

WORKPLACE HARASSMENT & VIOLENCE

ARE YOU PREPARED?

AB BILL 30

SAFETY BULLETIN
ISSUE# 20-2018

JUNE 1, 2018 - EMPLOYERS, SUPERVISORS AND WORKERS ARE TO BE COMPLIANT WITH THE NEW ALBERTA OHS ACT

OVERVIEW

The Alberta Bill 30 OHS Act:

- New obligations will apply to employers, supervisors and workers to prevent workplace harassment and violence
- Defines workplace harassment and violence in all forms, including domestic violence
- Requires employers to investigate incidents of violence and harassment
- Requires employers to develop separate violence and harassment prevention plans; these must be developed in consultation with joint work site health and safety committees or representatives, if they exist
- Requires review of these plans at least once every three years
- Requires employers to ensure workers receive training on preventing and responding to violence and harassment
- Protects workers from reprisals or disciplinary action for reporting workplace violence or harassment; workers are to continue to receive wages and benefits while incidents are investigated
- Requires employers to make workers aware of treatment options if harmed by violence or harassment; workers are entitled to wages and benefits while attending treatment programs

WHAT EMPLOYERS SHOULD KNOW

- Workplace harassment and violence negatively impacts productivity and undermines a company's culture
- When employers become aware they have a worker, or workers, who are harassing a person or people, or who are conducting violent acts while on the work premises or while using work equipment (e.g., cell phone, computer), they are to manage the concern
 - Workers can make complaints to OHS when harassment and violence concerns are not addressed by employers
- "Harassment" now includes behaviour that is offensive, embarrassing, humiliating, demeaning, intimidating, isolating and discriminatory
- "Violence" now includes psychological injury or harm, and includes domestic or sexual violence. Domestic violence becomes workplace violence when it spreads into the workplace
- Workers must be protected against disciplinary action when they have exercised their rights under the legislation
- Workplace harassment and violence policies, programs and prevention plans are to be developed and implemented
- Employers are to provide training to workers, joint health and safety committee members, and supervisors
- Violence and harassment prevention plans are to be reviewed every three years or when an incident triggers a review and must include the HSC or H&S representative if one exists

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WHAT SUPERVISORS SHOULD KNOW

- Workers and supervisors should be familiar with employers policies on violence and harassment
- Workers may refuse dangerous work that is not routine for their regular work. That now will include psychological injury or harm and domestic or sexual violence
- Supervisors are to prevent harassment and violence for workers under their supervision (workers should not be subjected to nor participate in) and to investigate and report all health and safety concerns to their employer. Supervisors need to include HSC or H&S rep, if they exist
- Supervisors should include violence and harassment in the hazard identification process. This may include the need to develop prevention plans and procedures

WHO TO INVOLVE

- Employers must consult workers if there is no HSC or H&S representative to review and revise harassment and violence prevention plans
- Health and safety and/or human resource professionals, HSC committee members or H&S representative, if one exists, to work closely with employers (and employee assistance program providers) to ensure employee privacy is protected
- If your company is not equipped or qualified to manage workplace harassment and violence issues, it may be beneficial to hire a professional human resources consultant, and or legal representative

RESOURCES

- Alberta OHS:
 - WHC-PUB-VAH011.pdf Preventing Violence and Harassment at the workplace
 - Alberta OHS-workplace-violence-harassment.pdf
- WorkSafe British Columbia – Violence prevention resources:
 - How to Develop and Implement a Workplace Violence Prevention Program
- Ontario Ministry of Labour – Workplace Violence and Workplace Harassment
- Canadian Centre for Occupational Health and Safety (CCOHS):
 - Free e-Course, Violence in the Workplace: Awareness
 - Violence in the Workplace
 - Healthy Minds @ Work – Violence / Bullying resources

NOTES
