

Workplace Requirements

Violence



Are you doing enough to protect your workers from the risk of workplace violence? The answer to that question depends, in part, on which jurisdiction's OHS laws apply to your workplace. Here's an overview you can use to get a grip on your obligations regardless of where in Canada you are (or if you're federally-regulated).

Workplace Violence Requirements By Jurisdiction

Jurisd.	Source of Duty to Prevent	Scope of Violence Covered (bold face phrases = limitations)	Required Controls	Prevent. Program'	Other
Federal	<i>Canada Labour Code</i> , Sec. 125(1)(1.z); and <i>OHS Regs.</i> , Part XX	Action, , conduct, threat or gesture against employee in the workplace	<ul style="list-style-type: none"> * Hazard assessment * Policy statement * Training * Response procedures * Investigation and notification 	Yes (although doesn't use term "program" requires "systematic controls")	Must review prevention measures at least once every 3 years

Alberta	<i>OHS Code, Part 27</i>	Work-site or work-related threatened, attempted or actual conduct causing or likely to cause physical injury	<ul style="list-style-type: none"> * Hazard assessment * Policy *Procedures* Training * Incident response 	No	Employer must ensure worker exposed to violence is advised to consult a health professional of the worker's choice for treatment or referral
BC	<i>OHS Reg., Secs. 4.27 to 4.31</i>	Attempted or actual exercise of physical force against worker by a person other than a worker including threats giving reasonable belief of risk of injury	<ul style="list-style-type: none"> * Hazard assessment * Policy *Procedures * Work environment arrangements * Training 	No	Employer must ensure that worker reporting injury or adverse symptom as a result of violence is advised to consult a physician of the worker's choice for treatment or referral

Manitoba	<p><i>Workplace Safety & Health Regs., Part 11</i></p>	<p>*Attempted or actual physical force</p> <p>*</p> <p>Threatening statement or behavior giving reasonable cause to believe that physical force will be used</p>	<p>* Hazard assessment</p> <p>* Policy setting out:</p> <ul style="list-style-type: none"> • Investigation procedures • Procedures for summoning help • Procedures for reporting & investigating • Privacy assurances <p>* Posting of policy</p> <p>*Training</p> <p>* Issue annual workplace violence report</p>	<p>Yes (although Regs. use term "prevention policy")</p>	<p>Employer must recommend that a worker harmed as a result of workplace violence is advised to consult the worker's health care provider for treatment or referral for post-incident counselling, if appropriate</p>
New Brunswick	<p>Implied under employer's general duty to take every reasonable precaution to ensure the health and safety of employees (<i>OHS Act, Sec. 9(1)(a)</i>)</p>	<p>NA</p>	<p>NA</p>	<p>NA</p>	<p>NA</p>

NL	OHS Regs., Secs. 22 to 24	Attempted or actual exercise of physical force against worker by a person other than a worker including threats giving reasonable belief of risk of injury	<ul style="list-style-type: none"> * Hazard assessment * Policy *Procedures * Work environment arrangements * Training 	No	NA
Nova Scotia	<i>Violence in the Workplace Regs.</i>	1) Threats giving employee reasonable cause to believe risk of physical injury ; and 2) Conduct or attempted conduct endangering employee's physical health or safety	<ul style="list-style-type: none"> * Hazard assessment * Policy statement *Prevention plan *Training *Supervision *Reporting *Investigation *Post copy of plan *Review plan at least every 5 years 	Yes (although Regs. use term prevention [plan])	Employer must provide employee exposed to or affected by workplace violence an appropriate debriefing and advise the employee to consult a health professional of the employee's choice for treatment or counseling

<p>Ontario</p>	<p><i>OHS Act, Part III.0.1 (erstwhile Bill 168)</i></p>	<p>1) Exercise of physical force against worker, in a workplace, that causes or could cause physical injury; 2) Attempt to exercise physical force against a worker, in a workplace, that could cause physical injury; and 3) Statement or behaviour that's reasonable for worker to interpret as a threat of physical force against the worker, in a workplace, that could cause physical injury</p>	<p>* Hazard assessment * Policy statement, which must be posted *Prevention Program that includes measures and procedures for: >Reporting incidents >Investigating incidents >Summoning immediate help >Procedures for reporting & investigating >Privacy assurances</p>	<p>Yes</p>	<p>Employers must also take every precaution reasonable in circumstances to protect worker employer knows, or should reasonably know, is at risk of physical injury from <i>domestic violence</i> in the workplace</p>
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Prince Edward Island	OHS <i>General Regs.</i> , Part 52	Threatened, attempted or actual exercise of physical force by a person “other than a worker” that can or does cause injury to a worker, including any threatening statement or behaviour that gives worker reasonable cause to believe that he/she is at risk of injury	<ul style="list-style-type: none"> * Hazard assessment * Policy *Procedures *Work environmental arrangements * Training 	No	Employer must ensure that worker who reports injury or adverse symptom from workplace violence is advised to consult a physician of the worker’s choice for treatment or a referral
Qu ^é bec	Part of duty to prevent psychological harassment under <i>Labour standards, act respecting</i> , Div. V.2	None	None	No	None

Sask.	Sask. Emp. Act, Sec. 3-21, OHS Regs., Sec. 37	Attempted, threatened or actual conduct that causes or is likely to cause injury, including any threatening statement or behaviour that gives worker reasonable cause to believe that he/she is at risk of injury	<ul style="list-style-type: none"> * Hazard assessment * Policy statement that includes: <ul style="list-style-type: none"> >Identification of parts of workplace & positions at risk of violence >Procedures for reporting & investigating incidents *Training 	Yes (although Regs. use term "policy statement")	Employer must recommend to any worker exposed to a violent incident that worker consult his/her physician for treatment or referral for post-incident counselling
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