/ohsviolence.htm> or copies may be requested by calling 902-424-5400 or toll free 1-800-952-2687.

### **When do the Regulations come into effect?**

As a taxi operator you must complete your hazard assessment by October 1, 2007. You must comply with all of the regulations by April 1, 2008.

In addition, starting immediately, you will have the ability to use generic risk assessments and workplace violence prevention plans for multiple temporary workplaces (section 15) and to share hazard assessments and plans with other organizations (section 16).

### **Why do we need Violence in the Workplace Regulations? It's just part of driving a taxi.**

Violence in the workplace is an increasing reality; and yes, for driving a taxi the risk of violence is a known one. That is why it is important to identify what the risks are and then manage them. Everyone deserves protection from violence, and workplace violence is no exception. These regulations provide specific requirements for the taxi industry to do a hazard assessment and if necessary, develop a violence prevention plan.

### **What is included in this document that will help me comply with the Regulations?**

- Plain Language Guide to the Workplace Violence Regulations
- Sample Risk Assessment (A)
- Determining Significant Risk (B)
- Completed Risk Assessment (C)
- Sample Workplace Violence Prevention Statements
- Code of Practice
- Workplace Violence Regulations
- Links and Resources

## REFERENCE GUIDE TO THE REGULATIONS

### **What is and is not considered violence?**

Actions that would fall within the definition of “violence” include:

- Shooting or throwing an object at a taxi, because the driver could be hurt.
- Subduing a violent client, because the driver is at risk from client retaliation.

Actions that would fall outside the definition of “violence” include:

- Arguing over a fare (unless the customer begins to use threats).
- A fight occurring near a taxi, because the driver is not involved or at risk (unless they intervene).

Note that the definition of “violence” deals with any violence that puts an employee in danger at work. This includes violence inflicted on one employee by another. However, the violence must occur at work. Violence that occurs away from the workplace is not covered by these regulations.

### **Since I need to address workplace violence, where do I start?**

The first step for a taxi owner is to figure out whether there is a risk of violence in the workplace, using a violence risk assessment. A violence risk assessment identifies the type of violence risk (robbery for example) and the chances it will happen. The assessment has to be done in consultation with a joint occupational health and safety committee or health and safety representative (if the workplace has them) and a copy of the final assessment report must be given to them.

An assessment will need to be done at least every 5 years.

### **What kinds of things do I need to consider for a Risk Assessment? (Section 5)**

Some things to consider when doing an assessment include:

- past violent incidents
- violence that happens in workplaces similar to yours
- the conditions in which the work is done (i.e. alone, late at night)
- the interactions (talking, working with or dealing with people and difficult and emotionally charged situations) that happen while doing the work, and
- the physical location and layout of the workplace (what areas do your taxis serve? Are drivers accessible from the passenger area?).

Note that we refer to the public as anyone you deal with that is not an employee of your organization. This includes your suppliers, contractors, clients, customers, etc.

Appendix A has a sample risk assessment form, while Appendix C goes through a complete

example.

### **I am not an expert in workplace violence. How can I complete a violence risk assessment?**

Employers are not expected to be experts in workplace violence. However, you are expected to have and maintain a general knowledge of the level of violence within the taxi industry and the general location where you operate. This knowledge can be gained through media reports, trade journals or other sources.

### **I operate a fleet of taxis. Do I have to do a separate violence risk assessment for each taxi?**

If several workplaces are similarly vulnerable to violence, you may do a generic violence risk assessment for all of the similar workplaces. The generic assessment must clearly state which types of vehicle (sedan, SUV) and operating conditions (daytime only, day and night, nighttime only, locations) it covers. For example, one assessment could be done for all sedan taxis that operate during the day and night in an urban area.

### **When does a violence risk assessment need to be redone?**

You must do a new violence risk assessment whenever:

- (a) you become aware of a type of violence that the existing assessment does not deal with,
- (b) there is a significant change in the circumstances, interactions, location or layout of the work (this may be as simple as changing your hours of operation or the model of your taxi),
- (c) you modify a taxi in a way that affects the risk of violence,
- (d) when a Department of Environment and Labour officer orders you to do a new assessment,
- (e) at least every 5 years.

### **Do I have to do an assessment after all modifications? (Section 6)**

The modification must be significant in terms of changing the risk of violence. Changes as simple as installing different rearview mirrors could affect the risk of violence.

Factors to consider in modifications are:

- (a) has the visibility of passengers changed?
- (b) has passenger access to the driver changed?
- (c) has a route of escape been blocked or changed?
- (d) have light levels changed?
- (e) have security features or equipment been affected by the modifications?

### **Section 7 talks about “significant risk”. What is significant risk ? (Section 7)**

It is up to the employer, in consultation with the health and safety committee or representative (if

they exist at your workplace) to decide, based on their violence risk assessment, what is a significant risk. Appendix B describes one way to determine significant risk. Appendix C shows how this method is applied to the sample violence risk assessment.

