



Bill 168 OHSLAW™ Compliance Services

Norm Keith, Gowlings Occupational Health and Safety's ("OHS") national practice group leader and co-author of *Human Resources Guide to Preventing Workplace Violence*, 2nd Edition, is pleased to announce Gowlings' unique, multi-disciplinary Bill 168 OHSLAW™ compliance services.

Bill 168, An Act to amend the *Occupational Health and Safety Act* with respect to violence and harassment in the workplace received **Royal Assent on December 15, 2009**. Gowlings lawyers and OHS Consultants can help your organization comply with Bill 168 and effectively manage the risk of workplace violence and harassment by:

- Conducting a risk assessment;
- Developing policies and programs; and
- Facilitating worker and management training.

Bill 168 requires **every employer, in Ontario**, with more than 5 workers, to take specific steps to comply with the new law, which comes into effect on **June 15, 2010**.

RISK ASSESSMENT

Every employer with more than 5 workers is required to conduct a **Risk Assessment** of the potential for violence at its workplace. Gowlings workplace violence risk assessment involves a four step process:

Step 1 – Documentation review;

Step 2 – Workplace audit;

Step 3 – Employee survey and/or interviews; and

Step 4 – Delivery of risk assessment report.

Documentation review includes a review of your organization's policies, procedures, worker training records and past incident reports. This information is compared to industry best practices and applicable guidelines and codes.

We will attend at your workplace and **conduct a workplace audit**. The workplace audit will identify potential violence risks, who may be at risk, the nature of the risk and whether existing control measures to avoid violence are adequate.

We will **conduct an employee survey** with appropriate personnel to identify the potential for violent incidents and to confirm the need for improved control measures. Surveying and interviewing your workers will permit employee input into the violence risk assessment.

Gowlings will summarize its findings and **prepare a risk assessment report**. This report will provide feedback on the employer's risk of workplace violence and provide recommendations on how to control and manage the risk of workplace violence. The report is protected by solicitor and client privilege, the special legal protection given to communication between a lawyer and client.

POLICY AND PROGRAM

Bill 168 requires every employer, in Ontario, with more than 5 workers, to develop a policy on workplace violence and harassment. The employer must also develop a program, including written procedures to implement that policy. Gowlings will work with your organization to develop a written policy and program including:

- Workplace Violence and Harassment Policy
- Visitor Identification Access
- Working Alone Safety Guidelines
- Work Refusal Right and Responsibilities
- Personal Safety & Security During Business Travel
- Emergency Response & Preparedness
- Incident Reporting and Investigation

TRAINING

Employers must provide information and instruction (i.e. training) to workers/supervisors and management on the contents of your organization's violence and harassment policy, program and emergency procedures.

Gowlings has provided OHS training to thousands of managers, supervisors and workers on workplace hazards, workplace violence, and is a WSIB approved provider of Certified Member JHSC Part I training.

In response to Bill 168, Gowlings will develop and deliver a customized training program that helps your management and workers become familiar and comply with your workplace violence and harassment policy and program.

NO-OBLIGATION QUOTE

A Gowlings OHS Consultant is available to discuss your organization's needs in a confidential meeting or conference call and can provide a written quote for our professional services to ensure that your organization is fully compliant with Bill 168, by June 15, 2010.

For more information please contact OHS Consultant **Cathy Chandler at 416-369-7351, Cathy.Chandler@gowlings.com** or OHS Consultant **David Marchione at 416-862-4378, David.Marchione@gowlings.com** and for legal inquiries contact **Norm Keith at 416-862-5699, Norm.Keith@gowlings.com**.

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