



*Safety for everyone
through education*

Domestic violence

Employers who are aware, or ought reasonably to be aware, that domestic violence may occur in the workplace must take every precaution reasonable in the circumstances to protect a worker at risk of physical injury.

What is Bill 168?

Bill 168 became law on June 15, 2010, and it represents a significant change in how, and to what extent, both workplace violence and workplace harassment are regulated in Ontario. It also broadens the definitions of workplace violence and places new requirements on Ontario employers.

Under Bill 168, **workplace violence** is defined as:

- The exercise of physical force by a person against a worker in a workplace that causes or could cause physical injury to the worker;
- An attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker;
- A statement or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

What is expected of employers?

The law breaks down into a series of steps that every employer *with 5 or more employees* must take.

1. Reassess current policies and programs.
2. Develop written policies that are posted with respect to workplace violence and harassment.
3. Train employees in these policies and procedures.
4. Conduct a risk assessment for workplace violence.
5. Develop a workplace violence and harassment program.
6. Establish practice of how the employer investigates and manages incidents, complaints, or threats of workplace violence.

How can Safe Futures help?

Painless policy development

- Full day policy review and action planning
- Domestic Violence training
- Workplace violence and harassment seminars

Employee Training

- Half day employee training
- Three hour education session
- Shorter units for employees

We will customize your training to fit the needs of your organization. We understand that you may not require a full day policy review or that you may not have the opportunity to train all of your staff at the same time. Let us help you. We specialize in creative problem solving around training and presentations. Contact us at (905) 866-2172 or visit our website

www.safefuturescanada.ca

Quick Reference Guide

Bill 168 *Preventing workplace violence and harassment*

Developing your policies and programs

Employers must:

- Prepare policies with respect to workplace violence and workplace harassment
- Develop and maintain programs to implement their policies
- Provide information and instruction to workers on the contents of these policies and programs.

Workplace violence programs must include measures and procedures for:

- Summoning immediate assistance when workplace violence occurs or is likely to occur, and
- Controlling risks identified in the assessment of risks.

Both workplace violence and workplace harassment programs must include measures and procedures for workers to report incidents of workplace violence/harassment and set out how the employer will investigate and deal with incidents or complaints.

Assessment

Employers must proactively assess the risks of workplace violence that may arise from the nature of the workplace, the type of work or the conditions of work. Measures and procedures to control these risks must be included in the workplace violence program.

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Communication

Employers and supervisors must provide information to a worker about a risk of workplace violence from a person with a history of violent behaviour if the worker can expect to encounter that person in the course of work, and if the worker may be at risk of physical injury. Personal information may be disclosed, but only what is reasonably necessary to protect the worker from physical injury.

Work refusal

Workers have the right to refuse work if they have a reason to believe they are in danger from workplace violence. Reprisals by the employer continue to be prohibited. Certain workers continue to have only a limited right to refuse.

Enforcement

Ministry of Labour health and safety inspectors will enforce the new OHS provisions for workplace violence and workplace harassment and determine if employers are complying with their new duties. Employers and workers should always contact police first in emergency situations, if threats or actual violence occurs at a workplace.

Answer the following:

Do we have 5 or more employees?

Do we have an existing workplace violence and harassment policy?

Does our policy include how and when a complaint is made and how it will be investigated?

Do we provide information to employees about bullying, sexual harassment and domestic violence?

Do we need help in implementing our compliance as soon as possible?

Contact Safe Futures Canada with any questions you may have about Bill 168 or to discuss the opportunities available.

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