



# **Gender-Based Violence and Harassment in Canadian Workplaces**

A Review and Brief Analysis of Current Legislation,  
Policy, and Strategic Actions


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## Abbreviations

<b>AB</b>	Alberta
<b>BC</b>	British Columbia
<b>CA [fed]</b>	Canada – federally regulated
<b>DV</b>	Domestic violence
<b>ES</b>	Employment Standards
<b>FV</b>	Family violence
<b>GBVH</b>	Gender-Based Violence and Harassment
<b>MB</b>	Manitoba
<b>NB</b>	New Brunswick
<b>NL</b>	Newfoundland and Labrador
<b>NS</b>	Nova Scotia
<b>NU</b>	Nunavut
<b>NWT</b>	Northwest Territories
<b>OHS</b>	Occupational Health and Safety
<b>ON</b>	Ontario
<b>PEI</b>	Prince Edward Island
<b>QC</b>	Quebec
<b>SV</b>	Sexual Violence
<b>SK</b>	Saskatchewan
<b>YT</b>	Yukon

## Symbol Legend

✓	The legislation contains a provision
✗	The legislation does not contain a provision
✓/✗	Partially
--	Not applicable (already covered in a previous part)
↑	Covered in the above definition
V	Violence
H	Harassment
V+H	Violence and harassment
YES	Included/covered
NO	Not included/covered
N/A	Not applicable
	No definition/content provided

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## **Executive Summary**

Harassment and violence at work remain a pervasive and destructive problem in Canada (MacQuarrie et al., 2023). Despite steps taken to address the issue in the form of legislation and strategic action, a great deal of work remains to be done. This report offers a review and comparative analysis of current legislation, policies, and strategic actions to address gender-based violence and harassment (GBVH) in the world of work in Canada, at the federal, provincial, and territorial levels.

Through this study, we sought to answer the following research questions:

- (1) What is the current state of violence and harassment, including gender-based violence and harassment (GBVH), in Canadian workplaces?
- (2) What legislation currently exists federally, provincially, and territorially to address violence and harassment, including GBVH, in workplaces?
- (3) What current strategies and actions exist across Canadian jurisdictions to address GBVH?
  - a. Do these strategies and action plans address GBVH in the world of work?
- (4) What gaps, limitations, and concerns exist in current workplace violence and harassment legislation, policies, strategies, and action plans?
- (5) How can legislation, policies, strategies, and action plans in Canadian jurisdictions be improved to better prevent, address, and eliminate GBVH in the world of work?

### **Legislation to Address Gender-Based Violence in Workplaces**

Legislation addressing GBVH in workplaces typically comprises human rights legislation, employment standards (ES) and occupational health and safety (OHS). Human Rights legislation across the 14 jurisdictions outlines the grounds for employee protection and employers' duties to protect workers from experiencing discrimination, violence, and harassment based on protected grounds in the course of employment. Beyond Human Rights law, Canadian jurisdictions have variably implemented OHS legislation related to preventing and addressing workplace-related violence and harassment. ES legislation across jurisdictions, while a core piece of legislation regulating workplace standards, largely does not contain provisions related to violence and harassment at work. However, in the last several years, federal, provincial, and territorial governments have also all introduced legislation under their ES to provide protected employment leave in cases of DV. We review and compare legislation pertaining to violence and harassment in ES and OHS.

### ***Employment Standards – Employer Responsibilities and Worker Rights***

ES legislate the minimum terms of conditions of employment. They have become the only source of workplace protection for a growing number of workers as unionization has declined. Violence and harassment, aside from domestic violence, remain largely unaddressed in ES legislation. Currently, only ES federally (CA [fed], in SK, QC, and PEI reference violence and/or harassment and indicate employers responsibilities and/or employees rights. The lack of inclusion of violence and harassment in ES has been raised as a concern by scholars, given that harassment and ES violations are typically associated with ES violations (e.g., Perry et al., 2019). As such, violence and harassment provisions under ES legislation may be an important future consideration and addition to ensure adequate protections for employees.

### ***Employment Standards – Family Violence, Domestic Violence, and Sexual Violence Leave***

All 14 Canadian jurisdictions have legislation regarding leave for family violence (FV), domestic violence (DV), and/or sexual violence (SV). The legislated leave may provide individuals with a safe means of accessing critical supports, along with raising awareness and reducing stigma around DV (Koshan, 2024). There are, however, limitations and gaps in legislation concerning DV leave. Attention is warranted to ensure workers' equitable access to leave, and to see that no further harm comes to an employee, when seeking such leave. Several recommendations are provided regarding this legislation.

### ***Occupational Health and Safety Legislation***

Across Canada, federal, provincial, and territorial governments have amended Occupational Health and Safety (OHS) legislation to impose obligations on employers to prevent and address workplace violence and harassment. These legislative changes go some of the way towards recognizing and preventing GBVH in the workplace, however, gaps and inconsistencies across jurisdiction are highly common. They also tend to take a gender-neutral approach to violence and harassment, which may be problematic since GBVH is a highly gendered phenomenon. Several recommendations are provided regarding this legislation.

### ***Domestic Violence Disclosure Laws***

In Canada, several jurisdictions have adopted Clare's Law, which authorizes police to disclose certain risk-related information about an intimate partner's history of violence with individuals who request it or believed to be at risk of DV (Lowe et al., 2023). Clare's Law aims to prevent future violence by sharing relevant information about an individual's previous history of violence. Proponents argue that this information helps individuals make informed decisions about their safety and risk of violence in the relationship (Lowe et al., 2023). However, concerns have been raised about implications of such protocols for women's safety. Thus, before further adoption of Clare's Law occurs in Canada, additional research and consideration of the benefits and limitations should be conducted.

### ***Domestic Violence Death Review Committees***

Several Canadian jurisdictions have domestic violence death review committees (DVDRCs). DVDRCs are multi-disciplinary advisory committees formed by experts that review DV related deaths. Several jurisdictions have formally established DVDRCs. It may be beneficial for such committees to be established across all jurisdictions.

### ***Strategies and Action Plans to Address Gender-Based Violence and Harassment***

The Government of Canada launched the *National Action Plan to End Gender-Based Violence* (NAPGBV) in 2022. The strategic framework bridges and coordinates action within and across the federal, provincial, and territorial jurisdictions to support victims, survivors, and their families. In launching the NAPGBV, the federal government developed bilateral agreements with each of the provinces and territories for the period of April 1, 2023 to March 30, 2027. Under the agreements, each province and territory must develop an Implementation Plan to support meeting the goals of the NAPGBV. Reviewing the actions provided by all jurisdictions, with the exception of Alberta (no implementation plan provided) and Quebec (Quebec following a previously developed action plan) showed that workplace-related GBVH is very minimally

covered with only a few provinces including Year 1 and Year 2 actions related to workplaces. The lack of inclusion of actions across all jurisdictions related to GBVH in workplaces remains highly problematic, preventing increased recognition that GBVH is a work-related concern.

Provincially and territorially, strategies and action plans to address GBVH are inconsistently in effect. Several of the action plans have expired, but for some jurisdictions they remain the most recent plans available. For others, they show the historical work in the jurisdiction related to GBVH or DV. The lack of recent action plans to prevent and address GBVH across all 14 jurisdictions is highly problematic, given the high prevalence rates across Canada. Further, the inconsistency between action plans ending and being updated, demonstrates a lack of consistent planning. This likely results in breakdown of sustainability of GBVH initiatives, programs, and services due to changes in funding and government support. While, these findings demonstrate that all jurisdictions have worked on something, the fragmented existence of strategies and action plans, the use of different language, and lack of consistency over time, shows that no strong framework for strategies and action exists. As such, the current approach to addressing GBVH both generally and in workplaces, lacks a strong robust framework.

### **Conclusion**

Overall, this report demonstrates that legislation across the 14 Canadian jurisdictions is highly variable. ES across all jurisdictions does not include violence and harassment, creating a gap. All jurisdictional ES contain DV leave, however, variations are common. In OHS violence and harassment legislation, several elements are relatively common, such as the requirement for a prevention policy/plan, reporting and investigation procedures, confidentiality protections, and training across the jurisdictions. However, other elements, such as protections against retaliation, requirements to list a designated person to receive complaints, reporting procedures if the employer is the perpetrator, and others are much more variable. Moreover, the approach taken to violence and harassment is highly gender neutral. Given the highly gendered nature of GBVH, a gender neutral approach can be highly problematic. Together, the inconsistencies and variability in legislation and the gender neutral approach create opportunities for inequitable protections.

Further limitations to the strategic framework for addressing workplace GBVH are apparent in the NAPGBV given the lack of workplace-specific actions in the jurisdictional implementation plans. This is compounded by the the lack provincial and territorial strategic and action plans addressing GBVH. Even among those that currently exist, actions addressing GBVH in the workplace are highly minimal. Altogether, the findings from this review and comparative analysis demonstrate a great deal of work remains to be done to ensure a strong legislative framework to prevent and address GBVH in the workplace.

### **Introduction**

Harassment and violence at work remain a pervasive and destructive problem in Canada (MacQuarrie et al., 2023). Research indicates high prevalence rates, especially for sexual and gender-based violence and harassment (GBVH) (Berlingieri et al., 2022; Burczykka, 2021). These issues disproportionately affect certain groups and individuals, including women, racialized and Indigenous people, people with disabilities, and those belonging to the

2SLGBTQIA+ community, due to their social location (MacQuarrie et al., 2023). Violence and harassment have significant consequences, impacting an individual's emotional well-being, mental health, job performance and productivity (Berlingieri et al., 2022), increasing costs for workplaces due to lost productivity, turnover, legal fees, and damage to reputation (D'Cruz, 2015; Deloitte Access Economics, 2019), increased costs related to healthcare, police, the judicial system, and unemployment insurance (Deloitte Access Insurance, 2019; Kline & Lewis, 2019). Across Canada, provinces and territories have varying legislation intended to address violence and harassment at work, with several updates to different legislation in recent years. However, the legislation to address workplace violence and harassment tends to take a gender-neutral approach, limiting understanding and the ability to address the complex social factors and power relations involved. In the context of high prevalence rates, with certain groups disproportionately impacted, inconsistent legislation, and tendencies to adopt gender neutral approaches to violence and harassment, there remains a great deal of work to be done.

This report offers a review and comparative analysis of current legislation, policies, and strategic actions to address gender-based violence and harassment (GBVH) in the world of work in Canada, at the federal, provincial, and territorial levels. This study is one component of a broader project by the Canadian Coalition of Women in Engineering, Science, Trades, and Technology (CCWESTT) that aims to create a Gender Equality Report Card to rank the 14 Canadian jurisdictions in comparison to Iceland, ranked first in gender equity for 15 years and provide recommendations to improve policy in Canada for gender equity.

Through this study, we sought to answer the following research questions:

- (1) What is the current state of violence and harassment, including gender-based violence and harassment (GBVH) in Canadian workplaces?
- (2) What current legislation exists federally, provincially, and territorially to address violence and harassment, including GBVH, in workplaces?
- (3) What current strategies and actions exist across Canadian jurisdictions to address GBVH?
  - a. Do these strategies and action plans address GBVH in the world of work?
- (4) What gaps, limitations, and concerns exist in current workplace violence and harassment legislation, policies, strategies, and action plans?
- (5) How can legislation, policy, strategies, and action plans in Canadian jurisdictions be improved to better prevent, address, and eliminate GBVH in the world of work?

## **Methodology**

To conduct this study, we reviewed (1) current legislation addressing GBVH in workplaces, and (2) strategic and action plans addressing GBVH in the world of work.

### **Legislation**

Legislation addressing GBVH in workplaces typically comprises employment standards (ES) and occupational health and safety (OHS). As such, we collected the ES legislation and OHS legislation from each of the 14 jurisdictions (federally and 13 provinces and territories). All legislation was pulled from CanLII and was determined to be the most recent version in force. To ensure the collection of all relevant legal provisions regarding violence and harassment in the

workplace, we used key word searches in the legislation. Key words searched in each piece of legislation included “violence” and “harassment”.

All legal provisions referring to violence and harassment were pulled and collated according to the topic addressed. For ES legislation, these topics included employer, supervisor, and worker responsibilities; domestic violence definitions; paid and unpaid domestic leave; job protection when taking DV leave; verification for DV leave; and criminal offences and loss of DV leave. For OHS legislation, topics of categorization included definitions of workplace; definitions of violence and harassment; workplaces exemption from; risk assessments; consultation; prevention policies/plan; training; supports for workers; reviews and updates; monitoring and reporting; and retaliation protection. Categories were updated and adjusted as legislation was reduced, resulting, at times in additional reviews and searches of legislation. Collated categorizations were compared and contrasted to identify areas of strength and gaps across legislation. Recommendations provided were made based on strengths and gaps identified.

### **Strategic Plans and Action Plans**

To collect strategic plans and action plans, several searches were run through federal, provincial, and territorial government websites and Google Scholar. Searches contained the terms, gender-based violence, domestic violence, family violence, and sexual violence, strategic plan, action plan, and strategy. Since Canada has a National Action Plan to End Gender-Based Violence (NAPGBV), we reviewed the bilateral agreements between the federal government and each of the provincial and territorial governments. Within the collected strategic plans and action plans, searches were run to determine whether the plan addressed GBVH in the workplace.

## **The Issue: Workplace Violence and Harassment**

### **Prevalence**

Canadian research indicates that workplace violence and harassment occur at relatively high rates. Findings from a Canadian national study exploring workplace harassment and violence found that 71.4% of respondents experienced at least one form of violence and harassment or sexual violence and harassment at work, in the two years prior to completing the survey (Berlingieri et al., 2022). Of this, 65% of respondents reported experiencing at least one behaviour of violence and harassment, and 43.9% experienced at least one behaviour of sexual violence and harassment (Berlingieri et al., 2022).

Prevalence rates of violence and harassment have been found to be higher among certain groups of workers. For example, women more commonly report experiences of gender-based discrimination in their workplace than men (10% compared to 4%; Burczycka, 2021). Workers with multiple and intersecting marginalized social identities also experience higher rates of violence and harassment (Berlingieri et al., 2022; Burczycka, 2021). For example, Berlingieri et al. (2022) found that compared to 46% of women and 38% of men, 73% of gender-diverse respondents reported experiencing some form of violence and harassment at work. Similarly, Indigenous peoples, people with disabilities, and LGBTQ2S+ respondents also experienced violence and harassment and sexual violence and harassment at significantly higher rates (Berlingieri et al., 2022).