### **Since all taxis have several areas of significant risk, what do I do now?** (Section 7)

Together with your health and safety committee or representative (if they exist at your workplace), you must develop and put into action a violence prevention plan.

As part of a plan you have to:

- write a workplace violence prevention statement
- take and document reasonable measures to lessen, and where possible get rid of, the risk of violence **or** use a code of practice on violence prevention published by the Department of Environment and Labour. *See Appendix F for the Code of Practice for the Taxi Industry*
- establish and use procedures for information and training requirements
- establish and use procedures to report, document and investigate incidents.

There are no specific measures that must be taken. The requirement is for the employer to consider the range of possible options and select and implement those that are most reasonable to their needs.

Some examples of steps that can be taken include:

- prominently display notices stating cars are monitored or taped,
- keep windows up when parked,
- make arrangements with other taxi drivers to stay in contact with each other,
- keep cash to a minimum and post a sign stating this,
- make sure interior lights are sufficiently bright and are changed promptly when burnt out.

### **Once I've done my plan, am I done?** (Section 8)

The plan will need to be reviewed - and revised if needed - at least once every 5 years or if a new risk assessment shows there have been changes to the potential for violence.

### **What is a Workplace Violence Prevention Statement?** (Section 9)

A workplace violence statement must include:

- the employer's recognition that violence is an occupational health and safety hazard
- the employer's recognition of the physical and emotional harm resulting from violence
- the employer's recognition that any form of violence in the workplace is unacceptable and
- the employer's commitment to minimize, or where possible eliminate, the risk of violence in the workplace (see Appendix D for examples)

**The regulations say I must post my statement. How should I do this? (Section 9)**

Given the nature of taxi driving, we suggest that a copy be given to all drivers.

**I already have a Policy required by section 28 of the *Occupational Health and Safety Act*. Can I combine the workplace violence prevention statement with the policy?**

Yes, so long as you include all required statements from both the Act and these regulations.

**The Regulations say I have to inform my employees. What do I inform them of? (Section 10)**

Employees exposed to a significant risk of violence must be informed by their employer of the type of violence and the amount of risk they may run into. Also the employer has to let the employee know the things that could increase or decrease the risk.

**What about the information privacy laws ? (Section 10)**

The extent of personal information disclosed under section 10(2) must be balanced against legislated privacy rights of the individual, as provided for in such laws as the *NS Freedom of Information & Protection of Privacy Act [FOIPOP]*, *Privacy Act of Canada*, *Personal Information & Protection of Electronic Documents Act [PIPEDA]*, and relevant health information legislation. For advice on application of this section of the Regulations, please contact the person responsible for privacy issues in your organization. In the absence of such a person, contact your organization's lawyer, or the Information Access & Privacy Manager for NS Environment & Labour ([DELaccess@gov.ns.ca](mailto:DELaccess@gov.ns.ca) ph: 902-424-8472).

**What kind of training must I provide and to whom? (Section 11)**

As part of the Violence Prevention Plan, any employees exposed to any significant risk of violence will need training in:

- employee rights and responsibilities
- the workplace violence prevention statement
- the steps taken by the employer to minimize or eliminate the risk of violence to the employee being trained
- recognizing potentially violent situations and how to respond to them
- responding to an incident of violence including how to get help
- reporting, documenting and investigating violent incidents.

In addition, 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 task.

**Who reports violent incidents?** (Section 12)

Everyone in the workplace must report a workplace violence incident to the employer.

**What do I do if a violent incident occurs?** (Section 13)

If there is a workplace violence incident, the employer must ensure that it is recorded and promptly investigated. The investigation should determine the causes and allow you to take action to prevent it from happening again.

The employer has to tell the health and safety committee or health and safety representative (if they exist at your workplace) and any employee affected by the violent incident of actions taken to prevent similar incidents in the future.

**What do I do about employees who have been exposed to or affected by violence?** (Section 14)

The employer must provide an appropriate debriefing and advise the employee to consult a health professional of the employee's choice for treatment or counseling.

**Do I pay for the employee treatment or counseling?** (Section 14)

There is no requirement for the employer to pay for the health professional or to grant paid time off work to consult a health professional. However, the employer must grant reasonable time away from work for an employee to consult a health professional.

**What about workplaces where there is more than one employer?** (Section 16)

The regulations allow for two or more employers to enter into a written agreement to collectively provide and maintain the required statements, plans and services required by the regulations.

A copy of any agreement has to be kept by each of the employers and a copy has to be given to any of the following persons at the workplace who request a copy: an employee, contractor constructor, supplier, owner, self- employed person, or an officer.

## APPENDIX A: Sample Violence Risk Assessment

This Violence Risk Assessment can be used to comply with Section 5 of the Nova Scotia Violence in the Workplace Regulations. While all workplaces covered by the Regulations must perform Violence Risk Assessments, this specific form is NOT mandatory. Employers are free to design their own forms if they so wish; Appendix E has links that may be helpful in doing this.

