

## Bill 168 is Now Law: New Workplace Violence Duties Take Effect

### Landon Young

Bill 168 took effect June 15, 2010 and is now law. This bill amends the *Occupational Health and Safety Act* and imposes sweeping new duties on employers aimed at reducing the risk of violence and harassment in the workplace.

Employers are now required to:

- Conduct assessments of the risk of violence in their workplaces;
- Implement policies and programs to deal with workplace violence and harassment;
- Instruct and inform employees as appropriate on the contents of the policies and programs;
- Warn employees about risks of violence in the workplace; and
- Take measures in certain circumstances to protect employees from domestic violence occurring in the workplace.

For a more detailed overview of these duties as well as the other implications of bill 168 see our [February 3, 2010](#) and [April 15, 2010](#) Updates.

If your organization is not yet compliant with bill 168, it should act soon. Ministry of Labour inspectors are tasked with enforcing bill 168 and can be expected to require employers to demonstrate compliance. These inspectors have broad powers under the *Occupational Health and Safety Act* and do not require a search warrant to enter a workplace and require production of documents to demonstrate compliance with the Act.

### Workplace Violence and Harassment: Getting Ready for the New Duties (Mississauga)

Please Join Us  
for our upcoming HALF DAY seminar:  
July 15, 2010 at the Delta Toronto Airport West Hotel  
Beginning at 9 a.m.

For more information or to register, please visit:  
[www.sbhlawyers.com/events.php](http://www.sbhlawyers.com/events.php), Call: 416-862-1616, or  
Email: [info@sbhlawyers.com](mailto:info@sbhlawyers.com)

Employers need to take compliance with bill 168 seriously. Failure to comply with the Act may

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result in compliance orders from a Ministry inspector and possibly fines. Charges under the *Occupational Health and Safety Act* could also result if, for example, an employee were injured because an employer or supervisor failed to warn the employee about a risk of workplace violence.

Compliance with bill 168 need not be an onerous task. Bill 168 is quite flexible in terms of what employers are required to do and how they may design their policies and programs. However, employers will need to carefully consider what approach will work best for their organizations and be easy for their employees and management to follow.

**For assistance to comply with bill 168 please contact:**

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