

All Ontario employers face a deadline to ensure that policies, procedures, and training for the *Occupational Health and Safety Act (OHSA)* and its amendments (Bill 168), are in place and completed by June 15, 2010. The legislation introduces a comprehensive approach to addressing violence and harassment in the workplace. Some of the answers to the Frequently Asked Questions about the new requirements are as follows:

Harassment Policy	Violence Policy
<p>What is meant by workplace harassment?</p> <ul style="list-style-type: none"> • Comments or conduct directed toward a worker that should reasonably be known to be unwelcome. 	<p>What is the definition of workplace violence?</p> <ul style="list-style-type: none"> • The use of physical force against a worker that causes or could cause physical injury to the worker. • An attempt to use physical force against a worker that could cause physical injury to the worker. • Statements or behaviour that a worker could reasonably interpret as a threat to use physical force that could cause physical injury to the worker.
<p>What must employers be do?</p> <ul style="list-style-type: none"> • Develop harassment policies to address the requirements of Bill 168. • Train workers regarding the reporting procedures for harassment in the workplace. • Train supervisors on procedures for conducting investigations regarding harassment. • Keep detailed records of any workplace harassment issues. 	<p>What must employers do?</p> <ul style="list-style-type: none"> • Conduct a workplace safety assessment. • Review security procedures in the workplace. • Develop violence policies to address the requirements of Bill 168. • Train workers regarding the reporting procedures for violence in the workplace. • Train supervisors on procedures for conducting investigations regarding violence. • Keep detailed records of any workplace violence, investigations, or work refusal.
<p>What are the obligations of employers regarding written policies for harassment?</p> <ul style="list-style-type: none"> • Bill 168 amendments to <i>OHSA</i> require employers to develop and maintain policies addressing harassment. This policy must be reviewed at least annually. 	<p>What are the obligations of employers regarding written policies for workplace violence?</p> <ul style="list-style-type: none"> • Bill 168 amendments to <i>OHSA</i> require employers to develop and maintain a policy addressing violence and threats of violence in the workplace regardless of the number of employees. These policies must be reviewed at least annually. In workplaces with more than five employees, the policy must also be posted in a conspicuous place at the worksite.
<p>What must be included in the workplace violence and harassment policy?</p> <ul style="list-style-type: none"> • Provides a process for workers to report harassment. • Provides a process for investigating complaints. 	<p>What must be included in the workplace violence and harassment policy?</p> <ul style="list-style-type: none"> • Provides a process for workers to report incidents or threats of workplace violence. • Provides a process for investigating incidents, complaints, or threats of workplace violence. • Establishes a procedure for calling for assistance when workplace violence occurs or may occur.

When must a Workplace Safety Assessment be completed?

A workplace assessment should be completed prior to June 15, 2010 to provide sufficient time to complete policies and training associated with the new legislation.

How must an employer respond if it becomes aware of a “domestic violence” situation?

Employers must take reasonable precautions when a situation arises that would likely expose a worker to physical injury.

Can an employee refuse to perform work who is concerned about violence in the workplace?

Yes, employees may refuse work if they consider it to be unsafe. This includes a belief that the work is unsafe due to perceived imminent violence in the workplace. The work refusal process under the *OHSA* must be followed.