### How to use the assessment form:

The employer must first decide who will do the assessment. Remember, it must be done in consultation with the Joint Occupational Health and Safety Committee or Health and Safety Representative, if they exist in the workplace. The assessor(s), who act on behalf of the employer, should know the principles of the violence risk assessment process.

1. Enter the name of your organization, assessment date and name of the assessor(s).
2. Enter the locations or tasks covered by this assessment.
  - a. The locations can be individual addresses, certain types of vehicle, or just areas where similar tasks are done and the risk from violence is similar.
  - b. For smaller organizations, there may only be one location, and only one assessment.
  - c. Larger organizations may wish to divide their operations into locations or tasks that have similar predictors of violence. For example, a taxi company may divide its staff into those who are drivers and those who perform administrative support functions and have little or no contact with customers.
3. Check the boxes on the attached form as accurately as possible, being sure to put a mark opposite each question. The assessor must individually describe the nature and extent of the risk of violence for each “Yes or Unknown” answer, as well as who may be exposed to risk. **Note that some boxes have been pre-checked as they are known risks for the taxi industry and therefore ones you must address.**
4. The assessor in consultation with the Committee or Representative must review each individual risk described and decide if the risk is significant.
5. The employer, in consultation with the committee or representative, must address each significant risk in their Workplace Violence Prevention Plan.

### Follow-Up Points:

Copies of any Violence Risk Assessments must be made available to all committees and representatives and to any employee.

A Violence Risk Assessment must be redone:

- if a new or different type of violence occurs in similar workplaces;
- if there is a significant change in either the work, the way staff interacts with the public or the physical layout of the taxi;
- if ordered to do so by an Occupational Health and Safety Officer;
- at least every five years.

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## Sample Violence Risk Assessment

### Part One: Basic Information

Name of Organization: \_\_\_\_\_

Assessment Date: \_\_\_\_\_

Assessors: \_\_\_\_\_

Location or Tasks Covered by this Assessment:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

This Violence Risk Assessment was discussed with the Joint Occupational Health and Safety Committee/Health and Safety Representative on \_\_\_\_\_  
 (Note that this section can be left blank or deleted if your workplace has neither a committee or a representative).

### Part Two: Predictors of Violence

Yes or Unknown	No	Question
X		When you are open to the public, are there times when only one employee is present?
X		Do you or your driver(s) handle cash or other valuables?
X		Do you or your driver(s) provide a service where they may deal with troubled persons?
X		Have similar workplaces or tasks in other organizations experienced violence?
		Do you or your driver(s) deliver or collect items of value?
		Do you or your driver(s) sell or dispense drugs or alcohol?
		Has this workplace or task experienced violence in the past?

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		Do you or your driver(s) work late hours of the night or early hours of the morning?
		Do you or your driver(s) work during the Christmas season?
		Do you or your driver(s) work near places that are at risk of violent crime (e.g. bars and banks)?
		Do you or your driver(s) work in areas isolated from other buildings or structures?

Beyond the factors listed in the table, the assessor should consider any other activities that they believe may hold some risk of violence.

**Part Three: Nature and Extent of the Potential for Violence**

Each "Yes or Unknown" answer in Part Two should be reviewed to determine specific potential areas of violence risk which need action. Each of these violence risks should be described separately, with the following information:

Violence Risk # \_\_\_\_\_

i) What activity or feature of the workplace or task may trigger violence? (i.e. presence of money, interaction with customers)

ii) Describe how frequently the activities occur (i.e. if describing “presence of money”, the frequency may be “Daily”; if describing “interaction with customers”, the frequency may be “500 customers served per year”)

iii) Describe the size of the activity that creates the violence risk (i.e. the amount of cash handled is \$700 per day; on average, 10 customers become upset each day)

iv) State who is at risk from this violence, preferably using job titles as opposed to names

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Predicted type of violence (i.e. assault, robbery, threats, etc.)

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Is there any other information or factor that should be described and considered? (i.e. highlight “peaks” such as “On Saturday nights, our clients are much more likely to have been drinking” or highlight policies that are known to frustrate customers)

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## APPENDIX B: Determining the Significance of the Risks

There are ways for coming up with a value for risk. Most risk assessment tools involve determining the chances of an event happening and the consequences or impact of the event happening. Risk assessment involves ranking the probability, or chance, of an event happening with the amount of impact of the event. This means you would be developing a matrix or box of risk. At its simplest the ranking can range from High/High - the chance of something happening is high and the impact or seriousness of the event is high, to Low/Low.

To use this risk assessment tool, take each Violence Risk you described in Appendix A and estimate its significance using the following three steps:

### Step One: Estimate the Probability

In this step, estimate the probability of the Violence Risk occurring.

Category	Name	Characteristic
A	Frequent	Will likely happen often in next year
B	Likely	Will likely happen in next year
C	Occasional	Will likely happen sometime in next several years
D	Remote	Unlikely but event could be experienced in next several years
E	Highly unlikely	Event will not be experienced

### Step Two: Determine the Impact

In this step, estimate the most serious, **reasonably possible** outcome (as opposed to the “most likely” outcome) for the Violence Risk you are considering.