### **Impact of COVID-19**

During the COVID-19 pandemic, a significant number of individuals experienced increased severity (26%), frequency (25%), and duration (20%) of violence and harassment and sexual violence and harassment. Remote work also resulted in a loss of support, new barriers to reporting, and reduced training related to violence and harassment (Berlingieri et al., 2022). On the other hand, some reported a decrease in the impacts of violence and harassment, as remote work offered a respite from hostile work environments (Berlingieri et al., 2022).

### **Types of harassment and violence at work**

Types of workplace violence and harassment include physical violence, psychological/emotional violence, sexual conversations, sexualized teasing and jokes, verbal intimidation, spreading of rumors and negative comments, behaviours that exclude, undermining work performance, gender-based discrimination, sexual assault, unwanted physical contact, stalking, and suggested sexual relations (Berlingieri et al., 2022; Burczycka, 2021).

### **Risk factors for violence and harassment at work**

The risk for experiencing violence and harassment at work increases when working with the public; handling money, valuables or prescription drugs; serving alcohol; working at certain times of day, night or year; and working in isolated or remote locations (Berlingieri et al., 2022). Women working in occupations historically dominated by men face increased risk of violence and harassment. For example, in the 2020 Survey on Sexual Misconduct at Work, 47% of women working in the trades, transportation, equipment operation, and related operations experienced inappropriate sexualized behaviour and gender-based discrimination in the year prior (Burczycka, 2021).

### **Consequences of harassment and violence at work**

Consequences of violence and harassment at work include negative emotional well-being, impact to personal or social life, work absenteeism, decline in productivity, loss of trust in the organization, and career disruptions (Berlingieri et al., 2022; Burczycka, 2021). Canadian national study findings indicate that sexual violence and harassment result in significant consequences in all areas except career disruption (Berlingieri et al., 2022). Workplaces can also be impacted, as the health consequences of violence and harassment can decrease the workers'/survivors' productivity and lead to increased absenteeism (Speroni et al., 2014). Employers also experience financial costs due to lost productivity, turnover, legal fees, and damage to reputation (D'Cruz, 2015; Deloitte Access Economics, 2019). Institutionally, workplace violence and harassment increase costs related to healthcare, police, the judicial system, and unemployment insurance, negatively impacting society more broadly (Deloitte Access Insurance, 2019; Kline & Lewis, 2019).

### **Who perpetrates workplace harassment and violence**

Workplace violence and harassment can be perpetrated by patients, clients, co-workers, and superiors (Berlingieri et al., 2022; Burczycka, 2021). Instances of workplace violence or harassment against women tend to be perpetrated by men (Berlingieri et al., 2022; Burczycka, 2021). According to the 2020 Survey on Sexual Misconduct at Work, 56% of women who experienced inappropriate communication, 67% who experienced exposure to sexually explicit

material, and 78% who experienced unwanted physical contact or suggested sexual relations, reported that a man perpetrated the behaviour (Burczycka, 2021). Among men who experienced inappropriate physical contact or suggested sexual relations or inappropriate communication, the perpetrator was equally likely to be a man or a woman (Burczycka, 2021). Moreover, among women who experienced gender-based discrimination, 44% identified someone in authority as responsible. This was the same for 36% of men (Burczycka, 2021).

### **Reporting**

While all workplaces must comply with anti-harassment and anti-discrimination laws, and legislation across Canadian jurisdictions requires most workplaces to prevent and respond to violence and harassment occurrences, research shows that many workers continue to be uninformed about policies or indicate their employers have not provided them with information on how to make reports (Burczycka, 2021). According to the 2020 Survey on Sexual Misconduct at Work, 34% of women and 28% of men said they had not been instructed on how to access resources to deal with these situations. Furthermore, even when aware of policies and procedures, many workers do not report experiences of violence and harassment and/or face major barriers to reporting (Burczycka, 2021). Berlingieri et al. (2022) found a higher likelihood among respondents to report experiences of (non-sexual) violence and harassment than experiences of sexual violence and harassment. Burczycka (2021) reported that less than half of all workers who experienced inappropriate sexualized behaviours and gender-based discrimination spoke to someone at work. Among those who discussed the issue, most spoke to colleagues or co-workers with no authority, with relatively few speaking to their union, corporate security, or someone else in authority. Berlingieri et al. (2022) found higher rates of reporting to unions (77%) and supervisors/ managers (56%). This may be due to Berlingieri et al. (2022) including violence and harassment beyond sexual and gender-based violence and harassment, which respondents reported being more likely to report. In Berlingieri et al.'s (2022) study, most respondents who reported their experience believed that reporting made no difference or made their situation worse. This data highlights major concerns related to the reporting of GBVH in workplaces, indicating that changes are required to improve help-seeking and violence prevention and eradication.

### **Domestic Violence in Workplaces**

Traditionally, law, policy, and data on GBVH at work have focused on violence and harassment that occur during the course of employment. Domestic violence (DV) or intimate partner violence (IPV) and its relationship to work has received much less attention (Koshan, 2024). DV can manifest in perpetrators' attempts to sabotage their partners' participation in employment and their professional reputations, among other tactics, highlighting how DV is not solely restricted to the "private" home environment. Further, in transferring to the workplace, DV can implicate co-workers, employers, governments, and society. This challenges the idea of DV being an individual concern. In recent years, work-related DV has gained attention, with legislative changes occurring to recognize employers' legal obligations.

Together, the recent data on workplace violence and harassment and GBVH indicate that the current system requires improvements to ensure protection from GBVH at work, to give workers the confidence and security to report, and to ensure that corrective action is taken.



<b>and harassment outlined</b>															
<b>Employer responsibilities related to violence outlined</b>	--	x	x	✓	x	x	x	x	x	x	x	x	x	x	x
<b>Employer responsibilities related to harassment outlined</b>	--	x	x	✓	x	x	✓	x	x	x	✓	x	x	x	x
<b>Supervisor responsibilities related to violence and harassment outlined</b>	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
<b>Supervisor responsibilities related to violence outlined</b>	x	x	x	✓	x	x	x	x	x	x	x	x	x	x	x
<b>Supervisor responsibilities related to harassment outlined</b>	x	x	x	✓	x	x	x	x	x	x	x	x	x	x	x
<b>Worker responsibilities related to violence and harassment outlined</b>	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
<b>Worker responsibilities related to violence outlined</b>	x	x	x	✓	x	x	x	x	x	x	x	x	x	x	x
<b>Worker responsibilities related to harassment outlined</b>	x	x	x	✓	x	x	x	x	x	x	x	x	x	x	x
<b>Workers rights to workplace free of violence identified</b>	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
<b>Workers rights to workplace free of harassment identified</b>	x	x	x	x	x	x	✓	x	x	x	✓	x	x	x	x

in ES legislation (Table 2, see Appendix A for full details). Only ES federally, in SK, QC, and PEI reference violence and/or harassment. CA [fed] ES identify that employers have responsibilities related to violence and harassment. In SK, ES identify that employers, supervisors, and workers have responsibilities related to violence and harassment. In QC and PEI, ES identify that employers have responsibilities related to harassment, but not violence. IN

QC (Act respecting labour standards), amendments that came into force in 2024, provide provisions for the development of a psychological harassment prevent policy/plan. Since only QC includes harassment policy/plan provisions in their ES, the content is discussed in the OHS section to allow for a full comparison.

Ultimately, ES largely do not include provisions on prevention of and protection from violence and harassment. Rather, such provisions exist under OHS legislation. Given that OHS addresses violence and harassment in the workplace, it likely seems unproblematic that ES do not cover this area. However, examining the experiences of harassment within the context of precarious employment in Ontario, Perry et al. (2019) raise critical concerns about the lack of inclusion of violence and harassment in ES. Perry et al. (2019) highlight that workers' experiences of harassment often have an association with employer evasion and violations of ES regulations. Workers shared being faced with aggressive employer behaviour in response to speaking up about alleged ES violations. The results also show that for workers who file claims regarding ES violations with the Ontario Ministry of Labour, harassment often constitutes a crucial dimension of their claim. However, Ontario's ESA does not consider harassment an ES violation (Perry et al., 2019). This raises questions about how violations involving violence and harassment can be adequately redressed when harassment and violence remain outside of the scope of ES and thus, the ES enforcement system. As we can see from Table 2, most Canadian jurisdictions do not include violence and harassment within their ES, removing the capacity to effectively address how ES violations often become entangled with harassment and violence. Importantly and to which we agree, based on our review of legislation, Perry et al. (2019) conclude that

legislative frameworks in their present form and current labour market practices do not provide adequate redress for harassment and ES violations...If they do not change, legislative frameworks may continue to increase worker vulnerability and therefore be constructive of the violence process (p. 344).

**Recommendation #1:** We recommend that violence and harassment provisions be added to employment standards legislation across all jurisdictions to ensure that the intertwined nature of employment standards violations and harassment is adequately addressed.

### **Employment Standards - Family Violence, Domestic Violence, and Sexual Violence Leave**

All 14 Canadian jurisdictions have legislation regarding leave for family violence (FV), domestic violence (DV), and/or sexual violence (SV) (Table 4). Across all 14 jurisdictions, this legislation provides workers with leave for the purposes of (1) seeking medical attention, (2) obtaining counselling or victim services support, (3) seeking legal assistance, (4) relocating temporarily or permanently, and (5) other prescribed reasons. Typically job-protected, employers have an obligation to reinstate workers to the same or comparable position with the same benefits and wages upon their return, thereby preventing termination or lay-off of a worker returning from leave. The legislated leave may provide individuals with a safe means of accessing critical supports, along with raising awareness and reducing stigma around DV (Koshan, 2024). There are, however, limitations and gaps in legislation concerning DV leave. Attention is warranted to



- Employee	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
- Employee's dependent child	✓	✓	✓	✓	✓	✓	×	✓	✓	✓	✓	✓	✓	✓	✓
- Protected adult	×	✓	✓	✓	✓	×	×	✓	×	✓	✓	×	✓	✓	✓
<b>Types of violence</b>															
- Physical abuse (threat or act) (by family member or intimate partner)		✓	✓	✓	✓			✓		✓	✓	✓	✓	✓	✓
- Forced confinement		✓	✓	✓	×			×		✓	✓	✓	✓	✓	✓
- Neglect/ deprivation of necessities		✓	✓	✓	✓			✓		✓	✓	✓	✓	✓	✓
- Sexual abuse (threat or act) (by family member or intimate partner)		✓	✓	✓	✓			✓		✓	✓	✓	✓	✓	✓
- Sexual abuse (by anyone)		✓	×	×	✓			×		×	×	×	×	×	✓
- Attempted physical or sexual abuse		✓	✓	×	✓			✓		✓	✓	✓	✓	✓	✓
- Psychological or emotions abuse (by family member or intimate partner)		✓	✓	×	✓			✓		✓	✓	✓	✓	✓	✓
- Intimidation, harassment, coercion,		✓	✓	✓	×			✓		✓	×	×	×	×	×
- Threats to other persons, pets, or property		✓	×	×	×			×		×	×	×	×	×	×
- Financial abuse		✓	×	×	×			✓		✓	×	✓	✓	✓	✓
- Stalking		✓	✓	×	✓			✓		✓	✓	×	×	×	×
- Property damage (threatened or act)		✓	✓	✓	✓			×		✓	✓	✓	✓	✓	✓

### ***Paid and Unpaid Leave***

Across the jurisdictions, there are differences in the availability of any paid period of DV leave, creating inequities across the country (Table 4). In each jurisdiction, except QC, workers can take up to 10 days of intermittent (short-term) leave, some of which may or may not be paid.

- *Jurisdictions without paid leave:* In AB (Employment Standards Code, 2000), the 10 days of short-term employment leave for DV is entirely unpaid. QC (Act Respecting Labour Standards, n.d.) does not offer paid short-term leave.
- *Jurisdictions with 3 days paid leave and 7 days unpaid leave:* In NS (General Labour Standards Code Regulations, 1990) and NL (Labour Standards Act, 1990), workers are

entitled to 3 days paid leave and 7 days of unpaid leave, which can be taken intermittently.

- *Jurisdictions with 5 days of paid leave and 5 days of unpaid leave:* The other 10 jurisdictions, CA [fed] (Canada Labour Code, 1985), BC (Employment Standards Act, 1996), MB (The Employment Standards Code, n.d.), SK (The Saskatchewan Employment Act, 2013), ON (Employment Standards Act, 2000), NB (Domestic Violence, Intimate Partner Violence or Sexual Violence Leave Regulation, 2018), PEI (Domestic Violence, Intimate Partner Violence or Sexual Violence Leave Regulation, 2019) NU (Labour Standards Act, 1988), NWT (Employment Standards Act, 2007) , and YT (Employment Standards Act, 2002), all offer 5 days paid and 5 days unpaid leave, which can be taken intermittently.

Most jurisdictions also offer additional unpaid consecutive long-term leave. AB, PEI, and NL do not offer long-term unpaid protected leave. QC offers the greatest length of leave, with unpaid leave of up to 26 weeks per 12 months, or up to 104 weeks of leave for workers if they suffered serious bodily injury due to a criminal offence (QC Act Respecting Labour Standards, CQLR).

To qualify for paid leave, and in some cases, unpaid leave, certain eligibility criteria exist regarding the number of months of continuous employment.

- *No qualifying period:* BC and QC have no qualifying period for DV leave.
- *Qualifying period for paid leave only:* CA [fed] has a qualifying period only for paid leave.
- *Qualifying period for paid leave and unpaid leave differs:* Both NU and YT have a qualifying period of 3 months for paid leave and 1 month for unpaid leave.
- *Qualifying period for all leave (paid and unpaid):* AB, SK, MB, ON NB, NL, NS, PEI, and NWT have qualifying periods for all leave.

BC offers the broadest approach, providing 5 days of paid leave, as well as unpaid short- and long-term leave with no qualifying period. QC similarly offers no qualifying period for leave, and, as well, offers the most protected leave. QC falls short of BC in offering any paid leave. Table 3 summarizes the details.

**Recommendation #5:** We recommend that all jurisdictions consider a more equitable approach, similar to BC, with no qualifying period and equal short-term paid (5 days) and unpaid (5 days) leave. This approach may constitute a best practice, making leave accessible to all.

