# Occupational Health, Safety and Biosafety

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Learning Objectives

• To become familiar with the legislative requirements regarding workplace violence and harassment that is in place in Ontario
• To become knowledgeable of the policies and the program in place in OHIRC regarding workplace violence and harassment
• To know how to report and to whom to report an incident of workplace violence and harassment
• To understand the investigation process for a workplace violence and harassment incident
Workplace Violence and Harassment

Background:

- Under the general duty clause “to take care” Ontario employers have always had the duty to address workplace violence.
- In June 2010 specific requirements were introduced to the Occupational Health and Safety Act (OHSA) requiring employers to protect workers from workplace violence and harassment.
- In September 2016 the Act was amended again to include workplace sexual harassment.
Workplace Violence

• Workplace violence may originate from anyone a worker comes into contact with in the workplace such as patients, clients, co-workers and supervisors

• Or .. It may stem from someone with no formal connection to the workplace such as a domestic partner of a co-worker who brings violence into the workplace

• All employers who are subject to Ontario’s Occupational Health and Safety Act must prepare policies in regard to workplace violence and harassment prevention and implement a program to carry out these policies
Workplace Violence Means …

• The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
• An attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker;
• A statement or behavior that is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.
Workplace Violence Prevention Policy
4-200

The Institute’s workplace violence prevention policy states the following:

• … committed to providing all persons working on the premises with a safe and healthy work environment in which all workers are treated with dignity and respect and in which they are able to work in an environment free from violence
• … will not tolerate acts of violence against its workers while at work or in the process of carrying out work on behalf of the Institute
• … will investigate violent incidents that occur at work or while worker is carrying out work on behalf of the Institute
• … will provide support for victims of workplace violence
• Workplace violence and harassment are health and safety hazards and must be addressed in the same manner as any other workplace hazard:
  • Recognize the hazard
  • Assess the hazard
  • Control the hazard

• The employer must prepare and post a written policy. The policy must be reviewed annually in consultation with the joint health and safety committee
The OHIRC Workplace Violence Prevention Program …

The Employer’s duty regarding Risk Assessments:

• Carry out a risk assessment to identify areas or tasks that entail a risk of violence
• Evaluate all risks of workplace violence identified for the likelihood of injury and the severity of harm
• Implement measures and procedures to control the risks identified
• Monitor and evaluate control measures to confirm their effectiveness
The OHIRC Workplace Violence Prevention Program …

Workers right to report incidents of workplace violence:

- Report incidents or threats of violence to your supervisor (or other person in charge such as the Health and Safety Office or Human Resources if the threat comes from your supervisor)
- Document the circumstances by completing the OHIRC Accident, Incident or Occupational Disease Report
- If you feel that a personal circumstance of domestic violence may enter the workplace report your concerns to your supervisor
- Should you feel an imminent threat of violence at work call security at 12999 to summon immediate assistance
- You always have the right to contact the police if you feel a threat or fear for life – your own or a family member
Investigation:

• All reports of workplace violence will be investigated by the worker’s supervisor or other appropriate person – to identify causes and corrective and supportive action

• Supervisors may request assistance during the investigation from the Occupational Health, Safety and Biosafety Office (OHSB) and / or the Joint Health and Safety Committee

• If the incident results in a critical Injury it must be reported immediately to OHSB

• Any corrective or preventive actions that have been implemented following the investigation must be monitored to ensure it continues to be effective
Specific Circumstance - Working Alone ….

Where possible working alone at nights or on weekends is discouraged. In situations where a person is required to work alone outside of normal working hours consider:

• Is a buddy system required?
• Always carry / wear your UOHI ID badge
• Contact Security at 14888 on arrival and let them know you are alone in the lab / unit
• Contact Security again when leaving
• PI’s and supervisors are required to check in, at regular intervals, with the worker
Harassment in the Workplace

Workplace Harassment is defined in OHSA as:

- engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome
  - Can be verbal such as the use of vulgar language or asking questions about a person’s sex life
  - Can be physical such as brushing up against a person or inappropriate touching
  - Can be visual such as the display of inappropriate pictures
- Workplace harassment includes sexual harassment that occurs in the workplace

Workplace Sexual Harassment means:

a) engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or

b) making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome
Workplace Harassment is not …

• Reasonable action taken by the employer, manager or supervisor relating to the management and direction of workers is not workplace harassment:
  • Counseling
  • Performance assessment
  • Changing work assignments
  • Scheduling
  • Workplace inspections
  • Implementation of health and safety measures
  • Implementation of disciplinary actions
Harassment in the Workplace
Policy # 1-240

The Institute’s Harassment policy states:

• The Institute is committed to providing a work environment that fosters respect and dignity of all individuals
• Any and all types of harassment will not be tolerated
• Employees are encouraged to report all incidents of personal and sexual harassment experienced as a result of their work
• The Institute will ensure all reports of workplace harassment are investigated to identify the facts and come to a resolution
• Acts of retaliation against anyone making a report of harassment or assisting in the investigation of a complaint will constitute an act of harassment itself
The Workplace Harassment Program…

Reporting the incident:

• Report incidents of workplace harassment to your supervisor for advice and assistance (or other person in charge, such as a human resources or health and safety officer, if the harassment comes from the supervisor)
• Immediately make your discomfort or disapproval known to the person who is the subject of the complaint. Ideally, this discussion should take place in front of a third party
• If there is more than one incident, you should keep a written record of dates, times, the nature of the behavior and witnesses, if any. This information should be shared with your supervisor and/or Human Resources Officer / Health & Safety Officer.
The Workplace Harassment Program...

The Investigation:

• If requested by either the person making the complaint or the subject of the complaint or if deemed appropriate by the employer, third party mediation of the complaint may be carried out

• The supervisor to whom the complaint is made, or the appropriate Human Resources Officer / Health & Safety Officer will investigate the matter, verify the facts and try to resolve the complaint informally at this stage

• Failing a satisfactory resolution, the VP Finance and Administration will consider the report and the comments of the parties, if any, and will render a decision in writing

• Throughout the process confidentiality of personal information will be maintained

• The worker making the complaint and the alleged harasser will be informed in writing of the results of the investigation and any action to be taken
Now go to the related quiz. The password is **healthandsafety**

https://www.classmarker.com/online-test/start/?quiz=r375d9a60d4a6211