For example, for a bank robbery, the most likely outcome is Category 1 - No Injury. However, in several cases, bank employees have been killed. Thus, the most serious, **reasonably possible** outcome is Category 4 - Fatality.

Thus, the Impact of a bank robbery should be recorded as Category 4.

Category	Name	Characteristic
4	Catastrophic	Fatality, coma
3	Critical	Severe injury - loss of, or use of limbs, hospitalization

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2	Marginal	Minor injury - bruises, cuts
1	Negligible	No injury

**Step Three: Determine the Risk**

Having estimated the Probability in Step One and the Impact in Step Two, combine the two answers to determine where on the table below the Violence Risk you are considering falls.

		Impact Categories			
		4 Catastrophic	3 Critical	2 Marginal	1 Negligible
Probability	A Frequent	4A	3A	2A	1A
	B Likely	4B	3B	2B	1B
	C Occasional	4C	3C	2C	1C
	D Remote	4D	3D	2D	1D
	E Highly unlikely	4E	3E	2E	1E

The significance of the risk can be interpreted as follows:

4A, 4B, 4C, 3A, 3B, 2A - Significant and unacceptable risks. Address immediately through a violence prevention plan.

4D, 3C, 3D, 2B, 2C - Significant risks. Include in the violence prevention plan.

4E, 3E, 2D, 2E, 1A, 1B - Not significant for the purposes of requiring a violence prevention plan. Should be addressed through regular health and safety measures.

1C, 1D, 1E - Not significant for the purposes of requiring a violence prevention plan. However, where feasible, you should attempt to eliminate or reduce the risk further.

Note that the above risk categories are solely for example purposes. Organizations may develop other factors and characteristics appropriate to their needs.

## APPENDIX C: Sample Violence Risk Assessment/Risk Significance Estimation

In this appendix, we will take a fictional business and illustrate how they would create a violence risk assessment and determine the significance of the risks.

Our fictional business is Sunshine Cab Company Cabs - a small taxi company with 10 taxis. It has 5 drivers that work any time of day and 5 that work only during the day. All the cabs are large sedans. They also have a parcel delivery service but they only deliver parcels on credit. Everyone in the area knows they never deliver drugs and never accept cash on parcel deliveries.

Sunshine Cab Company Cabs Violence Risk Assessment is shown below:

### Violence Risk Assessment

#### Part One: Basic Information

Name of Organization: Tom's Cabs

Assessment Date: July 18, 2007

Assessors: Tom Smith and Jerry Brooke

Locations or Tasks Covered by this Assessment: 24 hour taxis, daytime taxis, deliveries

This Violence Risk Assessment was discussed with the Joint Occupational Health and Safety Committee/Health and Safety Representative on July 19, 2007

#### Part Two: Predictors of Violence

Yes or Unknown	No	Question
X		When you are open to the public, are there times when only one employee is present?
X		Do you or your driver(s) handle cash or other valuables?
X		Do you or your driver(s) provide a service where they may deal with troubled persons?

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X		Have similar workplaces or tasks in other organizations experienced violence?
X		Do you or your driver(s) deliver or collect items of value?
	X	Do you or your driver(s) sell or dispense drugs or alcohol?
X		Has this workplace or task experienced violence in the past?
X		Do you or your driver(s) work late hours of the night or early hours of the morning?
X		Do you or your driver(s) work during the Christmas season?
X		Do you or your driver(s) work near places that are at risk of violent crime (e.g. bars and banks)?
	X	Do you or your driver(s) work in areas isolated from other buildings or structures?

From this checklist, the following Violence Risks are described:

<b>Violence Risk</b>	<b>What activity, task or feature of the workplace may trigger violence?</b>	<b>Describe how frequently the activities occur.</b>	<b>Describe the size of the activity that creates the violence risk.</b>	<b>Who is at risk from this violence? Try to use job titles rather than personal names.</b>	<b>Predicted type of violence.</b>
1. One person working alone	One person working alone is more vulnerable to violence	Every day	Several passengers an hour	Taxi Drivers	Robbery, Assault
2. Handling cash	Handling cash	Every day	Usually more than \$100 at any one time, and sometimes up to \$500	Taxi Drivers	Robbery
3. Dealing with troubled persons	Dealing with troubled persons	Several times a week	Several passengers a week.	Taxi Drivers	Assault

4. Delivering/ Collecting items of value	Handling valuable items	Several times a week	Some items are worth hundreds of dollars	Taxi Drivers	Robbery
5. Working late/very early hours	Fewer people around	Every day	Several passengers an hour	Taxi Drivers	Robbery, Assault
6. Working during the Christmas season	Heightened stress level of passengers; money stress	About a month a year	Several passengers an hour	Taxi Drivers	Robbery, Assault
7. Working near bars	Dealing with drunken passengers	Every day	Several passengers an hour	Taxi Drivers	Assault

Is there any other information or factor that should be described and considered?