**Table 4**  
*Domestic violence leave across the jurisdictions*

Jurisdiction	Legislation	Employee eligibility criteria	Paid or Unpaid Intermittent leave	Long-term Leave	Purposes covered under leave	Verification Required	Job Protection	No leave if offender
CA [fed]	<a href="#">Canada Labour Code, RSC, 1985, c L-2.</a>	An employee must be employed with the employer for 3 consecutive months to qualify for paid leave.  An employee is entitled to leave if the employee or their child is a victim of interpersonal violence	Unpaid – 5 days Paid – 5 days	NO	<ul style="list-style-type: none"> <li>- To seek medical attention for physical or psychological injury</li> <li>- Seek services from victim services organization</li> <li>- Obtain counselling</li> <li>- Relocation</li> <li>- Seek legal assistance</li> <li>- For other prescribed purpose</li> </ul>	YES - Employer may request verification no later than 15 days after an employee returns. Employee only to provide documentation if reasonably practicable.	NO protections outlined	YES
BC	<a href="#">Employment Standards Act, RSBC 1996, c 113</a> Leave respecting domestic or sexual violence, s 52.5	No work period eligibility requirement.  An employee is entitled to leave if the employee, their child, or individual for whom they are a caregiver is a victim of interpersonal violence.	Unpaid – 5 days Paid – 5 days	Leave up to 15 weeks consecutive weeks (unpaid)	<ul style="list-style-type: none"> <li>- To seek medical attention for physical or psychological injury</li> <li>- Seek services from victim services organization</li> <li>- Obtain counselling</li> <li>- Relocation</li> <li>- Seek legal assistance</li> <li>- For other prescribed purpose</li> </ul>	YES – employer may request verification.  Notice – employees must request leave and follow normal processes.	The employer cannot terminate or change condition of employment without the employee’s consent (s 54)	YES
AB	<a href="#">Employment Standards Code, RSA 2000, c E-9, Domestic violence leave, s 53.981(1) – (5)</a>	An employee must be employed for at least 90 days to qualify for leave.  Employees with less than 90 days may be granted leave.  An employee is entitled to leave if the employee, their child, or individual for whom they are a caregiver is a victim of interpersonal violence.	Unpaid – 10 days	NONE	<ul style="list-style-type: none"> <li>- To seek medical attention for physical or psychological injury</li> <li>- Seek services from victim services organization</li> <li>- Obtain counselling</li> <li>- Relocation</li> <li>- Seek legal assistance</li> <li>- For other prescribed purpose</li> </ul>	Verification NOT SPECIFIED  Notice – must be given as soon as reasonably possible	The employer cannot terminate or lay off an employee.	NO

<b>SK</b>	<a href="#">Saskatchewan Employment Act, SS 2013, c S-15.1</a> Interpersonal violence and sexual violence leave	An employee must be employed with the employer for at least 90 days to qualify for all leave.  An employee is entitled to leave if the employee, their child, or individual for whom they are a caregiver is a victim of interpersonal violence.	Unpaid – 5 days Paid – 5 days	NONE	<ul style="list-style-type: none"> <li>- To seek medical attention for physical or psychological injury</li> <li>- Seek services from victim services organization</li> <li>- Obtain counselling</li> <li>- Relocation</li> <li>- Seek legal assistance</li> <li>- For other prescribed purpose</li> </ul>	YES – employer may request verification.	Employees are entitled to return to their same job after the leave.	NO
<b>MB</b>	<a href="#">Employment Standards Code, CCSM c E110, s 59.11</a> Interpersonal Violence Leave	An employee must be employed with the employer for at least 90 days for all leave.  An employee is entitled to leave if the employee, their child, or individual for whom they are a caregiver is a victim of interpersonal violence.	Unpaid – 5 days Paid – 5 days	Leave up to 17 weeks consecutive weeks (unpaid)	<ul style="list-style-type: none"> <li>- To seek medical attention for physical or psychological injury</li> <li>- Seek services from victim services organization</li> <li>- Obtain counselling</li> <li>- Relocation</li> <li>- Seek legal assistance</li> <li>- For other prescribed purpose</li> </ul>	YES - verification required for paid leave.  Employer may request verification for unpaid leave.	The employer cannot terminate or lay off an employee because they have taken leave. Cannot discriminate or attempt to punish employees for taking leave. If the job is no longer available, the employee must be given a comparable position with the same or greater benefits.	NO
<b>ON</b>	<a href="#">Employment Standards Act, 2000, SO 2000, c 41</a> Domestic and sexual violence, s 49.1	An employee must be employed with the employer for at least 13 consecutive weeks to qualify for all leave.  An employee is entitled to leave if the employee or their child, is a victim of interpersonal violence.	Unpaid - 5 days Paid – 5 days	Leave up to 15 weeks consecutive weeks (unpaid)	<ul style="list-style-type: none"> <li>- To seek medical attention for physical or psychological injury</li> <li>- Seek services from victim services organization</li> <li>- Obtain counselling</li> <li>- Relocation</li> <li>- Seek legal assistance</li> <li>- For other prescribed purpose</li> </ul>	YES – employer may request verification.  Notice – must be given to the employer in advance of leave. If advance notice is not possible, notice must be given as soon as possible after starting the leave.	Employees taking DV leave are entitled to the same rights as employees who take pregnancy or parental leave.	YES

QC	<p><u>Act Respecting Labour Standards, COLR c N-1.1</u> Division V.0.1 Absences owing to sickness, an organ or tissue donation, an accident, DV, SV, or a criminal offence</p>	<p>No qualifying period.</p> <p>The employee is a victim of interpersonal violence.</p>	NO	<p>Leave up to 26 consecutive weeks in a 12-month period (unpaid)</p> <p>Leave up to 104 weeks in the case of serious bodily injury resulting from criminal offence</p>	- NOT OUTLINED	<p>YES – employer may request verification.</p> <p>Notice – to be provided to employer as soon as possible with statement of the reason for absence</p>	<p>Regular position and benefits of the worker are protected for the duration of their absence. When the worker returns to work, the employer must reinstate employee.</p>	NO
NS	<p><u>Labour Standards Code, RSNS 1989, c 245</u></p> <p><u>General Labour Standards Code Regulations RSNS 1989, c. 246</u></p>	<p>An employee must be employed with the employer for at least 3 months to qualify for all leave.</p> <p>An employee is entitled to leave if the employee or their child is a victim of interpersonal violence.</p>	<p>Unpaid – 5 days Paid – 5 days</p>	Leave up to 16 consecutive weeks (unpaid)	<ul style="list-style-type: none"> <li>- To seek medical attention for physical or psychological injury</li> <li>- Seek services from victim services organization</li> <li>- Obtain counselling</li> <li>- Relocation</li> <li>- Seek legal assistance</li> <li>- For other prescribed purpose</li> </ul>	<p>YES – employer may request verification.</p> <p>Notice – to be provided to employer in writing as soon as possible with anticipated start and end date.</p>	The employer must reinstate the employee at the end of their leave of absence.	NO
NB	<p><u>Domestic Violence, Intimate Partner Violence, or Sexual Violence Leave Regulation, NB Reg 2018-81</u></p>	<p>An employee must be employed with the employer for at least 90 days to qualify for all leave.</p> <p>An employee is entitled to leave if the employee, their child, or individual for whom they are a caregiver is a victim of interpersonal violence.</p>	<p>Unpaid – 5 days Paid – 5 days</p>	Leave up to 16 weeks consecutive weeks (unpaid)	<ul style="list-style-type: none"> <li>- To seek medical attention for physical or psychological injury</li> <li>- Seek services from victim services organization</li> <li>- Obtain counselling</li> <li>- Relocation</li> <li>- Seek legal assistance</li> <li>- For other prescribed purpose</li> </ul>	<p>NO</p> <p>Notice – when advising the employer of intention to take leave, the employee shall provide in writing the purposes for the leave</p>	NO protections outlined NO limitations specified	NO

<b>NL</b>	<a href="#">Labour Standards Act, RSNL 1990, c L-2</a> , Part VII.7 Family Violence Leave,	An employee must be employed with the employer for a continuous period of 30 days to qualify for all leave.  An employee is entitled to leave if the employee, their child, or individual for whom they are a caregiver is a victim of interpersonal violence.	Unpaid – 7 days Paid – 3 days	NONE	<ul style="list-style-type: none"> <li>- To seek medical attention for physical or psychological injury</li> <li>- Seek services from victim services organization</li> <li>- Obtain counselling</li> <li>- Relocation</li> <li>- Seek legal assistance</li> <li>- For other prescribed purpose Seek legal or law enforcement assistance</li> </ul>	YES – employer may request verification.  Notice – give written notice as soon as possible to employer before the leave begins, unless there is a valid reason why notice cannot be given	The employer must reinstate the employee at the end of their leave of absence.	NO
<b>PEI</b>	<a href="#">Employment Standards Act, DV, IPV, and SV Leave Regulations, PEI Reg EC188/19</a>	An employee must be employed with the employer for a continuous period of three months or more to qualify for all leave.  An employee is entitled to leave if the employee, their child, or individual for whom they are a caregiver is a victim of interpersonal violence.	Unpaid – 7 days Paid – 3 days	NONE	<ul style="list-style-type: none"> <li>- To seek medical attention for physical or psychological injury</li> <li>- Seek services from victim services organization</li> <li>- Obtain counselling</li> <li>- Relocation</li> <li>- Seek legal assistance</li> <li>- For other prescribed purpose</li> </ul>	YES – employer may request verification.  Notice – advise employer of intention to take leave and anticipated duration	The employer shall not dismiss, suspend or layoff an employee who has been granted a leave of absence under this Act for reasons related to leave alone.	NO
<b>NWT</b>	<a href="#">Employment Standards Act, SNWT 2007, c 13</a> Family Violence Leave	An employee must be employed with the employer for 1 continuous month to qualify for all leave.  An employee is entitled to leave if the employee, their child, or individual for whom they are a caregiver is a victim of interpersonal violence.	Unpaid – 5 days Paid – 5 days	Leave up to 15 consecutive weeks (unpaid)	<ul style="list-style-type: none"> <li>- To seek medical attention for physical or psychological injury</li> <li>- Seek services from victim services organization</li> <li>- Obtain counselling</li> <li>- Relocation</li> <li>- Seek legal assistance</li> <li>- For other prescribed purpose</li> </ul>	YES – verification required for paid leave. Verification for unpaid leave may be requested.  Notice – advise employer before beginning leave where possible	The employer must reinstate the employee at the end of their leave of absence in the same or a comparable position.	YES
<b>NU</b>	<a href="#">Labour Standards Act, RSNWT (NU) 1988, c L-1)</a>	An employee must be employed with the employer for at least 3 months of continuous	Unpaid – 5 days Paid – 5 days	Leave up to 15 consecutive	<ul style="list-style-type: none"> <li>- To seek medical attention for physical or psychological injury</li> </ul>	YES – employer may request verification.	YES – protections outlined	YES

	<u>Family Abuse Leave s 39.18</u>	<p>employment to qualify for 5 paid days of leave and 1 month to qualify for 5 unpaid days and 15 unpaid weeks of leave.</p> <p>An employee is entitled to leave if the employee, their child, or individual for whom they are a caregiver is a victim of interpersonal violence.</p>		weeks (unpaid)	<ul style="list-style-type: none"> <li>- Seek services from victim services organization</li> <li>- Obtain counselling</li> <li>- Relocation</li> <li>- Seek legal assistance</li> <li>- For other prescribed purpose</li> </ul>			
YT	<u>Employment Standards Act, RSY 2002, c 72, s 60.03</u> Domestic and Sexualized Violence Leave	<p>An employee must be employed with the employer for at least 3 consecutive months to be entitled to paid leave and long-term unpaid leave. Short-term unpaid leave has no eligibility period.</p> <p>An employee is entitled to leave if the employee, their child or a person they provide support (such as a family member, intimate partner, or friend) is a victim of domestic or sexualized violence.</p>	Unpaid – 5 days Paid – 5 days	Leave up to 15 consecutive weeks (unpaid)	<ul style="list-style-type: none"> <li>- To seek medical attention for physical or psychological injury</li> <li>- Seek services from victim services organization</li> <li>- Obtain counselling</li> <li>- Relocation</li> <li>- Seek legal assistance</li> <li>- For other prescribed purpose</li> </ul>	NO proof required.  An employer may require a notice form be used to request leave.	NO protections outlined  No limitations specified	YES

### ***Job Protection***

DV leave provides workers who experience DV or whose dependents experience DV, with protected leave from work. This leave does not, however, offer full job protection across all jurisdictions. In all jurisdictions, OHS legislation requires employers to grant leave upon request, dependent upon qualifying periods. Further, legislation prohibits employers from terminating employment when DV leave is sought.

There are certain limitations to job protection. CA (Canada Labour Code, 1985), NB (Domestic Violence, Intimate Partner Violence or Sexual Violence Leave Regulation, 2018), and YT (Employment Standards Act, 2002) do not explicitly provide any stipulations related to job protection, making it ambiguous whether a worker will be able to return to the same or a comparable position. The other 11 jurisdictions do include specific job protections in legislation, variably stating that employers must reinstate workers following leave in the same or comparable position and cannot terminate workers due to taking leave (see Table 3). NL enhances worker protections with the provision that in disputes about cause for termination, the employer bears the burden of proving that the reason for termination was unrelated to DV leave (Labour Standards Act, RSNL, 1990). However, in QC's DV leave legislation, while protections exist, a provision exists that explicitly allows employers to dismiss, suspend, or transfer an employee if the consequences or circumstances of the violence or worker's repeated absences "constitute good and sufficient cause" (QC Act Respecting Labour Standards, n.d.). These limitations likely disproportionately and adversely impact workers with increased vulnerability to DV and who experience ongoing tactics and patterns associated with coercive controlling violence (Koshan, 2024). Further, the lack of explicit obligations for employers to ensure workers can take leave without fear of job loss, reifies an individualized frame of DV. That is, it places responsibility for DV and its impacts on the worker, rather than recognizing the complexity of such a situation and the requirement for a systemic response, which involves workplaces providing support for workers/survivors to seek the help they need.

