

Workplace Harassment – 2023 Year in Review



FEDERAL

LAWS & ANNOUNCEMENTS

Jan 30: Canada officially ratified International Labour Organization [Convention 190](#), the first-ever global treaty pledging to end violence and harassment in the workplace. The treaty includes recommended practices for both governments and employers.

Action Point: Use the resources on the [Harassment Compliance Centre](#) to prevent harassment and bullying at your workplace

BRITISH COLUMBIA

LAWS & ANNOUNCEMENTS

Mar 9: Newly tabled [Private Member Bill M-215](#) would impose new restrictions on the use of non-disclosure agreement to settle claims of discrimination and harassment. Several provinces have adopted similar legislation.

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Oct 30: That's the deadline to comment on [proposed changes](#) to OHS workplace violence and harassment regulations. Highlights:

- New combined definition of violence and harassment as conduct reasonably expected to intimidate, humiliate, offend or cause physical or psychological harm to a worker
- New employer duty to implement a violence and harassment prevention program
- New process to resolve incidents without an investigation when the accused is somebody from within the organization
- New incident investigation requirements.

Action Point: Use the HRI [template](#) to create your own workplace harassment and violence policy

MANITOBA

LAWS & ANNOUNCEMENTS

Apr 18: [Private Member Bill 215](#) establishing new legal limits on the use of non-disclosure agreements to settle claims of harassment and discrimination has made it

past Second Reading.

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NEW BRUNSWICK

LAWS & ANNOUNCEMENTS

Feb 8: New Brunswick launched a new Workplace Sexual Harassment Lawyer Referral Program providing workers who believe they've suffered workplace harassment a free 2-hour consultation with an experienced lawyer to discuss their case.

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NEWFOUNDLAND & LABRADOR

LAWS & ANNOUNCEMENTS

Apr 5: As of today, 97% of municipalities (262 in total) in Newfoundland and Labrador have established a code of conduct banning bullying and harassment in the workplace. The government says it's expecting to reach 100% compliance very soon.

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NOVA SCOTIA

LAWS & ANNOUNCEMENTS

Mar 28: Newly tabled [Private Member Bill 278](#) would ban Assembly members and political party professionals who've been accused of sexual assault or harassment from entering into nondisclosure agreements in resolving the case.

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Nov 30: Nova Scotia ended online and in-person [public consultations](#) on how to improve the workers comp system and prevent harassment in the workplace.

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ONTARIO

LAWS & ANNOUNCEMENTS

Jun 6: Newly tabled [Bill 124](#) would ban the use of non-disclosure agreements as part of a settlement of a workplace discrimination, harassment, sexual harassment or sexual assault claim subject to limited exceptions. The ban would also apply to non-disparagement agreements that purport to prevent victims from talking about such actions.

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QUÉBEC

LAWS & ANNOUNCEMENTS

May 5: The government-appointed Expert Committee published its nearly 350-page final [report](#) on preventing violence and harassment in the workplace. The Québec MOL will now read through the recommendations and decide on a strategy.

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Aug 15: Québec employers can now go to CNESST to [get](#) free information, sources and tools for promoting psychologically healthy and safe workplaces provided by 18 newly hired full-time psychological health counselors who will also offer support to victims of workplace harassment and assault.

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Sep 11: CNESST announced that the Mauricie and Nord-du-Québec regions have implemented most of the measures to support victims of workplace sexual harassment and sexual assault recommended by an expert committee report published on May 5.

Nov 23: The government tabled [Bill 42](#) adding new workplace harassment and violence protections to the *Labour Code* and *OHS Act*. Highlights: i. Mandatory sexual violence training for psychological harassment claims arbitrators; ii. Extended deadline for sexual violence claims; iii. Ban on reprisals for reporting psychological harassment; and iv. Higher fines and punitive damages for psychological harassment.

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