#4: We never deliver drugs or alcohol.

#7: The risk of drunken passengers increases noticeably on Friday and Saturday nights.

Having described the nature and extent of the four predicted types of violence, Tom's Cabs staff now combine the two answers to determine where on the Violence Risk table their risks fall.

<b>Violence Potential</b>	<b>Impact (Most serious, reasonably possible outcome)</b>	<b>Probability</b>	<b>Risk</b>
1. One person working alone	4 - Death	C - Occasional	4C - Significant and unacceptable
2. Handling cash	4 - Death	C - Occasional	4C - Significant and unacceptable
3. Dealing with troubled persons	4 - Death	C - Occasional	4C - Significant and unacceptable
4. Delivering/ Collecting items of value	2 - Minor Injuries	D - Remote	2D - Not significant
5. Working late/very early hours	4 - Death	C - Occasional	4C - Significant and unacceptable
6. Working during the Christmas season	4 - Death	D - Remote	4D - Significant
7. Working near bars	4 - Death	C - Occasional	4C - Significant and unacceptable

\*The workers who completed this assessment recognized that most of the activities involved in taxi driving carry a serious risk of violence. They considered that there was only a remote chance that deliveries would be a source of violence.

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## **Conclusions:**

Based upon this Violence Risk Assessment and the estimates of the significance of the risks, Tom's Cabs will create and implement a Workplace Violence Prevention Plan that includes steps to minimize the risks from: working alone, handling cash, dealing with troubled persons, working nighttime hours, working during the Christmas season, and working near bars. All of the items except the plan for working during the Christmas holidays will be dealt with right away because the assessment rated them as "Significant and unacceptable".

They decided that the risks from delivery robberies were not significant enough to include in the plan. Any violence risks from deliveries would be dealt with through their regular health and safety program.

## APPENDIX D: Sample Workplace Violence Prevention Statements

1. The management of XYZ Taxicabs recognizes the potential for violent acts directed against staff. Management also acknowledges the potential for physical and emotional harm as a result of these violent acts. No forms of violence will be tolerated in the workplace. Every effort will be made to identify possible sources of violence and implement procedures to eliminate or minimize the risks they create.
2. 123 Company acknowledges that violence in the workplace is an occupational health and safety hazard that can cause physical and emotional harm. We view any acts of violence or threats of violence in the workplace as unacceptable. We are committed to working to prevent workplace violence and to responding appropriately if workplace violence does occur. All members of the company are responsible for creating and maintaining a safe environment.

## APPENDIX E - Additional Resources

### *Governments in Canada:*

**Nova Scotia Environment and Labour** - Workplace Violence

<http://www.gov.ns.ca/enla/healthandsafety/violenceintheworkplace.asp>

**Workers' Compensation Board of Nova Scotia** - Education and Awareness

<http://www.wcb.ns.ca/new/prevention.php?id=277>

**Ontario Workplace Safety and Insurance Board** - Violence Prevention Resources

<http://www.wsib.on.ca/wsib/wsibsite.nsf/public/ViolencePreventionResources>

### **Saskatchewan Labour:**

- Violence  
<http://www.labour.gov.sk.ca/safety/fast/VIOLENCE.HTM>
- A Guide to Developing a Violence Policy Statement  
<http://www.labour.gov.sk.ca/safety/violence/guide/index.htm>
- A Sample Policy on Workplace Violence  
<http://www.labour.gov.sk.ca/safety/violence/policy/index.htm>

### **Worksafe BC:**

- Take Care: How to develop and implement a workplace violence prevention program  
[http://www.worksafebc.com/publications/health\\_and\\_safety/by\\_topic/assets/pdf/take\\_care.pdf](http://www.worksafebc.com/publications/health_and_safety/by_topic/assets/pdf/take_care.pdf)

**Toronto Police Service** - Taxi driver safety

<http://www.torontopolice.on.ca/crimeprevention/taxisafety.php>

### *Non-Government Organizations*

**Nova Scotia Safety Council** - Managing Workplace Violence

[http://w3.youthsafetyportal.ca/images/Outlines/45\\_Managing%20Workplace%20Violence.pdf](http://w3.youthsafetyportal.ca/images/Outlines/45_Managing%20Workplace%20Violence.pdf)

**Canada Safety Council** - Bullying in the Workplace

<http://www.safety-council.org/info/OSH/bullies.html>

**University of Saskatchewan** - Sample Violence Risk Assessment Form

<http://www.usask.ca/dhse/pdf/Appendix%204%20-%20Violence%20Risk%20Assessment%20Form.pdf>

## APPENDIX F - Code of Practice for the Taxi Industry:

### 1. Definitions

- A broker is an individual or company who allows a driver to operate a taxi vehicle under their company name.
- The license holder is a person possessing a license to operate a taxi. The license holder may or may not be the driver or the vehicle manager.
- The vehicle Manager is the owner of a vehicle that is operated by a driver for taxi services. This person may or may not be a driver, license holder, or broker.