***Recommendation #6:*** We recommend that legislation of all jurisdictions explicitly outline job protection requirements for workers taking DV leave. This would include provisions allowing employees to return to work in the same or comparable position, protecting them from discrimination or termination due to DV leave, and placing the burden of proof regarding unrelated reason for termination on the employer. This will allow employees to take the leave necessary for their well-being, without having to worry if a job will be there when they return.

### ***Verification for Leave***

Across the jurisdictions, there are legal provisions related to leave verification (see Table 4). The requirement to verify the violence to justify leave may create a barrier. Both MB (The Employment Standards Code, n.d.) and NWT (Employment Standards Act, 2007), require verification for paid leave, and upon request by employers, for unpaid leave. The other jurisdictions require either no verification (AB Employment Standards Code, 2000; NB DV, IPV or SV Leave Regulation, 2018; YT Employment Standards Act, 2002) or verification only upon employer request (BC Employment Standards Act, 1996; Canada Labour Code, 1985; NS General Labour Standards Code, 1990; NU Labour Standards Act, 1988; ON Employment

Standards Act, 2000; PEI DV, IPV and SV Regulation, 2019; QC Act Respecting Labour Standards, n.d.; SK The Saskatchewan Employment Act, 2013).

Jurisdictions with no requirement for verification for leave offer the most accessibility. Verification requirements can be particularly problematic for certain groups of people, such as racialized people, people with disabilities, Indigenous peoples, and impoverished people, as verification typically must come from police, child protection workers, and other state actors. Historically and contemporarily, state actors have disproportionately negatively impacted the aforementioned groups.

Furthermore, verification requirements call into question the credibility of worker/survivors, as their statement comes to be viewed as less valid than that of a state actor. Verification requirements can further perpetuate myths and stereotypes that women lie about or exaggerate DV within the workplace (Koshan, 2024). Koshan (2024) points out that verification requirements serve to maintain an employer's power over workers.

**Recommendation #7:** We recommend that all jurisdictions eliminate verification requirements or documentation from an authorized professional, for access to DV leave. This will decrease workers' sense of being deterred from taking the leave they need.

### ***Criminal Offences and Loss of Leave***

Lastly, some jurisdictions have a legal provision revoking eligibility for DV leave, if the worker seeking leave is charged with an offence related to the violence, or if the worker committed the violence. Such a provision creates a barrier and fails to recognize that survivors may sometimes be charged when defending themselves or others, and might face false reports from their abusers leading to their being charged (Koshan, 2024). This provision can detrimentally impact some worker/survivors.

**Recommendation #8:** We recommend that jurisdictions with this legal provision explicitly exclude defensive force. Some jurisdictions do this, excluding only the perpetrators from taking DV leave. Koshan (2024) highlights the importance of attending to the possible inappropriate charging practices that can occur by police and the systems abuse by perpetrators. This will allow for accounting for systemic inequalities experienced by workers/survivors.

### ***Overall Recommendation***

**Recommendation #9:** To ensure equitable, accessible, and protective DV leave that does not perpetuate stereotypes or DV myths, we recommend that governments amend legislation with inclusive and comprehensive DV definitions, paid or insured DV leave, eliminate qualifying periods and verification requirements, and problematic exceptions that can restrict eligibility and disproportionately impact certain groups of people.

### ***Occupational Health and Safety***

Across Canada, federal, provincial, and territorial governments have amended Occupational Health and Safety (OHS) legislation to impose obligations on employers to prevent and address workplace violence and harassment. These legislative changes go some of the way towards recognizing and preventing GBVH in the workplace. They tend, however, to take a gender-neutral approach to violence and harassment.

### ***Definitions of Workplaces***

Most jurisdictions have a broad definition of a workplace, which allows for a variety of work sites to fall under the OHS regulations (see Appendix C). In most jurisdictions, a “workplace” or “work site” is defined as “any place/location where a worker is, or is likely to be, engaged in any occupation/work” (AB OHS Act, 2017; BC OHS Regulation, 1998; Canada Labour Code, 1985; NL OHS Act, 2012; NS OHS Act, 1996; ON OHS Act, 1990; QC Act Respecting OHS, n.d.) or “any building, structure, premises, water, land or other place or thing in or upon which one or more persons are or has been employed for wages” (MB Workplace Safety and Health Act, n.d.; NB Employment Standards Act, 1983; PEI Employment Standards Act, 1988), or “means all places that are ancillary to a place of employment, and includes lunchrooms, restrooms, first aid rooms, lecture rooms, parking lots under the control of the employer or contractor, offices and work camp living accommodations” (SK OHS Regulations, 2020). In these definitions an employee’s workplace follows them where they perform work for their employer and can include public spaces, third-party locations, conferences, and the employee’s residence where they may work remotely. According to such interpretations of the term “workplace”, if an employee experiences violence or harassment at any location while performing duties for their employer, it would be considered an incident of violence or harassment under Occupational Health and Safety (OHS) obligations.

While most jurisdictions offer broad definitions, some definitions have extensions that could create limitations. For example, several jurisdictions follow the definition of a workplace of inclusive of anywhere the worker engages in work for the employer with a statement such as, “and including any vessel, vehicle, or mobile equipment used by a worker in an occupation” (BC OHS Regulation, 1998; AB OHS Act, 2017; MB Workplace Safety and Health Act, n.d.; NS OHS Act, 1996; NL OHS Act, 2012). This could potentially limit the interpretation of “workplace” by an employer under OHS legislation, given that it appears to limit what constitutes a workplace. SK also explicitly excludes the worker’s permanent residence from the workplace definition, limiting how the legislation applies in the case where a worker performs work for an employer at their home (SK OHS Regulations, 2020).

Only a few jurisdictions include self-employed persons in their workplace definitions (MB Workplace Safety and Health Act, n.d.; NB Employment Standards Act, 1983; NS OHS Act, 1996). Remote work, which grew significantly during the COVID-19 pandemic, remains unaddressed in any of the jurisdictions’ definitions of workplaces.

***Recommendation #10:*** We recommend that all jurisdictions define workplace broadly, to ensure that it encompasses “all places where workers need to be or to go by reason of their work and which are under the direct or indirect control of the employer” (Cox, 2024, p. 14). A broad definition will support effective prevention regulations for GBVH, as work-related social events, training events, and conferences, and other activities at the margin of work, are common spaces where women may experience violence and harassment (Cox, 2024). We recommend that jurisdictions define workplace as laid out in the International Labour Organization C190 - Violence and Harassment Convention, 2019 (ILO C-190), the first global treaty acknowledging the universal right to a world of work free from violence and harassment. Here, the focus is on the “world of work” rather than the “workplace”, creating a much more expansive and inclusive approach (ILO, 2019). The framework under ILO C-190 applies to violence and harassment, including GBVH, that occurs in the course of, is linked with, or arises out of work: (a) in the

**Table 5**

*Summary of Occupational Health & Safety legislation for violence and harassment in the workplace*

Item	CA	BC	AB	SK		MA		ON		QC	NS	NB		NL		PEI		NWT		NU		YT	
OHS (mainstream)	V+ H	V	V+H	V	H	V	H	V	H		V	V	H	V	H	V	H	V	H	V	H	V+H	
- Workplace (modern definition)	✓	✓/ x	✓/ x	✓	✓	✓	✓	x	x	✓	✓/ x	✓/x	✓/x	✓/x	✓/x	✓/x	✓/x	✓/x	✓/x	✓/	x		
- Harassment (defined)	✓	x	✓	--	✓	--	✓	--	✓	Psych haras s	x	--	✓	--	✓	--	✓	--	✓	--	✓	✓	
- Sexual harassment / violence (defined)	↑	x	↑	--	↑	--	x	--	✓	✓	x	--	↑	--	x	--	✓	--	x	--	x	↑	
- Bullying (defined)	x	x	↑	x	x	x	x	x	x	x	x	--	↑	x	x	x	↑	x	x	x	x	↑	
- Violence (defined)	✓	✓	✓	✓	--	✓	--	✓	--	x	✓	✓	--	✓	--	✓	--	✓	--	✓	--	✓	
- Violence (physical)	✓	✓	✓	✓	--	✓	--	✓	--	x	✓	✓	--	✓	--	✓	--	✓	--	✓	--	✓	
- Violence (psychological)	✓	x	✓	x	--	x	--	x	--	✓	x	x	x	x	--	x	--	x	--	x	--	x	
- Includes DV/IPV/FV	x	x	✓	x	--	x	x	✓	✓	✓	x	✓	--	✓	--	x	--	x	x	x	x	✓	
- Includes GBV	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	✓ - H
- Gender responsive	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x
- Risk assessment required (ALL)	✓	x	x	x	x	✓	x	✓	x	x	✓	✓	x	✓	x	✓	x	x	x	x	x	x	x
- Risk assessment required (specified workplaces/ where risk is present)	--	✓	x	LN R	x	--	x	--	x	x	--	--	x	--	x	--	x	x	x	x	x	x	x

- Hazard identification and instruction	✓	✓	✗	✓	✗	✓	✗	✓	✗	✗	✓	✓	✗	✓	✗	✓	-	✓	✗	✓	✗	✗
- Employers legally obligated to develop and implement policies and prevention plans (ALL workplaces)	✓	✗	✓	✗	✓	✗	✓	✓	✓	✓	✗	✗	✓	✗	✓	✗	✓	✗	✓	✗	✓	✓
- Employers legally obligated to develop and implement policies and prevention plans (specified workplaces)	--	✓	--	✓	--	✓	--	--	--	--	✗	✓	--	--	--	--	--	✓	--	✓	--	--
- Employers legally obligated to develop and implement policies and prevention plans (when risk identified)	--	✓	--	--	--	✓	--	--	--	--	✓	✓	--	✗	--	✗	--	✓	✓	--	--	--
- Employers required to instruct workers	--	✓	--	--	✗	--	✗	✓	✓	--	--	--	--	✗	--	✓	✗	--	✗	--	✗	--
- Employers legally required to train	✓	✗	✓	✓	✗	✓	✗	✗	✗	✓	✓	✓	✓	✗	✓	✗	✗	✓	✗	✓	✗	✓
- Employers required to consult health and safety committee, rep, or workers	✓	✗	✓	✓	✓	✓	✓	✗	✗	✗	✓	✓	✓	✗	✓	✗	✓	✓	✓	✓	✓	✓

- Reporting and investigating procedures	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
- Referral to impartial person for investigation	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✓	✗	✗	✗	✗	✗
- Entitlement to pay when seeking treatment	✗	✗	✓	✓	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✓	✗	✓	✗	✗	✗
- Recommend healthcare consult	✗	✓	✓	✓	✗	✓	✗	✓	✗	✗	✓	✓	✗	✗	✗	✓	✗	✓	✗	✓	✗	✓
- Confidentiality protections	✓	✗	✓	✓	✓	✓	✓	✗	✗	✗	✗	✗	✗	✗	✓	✗	✓	✗	✓	✓	✓	✓
- Corrective action	✓	✗	✗	✗	✓	✗	✓	✗	✓	✗	✗	✗	✓	✗	✓	✗	✓	✗	✓	✗	✓	✓
- Additional requirements for late night retail	✗	✓	✓	✓	✓	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗
- Review	✓	✓	✓	✓	✗	✗	✗	✓	✓	✗	✓	✓	✓	✗	✓	✗	✗	✓	✗	✓	✗	✗
- Annual	--	✓	--	--	--	--	--	✓	✓	--	--	✓	✓	--	✓	--	--	--	--	--	--	--
- Circumstantia 1	✓	✓	✓	✓	--	--	--	✓	✓	--	✓	✓	✓	--	✓	--	--	✓	--	✓	--	--
- 3-years	✓	--	✓	✓	--	--	--	--	--	--	--	--	--	--	--	--	--	✓	--	✓	--	--
- 5-years	--	--	--	--	--	--	--	--	--	--	✓	--	--	--	--	--	--	--	--	--	--	--
- Reporting	✓	✓	✗	✗	✗	✓	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗
- Refusal to work	✗	✗	✗	✗	✗	✗	✗	✓	✓	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗
- Retaliation protection	✗	✗	✗	✗	✗	✗	✓	✗	✗	✓	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗
- Supports	✓	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗

Note: QC provides the most detail on psychological harassment prevention under the Act Respecting Labour Standards, rather than OHS legislation. Thus, the information referred to in the table comes from the Act Respecting Labour Standards and An Act Respecting OHS.

workplace; (b) in places where the worker is paid, takes a rest break or meal, or uses sanitary, washing, and changing facilities; (c) during work-related trips, travel, training, events, or social activities; (d) through work-related communications; (e) in employer-provided accommodations; and (f) when commuting to and from work. While Canada has ratified the ILO C-190, the steps to actually put the treaty into force have yet to be seen.

**Recommendation #11:** We recommend that all jurisdictions include self-employed persons and their work in workplace definitions to ensure that they too are protected from violence and harassment in the course of their work.

**Recommendation #12:** We recommend that all jurisdictions include remote work in workplace definitions.

### ***Definitions of Violence and Harassment***

Canadian federal, provincial, and territorial OHS legislation provides definitions of violence and harassment (see Table 6 for a summary and Appendix D for full definitions). OHS legislation takes a highly narrow approach to defining violence, while it provides harassment definitions of greater breadth. With the exception of CA [fed], AB, and NB, OHS legislation confines definitions of violence to threatened, attempted, or actual physical violence. CA [fed] (Canada Labour Code, 1985) and AB (OHS Act, 2020) include threatened, attempted, or actual physical and psychological violence, as well as sexual violence. NB (OHS Act, n.d.) does not include psychological violence but does include sexual violence, unlike the other provinces and territories. QC's legislative definitions differ. While the other jurisdictions use and define the terms violence and harassment, QC refers to "psychological harassment" and "sexual violence" (An Act Respecting Labour Standards, CQLR, n.d.; An Act Respecting OHS, CQLR, n.d.). Only AB (OHS Act, 2020) and NB (OHS Act, n.d.) explicitly include DV in their definition of violence. While ON (OHS Act, 1990), QC (An Act Respecting OHS, CQLR, n.d.), NL (OHS Regulations, 2012), and YT (Workplace Health and Safety Regulations, 2006), include a provision under workplace violence and harassment legislation, for employers to respond to DV of which they gain awareness, these jurisdictions do not include DV in their definitions of violence.

