



# Employment Update

## Labour and Employment Group

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## OCCUPATIONAL HEALTH AND SAFETY ISSUES: ARE YOU OHSA COMPLIANT?

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This Employment Update will commence a series of regular updates regarding current employment and labour issues. While not all of the topics may be relevant to you, we hope that these Updates will give you an opportunity to remain current with changes and important issues in the employment and labour world.

This update should resonate with everyone. Health and Safety issues in the workplace have become first and foremost concerns with the Ministry of Labour. As a result of some recent high profile workplace fatalities, the Provincial Government has increased its vigilance to crack down on unsafe working conditions which may cause risk to employees. The Ministry has and continues to commence safety spot checks at high risk employment sites. Employers must be mindful not only of the *Occupational Health and Safety Act* requirements and consequences but also the potential for criminal charges where an employer or its representatives are found to be criminally negligent.

In that same vein, the Province's concern about safety at work has led to recent amendments to the *Occupational Health and Safety Act* regarding violence and harassment in the workplace. All employers should by now have written policies regarding workplace violence and harassment, as **June 15, 2010** was the deadline. It is now mandated by law that employers do a proper assessment of the risk of violence in the workplace and that a policy be implemented to control the risks identified in the assessment, outline a procedure for how to obtain assistance if violence occurs, and that a process be implemented to report and investigate complaints of workplace violence.

If an employer has not yet developed its assessment, policy and procedure on workplace violence, the following link will take you to the Ministry of Labour website which provides some very helpful examples to assist you with the process.

[www.labour.gov.on.ca/english/hs/pubs/wpvh](http://www.labour.gov.on.ca/english/hs/pubs/wpvh)

Of course, if you have any questions regarding any of your health and safety policies, including workplace harassment and violence, you should feel free to contact one of the lawyers in Blaney McMurtry's Labour and Employment Group. ■

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We welcome your comments. Address changes, mailing instructions or requests for additional copies should be directed to Chris Jones at 416 593.7221 ext. 3030 or by email to [cjones@blaney.com](mailto:cjones@blaney.com). Legal questions should be addressed to the specified author.