### 2. Application

This code of practice applies to taxi services as prescribed by clause 4(s) of the Nova Scotia Violence in the Workplace Regulations.

This code of practice can be used to meet the requirement of the violence prevention plan to take and document reasonable measures to lessen, and where possible get rid of, the risk of violence. You must still write a workplace violence prevention statement, establish and use procedures for information and training requirements, and establish and use procedures to report, document and investigate incidents.

You are not required to use this code of practice, and may take and document your own measures to minimize or eliminate violence in your workplace(s). **However, if you choose to use this Code of Practice you must comply with ALL of the “Required” parts of the following list.**

Specific Requirements	
Every taxi license holder must ensure that all taxi drivers driving under their license complete the training program offered through the Tourism Industry Association of Nova Scotia.	Required
The taxi license holder must give every taxi driver driving under their license a copy of the Department of Environment and Labour booklet “Fare Safe – Safety Tips for the Taxi Industry”	Required
Requirements for Work Procedures	
Every taxi license holder must establish a pre-arranged emergency code word which can be given over the radio to warn the dispatcher of a potential problem, without raising the suspicions of the passenger.	Required
If the taxi license holder operates without a dispatcher system they must ensure every driver driving under their license has a cell phone and a reliable contact person who knows a code for danger and what to do if he or she is called.	Required

Every taxi license holder shall create a procedure to deal with a potentially violent situation where the pre-arranged emergency code word is used. This could include notifying police of the destination and/or driving to the nearest gas station.	Required
Every taxi license holder must establish a policy requiring an exact address or specific location before any driver driving under their licence will begin driving.	Required
<b>Signage and Emergency Information</b>	
Every taxi license holder must place a sign on a window in a prominent location of every taxi that their license is used for stating the maximum amount of money on hand and maximum bill accepted.	Required
<b>Required Security and Protective Equipment</b>	
Every taxi license holder must provide a notebook that helps write down suspects' descriptions in every taxi that their license is used for.	Required
For taxis that operate between 10 pm and 6 am: Every taxi license holder must equip every taxi that their license is used for with: <b>(A)</b> a full length protective shield that separates the front and back seats of the taxi*, <i>OR</i> <b>(B)</b> a half-shield that encloses the drivers seat*, <i>OR</i> <b>(C)</b> a digital camera system**.	Required for taxis that operate between 10 pm and 6 am
<b>Recommended Security and Protective Equipment</b>	
Every taxi license holder should equip every taxi that their license is used for with: <b>(A)</b> a full length protective shield that separates the front and back seats of the taxi*, <i>OR</i> <b>(B)</b> a half-shield that encloses the drivers seat*.	Recommended
Every taxi license holder should equip every taxi that their license is used for with a digital camera system**.	Recommended
A taxi license holder may equip with a GPS system every taxi that their license is used for.	Recommended
A taxi license holder may equip with a safety release latch in the trunk of every taxi that their license is used for.	Recommended

\* See Appendix G for shield specifications

\*\* See Appendix F for safety camera specifications

## **APPENDIX G - Shield Guidelines**

Following is a set of requirements developed from the "ideal" viewpoint of what shields should accomplish. While it is likely that a single shield may not be possible to satisfy all these requirements, it can come close and provide reasonable protection to the driver, and be reasonably safe for the rear seat passenger. For the purpose of this Code of Practice a shield should meet as many of the points below as possible.

### From Driver Perspective

- a. Should deter an armed assault from the rear seat.
- b. Should provide full height protection, from near floor to ceiling.
- c. Should provide for bullet resistant protection from the top of the front seat to near floor.
- d. Should provide for a minimum of bullet deflection from the clear portion of the shield above the front seat.
- e. Should provide clear, and unobstructed view by the driver through his rear view mirror.
- f. Should provide for transfer of fare monies through a wide pass-thru on the right side, and this pass-thru device shall not permit entry of a firearm.

### From Passenger Perspective

- a. The shield should be suitably padded to minimize injury in event of collision, whereby passenger may be thrown forward into the shield.
- b. The entire shield shall have no solid projections, such as bolt or screw heads, or sharp corners or edges, such as to establish a risk of injury or laceration in event passenger is thrown forward in a collision.
- c. Coincident with shield installation should be 3-point rear seat belts for 3 rear seat passengers, so designed as to be exceptionally easy to use, and may never be tucked under the cushion.

### From Owner Perspective

- a. Should be constructed with materials (polycarbon, metal, fabrics, etc) that are fire retardant; resist soiling, vandalism, defacing; and are easily serviced.

In addition there are some manufacturers that have developed designs that are acceptable for the purposes of this Code of Practice. Among these are:

1) Custom Plastics Creations

Phone 204 - 224 - 0436

<http://customplasticcreations.com>

Distributed locally by A-1 Advantage Safety Solutions (902-499-0127)

If you are a company that provides taxi safety products and wish to be listed in this Code of Practice please contact Ben McBeth at 902-424-8486, or [mcbethbr@gov.ns.ca](mailto:mcbethbr@gov.ns.ca).