CA [fed] provides the broadest and most inclusive definition of violence because they define violence and harassment together, recognizing that violence and harassment exist on a continuum, rather than being distinct phenomena. For example, in the *Canada Labour Code* (1985), harassment and violence are defined as "any action, conduct or comment, including of a sexual nature, that can reasonably be expected to cause offence, humiliation or other physical or psychological injury or illness to an employee" (c L-2, s 206.7).

The rest of the jurisdictions define violence and harassment separately (except BC and NS, which only address violence). Definitions of harassment vary significantly across the jurisdictions. Across the 11 jurisdictions defining harassment separately, all definitions include objectionable or unwelcome conduct and comments. This leaves room to capture many harassment behaviours. It can also, however, create ambiguity, as the words can be interpreted differently. Beyond this, the definitions variably include bullying; sexual harassment; harassment as defined in the federal, provincial, and territorial human rights codes; behaviour that causes

humiliation or intimidation; threats to worker safety and health; and harassment that impacts workers' physical and psychological well-being (see Table 6). Only Ontario defines harassment as inclusive of objectionable or unwelcome conduct or comment via technology.

**Table 6**  
*Definitions of violence and harassment in OHS legislation*

Item	CA	BC	AB	SK	MA	ON	QC	NS	NB	NL	PEI	NWT	NU	YT
<b>Violence</b>														
- Physical (threatened)	✓	✓	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓
- Physical (attempted)	✓	✓	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓
- Physical (actual)	✓	✓	✓	✓	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓
- Psychological (threatened)	✓	✗	✓	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗
- Psychological (attempted)	✓	✗	✓	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗
- Psychological (actual)	✓	✗	✓	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗
- Sexual violence	✓	✗	✓	✗	✗	✗	✓	✗	✓	✗	✗	✗	✗	✗
- DV/IPV/FV	✗	✗	✓	✗	✗	✗	✗	✗	✓	✗	✗	✗	✗	✗
<b>Harassment</b>														
- Objectionable or unwelcome conduct	✓		✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓
- Psychological harassment	✗		✗	✗	✗	✗	✓		✗	✗	✗	✗	✗	✗
- Bullying	✗		✓	✗	✗	✗	✗		✓	✗	✓	✗	✗	✓
- Objectionable or unwelcome comment	✓		✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓
- Sexual harassment (advance, solicitation, gestures, etc.)	✓		✓	✓	✗	✓	✓		✓	✗	✓	✗	✗	✗
- Relates to worker's identity	✗		✗	✓	✓	✗	✗		✗	✗	✓	✗	✗	✓
- Use of technology	✗		✗	✗	✗	✓	✗		✗	✗	✗	✗	✗	✗
- Causes humiliation or intimidation	✓		✓	✓	✓	✓	✗		✗	✓	✗	✗	✗	✗
- Threatens health and safety of worker	✗		✓	✓	✓	✗	✗		✓	✗	✓	✓	✓	✓
- Impacts physical and psychological well-being	✓		✗	✗	✓	✗	✓		✗	✗	✓	✗	✗	✓

The large-scale restriction of violence to physical risk or injury is highly limiting, as it ignores the wide range of violent behaviours that can occur in the workplace. Moreover, defining violence and harassment separately fails to account for how they are highly intertwined and related.

Aside from two jurisdictions that name DV in their violence definitions, there are no explicit references to GBVH. Rather, a gender-neutral approach is taken to defining violence and harassment (other than where harassment due to social identity is addressed). A gender-neutral approach fails to account for the gendered dimensions and power relations deeply embedded in workplace violence and harassment. As noted earlier, women and gender-diverse people tend to experience workplace violence and harassment at greater rates, especially sexual violence and harassment (Berlingieri et al., 2023; Burczycka, 2021). Moreover, violence and harassment often occur in higher rates among women in industries dominated by men, and for men in industries dominated by women (Burczycka, 2021). Together, these findings paint a picture of the deeply non-gender-neutral nature of violence and harassment. Neglecting to include GBVH in definitions of violence and harassment across all jurisdictions is deeply problematic.

**Recommendation #13:** We recommend that all jurisdictions adopt definitions of violence that are inclusive of all types of violence.

**Recommendation #14:** We recommend that all jurisdictions treat violence and harassment as a continuum of unacceptable behaviours and practices.

**Recommendation #15:** We recommend that definitions of violence and harassment include GBVH and adopt a non-gender-neutral approach.

As Koshan (2024) argues, the very distinction between “violence” and “harassment” throughout OHS legislation “suggests that harassment and psychological injuries are not themselves “violence”, which contributes to the invisibility of coercive control” (p. 18). That is, when violence is separated from harassment and defined in terms of physical acts, non-physical forms of harm, such as coercive control, verbal abuse, among others, remains invisible. In the ILO C-190, violence and harassment are viewed as a continuum “of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment” (ILO, 2019). The ILO C-190 also specifically includes GBVH, defined as “violence and harassment directed at persons because of their sex or gender, or affecting persons of a particular sex or gender disproportionately, and includes sexual harassment” (ILO, 2019). Definitions of violence and harassment as a continuum, and inclusive of GBVH, address the interrelatedness of violence and harassment, the role of socially constructed power imbalances in occurrences of violence and harassment, and enable recognizing how violence perpetrated against gender non-conforming people, trans men, etc., constitutes GBVH.

### ***Employment Contexts Where OHS Violence and Harassment Legislation Applies***

The application of OHS workplace violence and harassment legislation is inconsistent across jurisdictions. That is, three (CA [fed], AB, YT) jurisdictions address violence and harassment together, two (BC, NS) only address violence (not harassment), eight (SK, MB, ON, NB, NL, PEI, NWT, NU) address them separately, and QC specifically addresses psychological

harassment and sexual violence. Further, across the 10 jurisdictions (BC, SK, MB, ON, NB, NS, NL, PEI, NWT, NU) that address violence as a standalone phenomenon, various restrictions exist as to where such regulations and provisions apply. Table 7 summarizes where mandates and exemptions of violence and/or harassment prevention policies/plans exist. Appendix E provides a full list of workplaces mandated and exempted under provisions for violence and/or harassment.

**Table 7**

*Employment contexts where OHS violence and harassment legislation applies and exemptions*

<b>Juris-diction</b>	<b>Violence/ Harassment</b>	<b>Workplaces Mandated</b>	<b>Workplaces Exempt</b>
<b>CA</b>	V+H	ALL federally regulated workplaces	NO exemptions specific to V+H provisions. Workplaces exempt from OHS would be exempt from V+H provisions.
<b>BC</b>	V	SPECIFIED workplaces LATE NIGHT RETAIL workplaces Where RISK IS identified	ALL OTHER workplaces exempt MINES exempt
<b>AB</b>	V+H	ALL workplaces in AB under provincial OHS	NO exemptions specific to V+H provisions. Workplaces exempt from OHS would be exempt from V+H provisions.
<b>SK</b>	V	SPECIFIED workplaces	ALL OTHER workplaces exempt
	H	ALL workplaces in SK under provincial OHS	NO exemptions specific to H provisions. Workplaces exempt from OHS would be exempt from H provisions.
<b>MB</b>	V	SPECIFIED workplaces Where RISK IS identified	ALL OTHER workplaces exempt
	H	ALL workplaces in AB	NO exemptions specific to H provisions. Workplaces exempt from OHS would be exempt from H provisions.
<b>ON</b>	V	ALL workplaces in ON under provincial OHS with a few exceptions	Private residences Farming operations Teachers
	H	ALL workplaces in ON under provincial OHS	NO exemptions specific to H provisions. Workplaces exempt from OHS would be exempt from H provisions.
<b>QC</b>	Psychological Harassment	ALL workplaces in QC under provincial OHS	Workplaces exempt for OHS exempt from psychological harassment provisions
<b>NS</b>	V	SPECIFIED workplaces Where RISK IS identified	ALL OTHER workplaces exempt
<b>NB</b>	V	SPECIFIED workplaces Where RISK IS identified	ALL OTHER workplaces exempt MINES exempt

	H	ALL workplaces in NB under provincial OHS with some exemptions	MINES exempt
NL	V	SPECIFIED workplaces Where RISK IS identified	ALL OTHER workplaces exempt
	H	ALL workplaces in NL under provincial OHS	NO exemptions specific to H provisions. Workplaces exempt from OHS would be exempt from H provisions.
PEI	V	Where RISK IS identified	ALL OTHER workplaces exempt
	H	ALL workplaces in PEI under provincial OHS	NO exemptions specific to H provisions. Workplaces exempt from OHS would be exempt from H provisions.
NWT	V	SPECIFIED workplaces	ALL OTHER workplaces exempt
	H	ALL workplaces in NWT under territorial OHS	NO exemptions specific to H provisions. Workplaces exempt from OHS would be exempt from H provisions.
NU	V	SPECIFIED workplaces	ALL OTHER workplaces exempt
	H	ALL workplaces in NU under territorial OHS	NO exemptions specific to H provisions. Workplaces exempt from OHS would be exempt from H provisions.
YT	V+H	ALL workplaces in YT under territorial OHS	NO exemptions specific to V+H provisions. Workplaces exempt from OHS would be exempt from V+H provisions.

Only CA [fed] (Canada Labour Code, 1985), AB (OHS Code, 2021), and YT (Workplace Health and Safety Regulations, 2006) address harassment and violence together, requiring prevention policies to address both equally in all workplaces. QC (An Act Respecting Labour Standards, n.d.) addresses psychological harassment and sexual violence, with the most thorough focus on psychological harassment, with the requirement that all workplaces develop prevention policies/plans. BC (OHS Regulation, 1998) and NS (Violence in the Workplace Regulations, 2007), only address violence, failing to address harassment prevention in the workplace in OHS legislation. Exclusion of harassment in legislation can be detrimental, as it restricts avenues for employees to seek redress for harassment in the workplace beyond Human Rights Codes. Further, in BC, violence prevention policies, procedures, and work environment arrangements are only required in late-night retail workplaces and in workplaces only where risk is identified (BC OHS Regulation, 1998).

The remaining 8 jurisdictions (SK, MB, ON, NB, NL, PEI, NWT, NU) address violence and harassment separately, with different requirements for each. While all workplaces in each of these 8 jurisdictions have a requirement to develop and implement policies and prevention plans for harassment, only ON requires workplaces to develop and implement policies and prevention plans for violence (ON OHS Act, 1990). The other jurisdictions only require workplaces to

develop and implement violence prevention policies and plans when risk is identified (MB Workplace Safety and Health Regulation, 2006; NL OHS Regulations, 2012; PEI OHS Regulations, n.d.; NWT OHS Regulations, 2015) and/or in specified workplaces (SK OHS Regulations, 2020; MB Workplace Safety and Health Regulation, 2006; NWT OHS Regulations, 2015; NU OHS Regulations, 2016). Specified workplaces typically include workplaces used to provide healthcare services, pharmaceutical-dispensing services, education services, financial services, police, corrections or other law enforcement services, public transportation, crisis counselling and intervention services, security services, premises that sell alcoholic beverages, and late-night retail premises (SK OHS Regulations, 2020; MB Workplace Safety and Health Regulation, 2006; NWT OHS Regulations, 2015; NU OHS Regulations, 2016). NB differs, as violence prevention policies and plans must be developed and implemented for all workplaces with 20 or more employees, and for workplaces with fewer than 20 employees in specified workplaces or when risk is identified (NB General Regulation, n.d.).

In BC and NS, exemptions to OHS provisions and regulations exist for mining, thus exempting them from violence prevention workplace provisions. In NWT and NU, work in mines and in the exploration, production, and conservation of oil and gas resources are also exempt from OHS regulations, exempting them as well, from workplace violence and harassment prevention provisions.

The inconsistency in workplace violence prevention policies, results in discrepancies and inequities in protection measures for workers across Canada. These discrepancies may be particularly detrimental for women in SETT (science, engineering, trades, and technology), who work in male-dominated workplaces, and thus face a higher risk of experiencing violence and/or harassment. Yet, many SETT workplaces remain exempt from violence prevention provisions, including but not limited to mining and oil and gas.

***Recommendation #16:*** We recommend that all jurisdictions require ALL workplaces to develop and implement violence and harassment prevention policies and procedures to ensure equitable prevention and protection measures for all workers across Canada. While important to recognize that certain occupations may carry increased risk for violence and harassment, such phenomena can occur in any workplace. Legislation could be amended to include requirements for prevention policies and plans in all workplaces, as well as additional provisions for high-risk occupations. Some OHS legislation already does this, incorporating additional requirements for late-night retail due to increased and differential risk associated with these occupations.

***Recommendation #17:*** We recommend that BC and NS require harassment to be addressed and prevented in workplaces. These provinces only include violence in their OHS legislation, creating a major gap that requires action.

### ***Proactive Prevention – Legally Required Risk Assessments***

To effectively implement preventative measures, employers and organizations must be aware of risks for violence and harassment, including GBVH in their workplaces. While several jurisdictions legally stipulate that employers must conduct risk assessments for violence in all workplaces (CA [fed], MB, ON, NS, NB, NL, and PEI), several others (AB, NWT, NU, and YT), do not (see Table 8, see Appendix F for more details). BC (OHS Regulations, 1998)

requires a risk assessment be performed in workplaces where risk of injury from violence that arises out of employment may be present. This creates ambiguity in which areas workplaces should conduct a risk assessment. Legislation alludes to the need to be aware of risk before conducting an assessment, seemingly creating a contradiction. SK legally requires only late-night

**Table 8**

*Risk assessment requirements by jurisdiction*

Jurisdiction	Legislation	Risk Assessment Mandated	Inform workers of hazards related to violence and/or harassment
CA	V+H	ALL	
BC	V	SPECIFIED	YES – The employer must inform workers who may be exposed to the risk of violence of the nature and extent of risk
AB	V+H	NO	NO
SK	V	Late Night Retail	YES – To be included in violence prevention policy provision <ul style="list-style-type: none"> <li>- Identify worksites where violence has/may occur</li> <li>- Identify positions that have been/may be exposed to violence</li> </ul>
	H	NO	NO
MB	V	ALL	YES – To be included in violence prevention policy provision <ul style="list-style-type: none"> <li>- Identify worksites where violence has/may occur</li> <li>- Identify positions that have been/may be exposed to violence</li> </ul>
	H	NO	NO
ON	V	ALL	YES – Employers must inform workers of risk
	H	NO	NO
QC		NO	NO
NS	V	ALL	YES – Employers must inform workers of nature and extent of risk
NB	V	ALL	YES – To be included in violence code of practice <ul style="list-style-type: none"> <li>- Description of types of violence that may occur</li> <li>- Description of categories of employees at risk or types of work that create risk for employees</li> </ul>
	H	NO	NO
NL	V	ALL	YES – Employers must inform workers of nature and extent of risk
	H	NO	NO
PEI	V	ALL	YES – Employers must inform workers of nature and extent of risk
	H	NO	NO
NWT	V	NO	YES – To be included in violence prevention policy <ul style="list-style-type: none"> <li>- Identify worksites where violence has/may occur</li> <li>- Identify positions that have been/may be exposed to violence</li> </ul>
	H	NO	NO
NU	V	NO	YES – To be included in violence prevention policy <ul style="list-style-type: none"> <li>- Identify worksites where violence has/may occur</li> <li>- Identify positions that have been/may be exposed to violence</li> </ul>
	H	NO	NO
YT	V+H	NO	NO

retail workplaces to conduct a risk assessment. Moreover, some OHS legislation legally mandates risk assessments only for violence and not for harassment. This can be highly limiting, as the vast majority of jurisdictions only consider physical violence, with harassment defined to encompass a much wider array of harmful behaviours and actions. Risk for other forms of harmful behaviour remains, therefore, unaccounted for. Restricting risk assessments to physical violence in most jurisdictions disproportionately impacts women, gender-diverse people, and other individuals and groups with multiple marginalized identities, who face higher risk for psychological violence, sexual violence and harassment, and harassment based on social identity.

