

Ontario Agency Receives \$125,000.00 Fine for Failure to Implement Violence Protection Program

Employers need to be aware that the fines for workplace violence under occupational health and safety legislation are increasing. Most recently an Ontario organization received a \$125,000.00 fine after one of its employees was physically assaulted in the workplace by a client.

The organization, Kinark Child and Family Services (which provides children's mental health services and youth support), pleaded guilty to failing to provide information, instruction, and supervision to protect a worker from workplace violence after a recent hire was repeatedly struck by a client after the client was directed to return to his room for the night. The employee and a colleague who intervened in the assault both suffered physical and psychological injuries as a result of the incident.

The size of the fine underscores the importance of having workplace violence prevention programs in place. As a reminder, in accordance with occupational health and safety legislation, all employers in Ontario and British Columbia must conduct a workplace violence risk assessment, implement a policy regarding the prevention of violence in the workplace, implement programs for the prevention of violence in the workplace, and provide training to employees on the prevention of violence in the workplace. Other jurisdictions, such as Alberta and Manitoba, have similar requirements. Should employers fail to undertake one of the above noted steps, employers risk receiving hefty fines, like the fine received by Kinark Child and Family Services, in the event an act of violence occurs in the workplace.

If you would like assistance regarding your Company's violence prevention program or if you have questions regarding occupational health and safety legislation, please contact e2r to speak with an advisor.