



# Procedure: Violent Incident Reporting for Natural Resource Officers

## Compliance and Enforcement Branch

Ministry of Forests, Lands and Natural Resource Operations

Approval: \_\_\_\_\_

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Date: **August 6, 2015**

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### Purpose

The purpose of this procedure is to provide guidance to all Ministry of Forests, Lands and Natural Resource Operations (FLNR), Compliance and Enforcement Branch (CEB) Natural Resource Officers (NROs) on when and how to fill out an Incident Report related to incidences of violence. This procedure supports the CEB **Policy 16.70 Natural Resource Officer Safety – Violence in the Workplace dated July 31, 2015**. This procedure will ensure that all incidents related to violence, including threats and physical acts of violence involving NROs, during the course of their duties, are reported to their supervisor and Regional Manager (RMCE) as soon as possible after the incident occurs. Employees are required to report any act or threatening statement of violence arising out of their employment in accordance with the OHS, Standards of Conduct for Public Service Employees and CEB Policy and Procedures.

### Background

Individuals each have their own levels of tolerance, emotional triggers, and personal histories. What one person may find mildly offensive, another may find threatening. It is for this reason that NROs must record and report all incidents of violence (including “near misses”) for adequate assessment and subsequent action(s).

CEB recognizes a need to establish consistency in how we report and action instances of violence or reasonable cause to believe that the NRO is at risk of injury from violence in the

course of their work. As such, a standardized Violent Incident Reporting system was developed to satisfy the requirements of legislation and policy and to address the recommendations in the 2013 Violence in the Workplace Risk Assessment Report for MFLNRO Natural Resource Officers.

All reports of violent incidents will initially be investigated by the supervisor/manager for the purposes of ensuring no NROs are in immediate danger and to confirm whether a violent incident did occur. If a violent incident did occur, an investigation must be conducted (see Incident Investigation section below).

## **Definitions**

**CEB:** means Compliance and Enforcement Branch, Ministry of Forests, Lands and Natural Resource Operations.

**DCE:** means the Director, Compliance and Enforcement Branch, Ministry of Forests, Lands and Natural Resource Operations.

**FLNR:** means Ministry of Forests, Lands and Natural Resource Operations.

**HAZARD:** means a thing or condition that may expose a person to a risk of injury or occupational disease as per Section 1.1 of the Occupational Health and Safety Regulation.

**INCIDENT:** means an accident or other occurrence which resulted in or had the potential for causing an injury or occupational disease as per Section 1.1 of the Occupational Health and Safety Regulation.

**INJURY:** means an act that damages or hurts; hurt, damage, or loss sustained

**NEAR MISS:** an incident which did not result in but had the potential to cause serious injury, illness or death.

**NRO:** means a Natural Resource Officer, Compliance and Enforcement Branch, Ministry of Forests, Lands and Natural Resource Operations, designated under Section 2 of the *Natural Resource Compliance Act*.

**RMCE:** means a Regional Manager, Compliance and Enforcement Branch, Ministry of Forests, Lands and Natural Resource Operations.

**VIOLENCE:** means the attempt or actual exercise by a person that, other than a worker (not a government worker), of any physical force so as to cause injury to a worker, and includes any threatening statement or behavior which gives a worker reasonable cause to believe that her or she is at risk of injury.

**WORKPLACE:** means any place where a worker is or is likely to be engaged in any work and includes a vessel, vehicle or mobile equipment used by a worker in work (can also include aircraft).

## **Procedures**

### **Reporting an Incident**

- For the purpose of this procedure, an incident committed against an NRO includes any of the following actions by an individual:
  - A. Damage to personal or government property or the threat of damage;
  - B. Actions or verbalizations by an individual which give reason to believe that violence or the threat of violence toward NROs could be forthcoming;

Examples include, but are not limited to:

- a. injury which resulted from the incident
- b. if the threshold is met for the NRO to seek CISM services and/or counselling
- c. someone picking up an object/weapon with intention to intimidate
- d. direct or veiled threats
- e. stalking behaviour
- f. NRO given cause to leave the scene (e.g. unable to deescalate a situation of a hostile individual due to yelling, intimidating body language, etc.)

The NRO shall immediately report the incident to their supervisor and/or the RMCE by the end of the work day, by completing and forwarding an Incident Report. Along with the Incident Report, NROs must submit the NRO risk evaluation, which was completed

prior to going out in the field on the day of which the incident occurred (if one was completed for a planned activity).

- The Supervisor will review the report to ensure it contains sufficient detail and sign and forward a copy to the RMCE. The RMCE forwards the report to the DCE. An Incident Report must be signed off by the NRO, Supervisor and RMCE before it is forwarded to the DCE.
- Upon receipt of an Incident Report, the Supervisor will initiate the necessary investigation as outlined in the Incident Investigations section. It is mandatory for the Supervisor to fill out this section of the Incident Report. For near misses and required medical attention the supervisor must ensure a preliminary joint investigation is completed within 48 hours of the incident (submitted to WorkSafe BC on request) and a full joint investigation is completed and submitted to WorkSafe BC within 30 days. The Supervisor will also ensure completion of any required WCB forms (Form 7 by employer if the worker misses work beyond the day of the incident or seeks/intends to seek medical attention, Form 6A by worker). If supervisor was involved in incident, alternate supervisor or RMCE needs to complete these requirements.
- Where necessary, the RMCE/Supervisor will act as the C&E “point of contact” for any external agency investigation (i.e. Royal Canadian Mounted Police (RCMP), WorkSafe BC, etc.) CEB staff will, at all times when requested to do so, participate fully and to the best of their ability with investigations of outside agencies.
- Notwithstanding any C&E Investigation process described in this procedure, the DCE can initiate a higher-level review.