An interesting contradiction appears in OHS legislation regarding risk assessment and the need to identify hazards in prevention plans and policies. As noted, not all jurisdictions have OHS legislation that requires risk assessments. However, even in some jurisdictions not legally required to conduct risk assessments, legislation stipulates that the prevention policy must include (i) the identification of work sites where violence has occurred or could reasonably be expected to occur, and (ii) the identification of staff positions at the work site that were, or could reasonably be expected to be, exposed to violence. This can be seen in the OHS legislation of NWT, and NU. It is possible to list work sites and staff positions where violence has occurred or may occur based on past occurrences. However, a full determination of where risk can reasonably be expected to occur cannot be made without a full risk assessment. Thus, a gap likely exists in the prevention policies in hazard identification where legislation does not mandate risk assessments.

Where legal mandates exist for risk assessments, most legislation outlines the information to consider, with some variation across jurisdictions. Most workplace risk assessments must consider (a) previous experience in that workplace, (b) occupational experience in similar workplaces, (c) the location and circumstances in which the work will be performed, and (d) interactions that occur during the course of performing work. In other jurisdictions, including CA [fed], NB, and NL, broader considerations must be made. Alongside the more standard considerations, NB legislation also requires employers to consider (i) the categories of employees at risk, or the types of work that place employees at risk of experiencing violence; and (ii) the possible effects on the health or safety of employees who are exposed to violence at their place of employment (NB General Regulation, n.d.). NL legislation also requires employers to consider (i) workplace characteristics including demographics, culture and the presence of new workers; and (ii) issues raised by the Occupational Health and Safety Committee, the worker health and safety representative, or the workplace health and safety designate (NL OHS Regulations, 2012). In federal legislation, employers must consider (i) the culture, conditions, activities and organizational structure of the work place; (ii) circumstances external to the work place, such as family violence, that could give rise to harassment and violence in the work place; (iii) any reports, records and data that are related to harassment and violence in the work place; (iv) the physical design of the workplace; and (v) the measures that are in place to protect psychological health and safety in the workplace (Canada Labour Code, 1985). These considerations begin to address more complex elements, requiring employers to recognize that certain social identities, occupations, and workplace characteristics can differentially influence the risk for violence, as well as the protections required for psychological health and safety.

Workplace risk assessments can be an effective prevention and intervention practice as they can assist workplaces to identify and eliminate risk factors, as well as inform effective and appropriate interventions (MacQuarrie et al., 2023). As such, they should be conducted in all workplaces, with regular reassessments to account for any changes. Risk assessments must be comprehensive and account for the continuum of violence and harassment. Literature highlights that assessments should consider risk factors internal and external to the workplace (MacQuarrie et al., 2023), barriers to reporting (Brock et al., 2018), risk factors faced by different groups of women and gender-diverse people, be gender responsive at all stages (Pillinger, 2020), be conducted by an external assessor (Rikleem, 2019), and consider the continuum of violence and harassment (MacQuarrie et al., 2023). Currently, no Canadian jurisdiction meets all of these considerations. Improvements are needed to ensure that risk assessments account for workplace diversity and remain up to date.

**Recommendation #18:** We recommend that all workplaces in all jurisdictions be required by law to conduct thorough risk assessments for both violence and harassment, including GBVH.

**Recommendation #19:** We recommend that all workplaces in all jurisdictions, conduct risk assessments that include:

- previous experience in that workplace,
- occupational experience in similar workplaces,
- the location and circumstances in which the work will be performed,
- interactions that occur during the course of performing work,
- the culture, conditions, activities and organizational structure of the workplace,
- circumstances external to the workplace, such as family violence, that could give rise to harassment and violence in the workplace,
- psychological and psychosocial risks of harassment and violence,
- barriers to reporting,
- risks faced by different groups of women and gender-diverse people.

**Recommendation #20:** We recommend that OHS legislation require regular updates to workplace assessments to ensure pro-active approaches.

**Recommendation #21:** We recommend that assessments be required to include confidential employee feedback.

**Recommendation #22:** We recommend that a third-party external assessor with no vested interest in the organization's profits or functioning be responsible for conducting the risk assessment to ensure that employees can safely share honest feedback.

### ***Consultations with Workers and/or Committees***

Across most of the jurisdictions, employers must consult or collaborate with (a) the Health and Safety Committee, (b) the health and safety representative, or (c) if there is neither a health and safety representative nor a committee, the employers must collaborate with the workers, as is reasonably practicable, in conducting the risk assessment, developing and implementing the prevention policy and plan, and where else prescribed in legislation (Table 5). This likely ensures

the protection of worker health and safety by a party aside from the employer alone. Such a practice is consistent with human rights norms of participation and inclusion (Koshan, 2024).

Several jurisdictions do not require any consultations as per OHS legislation, including BC, SK, and ON. NL and PEI require consultations only for harassment policies and plans, but do not have the same provision for violence prevention policies and plans.

***Recommendation #23:*** We recommend that OHS legislation in all jurisdictions require employers to consult or collaborate with the Health and Safety Committee or the health and safety representative. If there is neither a health and safety representative nor a committee, the employers can consult with the workers, as is reasonably practicable, to conduct the risk assessment and develop and implement the prevention policy and plan. It would be beneficial to allow anonymous employee feedback in these processes, alongside consulting with the committee or representative, to ensure that workers' perspectives are directly engaged and that their voices are heard.

### ***Prevention Policies and Plans***

The majority of jurisdictional OHS legislation outlines the content that must be included in violence and harassment prevention policies. Only NL and PEI do not specifically outline the components employers must include in a violence and harassment prevention policy/plan. PEI legislation does, however, indicate the content required for harassment policies/plans. BC only outlines content that must be included in a violence prevention program for late night retail workplaces, but not for other workplaces, which are required, under OHS legislation, to have a violence prevention policy. This section discusses the required content of violence and harassment prevention policies/plans, highlighting major commonalities and various differences that exist across OHS legislation. The policy/plan content elements listed in Tables 9, 10, and 11 are inclusive of every element type across legislation, addressing violence and harassment together or separately. Appendix G provides full details regarding policies/plans in legislation.

**Violence and Harassment.** This subsection addresses CA [fed] (Canada Labour Code, 1985), AB (OHS Code, 2021), and YT (Workplace Health and Safety Regulations, 2006) since they address violence and harassment together. Table 9 illustrates the content elements required in a prevention policy/plan under OHS legislation in these three jurisdictions. The federal legislation offers the most inclusive policy/plan content, requiring 11 of the listed elements to be part of the prevention policy/plan in federally regulated workplaces. The only elements required across all three jurisdictions are reporting and investigation procedures, and how employers will protect the identity of those involved in an occurrence of violence and harassment. Missing across all three jurisdictions are statements of supervisors' and workers' duties, and statements of employers' obligations to protect workers from retaliation. Including statements of supervisors' and workers' obligations regarding violence and harassment ensures that all workplace parties are aware of their responsibility to create a workplace free from violence and harassment. The exclusion of protection of workers from retaliation is particularly concerning, as a common barrier to reporting is the fear of retaliation, such as losing one's job or not receiving a promotion.

**Table 9***Policy content required by legislation where harassment and violence are addressed together*

<b>Policy content elements</b>	<b>CA</b>	<b>AB</b>	<b>YT</b>
Statement of employer commitment to prevent harassment and violence in the workplace	✓	✗	✓
Statement that the worker is entitled to a violence and harassment free workplace	✗	✗	✓
Statement of worker duty to report violence and harassment to employer as soon as the circumstances permit	✗	✗	✗
Statement that harassment and violence in the workplace are prohibited	✗	✗	✓
Statement of worker's obligation to not engage in bullying or harassment, report occurrences, and comply	✗	✗	✗
Statement of supervisors' obligation to ensure the health and safety of workers	✗	✗	✗
Description of roles of employer, employees, policy committee, health and safety committee and rep related to violence and harassment in the workplace	✓	✗	✗
Description of risk factors – nature and extent of risk of violence and harassment	✓	✗	✓
Procedures to inform workers of nature and extend of risk of violence and harassment	✗	✓	✗
Description of measures the employer will take to eliminate, or if not possible, minimize risk of injury to workers	✗	✓	✓
Summary of training to be provided	✓	✗	✗
Summary of resolution process (reporting, investigating, and corrective action)			
- Reporting procedures	✓	✓	✓
- Procedures to report if the employer is the harasser	✓	✗	✓
- Investigation procedures	✓	✓	✓
- Results of investigation	✓	✗	✓
Reasons for review and update to workplace risk assessment	✓	✗	✗
Summary of emergency procedures to be implemented upon immediate danger to health of an employee	✓	✗	✗
Recommendation for worker to consult a physician for treatment or referral for counselling	✗	✗	✗
Description of privacy protections of persons involved in an occurrence	✓	✓	✓
Description of recourse	✓	✗	✗
Description of support measures available to employees	✓	✗	✓
Name of person designated to receive a complaint	✓	✗	✗
Where applicable, additional requirements for late-night retail	✗	✓	✗
Statement that the plan is not intended to discourage a worker from exercising other rights	✗	✗	✗
Statement that the employer will protect workers from retaliation	✗	✗	✗

Both CA [fed] (Canada Labour Code, 1985) and YT (Workplace Health and Safety Regulations, 2006) includes reporting and investigating procedures in cases where the employer is the perpetrator. It is crucial to ensure that workers who may be subjected to violence or harassment by an employer, know how to report and feel safe doing so. The lack of procedures in legislation for reporting and investigating, when the employer is the perpetrator, causes uncertainty. Having specific provisions on reporting is crucial for the many workers who may be subjected to workplace violence or harassment by a person in a position of authority.

Only CA [fed] legislation requires the inclusion of descriptions of the roles of employers, employees, policy committee, and health and safety representatives, relative to violence and harassment in the workplace (Canada Labour Code, 1985). This may cover certain obligations not otherwise listed; however, what the roles may or must entail is not specified, leaving a great deal of ambiguity in how this may be interpreted by employers. It may be helpful to have specified duties and obligations for these parties as a minimum standard, in order to ensure a baseline equitable approach to violence and harassment prevention for all workers in federal workplaces.

Only CA [fed] OHS legislation requires training components to be outlined in the policy/plan (Canada Labour Code, 1985). Both AB and YT legally require employers to train workers in violence and harassment prevention and response. The components of training are not, however, required to be listed in the plan, as per OHS legislation. It may be beneficial to outline the minimum training components for improved transparency and accountability. It will serve to make workers aware of the training required, under legislation, related to workplace violence and harassment.

Additionally, only CA [fed] requires reasons for review and reassessment, procedures for immediate emergency assistance, description of recourse, and the name of the person designated to receive the complaint to be included in the prevention policy/plan (Canada Labour Code, 1985). Such content makes workers aware of prevention and response processes, giving them the knowledge they need, if they witness or experience violence or harassment.

**Violence.** This subsection focuses on violence prevention policies/plans, as most jurisdictions have different legally required elements for policies/plans on violence than those for harassment. BC and NS only have legislation pertaining to violence prevention policies/plans. BC (OHS Regulation, 1998), NL (OHS Regulations, 2012), and PEI (OHS Regulations, n.d.), have OHS legislation that requires employers to develop procedures for reporting and investigating, and to take measures to eliminate or minimize violence. It is not specifically stated, however, that the development of a violence prevention policy/plan is required, nor the contents to be included in one.

