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April 22, 2015

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Action plan to stop sexual violence and harassment

Ontario introduces 'It's Never Okay' and commitments to the workplace.

The Occupational Health and Safety Act was amended in June 2010 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 an incident or complaint should be investigated and dealt with. However, the amendments did not specifically reference sexual violence or harassment.

In December 2014, the Ontario government called for stronger action dealing specifically with sexual violence and harassment, and launched an action plan.

It's Never Okay: An Action Plan to Stop Sexual Violence and Harassment includes 13 commitments, three 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 frontline 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:

- Ensure health and safety policies and practices are up to date and address all forms of violence and harassment, including sexual violence and harassment.
- Review the organization's complaint mechanism to ensure it remains current and accessible to all employees.
- Review and refresh training for employees responsible for dealing with complaints or incidents of violence and harassment.
- Review and refresh training for all employees to ensure workplace expectations are clearly understood regarding health, safety, violence and harassment.
- Revisit 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?

Reviewing current policies, protocols and training procedures will help to ensure the workplace is safe for all.

Sherrard Kuzz LP is an employment and labour law firm based in Toronto. Call (416) 603-0700 or visit www.sherrardkuzz.com.