

Report To: Human Resources Committee, Board of Health
Submitted by: Dr. Nicola Mercer, Medical Officer of Health & CEO
Subject: **BILL 132 – SEXUAL VIOLENCE AND HARASSMENT ACTION PLAN ACT (SUPPORTING SURVIVORS AND CHALLENGING SEXUAL VIOLENCE AND HARASSMENT), 2016**

RECOMMENDATION(S):

- (a) **That the Human Resources Committee make recommendation to the Board of Health to receive this report, as presented, for information.**

BACKGROUND:

On March 6, 2015, the Government of Ontario announced “It’s Never Okay: An Action Plan to Stop Sexual Violence and Harassment” and introduced the Sexual Violence and Harassment Action Plan Act (Supporting Survivors and Challenging Sexual Violence and Harassment), 2016 (1) which came into force September 8, 2016.

Bill 132 modifies six Ontario Statutes including the Occupational Health and Safety Act (O.H.S.A.) which directly affects Wellington-Dufferin-Guelph Public Health (WDGPH). The O.H.S.A. was amended on the topics of Workplace Harassment and Workplace Sexual Harassment which expanded the definitions of harassment. The Bill also required procedures to permit a worker to report incidents of workplace harassment to a person other than their supervisor/manager (if, for example, the harassing party was the supervisor/manager), how the information from an investigation was disclosed to other parties and how the outcomes of an investigation would be communicated to the person that filed the complaint.

In response to Bill 132, and to ensure continued compliance, WDGPH revised our *CA.52.01.100 – Workplace Harassment Policy* and *CA.52.02.100 – Workplace Harassment Procedure* in accordance with the revised regulatory requirements in order to protect the Health and Safety of our employees. The revisions reinforces our belief that any act of harassment is unacceptable. WDGPH provides the Workplace Harassment Policy as a condition of employment and also reinforces these requirements through new hire orientation.

It is the policy of WDGPH that all employees have a right to work in an environment free of personal and/or sexual harassment and to be treated with respect, courtesy and tact. WDGPH and its’ employees share the responsibility of ensuring a harassment-free environment. Workplace harassment is behaviour that is prohibited under the **Ontario Human Rights Code** and the **Occupational Health and Safety Act**.

WDGPH will not tolerate, condone or ignore harassment and is committed to promoting appropriate standards of conduct at all times. All employees are responsible for respecting the dignity and rights of others, including their co-workers, visitors, volunteers, contractors, and the public. All employees have a right to work in a respectful workplace and also to expect co-workers, visitors, volunteers, contractors, and the public to treat them respectfully.

PUBLIC HEALTH AND/OR FINANCIAL IMPLICATIONS:

WDGPH recognizes that, due to the public services that we provide to the general public, there are unique challenges from a workplace harassment and a workplace sexual harassment perspective to ensure the safety of our employees. As such, WDGPH may be required to restrict and/or modify how WDGPH services are delivered to these individuals including involving law enforcement, as appropriate.

REFERENCES:

1 Legislative Assembly of Ontario. Bill 132, Sexual Violence and Harassment Action Plan Act . (Supporting Survivors and Challenging Sexual Violence and Harassment), 2016. [Online]. cited 2016 09 08. Available from: http://www.ontla.on.ca/web/bills/bills_detail.do?locale=en&BillID=3535&detailPage=bills_detail_the_bill.

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