As illustrated in Table 10, there is a lot of variation across the jurisdictions regarding legally required violence prevention policy/plan content. Across the jurisdictions that specify content, the only consistently common statements are descriptions of the measures the employer will take to eliminate, or if not possible, minimize risk of injury to workers, procedures for workers to report a complaint, and procedures to investigate a complaint. Statements of supervisors' and workers' duties, reporting and investigating procedures if the employer is the perpetrator, emergency assistance procedures, reasons for review and updates, the name of the person designated to hear a complaint, privacy protections, and statements of employers' obligations to protect workers from retaliation are either not included in any jurisdiction or rarely seen across the jurisdictions. The lack of inclusion of these elements is concerning, as it results in workers being uninformed about how violence is handled in the workplace. It may also result in

**Table 10***Policy content required by legislation where violence is addressed separately*

<b>Policy content elements</b>	<b>BC</b>	<b>SK</b>	<b>MB</b>	<b>ON</b>	<b>QC</b>	<b>NS</b>	<b>NB</b>	<b>NL</b>	<b>PEI</b>	<b>NWT</b>	<b>NU</b>
Statement of employer commitment to prevent violence in the workplace	x	✓	x	x	x	x	x	x	x	✓	✓
Statement that the worker is entitled to a violence free workplace	x	x	x	x	x	x	x	x	x	x	x
Statement of worker duty to report violence to employer as soon as the circumstances permit	x	x	x	x	x	x	✓	x	x	x	x
Statement of worker's obligation to not engage in bullying or harassment, report occurrences, and comply	x	x	x	x	x	x	x	x	x	x	x
Statement of supervisors' obligation to ensure the health and safety of workers	x	x	x	x	x	x	x	x	x	x	x
Statement that violence in the workplace is prohibited	x	x	x	x	x	✓	x	x	x	x	x
Description of roles of employer, employees, policy committee, health and safety committee and rep related to violence in the workplace	x	x	x	x	x	x	x	x	x	x	x
Description of risk factors – nature and extent of risk of violence or where violence is likely to occur	x	✓	✓	x	x	x	✓	x	x	✓	✓
Procedures to inform workers of nature and extent of risk of violence	x	✓	x	x	x	x	x	x	x	✓	✓
Description of measures the employer will take to eliminate, or if not possible, minimize risk of injury to workers	x	✓	✓	✓	x	✓	✓	x	x	✓	✓
Summary of training to be provided	x	✓	x	x	x	✓	✓	x	x	✓	✓
Summary of resolution process (reporting, investigating, and corrective action)	x	x	x	x	x	x	x	x	x	x	x
- Reporting procedures	x	✓	✓	✓	x	✓	x	x	x	✓	✓
- Procedures to report if the employer is the harasser	x	x	x	x	x	x	x	x	x	x	x
- Investigation procedures	x	✓	✓	x	x	✓	✓	x	x	✓	✓
- Results of investigation and corrective action	x	x	✓	x	x	x	✓	x	x	x	x
Reasons for review and update to workplace risk assessment	x	x	x	x	x	x	x	x	x	x	x
Recommendation for worker to consult a physician for treatment or referral for counselling	x	✓	✓	x	x	x	x	x	x	✓	✓
Summary of emergency procedures to be implemented upon immediate danger to health of an employee	x	x	x	✓	x	x	✓	x	x	x	x
Description of privacy protections of persons involved in an occurrence	x	x	✓	x	x	x	x	x	x	x	x
Description of recourse	x	x	x	x	x	x	x	x	x	x	x
Description of support measures available to employees	x	x	x	x	x	x	x	x	x	x	x
Name of person designated to receive a complaint	x	x	x	x	x	x	✓	x	x	x	x

Where applicable, additional requirements for late-night retail workplaces	✓	x	x	x	x	x	x	x	x	x	x
Statement that the plan/policy is not intended to discourage a worker from exercising other rights	x	x	✓	x	x	x	x	x	x	x	x
Statement that the employer will protect workers from retaliation	x	x	x	x	x	x	x	x	x	x	x

workplaces not developing plans or policies on how to address violence in a comprehensive manner, simply complying with that which is specified in legislation. As mentioned above, the lack of inclusion of protections from retaliation for workers is particularly concerning, as a common barrier to reporting is fear of retaliation, such as losing one's job or not receiving a promotion. Overall, consistent inclusion of more of the listed content elements should be required at a minimum in legislation for more comprehensive approaches to violence prevention, improved worker awareness of how workplaces prevent and respond to violence, and to ensure transparency and accountability of policies.

**Harassment.** This subsection focuses on workplace harassment policies. Similar to policies for workplace violence, there is a great deal of variation across the jurisdictions regarding legally required components (see Table 11). Here, the most common components across the jurisdictions are a statement that every worker is entitled to a workplace free of harassment, procedures for reporting and investigation, and a description of privacy protections for those involved in occurrences. QC (Act Respecting Labour Standards, n.d.), unlike other jurisdictions, requires that the psychological harassment policy in a workplace include the name of the person designated to manage reports or complaints, recommendations on behaviour during work-related social activities, and measures to protect the persons who report a situation of psychological harassment. These are particularly important elements, as they create a context that promotes increased safety for all workers, as well as for those who experience psychological harassment, the feeling of safety to report. Overall, more consistent inclusion of the listed content elements should be required at a minimum in legislation for improved worker awareness of how workplaces prevent and respond to harassment, and to ensure transparency and accountability of the policies.

**Table 11**

*Policy content required by legislation where harassment is addressed separately*

Policy content elements	SK	MB	ON	QC	NB	NL	PEI	NWT	NU
Statement of employer commitment to eliminate harassment in the workplace	✓	✓	x	x	x	✓	✓	✓	✓
Statement that every worker is entitled to a workplace free of harassment	✓	✓	x	x	✓	✓	✓	✓	✓
Statement of worker duty to report violence/harassment to employer as soon as the circumstances permit	x	x	x	x	x	x	x	x	x
Statement that the employer will take corrective action	✓	✓	x	x	x	x	✓	✓	✓
Statement of worker's obligation to not engage in bullying or harassment, report occurrences, and comply	x	x	x	x	✓	✓	x	x	x

Statement of supervisors' obligation to ensure the health and safety of workers	x	x	x	x	x	✓	x	x	x
Description of measures the employer will take to eliminate, or if not possible, minimize risk of injury to workers	x	x	x	✓	x	x	x	x	x
Description of roles of employer, employees, policy committee, health and safety committee and rep related to harassment in the workplace	x	x	x	x	x	x	x	x	x
Description of risk factors	x	x	x	x	x	x	x	x	x
Summary of training to be provided	x	x	x	✓	✓	x	x	x	x
Summary of resolution process									
- Reporting procedures	✓	✓	✓	✓	x	✓	✓	✓	✓
- Procedures to report if the employer is the harasser	x	x	x	x	x	x	✓	x	x
- Investigation procedures	x	✓	✓	✓	✓	✓	✓	x	x
- Results of investigation and corrective action	✓	✓	✓	✓	✓	✓	✓	✓	✓
Reasons for review and update to risk workplace assessment	x	x	x	x	x	x	x	x	x
Recommendations for behaviour to adopt when participating in work-related social activities	x	x	x	✓	x	x	x	x	x
Summary of emergency procedures to be implemented upon immediate danger to health of an employee	x	x	x	x	x	x	x	x	x
Description of privacy protections of persons involved in an occurrence	✓	✓	✓	✓	x	✓	✓	✓	✓
Description of recourse	x	x	x	x	x	x	x	x	x
Description of support measures available to employees	x	x	x	x	x	x	x	x	x
Reference to Human Rights Code	✓	✓	x	x	x	x	x	x	x
Worker's right to request assistance of OHS officer	✓	x	x	x	x	x	x	x	x
Name of person designated to receive a complaint	x	x	x	✓	x	x	x	x	x
Statement that the plan is not intended to discourage a worker from exercising other rights	✓	✓	x	x	x	✓	✓	✓	✓
Statement that the employer will protect workers from retaliation	x	x	x	✓	x	✓	x	x	x

***Recommendation #24:*** We recommend that all jurisdictions adopt consistent legally required content elements for violence and harassment policies/plans. The content legally required under the *Canadian Labour Code* (1985) offers the best frame for the provincial and territorial jurisdictions to follow. This includes:

1. Employer statement regarding the prevention of and protection against harassment and violence in the workplace,
2. A description of the roles of the employer, designated recipient, employees, policy committee, workplace committee, and health and safety representative regarding workplace harassment and violence,
3. A description of the risk factors, internal and external to the workplace, that contribute to workplace harassment and violence,
4. A summary of the training to be provided related to workplace harassment and violence,
5. A summary of the resolution process, including:

- a. The identity of the designated recipient, and
- b. How a principal party or witness may report an occurrence to the employer or designated recipient,
6. The reasons for a review and update to the workplace assessment,
7. A summary of the emergency procedures to be implemented when an occurrence poses an immediate danger to an employee's health and safety or when there is a threat thereof,
8. A description of how the employer will protect the privacy of the persons involved in the occurrence or in the resolution process,
9. A description of any recourse that may be available to persons involved in the occurrence,
10. A description of support measures that are available to employees, and
11. The name of the person designated to receive a complaint.

Beyond what is required in CA [fed] legislation, it is also recommended that jurisdictions consider the inclusion of the following as required elements of violence and harassment policies and plans in OHS legislation:

- a. Definitions of violence and harassment,
- b. Obligations of workers, supervisors, committees, and employers to prevent and protect all from workplace violence and harassment, including GBVH,
- c. Description of measures the employer will take to eliminate, or if not possible, minimize risk of injury to workers,
- d. Procedures to report complaints in situations where the employer or other worker in a position of authority is the harasser or perpetrator, and
- e. Commitment that the employer will protect workers from retaliation.

Together, these elements will help to ensure that all employees in a workplace are aware of the obligations, measures, and procedures in place to prevent and respond to workplace violence and harassment. It will ensure greater transparency and accountability, which are consistent with a human rights approach.

**Recommendation #25:** Based on a comprehensive risk assessment, we recommend that workplaces adapt required OHS policy content to develop context-specific, specialized violence and harassment policies and plans that specifically target the workplaces' risk factors and not take a generic one-size-fits-all approach.

### ***Informing Workers and Required Training***

Ensuring that all employees are informed about workplace violence and harassment policies is important for health and safety, worker awareness of rights and protections, improved organizational culture, and reduced prevalence rates of violence and harassment at work. Training programs are integral components and intervention strategies that workplaces can integrate to raise awareness about violence and harassment (MacQuarrie et al., 2023). However, not all jurisdictions legally require employers to provide workplace violence and harassment training or do not require employers to provide training regarding both violence and harassment (Table 12, see Appendix H for full details). CA [fed] (Canada Labour Code, 1985), AB (OHS Code, 2021), and NB (General Regulation, n.d.), legally require that employers provide training

programs for workplace violence and harassment. ON (OHS Act, 1990), PEI (OHS Regulations, n.d.), and YT (Workplace Health and Safety Regulations, 2006) do not legally require training for violence or harassment. SK (OHS Regulations, 2020), MB (Workplace Safety and Health Regulations, 2006), NS (Violence in the Workplace Regulations, 2007), NWT (OHS Regulations, 2015), and NU (OHS Regulations, 2016) legally require training for violence prevention, but not for harassment. NL (OHS Regulations, 2012) requires training for harassment and not for violence. QC (Act Respecting Labour Standards, n.d.) requires training for psychological harassment prevention and response. BC (OHS Regulation, 1998) requires employers train workers in late-night retail workplaces on violence prevention programs, but training is not specifically mandated for other workplaces where risk is identified, and policies and procedures are required to be developed and implemented.

**Table 12**

*Training requirements for violence and harassment in the workplace*

Jurisdiction	Violence/ Harassment	Training Mandated	Training not mandated but have to inform/ instruct
CA	V+H	YES - detailed	N/A
BC	V	NO	YES – detailed
AB	V+H	YES – detailed	N/A
SK	V	YES – detailed	N/A
	H	NO	NO
MB	V	YES – not detailed	N/A
	H	NO	NO
ON	V	NO	YES – not detailed
	H	NO	YES – not detailed
QC		YES	N/A
NS	V	YES - detailed	N/A
NB	V	YES – not detailed	N/A
	H	YES – not detailed	N/A
NL	V	NO	NO
	H	YES – not detailed	N/A
PEI	V	NO	YES - detailed
	H	NO	NO
NWT	V	YES – detailed	N/A
	H	NO	NO
NU	V	YES – detailed	N/A
	H	NO	NO
YT	V+H	YES – not detailed	N/A

Where training is not stipulated, OHS legislation may require that employers “instruct” or “inform” workers about the policy/plan, risk factors and hazards, reporting and investigating procedures, and other prescribed elements. For example, in the ON *OHS Act* (1990), it is stated that

an employer shall provide a worker with (a) information and instruction that is appropriate for the worker on the contents of the policy and program with respect to workplace violence, and (b) other prescribed information or instruction (c. 23, s. 3).

Similarly, in the BC *OHS Regulations 296/97*, it is stated that

The employer must instruct workers who may be exposed to the risk of violence in (a) the

means for recognition of the potential for violence, (b) the procedures, policies and work environment arrangements which have been developed to minimize or effectively control the risk to workers from violence, (c) the appropriate response to incidents of violence, including how to obtain assistance, and (d) procedures for reporting, investigating and documenting incidents of violence (s 4.30).

This leaves uncertain how employers will interpret such legislation, where some may provide training for all workers, while others may simply provide workers with the policy, but no training. This can lead to major gaps and differences across workplaces in the quality of information provided to workers.

Where training is legally required, CA [fed] (Canada Labour Code, 1985), BC (OHS Regulation, 1998), AB (OHS Code, 2021), NS (Violence in the Workplace Regulations, 2007), NWT (OHS Regulations, 2015), and NU (OHS Regulations, 2016) outline what shall be included, while SK (OHS Regulations, 2020), MB (Workplace Safety and Health Regulations, 2006), QC (Act Respecting Labour Standards, n.d.), NB (General Regulation, n.d.), and NL (OHS Regulations, 2012) simply state a requirement for training without indicating what is to be included. Where training elements are provided, they typically require that employers train workers in the (a) violence and/or harassment policy, (b) how to recognize violence and/or harassment, (c) appropriate responses to violence and/or harassment, and (d) the procedures for reporting, investigating, and documenting complaints and incidents of violence and/or harassment.

Literature indicates that even where training is required and provided, many employees report that the training does not adequately prepare them to handle violence and harassment at work (Berlingieri et al., 2022; Berlingieri et al., 2023). MacQuarrie et al. (2023) argue that this may be due to workplaces focusing on compliance with legislation and cost management when developing and implementing training programs, “rather than *actually* reducing harassment and violence at work” (p.13). Most organizations use standard training protocols that are not adapted to their workplace and thus, do not consider the unique factors that create differential risk for their employees (Feldblum & Lipnic, 2016). A comprehensive training program goes beyond just orienting workers to anti-harassment and anti-violence policies in the workplace. Training programs designed to reduce workplace violence and harassment benefit from discussing systemic social risk factors, power dynamics, unconscious biases, and gender discrimination (Rikleen, 2019; Schultz, 2018). Such training requires going beyond the standard model of training strictly oriented to teaching workers to recognize, respond to, and report negative behaviours, as this reinforces the individualist frame of violence and harassment, rather than a systems-based approach, where all parties have a role (Perry et al., 2019).

Training is often treated as a finite exercise, rather than an ongoing practice. In several studies, workers have highlighted the need for training to take a broader scope and be continuous (Al-Ghabeesh & Qattom, 2019; Keller et al., 2019). Experts agree with this sentiment, noting that recurrent training aimed at reducing workplace harassment and violence is more likely to be effective than the current standard, legislation compliance-driven, tick-box model (Diez-Canesco et al., 2022; Gerdeman, 2018).

