

BILL 168 CHECKLIST

- Policies:** prepare workplace violence and workplace harassment policy. The policies should mirror the definition of “workplace violence” and “workplace harassment” as set out in the legislation. General harassment policies that focus on Ontario *Human Rights Code* may need to be updated or a separate policy created to reflect the broad definition of “workplace harassment” under Bill 168.

- Post policies:** Both the workplace violence and workplace harassment policy must be posted in the workplace where it will come to the attention of workers.

- Assess the Risks:** Risks assessments must be performed at each workplace location. The risks assessment should be in writing. Consider risks such as violence from students or visitors towards workers in the school, parking lot or playground, working alone, summoning assistance, etc... A group of workers may be surveyed about concerns they have about workplace violence in the course of developing a risks assessment.

- Results of Risks Assessment to JHSC:** The results of the risks assessment should be in writing and shared with the JHSC. At the same time, the employer should develop a response to each risk identified (i.e. develop procedure, training, control, etc...).

- Reassessment:** Consider developing a schedule of times the risks assessment and results will be reviewed (i.e. once a year).

- Develop a Workplace Violence Prevention Program:** Develop a program that will address the risks identified in the assessment or reassessment. The program may include procedures, training or increased security protocols (e.g. locked doors, lock downs, sign-in for visitors, restricted access areas, cameras).

The program must also address:

- How to summon immediate assistance when workplace violence occurs or is likely to occur including when a threat of workplace violence is made;
 - A reporting mechanism for workers to report incidents or threats of workplace violence to the employer or supervisor;
 - A procedure to investigate and deal with incidents, complaints or threats of workplace violence; and any further elements required by regulation.
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- **Domestic Violence:** Consider drafting a policy on domestic violence defining what the employer believes it is and what programs are available to the employee if they are a victim of domestic violence (i.e. EAP). In the policy, require the employee to bring domestic violence that may impact them at the workplace to the attention of a specified person so that steps may be taken to assist/protect them while at work.

 - **Develop a Procedure for Identifying a Person with a History of Violence:** Develop a procedure that will define what is a history of violence, what information can be used to assess whether the person has a history of violence and how to address privacy or other legal requirements. In addition, the procedure should set out a protocol for how the information will be communicated to workers, require workers to be told about the person to be identified and indicate whether the individual identified should be notified, as well as address what steps should be taken to reduce the risk of violence towards workers (i.e. training, PPE). We recommend creating a standard form so that each situation can be addressed given the particular circumstances.

 - **Work Refusals:** Review any existing work refusal policy to determine if it needs to be updated to address workplace violence. Provide training to all supervisory personnel on how to address a work refusal that is related to workplace violence.

 - **Reporting a Workplace Violence Incident:** Establish a clear procedure for workers and supervisors to report and record incidents of workplace violence. Ensure that incidents are reported to the joint health and safety committee or health and safety representative within four days.