



ONTARIO COUNCIL OF HOSPITAL UNIONS

February 9, 2017

Hon. Kevin Flynn,
Minister of Labour
14th Floor, 400 University Ave,
Toronto, Ontario M7A 1T7

Re: Violence Against Staff in Ontario's Health Care Sector

Dear Minister Flynn,

I am writing you about the extensive level of violence perpetrated against Ontario's health care workers. According to recent research, it is, on the whole, unacknowledged, dismissed, or tolerated by administrators and regulators.

The Ontario Council of Hospital Unions/CUPE (OCHU) has documented incident after incident of abuse, threats, assaults and sexual harassment, both physical and verbal, within the health care sector. Indeed workplace-related violence has grown to such an extent that our union sponsored a special conference in January, 2016 to address this increasingly dangerous but unresolved issue.

In one location after another, according to conference participants, there were many cases of violence – of varying degrees of severity—causing both physical and mental harm. All 150 registered practical nurses (RPNs) attending the conference in January reported that they have been assaulted at work.

Following that conference, a nurse who spoke on a panel on violence was fired for raising the issue publicly. We believe that the problem of violence can only be dealt with successfully in an environment where staff are safe to raise and discuss the issue. The actions of the North Bay Regional Health Centre in firing this nurse for speaking out have had exactly the opposite effect.

In March, our union conducted a poll among health care staff in North Bay. The results were staggering. The poll found that among the participating registered practical nurses (RPNs) and personal support workers (PSWs) engaged in direct patient care, 86 per cent had experienced incidents of physical violence in the last year, such as pushing, hitting or having things thrown at them. 81 per cent indicated they had witnessed incidents of physical and non-physical violence toward co-workers in the last year.

In response, OCHU/CUPE partnered with academic researchers associated with the University of Stirling to conduct a research study to try to understand why violence is such a widespread issue in Ontario's healthcare facilities. The facilitator team included two academic health and safety researchers and a member of OCHU/CUPE who was granted a research fellowship by the host university.

Between June and September, 2016, the facilitators conducted thirteen group interviews with fifty-four health care staff in seven communities. Their study documented widespread and systemically accepted violence in each of the locations and occupational groups. The researchers met many health care staff who had sustained serious, life altering injuries and many who suffered from post-traumatic stress disorder (PTSD), which has deeply affected their quality of life and the wellbeing of their families. Most of the health care staff interviewed had been assaulted at least once, and many are verbally, sexually or physically abused on a regular basis. Lack of respect, under-funding and under-staffing were universally identified as significant contributors to workplace violence. The findings were presented at a recent OCHU conference on violence in January, 2017 and will be subsequently published in a peer reviewed journal this year.

These deplorable revelations are substantiated in the scientific literature and investigative reports. According to the Canadian Centre for Occupational Health and Safety (CCOHS), the 2014 Workplace Safety and Insurance Board (WSIB) statistics reveal that, "lost-time injuries due to workplace violence in the health care sector greatly outnumbered those in other sectors surveyed with 639 injuries compared to manufacturing (77), construction (10), and mining." It is broadly accepted that workplace compensation statistics grossly underestimate the real number of cases.

Violence permeates all aspects of our society. Violence against women remains a widespread systemic social problem, resulting in injury, death, emotional trauma, and insecurity. In Canada, the majority of health care staff are women. Whether because of the gender make-up of the workforce or the widespread nature of violence against women in our culture, workplace violence is a significant problem for women working in health care. The International Council of Nurses reported that, "Nurses are the health care workers most at risk, with female nurses considered the most vulnerable."

The Canadian Institute for Healthcare Information reported in 2014 that at least one half of registered practical nurses were assaulted by patients.

A Global TV documentary on violence in health care called *Code White*, in which you were personally interviewed, exposed that many threats or acts of violence against health care staff are not reported - partly because of the long-standing culture of acceptance and partly because the victims fear retribution.

To add to this deplorable situation, health care staff are not free to talk about the abuse they suffer, as is demonstrated by the firing of the nurse in North Bay.