## APPENDIX H: Safety Camera Guidelines

- 1: The system should not include a manual on/off switch that would allow the system to be turned off or in any way disabled during operation.
- 2: The camera system should be equipped with dual heads, each one able to record and store 7,500 images and each image should comprise of the maximum number of pixels available under the current manufacturer's technology at the time of purchase so as to provide clear images regardless of the time of day or lighting conditions.
- 3: The camera and all system components should be installed in a manner that does not interfere with the driver's vision or view of mirrors or otherwise normal operation of the vehicle.
- 4: The lens of the camera should be of a type that captures the driver and all passengers in the vehicle on the recorded image. The lens should be of a style not to create a "fishbowl" effect. The camera must be able to produce clear images.
- 5: Decals must be installed on the right and left rear windows of the vehicle to advise passengers that a digital camera system is in operation. The decals must be printed with a double-sided message for interior and exterior visibility. The decals will read "This vehicle is fitted with camera security; YOU WILL BE PHOTOGRAPHED".
- 6: The camera should activate when any door is opened, or upon meter activation, with a minimum of 1 image being recorded every 5 seconds within the first 60 seconds of the door opening. The camera should capture additional images recording at the rate of 1 image every 15 seconds for the next 45 minutes.
- 7: An emergency activation button will lock into memory 300 images spread evenly over 5 minutes. 150 images immediately prior to the button activation and 150 images immediately following the button activation captured at 1 frame per second.
- 8: The driver should have an indicator showing when the system is operational and when there is a malfunction. These indicators should be mounted/installed for the driver's vision only and not be visible by a front or rear seat passenger(s).

In addition there are some manufacturers that have developed designs that are acceptable for the purposes of this Code of Practice. Some of these are:

**VerifEye Inc.**                    <http://www.verifeye.com/products/taxicam/tscs-q/tscs-q.html>  
Distributed locally by A-1 Advantage Safety Solutions (902-499-0127)

**Honeywell Silent Witness**                    <http://www.honeywellvideo.com/products/cameras/sp/43824.html>  
Distributed locally by ADT (902 468 8060); Taylar Made Security Ltd (902 423 4044)

Many more local security companies carry these lines. They can be found in your Yellow Pages under "Security". If you are a company that provides one of these taxi safety products and wish to be listed in this Code of Practice please contact Ben McBeth at 902-424-8486, or [mcbethbr@gov.ns.ca](mailto:mcbethbr@gov.ns.ca).

## APPENDIX I - Violence in the Workplace Regulations

made under Section 82 of the  
Occupational Health and Safety Act

S.N.S. 1996, c. 7

O.I.C. 2007-200 (April 4, 2007, effective on and after April 1, 2008, except Sections 1 to 6 which are effective on and after October 1, 2007), N.S. Reg. 209/2007

### Citation

1 These regulations may be cited as the *Violence in the Workplace Regulations*.

### Definitions

2 In these regulations,

- (a) "Act" means the *Occupational Health and Safety Act*;
- (b) "adequate" means sufficient to protect a person from injury or damage to health;
- (c) "committee" means committee as defined in the Act;
- (d) "health care workplace" means any of the following:
  - (i) a district health authority under the *Health Authorities Act*,
  - (ii) a nursing home, a home for the aged, a residential care facility under the *Homes for Special Care Act* or any other long-term-care facility, and
  - (iii) a place where emergency health services or home care services are provided;
- (e) "representative" means representative as defined in the Act;
- (f) "violence" means any of the following:
  - (i) threats, including a threatening statement or threatening behaviour that gives an employee reasonable cause to believe that the employee is at risk of physical injury,
  - (ii) conduct or attempted conduct of a person that endangers the physical health or physical safety of an employee.

### Violence as an occupational health and safety hazard

3 These regulations do not diminish the responsibility of all workplace parties to recognize violence as a occupational health and safety hazard in carrying out their precautions and duties under the Act.

### Application of these regulations

4 These regulations apply at any workplace where the primary business is any of the following:

- (a) health services, including services provided at a healthcare workplace;
- (b) ambulance, emergency ambulance and emergency health services provided under the *Emergency Health Services Act*;
- (c) medical services;
- (d) dental services;
- (e) veterinary services;
- (f) blood collection services;
- (g) testing and diagnostic services;
- (h) pharmaceutical-dispensing services, including facilities operating under the *Pharmacy Act*;
- (i) education services provided by institutions including any of the following:
  - (i) the Nova Scotia Community College,
  - (ii) a degree granting institution designated under the *Degree Granting Act*,
  - (iii) a private career college registered under the *Private Career Colleges Regulation Act*,
  - (iv) a school governed by the *Education Act*;
- (j) policing services, detective services and other law enforcement services including services provided under the *Police Act*, the *Police Services Act* and the *Constables Act*;
- (k) correctional services, including services provided at any of the following:
  - (i) a correctional facility as defined in the *Corrections Act*,
  - (ii) a facility under the *Correctional Services Act*,
  - (iii) a facility under the *Court Houses and Lockup Houses Act*,
  - (iv) a place or facility designated as a youth custody facility under subsection 85(2) of the *Youth Criminal Justice Act* (Canada),
  - (v) a place or facility designated as a place of temporary detention under subsection 30(1) of

