

# Violence and Harassment in the Workplace

## Violence and Harassment in the Workplace - Legislation

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### When are employers required to have a harassment and violence policy or program?

All jurisdictions specify elements required in harassment and violence prevention policies and programs. While there are variations between jurisdictions, there are many common elements such as:

- Defining violence and harassment. Some definitions include bullying formally
- Conducting a workplace assessment (a hazard identification and risk assessment) specific to harassment or violence
- Developing and implement preventative measures
- Developing a policy and program, implement the program, and corresponding procedures for reporting of an incident
- Developing a reporting and resolution process, including how to report an incident or occurrence
- Providing employee instruction, education, or training
- Determining procedures to ensure confidentiality and privacy
- Listing supports that are available (internally, externally)
- Requiring record keeping
- Using continual review and improvement processes to update the policy and programs
- Reporting to the jurisdiction, as necessary

- Including additional requirements for situations such as family (domestic) violence, or working late night hours in retail, gas stations, convenience stores, etc.

Please refer to the following OSH Answers documents for information:

- [Bullying in the Workplace](#)
- [Internet Harassment or Cyberbullying](#)
- [Violence and Harassment in the Workplace](#)
- [Violence and Harassment in the Workplace – Family\\_\(Domestic\)\\_Violence](#)
- [Violence and Harassment in the Workplace – Legislation](#)
- [Violence and Harassment in the Workplace – Dealing with Negative Interactions](#)
- [Violence and Harassment in the Workplace – Parking Lot Safety](#)
- [Violence and Harassment in the Workplace – Warning Signs](#)
- [Violence and Harassment in the Workplace – Working Late](#)

The following OSH Answer documents on Working Alone also offer more information:

- [Working Alone – General](#)
- [Working Alone – Handling Money](#)
- [Working Alone – Off-site](#)
- [Working Alone – Working With Patients](#)

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## What are the sources of legislation regarding harassment and violence?

Below is a table for guidance purposes that lists legislation and a general summary of elements of a harassment or violence prevention policy and program.

NOTE that other requirements may be listed in other sections, regulations, Codes, or Acts that are not listed in this table. For more details, consult the legislation directly.

Always consult the legislation that applies in your situation, and with your [jurisdiction](#) for complete information.

**Table 1**  
**Main Sources of Violence or Harassment Legislation in Canada**

Jurisdiction	Legislation	Elements (general summary)
Canada	<p align="center"><i>Canada Labour Code, Part II</i>  <b>Work Place Harassment and Violence Prevention Regulations</b></p>	<ul style="list-style-type: none"> <li>• Work place assessment</li> <li>• Work place policy</li> <li>• Training</li> <li>• Response and resolution process, including investigation</li> <li>• Program review</li> <li>• Annual report</li> </ul>
British Columbia	<p align="center"><b>Occupational Health and Safety Regulation, B.C. Reg. 296/97, Part 4, Sections 4.22 to 4.31</b></p>	<ul style="list-style-type: none"> <li>• Risk assessment</li> <li>• Procedures and policies</li> <li>• Instruction of workers</li> <li>• Additional requirements for late night retail workplaces</li> </ul>
Alberta	<p align="center"><b>Occupational Health and Safety Code, 2009 Part 27 Violence and Harassment</b></p>	<ul style="list-style-type: none"> <li>• Violence prevention plan, policy, and procedures</li> <li>• Harassment prevention plan, policy and procedures</li> <li>• Response and investigation</li> <li>• Includes domestic violence</li> <li>• Program review</li> <li>• Training</li> <li>• Additional requirements for workplaces such as gas stations, other retail fuelling outlets and convenience stores</li> </ul>

<p><b>Saskatchewan</b></p>	<p><i>Saskatchewan Employment Act, S.S. 2013, c. S-15.1</i>  <b>Section 3-21, Duty re policy statement on violence and prevention plan</b></p> <p><b>Occupational Health and Safety Regulations, 1996, R.R.S., c. O-1, r. 1</b>  <b>Section 3-25, Harassment</b>  <b>Section 3-26, Violence</b>  <b>Section 3-27, Safety measures for retail premises</b></p>	<ul style="list-style-type: none"> <li>• <b>Violence policy statement and violence prevention plan at prescribed workplaces</b></li> <li>• <b>Harassment prevention policy (e.g., reporting, privacy, procedures, etc.)</b></li> <li>• <b>Implementation of policies</b></li> <li>• <b>Additional requirements for late night retail premises</b></li> </ul>
<p><b>Manitoba</b></p>	<p><b>Workplace Safety and Health Regulation, Man. Reg. 217/2006</b>  <b>Part 10 Harassment</b>  <b>Part 11 Violence</b></p>	<ul style="list-style-type: none"> <li>• <b>Harassment prevention policy</b></li> <li>• <b>Workplace assessment for violence</b></li> <li>• <b>Violence prevention policy</b></li> <li>• <b>Investigation and implementation of control measures</b></li> <li>• <b>Annual report</b></li> </ul>
<p><b>Ontario</b></p>	<p><i>Occupational Health and Safety Act, R.S.O. 1990, c. O.1</i>  <b>Part III.0.1, Violence and Harassment</b></p>	<ul style="list-style-type: none"> <li>• <b>Violence and harassment prevention policies</b></li> <li>• <b>Violence prevention program</b></li> <li>• <b>Assessment of risks of violence</b></li> <li>• <b>Domestic violence</b></li> <li>• <b>Duties regarding violence (e.g., provide workers with information and instruction, privacy)</b></li> <li>• <b>Harassment prevention program</b></li> </ul>

