

Keeping Current On Mandatory Workplace Policies Across Canada



While the updating of workplace policies is often on an organization's to-do list, regular review of such policies frequently gets pushed aside for other more pressing tasks.

Depending on the jurisdiction in which your organization operates, multiple workplace policies are mandated by legislation. It is important to keep current on newly introduced obligations in this respect. For example, the recently passed federal pay equity legislation requires federally regulated employers with 10 or more employees to post a pay equity plan by September 3, 2024. Additionally, as of May 17, 2024, all workplaces in Saskatchewan will be required to implement a violence prevention plan.

This bulletin sets out the required policies that Canadian employers must maintain as of April 24, 2024. In addition to the legislatively required policies outlined below, organizations should ensure they are aware of any sector or industry-specific policies applicable to their organization, as well as any policies that form part of good corporate governance.

Mandatory Workplace Policies by Jurisdiction

Federal

- **Health and Safety Policy:** required in all federally regulated workplaces by the *Canada Labour Code*, RSC 1985, c L-2.
- **Harassment and Violence Prevention Policy:** required in all federally regulated workplaces by the *Canada Labour Code*, RSC 1985, c L-2.
- **Privacy Policy:** required by the *Personal Information Protection and Electronic Documents Act*, SC 2000, c 5.
- **Pay Equity Plan:** required in federally regulated workplaces that employ 10 or more employees, by the *Pay Equity Act*, SC 2018, c 27, s 416.

British Columbia

- **Health and Safety Program:** required in workplaces with 20 or more workers and at least one workplace with a moderate or high risk of injury, or a workplace with 50 or more workers by the *Occupational Health and Safety Regulation*, BC Reg 296/97.
- **Workplace Bullying and Harassment Policy:** required by the *Workers Compensation*

Act, RSBC 2019, c 1.

- **Violence Prevention Program:** required in workplaces where a risk of injury to workers from violence is identified by the *Occupational Health and Safety Regulation*, BC Reg 296/97.
- **Privacy Policy:** an employer's privacy policy must comply with the *Personal Information Protection Act*, SBC 2003, c 63.

Alberta

- **Health and Safety Program:** required in workplaces with 20 or more workers by the *Occupational Health and Safety Act*, SA 2020, c 0-2.2.
- **Harassment Prevention Policy:** required by the *Occupational Health and Safety Code*, Alta Reg 191/2021.
- **Violence Prevention Policy:** required by the *Occupational Health and Safety Code*, Alta Reg 191/2021.
- **Privacy Policy:** an employer's privacy policy must comply with the *Personal Information Protection Act*, SA 2003, c P-6.5.

Saskatchewan

- **Occupational Health and Safety Program:** required in prescribed workplaces with 10 or more workers by *The Saskatchewan Employment Act*, SS 2013, c S-15.1.
- **Harassment Prevention Policy:** required by the *Occupational Health and Safety Regulations*, RRS c S-15.1, Reg 10.
- **Violence Prevention Plan:** required by employers of prescribed places of employment (required by all employers as of May 17, 2024) by *The Saskatchewan Employment Act*, SS 2013, c S-15.1.
- **Privacy Policy:** required by the *Personal Information Protection and Electronic Documents Act*, SC 2000, c 5.

Manitoba

- **Safety and Health Program:** required in workplaces with 20 or more workers by *The Workplace Safety and Health Act*, CCSM c W210.
- **Harassment Prevention Policy:** required by the *Workplace Safety and Health Regulation*, Man Reg 217/2006.
- **Violence Prevention Policy:** required in prescribed workplaces by the *Workplace Safety and Health Regulation*, Man Reg 217/2006.
- **Privacy Policy:** required by the *Personal Information Protection and Electronic Documents Act*, SC 2000, c 5.

Ontario

- **Occupational Health and Safety Policy:** required by the *Occupational Health and Safety Act*, RSO 1990, c 0.1.
- **Workplace Harassment Policy:** required by the *Occupational Health and Safety Act*, RSO 1990, c 0.1.
- **Workplace Violence Policy:** required by the *Occupational Health and Safety Act*, RSO 1990, c 0.1.
- **Accessibility and Accommodation Plan:** required by the *Integrated Accessibility Standards*, O Reg 191/11.
- **Disconnecting from Work Policy:** required in workplaces with 25 or more employees by the *Employment Standards Act*, 2000, SO 2000, c 41.
- **Electronic Monitoring Policy:** required in workplaces with 25 or more employees by the *Employment Standards Act*, 2000, SO 2000, c 41.
- **Privacy Policy:** required by the *Personal Information Protection and Electronic Documents Act*, SC 2000, c 5.

- **Pay Equity Plan:** required by public sector employers and all employers in the private sector who employ 10 or more employees, by the *Pay Equity Act*, RSO 1990, c P.7.

Quebec

- **Health and Safety Prevention Program:** required in prescribed workplaces and workplaces with 20 or more workers by the *Act respecting occupational health and safety*, CQLR c S-2.1 and the Interim Prevention and Participation Regime.
- **Psychological Harassment Policy:** required by the *Act respecting labour standards*, CQLR c N-1.1.
- **Privacy Policy:** required by the *Act respecting the protection of personal information in the private sector*, CQLR c P-39.1.

New Brunswick

- **Health and Safety Policy:** required in workplaces with 20 or more employees by the *Occupational Health and Safety Act*, SNB 1983, c 0-0.2.
- **Harassment Code of Practice:** required by the *General Regulation – Occupational Health and Safety Act*, NB Reg 91-191.
- **Violence Code of Practice:** required in workplaces with 20 or more employees or in prescribed places of employment by the *General Regulation – Occupational Health and Safety Act*, NB Reg 91-191.
- **Privacy Policy:** required by the *Personal Information Protection and Electronic Documents Act*, SC 2000, c 5.

Nova Scotia

- **Health and Safety Policy:** required in workplaces with five or more employees by the *Occupational Health and Safety Act*, SNS 1996, c 7.
- **Workplace Violence Prevention Plan:** required in workplaces where a significant risk of violence is identified by the *Violence in the Workplace Regulations*, NS Reg 209/2007.
- **Privacy Policy:** required by the *Personal Information Protection and Electronic Documents Act*, SC 2000, c 5.

Prince Edward Island

- **Health and Safety Policy:** required in workplaces with five or more employees by the *Occupational Health and Safety Act*, RSPEI 1988, c 0-1.01.
- **Harassment Policy:** required by the *Occupational Health and Safety Act*, RSPEI 1988, c 0-1.01.
- **Privacy Policy:** required by the *Personal Information Protection and Electronic Documents Act*, SC 2000, c 5.

Newfoundland and Labrador

- **Health and Safety Policy:** required by the *Occupational Health and Safety Act*, RSNL 1990, c 0-3.
- **Violence Prevention Policy:** required in workplaces where risk of injury to workers from violence is identified by the *Occupational Health and Safety Regulations*, 2012, NLR 5/12.
- **Harassment Prevention Plan:** required by the *Occupational Health and Safety Regulations*, 2012, NLR 5/12.
- **Privacy Policy:** required by the *Personal Information Protection and Electronic Documents Act*, SC 2000, c 5.

Our team frequently drafts and reviews employer policies to ensure workplaces are

policy compliant across Canada. We recommend periodically reviewing employment agreements, employee handbooks and workplace policies to ensure that all policies are compliant with the latest statutory revisions and judicial decisions.

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