When it comes to protection of health care workers, Canadian jurisdictions have nothing to be proud of. A study of violence in long-term care facilities found that Canadian health care workers experience 6 times more incidents of physical violence than their counterparts in Scandinavian countries. The authors of the study said workers were experiencing "structural violence," which they blame on "systemic and organizational factors" such as poor working conditions and lack of adequate support.

Violence against health care workers is unacceptable. In no other occupation or walk of life would such abuse be tolerated. The risk factors would be thoroughly scrutinized and solutions would be implemented. We absolutely refuse to accept this culture of “structural violence.” We are optimistic that you are equally alarmed.

The Occupational Safety and Health law was amended to protect workers from violence. It is not nearly as protective as it should be – particularly in relation to healthcare workers. There can be only “zero tolerance” of violence within Ontario’s health care system.

We are asking you ensure that the following occurs:

- Ministry of Labour inspectors will immediately launch a programme of comprehensive inspections and audits of all of Ontario’s health care facilities in order to establish that each facility is in compliance with the Occupational Safety and Health regulations governing violence introduced under Bill 168.
- The Ministry of Labour will ensure that all employers have developed and enacted effective policies and procedures to address physical and non-physical acts of violence.
- The Ministry of Labour will ensure that there is an atmosphere in every workplace that encourages workers to report – without fear of reprisal—acts of violence or of situations in which violence could occur.
- Ministry of Labour inspectors will instruct all employers and members of the joint health and safety committees that all acts of violence must be reported to their committee, properly investigated and fully discussed in order that adequate measures be implemented to protect the wellbeing of healthcare workers.
- The Ministry of Labour will ensure that violence-prevention measures are in place in every workplace, including such safeguards as: personal monitors, alarms, adequate and consistent identification of potentially violent patients.
- The Ministry of Labour, in conjunction with the Ministry of Health, will ensure that adequate staffing is in place to deal with the workload and particular demands of the job. Staffing must include properly trained security personnel, where needed, who have with the power to intervene. No health care worker should ever work alone or be assigned to care for someone who has been identified as posing a risk unless stringent safeguards have been implemented.
- The Ministry of Labour will immediately enact “whistle-blower” protection for workers with the courage to speak out about this shameful state of affairs in order to ensure that acts of violence are fully reported by healthcare staff without fear of reprisal.
- Your government will support amending the Canadian Criminal Code to criminalize assaults on healthcare workers.

- A public review will be conducted of how the WSIB is currently adjudicating and assisting health care staff suffering from violent incidents at work and that Post Traumatic Stress Disorder (PTSD) be recognized by the WSIB and extended to all healthcare staff adversely affected directly or indirectly by violence experienced in the course of their work.

Our union is fully prepared to continue documenting and publicly advocating for immediate measures to curb the almost daily incidents of violence that are now occurring in Ontario healthcare facilities.

We are holding you and your government responsible for what we now believe is an epidemic of violence and the failure of the regulatory system to adequately safeguard workers. We intend to release this correspondence to the public as part of our efforts to draw attention to this grave threat to health care staff and their families.

Yours sincerely,

A handwritten signature in black ink, appearing to read "M. Hurley". The signature is fluid and cursive, with a large, stylized "H" and "U".

Michael Hurley, President
Ontario Council of Hospital Unions/CUPE

CC:

Kathleen Wynne, Premier of Ontario
Dr. Eric Hoskins, Ontario Minister of Health
Dr. Jane Philpott, Federal Minister of Health
Fred Hahn, President, Ontario Division of the Canadian Union of Public Employees
Mark Hancock, National President of the Canadian Union of Public Employees
Chris Buckley, President Ontario Federation of Labour
Andrea Horwath, Leader, Ontario New Democratic Party
Patrick Brown, Leader, Progressive Conservative Party of Ontario
Linda Haslam-Stroud, President, Ontario Nurses Association
Warren (Smokey) Thomas, President, Ontario Public Service Employees Union
Sharleen Stewart, International Vice President, Service Employees International Union
Jerry Dias, National President, Unifor,
Dr. Virginia M. Walley, President, Ontario Medical Association