

**Ontario Government Introduces
*It's Never Okay:
An Action Plan to Stop Sexual Violence and Harassment***

Carissa Tanzola

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In June 2010, the *Occupational Health and Safety Act* was amended to include employer responsibilities relating to workplace violence and harassment. Every employer was required to prepare policies and programs including a reporting mechanism and information on how the employer will investigate and deal with an incident or complaint. However, the amendments did not specifically reference *sexual* violence or harassment.

In December 2014, the Government of Ontario called for stronger action specifically in respect of sexual violence and harassment, and this past week an *Action Plan* was launched.

It's Never Okay: An Action Plan to Stop Sexual Violence and Harassment includes thirteen (13) commitments from the Province, **three (3) of which relate specifically to the workplace:**

1. Introduction of legislation to strengthen provisions related to sexual violence and harassment in the workplace, on campus, in housing and through the civil claim process (Commitment No. 1)
2. Development of up-to-date training for front-line workers in the health, community services, education and justice sectors to better support survivors of sexual assault and harassment and develop training for workers in the hospitality sector to empower them to know how to help when they encounter high-risk situations (Commitment No. 8)
3. Enhancement of workplace laws to strengthen enforcement under the *Occupational Health and Safety Act*, including the establishment of a Code of Practice to help employers develop stronger sexual harassment policies (Commitment No. 12)

In light of the Province's *Action Plan* employers should proactively take this opportunity to review current policies, protocols and training procedures to ensure best practices and a safe workplace for all. This includes:

1. Ensuring health and safety policies and practices are up to date and address all forms of violence and harassment, including sexual violence and harassment.

2. Reviewing the organization's complaint mechanism to ensure it remains current and accessible to all employees.
3. Reviewing and refreshing training for those employees responsible for dealing with complaints or incidents of violence and harassment.
4. Reviewing and refreshing training for all employees to ensure workplace expectations regarding health and safety and violence and harassment are clearly understood.
5. Revisiting recent workplace complaints of violence or harassment (if any). How were they handled? How were they resolved? What lessons were learned? What changes could be made to the organization's policies, investigation procedures and training protocols, to better serve the workforce?

We will keep our readers posted as the Ontario Government implements its 13 commitments. In the interim, should you have questions or require assistance, please contact a member of the Sherrard Kuzz LLP team.

Carissa Tanzola is a lawyer with Sherrard Kuzz LLP is one of Canada's leading employment and labour law firms representing the interests of employers. Carissa can be reached at 416.603.0700 (Main), 416.420.0738 (24 Hour) or by visiting www.sherrardkuzz.com.

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