

2025 Legislative Update: Workplace OHS Anti-Harassment Policies Across Canada



The recent coming into force of legislation in Nova Scotia requiring employers to implement an anti-harassment policy marks a new era of policy alignment across Canadian provinces.

Nova Scotia recently became the final province to statutorily impose a positive obligation on employers via occupational health and safety (OHS) legislation regarding anti-harassment policies in the workplace. Previously, Nova Scotia's OHS legislation encouraged but did not strictly require workplaces to implement an anti-harassment policy.

All provincially regulated employers are now subject to an obligation under their respective OHS legislation regarding the existence of an anti-harassment policy, regardless of the size of the workplace or the number of workers. However, the definition of "harassment" and specific requirements of the anti-harassment policy still vary across provinces.

Employees are protected from harassment in the workplace under multiple statutory schemes. Employers should be aware that, in addition to OHS obligations, prohibitions against workplace harassment based on legislatively protected human rights grounds create separate obligations that may require additional proactive measures by employers.

This bulletin provides an overview of key statutory employer obligations under provincial OHS legislation regarding anti-harassment policies, broken down by province.

Alberta

- The [Occupational Health and Safety Code](#) regulation requires all employers to develop and implement a harassment prevention plan.
- The regulation lists required features of the policy, which include procedures on how to report harassment and how complaints will be investigated, as well as confidentiality protection provisions.

British Columbia

- [WorkSafeBC](#), the provincial agency that interprets relevant occupational health and safety legislation and drafts interpretive policies, requires all employers

- to develop a policy statement with respect to workplace bullying and harassment.
- Policy Item [P2-21-2](#) also requires employers to inform workers about the existence of the policy statement and to provide training to supervisors and workers on recognizing, responding to and reporting bullying and harassment.

Manitoba

- The [Manitoba Workplace Safety and Health Act and Regulation](#) mandates that all employers develop and implement a written policy on harassment prevention.
- This policy on harassment prevention must contain certain statements outlined in the regulation and must be posted in a conspicuous place in the workplace.

New Brunswick

- [Regulation 91-191](#) under the [Occupational Health and Safety Act](#) requires employers to establish and implement a written code of practice for harassment that is sufficient to protect the health and safety of all employees.
- Additionally, employers must annually review the code of practice with relevant workplace committees and must implement a training program with respect to the code for all employees and supervisors.

Newfoundland and Labrador

- The [Occupational Health and Safety Regulations, 2012](#) state that employers must develop, implement and maintain a written harassment policy, which must include key provisions outlined in the regulations.
- The employer must also participate in harassment prevention-related training and provide this training to employees as well.

Nova Scotia

- [An Act Respecting Occupational Health and Safety](#) imposes a duty on employers to establish and implement a harassment prevention policy that complies with relevant regulations.
- The regulations specify that the harassment prevention policy must contain information on employee expectations, how to report concerns and how complaints will be investigated; employers must review this policy every three years.

Ontario

- Under the [Occupational Health and Safety Act](#), employers must prepare workplace harassment policies in accordance with the requirements set out in the statute and review them annually.
- For workplaces with more than five employees, harassment policies must be posted in a conspicuous place in the workplace or be made available in an accessible electronic format.

Prince Edward Island

- The [Occupational Health and Safety Act](#) mandates all employers to establish and implement a policy on measures to prevent and investigate workplace harassment.
- The [Workplace Harassment Regulations](#) contain policy provisions that must be included in the harassment policy and require that a copy of the policy be made available to all workers.

Quebec

- [An Act Respecting Labour Standards](#) requires Quebec employers to take reasonable

actions to prevent harassment, which includes a particular requirement to adopt and make available to employees a policy on preventing and managing situations of harassment.

- The policy must include prescribed items, including information and training programs on harassment prevention and behavioural recommendations for employees participating in work-related social activities.

Saskatchewan

- The [*Saskatchewan Employment Act*](#) states that employers shall develop and implement a written policy to prevent harassment, which must include prescribed provisions under the [*Occupational Health and Safety Regulations, 2020*](#).
- Saskatchewan's [*Harassment Prevention Guide*](#) is a helpful tool for employers to consult when drafting their workplace harassment policy.

Takeaway

Employers – particularly those with operations in multiple Canadian provinces – should regularly review their workplace harassment policies to ensure compliance with relevant statutory obligations. Employees should also be properly informed of any updates to these policies and should receive any required training in connection with these policies.

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