The provisions of this section are subject to change to conform to WorkSafe BC regulations and Public Service Agency policy. Staff who suffer significant physical injury or emotional trauma as the result of an incident need to consult with a physician and/or counselor of their choice and/or the Critical Incident Stress Management Program.

### **Incident Investigation**

The severity of the incident will determine the type of investigation required. There are two types of investigations – an internal CEB investigation and a joint investigation with the local

Joint Occupational Health & Safety Committee (JOHSC). A more minor incident may simply require the supervisor to conduct an internal CEB investigation to review the incident with the NRO and to discuss corrective actions, if any, to prevent a similar event from reoccurring. A near miss or an injury would require a joint inspection between CEB and the JOHSC. It has to be determined within 24 hours of the incident which investigation is required due to the fact that there are very tight timelines surrounding joint investigations. If a joint investigation is required, the supervisor will need to notify the RCEM of this and document on the Incident Report.

### **Internal CEB investigation**

The RMCE/Supervisor will review the incident, including the likelihood of recurrence, the NRO risk evaluation (if one was required to be done) and recommend any corrective action(s) that may prevent a recurrence of the incident. Depending on the type of incident, the RMCE will then carry out the appropriate actions from the following list:

- a. File the Incident Report in the CEB provincial drive;
- b. Distribute a copy of the Incident Report to other NROs within the Region;
- c. Distribute a copy of the Incident Report to other law enforcement agencies (i.e. RCMP, Conservation Officer Service (COS), Department of Fisheries and Oceans (DFO) etc.) within the Region if warranted;
- d. Distribute a copy of the Incident Report to other members of PLT. PLT will have discretion on whether the Incident Report should be distributed to NROs in their region.
- e. Request that the DCE issue an e-mail provincially regarding the incident, if warranted.

- Following the investigation, and within 7 days of the incident, the RMCE will forward copies of the Incident Report and any other pertinent data to the DCE.
- NROs must regularly review provincial e-mails with regards to incidents to ensure that they are aware of any potential violent individuals with whom they may come into contact.

**Joint Investigation with CEB and JOHSC** A joint incident investigation is required for any violent incident that:

- Resulted in injury to worker requiring medical treatment;
- Is considered a “near miss” (i.e. did not involve injury, or only involved minor injury not requiring medical treatment but had the potential for causing serious injury to a worker).

As of May 2015, WorkSafe BC now requires 2 joint investigations to be completed:

1. A **preliminary joint investigation** conducted within 48 hours of the incident occurring (not 2 business days).

A preliminary investigation is conducted in the same way as any joint incident investigation:

- Using a PSC 38 form, record unsafe conditions, acts or procedures within 48 hours of being made aware of the incident. Mark the Form PRELIMINARY. The findings must include:
  - unsafe conditions, acts, or procedures that may have contributed to the incident
  - interim corrective actions taken to prevent a recurrence of the incident (including the name and job title of the person responsible to implement any interim recommendations)
  - when any corrective actions not yet implemented will be taken

- the circumstances of the incident that preclude the employer from addressing a particular element of the above during the preliminary investigation period. the dates the interim measures were implemented
- the date the preliminary investigation was completed

The preliminary investigation must be done jointly with a British Columbia Government Employees Union (BCGEU)/Professional Employees Association (PEA) employee representative from the JOHSC if they are reasonably available and a CEB manager/supervisor. If waiting for the JOHSC worker representative would not allow the investigation to be completed in 48 hours, the manager/supervisor must complete the investigation using a BCGEU/PEA employee representative who is knowledgeable about the work.

The preliminary investigation report must be provided to the JOHSC, worker representative, and can be posted at the workplace.

Upon request, the employer must provide a copy of the preliminary report to WorkSafeBC.

2. A **full joint investigation** conducted within 30 days of the incident occurring:
  - Also completed on the PSC 38 form. It will contain largely the same information as the preliminary report but may require a more in depth investigation, building on the preliminary findings.
  - Must be submitted to WorkSafe BC within 30 days of the incident occurring via:
    - i. [online](#)
    - ii. mail (WorkSafe BC, PO Box 5350 Stn Terminal, Vancouver, BC V6B 5L5)
    - iii. fax (WorkSafe BC at 604 276-3247 or toll-free at 1 866 240-1434)

## **Variations**

Variance from this procedure requires the written approval of the DCE.

## References

- Policy 16.70 “**Natural Resource Officer Safety – Violence in the Work Place**”
- Associated CEB Natural Resource Officer Safety Procedures.
- *Workers Compensation Act.*
- Occupational Health & Safety Regulation.
- Standards of Conduct for Public Service Employees.

## Appendix

- C&E Violent Incident Report Form

Violent Incident Report Form Final.pdf - See below or  
to side of screen for attachment or go to FLNR  
Forms index - FS1410