

December 4, 2024

Workplace Violence and Nursing: Nurses' health and safety is not protected

Prepared for: Members of the Standing Senate Committee on Legal and Constitutional Affairs.

Issue: Nurses are being subjected to alarming and escalating incidents of violence every day in health care workplaces across British Columbia and yet, legal consequences to such assaults do little to deter the specific and targeted behaviour.

Key Points:

The British Columbia Nurses' Union (BCNU) seeks long-term solutions that will reduce workplace violence and ensure safety is a priority. There is no doubt that the current shortage of nurses is a contributing factor to the excessive increase in reported injuries due to violence.

To begin the complex work to address the labour shortage, B.C. is leading Canada as the first province to establish minimum nurse-to-patient ratios in acute care settings. Thousands of nurses are needed to properly implement ratios, whether that is through retention measures or aggressive recruitment strategies.

Conditions of work for nurses across the province must improve. BCNU continues to press employers for effective local-level reporting mechanisms that address the unacceptable levels of violence in health care workplaces and instead, foster a culture of worker safety.

BCNU will continue to pressure provincial stakeholders to reduce the opportunities for these criminal acts to take place and remains in absolute support of measures to further protect nurses and other healthcare workers including, but not limited to, amendments to the *Criminal Code of Canada* that will make assault of a health care worker an aggravating factor in sentencing.

Background:

- When we consider acts of violence as the cause for workers having to take time away from work, nurses represent 30% of total claims, the second highest occupation behind nurse aides, orderlies and patient service associates.
- The number of injuries reported over a four-year period has risen by 49%, from 1,653 (2013-2017) to 2,458 (2018-2022).
- Between 2019 and 2023 nurses reported an average of 43 accepted claims per month due to acts of violence.
- Between 2018 and 2022, Statistics Canada data show BC's nursing shortage exploded from 1,585 nursing vacancies (2018, Q4) to 5,010 (2022, Q4), representing a 216% increase.
- The current number of nursing vacancies in BC is 5,040 (StatsCan 2024, Q3).

Discussion:

BRIEFING NOTE

While there is no doubt that health care employers have a legal and moral obligation to provide safe and healthy workplaces to employees, it needs the support and backing of our criminal justice system.

The nurse staffing shortage is the root cause of many dysfunctional consequences of a poorly resourced health care system. Most relevant to the Committee is the inverse relationship between nurse staffing levels and workplace violence. As nurse staffing levels drop, violence against nurses rises.

At a time when all provinces are truly struggling to retain and recruit enough nurses to care for Canadians, nurses and all health care workers must enjoy as many protections as possible, most especially when it comes to their health and safety.

We know that nurses are more prone to workplace violence, particularly in constrained healthcare environments where workload management and staffing inadequacies are daily challenges.^[1] It should be of no surprise then, that on average, nurses are reporting an average of 51 injuries per month, due to an act of violence. That is nearly two nurses per day, assaulted to the point that they must take time off work to recover.

It is important to note that this statistic represents only those injuries that have been reported to WorkSafeBC. We know anecdotally that there are many more incidents of violence that go unreported every day.

According to research conducted by UBC in partnership with BCNU, the most common types of workplace violence were respectively emotional abuse (83%), threat of assault (78%), physical assault (67%), verbal sexual harassment (55%) and sexual assault (11%) among BC nurses.^[2] Nurses who are already strained by excessive workloads continue to operate under the threat of workplace violence without guarantee of immediate, adequate psychological care.

Next Steps:

The ongoing risk to nurse safety is a risk to patient care and the integrity of the health care system. Without a clear plan to prevent violent incidents from occurring, the criminal justice system must entrench language that acknowledges the egregiousness of assaults against health care workers. It is for these reasons that we are in full support of the language of Bill C-321 drafted by Mr. Todd Doherty, Member of Parliament for Cariboo-Prince George.

Recommendation:

We are recommending that the following action be taken immediately:

That the Committee come to agreement on the acceptance of this bill, recognizing its potential to ensure under no uncertain terms, the consequence of assault against those working in health care. Specifically, that assault against an individual administering health care services will be considered as an aggravating factor in sentencing. This will make a clear statement that violence against nurses is a serious crime.