

A Reminder To Federal Employers: Time To Update Harassment And Violence Policy



On January 1, 2021, the *Work Place Harassment and Violence Prevention Regulations* (the “Regulations”) came into force requiring federally regulated employers to develop a single policy addressing harassment and violence in the work place.

The Regulations set out a number of requirements for employers to carry out responsibilities related to their work place policy at least once every three years. Now that three years have passed since the Regulations were introduced, federal employers should ensure they remain in compliance.

One. Conduct a work place assessment

The Regulations require employers and their appointed policy committee, work place committee or health and safety representative (“applicable partner”) to jointly carry out a work place assessment that identifies risk factors and the implementation of preventative measures.

The assessment should consider:

- the culture, conditions, activities and organizational structure of the work place;
- circumstances external to the work place, such as family violence, that could give rise to harassment and violence in the work place;
- any reports, records and data that are related to harassment and violence in the work place;
- the physical design of the work place; and
- the measures that are in place to protect psychological health and safety in the work place.

Two. Revise the policy

An employer and the applicable partner must jointly review and, if necessary, update the policy at least once every three years and following an change to an element of the policy. The assessment will help the employer and their applicable partner determine whether their policy needs to be updated. Changes to the workplace may have occurred over the last three years, including incidents of violence and harassment. These changes and occurrences may require new prevention strategies to be developed.

Three. Update training

The Regulations also require that the employer and their applicable partner to review and revise training at least once every three years. The assessment, and any revisions to the policy, should be taken into consideration in updating training on work place harassment and violence. All employees are required to receive this training within three months of the start of their employment, and at least once every three years thereafter. That means that any employee who was employed with your organization when your policy was first implemented must now receive refresher training.

The content of this article is intended to provide a general guide to the subject matter. Specialist advice should be sought about your specific circumstances.

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