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the *Youth Criminal Justice Act* (Canada);

- (l) probation services provided by a probation officer or assistant probation officer appointed under the *Correctional Services Act*;
- (m) security and related services including, licensees under the *Private Investigators and Private Guards Act*;
- (n) crisis counseling and intervention services including, any services provided by an agency as defined in the *Children and Family Services Act*;
- (o) retail sales;
- (p) delivery services, including parcel delivery services;
- (q) financial services including, services provided by any of the following:
  - (i) facilities operating under the *Trust and Loan Companies Act*,
  - (ii) facilities operating under the *Credit Union Act*,
  - (iii) insurer licensed to carry on business under the *Insurance Act*,
  - (iv) a money lender under the *Money-lenders Act*;
- (r) sales of liquor or providing premises for consuming liquor including, premises licensed under the *Liquor Control Act*;
- (s) taxi services;
- (t) passenger transit services;
- (u) gaming activities conducted and managed under the *Gaming Control Act*;
- (v) services provided by or on behalf of the departments, offices and special operating agencies established under the *Public Service Act* that involve regular interaction with the public;
- (w) homemakers services as defined in the *Homemakers Services Act*.

#### Violence risk assessment

- 5
- (1) An employer must conduct a violence risk assessment for each of their workplaces in accordance with this Section to determine if there is a risk of violence in the workplace and prepare a written report concerning the violence risk assessment detailing the extent and nature of any risk identified by the assessment.
  - (2) In conducting a violence risk assessment, an employer must take all of the following into consideration:
    - (a) violence that has occurred in the workplace in the past;
    - (b) violence that is known to occur in similar workplaces;
    - (c) the circumstances in which work takes place;
    - (d) the interactions that occur in the course of performing work;
    - (e) the physical location and layout of the workplace.
  - (3) An employer must consult with any committee established at the workplace when conducting a violence risk assessment and must provide the committee with a copy of the written report of the assessment.
  - (4) An employer must consult with any representative selected at the workplace when conducting a violence risk assessment and must provide the representative with a copy of the written report of the assessment.

#### When new violence risk assessment required

- 6
- (1) An employer must conduct a new violence risk assessment for a workplace in any of the following circumstances:
    - (a) the employer becomes aware of a type of violence occurring in similar workplaces that was not taken into consideration when the previous violence risk assessment was conducted;
    - (b) there is a significant change in any of the following:
      - (i) the circumstances in which work takes place,
      - (ii) the interactions that occur in the course of performing work,
      - (iii) the physical location or layout of the workplace;
    - (c) the employer plans to construct a new facility or renovate an existing facility;
    - (d) the employer is ordered to do so by an officer.
  - (2) An employer must conduct a new violence risk assessment for each of their workplaces at least every 5 years.

#### Workplace violence prevention plan

- 7
- (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.
  - (2) As part of a workplace violence prevention plan, an employer must do all of the following:

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- (a) prepare a written workplace violence prevention statement;
  - (b) either
    - (i) take and document reasonable measures to minimize and, to the extent possible, eliminate the risk of violence in the workplace, or
    - (ii) adopt a code of practice on violence in the workplace published by the Director governing the primary business conducted at the employer's workplace;
  - (c) establish and document procedures for providing employees with the information and training required by Sections 10 and 11;
  - (d) establish and document procedures for reporting, documenting and investigating incidents of violence as required by Sections 12 and 13.
- (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.

#### Review and revision of workplace violence prevention plan

- 8 (1) If a new violence risk assessment indicates a significant change to the extent and nature of the risk of violence, an employer who is required to establish and implement a workplace violence prevention plan must ensure that the plan is reviewed and, if necessary, revised.
- (2) At least every 5 years, an employer who is required to establish and implement a workplace violence prevention plan must ensure that the plan is reviewed and, if necessary, revised.

#### Workplace violence prevention statement

- 9 (1) An employer must prepare a workplace violence prevention statement that includes 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.
- (2) An employer must post a copy of their workplace violence prevention statement in a prominent place or places in each of their workplaces so it can be easily accessed by employees, and must ensure that it remains posted.

#### Information that must be provided to employees

- 10 (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 under subsection (1) includes a duty to provide information related to a risk of violence from a person who has a history of violent behavior if that person is likely to be encountered by the employee.

#### Training and supervision for employees

- 11 (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.

#### Duty to report incidents of violence

- 12 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.

#### Documentation, investigation and actions to prevent reoccurrence

- 13 (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.

#### Dealing with employees exposed to or affected by violence

- 14 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.

#### Employers with multiple temporary workplaces

- 15 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.

#### Ability to meet duties collectively

- 16 (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.