

More Changes Coming in 2019 for Federally Regulated Employers

Federally regulated employers have more changes on the horizon with the recent passing of *Bill C-65, An Act to amend the Canada Labour Code (harassment and violence), the Parliamentary Employment and Staff Relations Act and the Budget Implementation Act, 2017* - a bill that focuses primarily on expanding employer obligations when it comes to violence and harassment in the workplace.

Some of the most notable points in the new Bill will require that employers:

- a) investigate, record and report, in accordance with the regulations, all accidents, occurrences of harassment and violence, occupational illnesses and other hazardous occurrences known to the employer;
- b) make readily available to employees, in printed and electronic form, (i) a copy of the regulations that apply to the work place, (ii) a statement of the employer's general policy concerning the health and safety at work of employees, and (iii) any other information related to health and safety that is prescribed or that may be specified by the Minister;
- c) take the prescribed measures to prevent and protect against harassment and violence in the work place; and
- d) ensure that employees, receive training in the prevention of harassment and violence in the work place and are informed of their rights and obligations.

The Bill also contains a definition of harassment, which was previously missing from the *Canada Labour Code*. In particular, harassment and violence has been defined as "any action, conduct or comment, including of a sexual nature, that can reasonably be expected to cause offence, humiliation, or other physical or psychological injury or illness to an employee, including any prescribed action, conduct or comment".

It's important to note that the obligations under points (a) and (c) above apply not only to current employees, but former employees as well where there have been occurrences of harassment and violence in the workplace. This would apply for up to 3 months from the employee's last day of work. Employers will be required to respond even if there hasn't been a formal complaint filed.

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While the Bill has passed, no formal date has been set for these changes to take effect; however, we anticipate sometime in early 2019 is likely. If you have any questions regarding the Bill, please do not hesitate to reach out to speak with an e2r® Advisor.

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