

Workplace Violence Prevention Legislation

What changes has Bill 168 introduced to the Occupational Health & Safety Act?

Key Elements regarding Workplace Violence Prevention	<i>The Act</i>	Bill 168
Defines:		
Workplace Violence		✓
Workplace Harassment		✓
Duties of the employer, supervisor and the worker concerning workplace violence		✓
Requires employers to:		
Workplace Violence		
Prepare violence prevention policy regarding workplace violence		✓
Review violence prevention policies at least annually	✓	✓
Write out and post violence prevention policies in those workplaces with 5 or more employees		✓
Assess the workplace for violence risks (Reassessments must occur as often as is necessary to protect workers from workplace violence)		✓
Report results of assessment to JHSC (if applicable) or H&S rep (if applicable) or workers (if JHSC or H&S rep are not in the workplace)	✓	✓
Create & implement a violence prevention program including: <ul style="list-style-type: none"> - Risk assessment - Measures to control risks identified - Procedures to summon immediate assistance when violence occurs - Procedures for workers to report incidents of violence - Procedures to investigate incidents and complaints - Process to deal with incidents and complaints 	✓ - requirements are not as clearly outlined	✓
Provide workers with information and instruction on the content of the workplace violence prevention policy and program	✓ - duties are not explicit	✓

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Allow the worker the right to refuse work if workplace violence is likely to endanger the worker		✓
Write and post assessments and reassessments in the workplace upon orders from an MOL Inspector		✓
Recognize and protect workers from DOMESTIC VIOLENCE in the workplace		✓
Provide information to a worker about a person who might pose a risk to others		✓
Report to the JHSC or H&S rep and unions incidents where a worker is disabled from regular duties or requires medical attention as a result of workplace violence		✓
Workplace Harassment		
Prepare policies regarding workplace harassment		✓
Develop & implement workplace harassment program including: <ul style="list-style-type: none"> - Procedures to report incidents - Procedures to investigate incidents and complaints - Process to deal with incidents and complaints - Provide information & instruction on the policy and program 		✓
Allow for regulations to be created to: (No regulations currently exist)		
Require employers to have a workplace coordinator for violence and harassment		✓
Specify situations where danger to health & safety is inherent in the worker's work or normal condition of employment (cases of limited right to refuse work) – Section 43(4) to (13)		✓
Govern the application of the duties and rights set out in Part III.0.1 to the taxi industry		✓