		<ul style="list-style-type: none"> <li>• Duties regarding harassment (e.g., investigation, annual review, etc.)</li> <li>• Information and instruction regarding harassment</li> </ul>
Quebec	<p>Act respecting labour standards, CQLR c. N-1.1</p> <p>Chapter IV, Division V.2 Psychological Harassment</p> <p>Chapter V, Division II.1 Recourse Against Psychological Harassment</p>	<ul style="list-style-type: none"> <li>• Psychological harassment prevention and complaint processing policy</li> <li>• Filing a psychological harassment complaint with the Commission, and the Commission's inquiry</li> </ul>
New Brunswick	<p>General Regulation, N.B. Reg. 91-191</p> <p>Part XXII.I Violence and Harassment</p>	<ul style="list-style-type: none"> <li>• Assess risk of violence</li> <li>• Code of practice for violence</li> <li>• Code of practice for harassment</li> <li>• Implementation</li> <li>• Privacy</li> <li>• Training</li> <li>• Review and update</li> </ul>
Nova Scotia	<p>Violence in the Workplace Regulations, N.S. Reg. 209/2007</p>	<ul style="list-style-type: none"> <li>• Violence risk assessment</li> <li>• Prevention plan</li> <li>• Prevention statement</li> <li>• Provide information to employees</li> <li>• Training and supervision for employees</li> <li>• Duty to report violence incidents</li> <li>• Documentation, investigation, actions to prevent reoccurrence</li> <li>• Debriefing individuals involved</li> </ul>

<p><b>Prince Edward Island</b></p>	<p><b><i>Occupational Health and Safety Act General Regulations, EC180/87</i></b>  <b>Part 52 Violence</b></p> <p><b>Workplace Harassment Regulation, EC710/19</b></p>	<ul style="list-style-type: none"> <li>• <b>Risk assessment</b></li> <li>• <b>Informing workers</b></li> <li>• <b>Confidentiality</b></li> <li>• <b>Policies, programs, and work environment arrangements to eliminate or minimize risk of violence</b></li> <li>• <b>Policy to prevent and investigate harassment</b></li> <li>• <b>Investigation of incidents</b></li> </ul>
<p><b>Newfoundland and Labrador</b></p>	<p><b>Occupational Health and Safety Regulations, 2012, N.L.R. 5/12</b>  <b>Part III, Sections 22 to 24.2</b></p>	<ul style="list-style-type: none"> <li>• <b>Risk assessment</b></li> <li>• <b>Procedures, programs, and work environment arrangements to eliminate or minimize risk of violence</b></li> <li>• <b>Family violence</b></li> <li>• <b>Instruction to workers</b></li> <li>• <b>Harassment prevention plan</b></li> <li>• <b>Training (harassment prevention)</b></li> </ul>
<p><b>Yukon</b></p>	<p><b>Occupational Health and Safety Regulations (in force September 2021)</b></p>	<ul style="list-style-type: none"> <li>• <b>Hazard assessment</b></li> <li>• <b>Policy statements and procedures for preventing violence and harassment</b></li> <li>• <b>Worker training</b></li> <li>• <b>Incident investigation</b></li> <li>• <b>Domestic violence</b></li> </ul>
<p><b>Northwest Territories</b></p>	<p><b>Occupational Health and Safety Regulations, R-039-2015</b>  <b>Section 34 Harassment</b>  <b>Section 35 Violence</b></p>	<ul style="list-style-type: none"> <li>• <b>Harassment prevention policy</b></li> <li>• <b>Violence prevention policy</b></li> <li>• <b>Identify and eliminate or reduce risks</b></li> </ul>

		<ul style="list-style-type: none"> <li>• Procedure for receiving and responding to harassment or violence complaints</li> <li>• Training for preventing and responding to potentially violent situations</li> <li>• Additional requirements for late night premises</li> </ul>
Nunavut	Occupational Health and Safety Regulations, R-003-2016 Section 34 Harassment Section 35 Violence	<ul style="list-style-type: none"> <li>• Harassment prevention policy</li> <li>• Violence prevention policy</li> <li>• Identify and eliminate or reduce risks</li> <li>• Procedure for receiving and responding to harassment or violence complaints</li> <li>• Training for preventing and responding to potentially violent situations</li> <li>• Additional requirements for late night premises</li> </ul>

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