**Recommendation #26:** We recommend that all jurisdictions legally require employers to train workers and supervisors in violence and harassment prevention and intervention. At a minimum, all jurisdictional legislation should require worker training on how to recognize, respond to, and report gender-based violence and harassment, and the company guidelines in the workplace policy. This is, however, an individualist approach and may be problematic if training is limited to these components.

**Recommendation #27:** We recommend that in developing policies, workplaces go beyond tick-box compliance with current standard models of training. Design of the training should be context-specific. To reduce workplace violence and harassment, training should begin by discussing power dynamics, unconscious biases, gender discrimination, and systemic social risk factors. Such an approach creates a culture of collective responsibility, where all parties have a role in prevention and response, rather than placing responsibility on individuals.

**Recommendation #28:** Beyond focussing on training and education as per legislation, we recommend that workplaces view education as only one aspect of effective violence and harassment prevention at work. Additional aspects need to be considered, such as implementing proactive measures, developing an anti-harassment and anti-violence organizational culture, and ensuring adequate support measures exist for survivors.

### ***Reporting***

Reporting of workplace violence and harassment occurrences can take many forms. Workers may make informal reports (disclosures) to co-workers or formal reports to supervisors, unions, or other people of authority in the workplace. It is important that reporting procedures be included and detailed in the workplace violence and harassment policies/plans. When reports are handled appropriately, they are a critical part of ongoing violence and harassment prevention and intervention (MacQuarrie et al., 2023). Berlingieri (2015b) indicates that clear communication of reporting procedures makes intervention possible at earlier stages of the violence and harassment continuum, leading to reductions in the intensity and frequency of violence and harassment in the workplace. As such, proper techniques and strategies for reports should be a fundamental element of policies and training (Lassiter et al., 2021).

Effective reporting procedures should outline the person(s) designated to receive formal reports of violence and harassment. More than one person should be designated, with the option of an impartial third-party representative (Berlingieri, 2015b, Brock et al., 2018). Designated persons should not be limited to direct supervisors and managers, as this can deter reporting. Further, when designing reporting procedures, beyond complying with OHS legislation and regulations, organizations should consider common and prominent barriers to reporting.

All jurisdictional OHS legislation requires reporting procedures be developed for workplaces where the legislation applies (see Table 5). Where policies/plans and legislation outline content are legally required, reporting procedures must be included, alongside the investigation procedures. Legislation does not cover what reporting procedures should entail or what considerations should be made, leaving open to interpretation how they may be developed and applied in workplaces. Most jurisdictional legislation does not require that persons designated to receive formal complaints be named in policies/plans. Currently, only CA [fed]

(Canada Labour Code, 1985) legislation requires that an employer provide the name of the person designated to receive a report of violence and harassment and how a worker may provide them with notice of an occurrence. Where legislation does not require a designated recipient to be named for reporting purposes, it leaves a gap and may create or exacerbate barriers to reporting.

**Recommendation #29:** We recommend that all jurisdictions' OHS legislation require that the names of the designated parties who receive reports, be listed. It must be required that more than one option exist, and an impartial third-party representative be included. Those who can receive reports must not be limited to direct supervisors and managers.

**Recommendation #30:** We recommend reducing ambiguity in OHS legislation, across jurisdictions, by providing baseline or reporting procedures requirements.

**Recommendation #31:** When workplaces develop legally mandated reporting procedures, they must consider common reporting barriers to ensure that the procedures in place do not reify barriers.

### ***Investigations***

Key components to a network of anti-harassment and anti-violence practices include fair, timely, thorough, confidential (to the extent possible), responsive, and impartial investigations (MacQuarrie et al., 2023; Rubin & Thomlinson, 2018). Violence and harassment policies/plans largely drive investigations of occurrences; thus, policies/plans must be comprehensive and be based on best practices or otherwise risk faulty investigations (MacQuarrie et al., 2023). Moreover, investigators must be extensively trained in proven investigation procedures, as well as the various forms of violence and harassment and their links, including GBVH, inequities, gender imbalances, and power differentials.

Across all jurisdictions, OHS legislation requires the development of procedures for investigating incidents of violence and harassment. Only CA [fed] (Canada Labour Code, 1985), PEI (OHS Regulations, n.d.), and YT (Workplace Health and Safety Regulations, 2006), however, outline more detailed investigation provisions. PEI OHS legislation only provides investigation provisions for harassment.

CA [fed] legislation provides (a) information on when an investigation is required, (b) when it is to be discontinued, (c) when to provide notice, (d) who can be an investigator, including the qualifications of the investigator, (e) the requirement for all relevant information to be provided to the investigator, and (f) criteria for investigation reporting (Canada Labour Code, 1985).

PEI OHS legislation provides the following information on investigation provisions for harassment: (a) duty of employer, (b) OHS officer powers respecting workplace harassment, (c) order for investigation by impartial person, (d) recommendation by impartial person, (e) employer's responsibility following an investigation by an impartial person, and (f) authority of the OHS officer (PEI OHS Regulations, n.d.).

YT OHS legislation outlines the following regarding investigations: (a) employer obligation to ensure an appropriate investigation is conducted, (b) if an officer orders the

investigation, it must be conducted by an impartial person with the relevant qualifications, (c) report preparation without delay, and (d) a report must be provided to each person involved (YT Workplace Health and Safety Regulations, 2006).

CA [fed] OHS legislation offers the most comprehensive and effectively detailed provisions for investigations into complaints of harassment and violence.

***Recommendation #32:*** We recommend that all jurisdictions outline provisions to be adhered to when conducting investigations into workplace harassment and violence, including GBVH. At a minimum, these should include provisions related to the following:

1. Employer obligation to ensure an appropriate investigation is conducted in relation to the “level” along the continuum of harassment and violence;
2. Qualifications of investigators:
  - a. Be trained in investigative techniques,
  - b. Be trained in the various types of violence and harassment along the continuum,
  - c. Have knowledge, training and experience relevant to harassment and violence in the workplace, and
  - d. Have knowledge of any legislation relevant to harassment and violence in the workplace.
3. Statement that all relevant information be provided to the investigator.
4. A statement that all parties involved in a situation be informed of their rights and responsibilities, as well as limitations to confidentiality in an investigation.
5. Interim measures to be put in place to protect worker/survivors, witnesses, and other employees during the investigation from retaliation or risk of escalation. These actions must be non-punitive (Rubin & Thomlinson, 2018).
6. What must be included in the investigator’s report.
7. To whom the employer must provide a copy of the report.

***Recommendation #33:*** We recommend that employers consider the desired outcomes of investigations when planning investigative procedures (MacQuarrie et al., 2023).

### ***Confidentiality Protections***

Confidentiality protections refer to statements in OHS legislation, both within the listed required policy/plan content or as a separate provision, that employers will not disclose the name of the complainant or the circumstances of the complaint to any person, except when the disclosure is (i) necessary to investigate the complaint, (ii) required to take corrective action in response to the complaint, or (iii) required by law. Currently, not all jurisdictions include confidentiality protections. These protections exist in OHS legislation for CA [fed] (Canada Labour Code, 1985), AB (OHS Code, 2021), SK (OHS Regulations, 2020), MB (Workplace Safety and Health Regulation, 2006), NU (OHS Regulations, 2016), and YT (Workplace Health and Safety Regulations, 2006) for both harassment and violence. ON (OHS Act, 1990), NL (OHS Regulations, 2012), PEI (OHS Regulations, n.d.), and NWT (OHS Regulations, 2015) have confidentiality protection requirements related to harassment but not to violence. BC (OHS Regulation, 1998), NS (Violence in the Workplace Regulations, 2007), and NB (General Regulation, n.d.) do not include any confidentiality protection provisions.

**Recommendation #34:** We recommend that all jurisdictions have confidentiality protections in OHS legislation to ensure the equitable protection of workers when reporting incidences of workplace violence and harassment.

### **Review and Updates**

Regular reviews and updates of violence and harassment policies remain essential for maintaining relevance, proactively addressing hazards, and responding to changes in the workplace. Not all jurisdictional OHS legislation requires reviews and updates to policies/plans (see Table 13, see Appendix I for full details).

**Table 13**

*Review and updates to violence and/or harassment policies/plans*

<b>Jurisdiction</b>	<b>Violence/ Harassment</b>	<b>Review and Update for</b>	<b>Review/ Update Required</b>	<b>When to review</b>
<b>CA</b>	<b>V+H</b>	Risk assessment	YES	Every 3 years Circumstantial
	<b>V+H</b>	Workplace Harassment and Violence Prevention Policy	YES	Every 3 years Circumstantial
	<b>V+H</b>	Training	YES	Every 3 years Circumstantial
	<b>V+H</b>	Emergency procedures	YES	After every implementation of the emergency procedures
<b>BC</b>	<b>V</b>	Violence prevention program	YES	Annual Circumstantial
<b>AB</b>	<b>V+H</b>	Violence and Harassment prevention plan	YES	Every 3 years Circumstantial
<b>SK</b>	<b>V</b>	Violence policy statement and prevention plan	YES	3 years Circumstantial
	<b>H</b>	Harassment policy and prevention plan	NO	
<b>MB</b>	<b>V</b>	Violence prevention plan	NO	
	<b>H</b>	Harassment prevention plan	NO	
<b>ON</b>	<b>V</b>	Violence prevention policy	YES	Annual Circumstantial
	<b>H</b>	Harassment prevention policy	YES	
<b>QC</b>	<b>H</b>		NO	No
<b>NS</b>	<b>V</b>	Violence prevention plan	YES	5 years Circumstantial
<b>NB</b>	<b>V</b>	Violence code or practice	YES	Annual Circumstantial
	<b>H</b>	Harassment code of practice	YES	
<b>NL</b>	<b>V</b>	Violence prevention plan	NO	NO
	<b>H</b>	Harassment prevention plan	YES	Annual Circumstantial
<b>PEI</b>	<b>V</b>	Violence prevention plan	NO	
	<b>H</b>	Harassment prevention plan	NO	
<b>NWT</b>	<b>V</b>	Violence prevention plan	YES	3 years Circumstantial
	<b>H</b>	Harassment prevention plan	NO	NO
<b>NU</b>	<b>V</b>	Violence prevention plan	YES	3 years Circumstantial
	<b>H</b>	Harassment prevention plan	NO	NO
<b>YT</b>	<b>V+H</b>	Violence and harassment prevention plan	NO	NO

Legislation does not legally mandate reviews in PEI (OHS Regulations, n.d.), and YT (Workplace Health and Safety Regulations, 2006). In SK (OHS Regulations, 2020), MB (Workplace Safety and Health Regulation, 2006), NS (Violence in the Workplace Regulations, 2007), NWT (OHS Regulations, 2015), and NU (OHS Regulations, 2016), mandates for violence policies but not for harassment exist, and NL (OHS Regulations, 2012) requires a review for harassment but not violence policies. CA [fed] (Canada Labour Code, 1985), AB (OHS Code, 2021), ON (OHS Act, 1990), and NB (General Regulation, n.d.) mandate reviews for both violence and harassment policies/plans. In BC, the violence prevention program, policies, procedures, and work arrangements in late-night retail workplaces must be reviewed annually or more frequently, if a change in the work environment occurs that could adversely affect the effectiveness of the program or a workers' safety, or pursuant to a report on the ineffectiveness of the existing processes. Not mandating any review or only requiring reviews for violence policies/plans or harassment policies/plans can be detrimental, as it removes accountability from the workplace to regularly reassess risk and adapt policies to remain relevant to the current context and needs of the workplace. It can result in policies becoming outdated, employees being uninformed about changes, and negatively impact the health and safety of workers.

Where legislation mandates, all jurisdictions require reviews in circumstances where an incident occurs or there a change to the workplace that impacts risk. Otherwise, reviews must be conducted in a specific time period, such as annually, every three years, or every 5 years. AB (OHS Code, 2021), ON (OHS Act, 1990), NB (General Regulation, n.d.) and NL (OHS Regulations, 2012) require that reviews be conducted annually. CA [fed] (Canada Labour Code, 1985), SK (OHS Regulations, 2020), NWT (OHS Regulations, 2015), and NU (OHS Regulations, 2016) require reviews every 3 years. NS (Violence in the Workplace Regulations, 2007) requires a review every 5 years.

However, while legal mandates exist to review and update violence and harassment policies/plans in several jurisdictions, legal mandates for updating risk assessment do not commonly exist. Only CA [fed] (Canada Labour Code, 1985) outlines that risk assessments must be reviewed and updated as needed, or every three years. The *Canada Labour Code* (1985) also requires regular reviews and updates for emergency procedures and training. Such requirements ensure more comprehensive reviews and enhance accountability of workplaces.

**Recommendation #35:** We recommend that all jurisdictions' OHS legislation include the requirement that workplaces review and update both workplace violence and harassment policies annually or every 3 years and when circumstances require a review. Circumstances that warrant a review would be those already considered, when an incident occurs or when there is a change to the workplace that impacts risk. Other circumstances may be possible.

**Recommendation #36:** We recommend that beyond policies, regular reviews and updates be conducted for risk assessments, training, and emergency procedures. This follows the approach in the *Canada Labour Code* (1985).

### ***Supports for Affected Parties***

Across Canadian jurisdictions, legislation and regulations have minimal requirements that obligate employers to provide support for workers who experience workplace violence and

harassment. Currently, only federally regulated employers must provide employees with information regarding medical, psychological, or other support services available in their geographical area to support worker/survivors through their experience of harassment and violence (Canada Labour Code, 1985).

Potentially, despite not having legislation that mandates support, other workplaces may provide additional support to worker/survivors. However, without legal requirements, significant variation likely exists in the provision of supports, which can potentially reflect inequitable practices (MacQuarrie et al., 2023).

**Recommendation #37:** We recommend that OHS legislation and regulations across all jurisdictions mandate organizations to provide information on support services and mechanisms for workers/survivors who have experienced workplace violence and harassment, including GBVH.

**Recommendation #38:** We recommend that all workplaces implement mechanisms that support survivors of workplace violence and harassment. Simply providing support to workers who have experienced violence and/or harassment at work will not be enough. Mechanisms that financially support survivors to access counselling or take leave and ensure job protection will be highly beneficial for consideration and adoption. This will ensure survivors can attend to the negative impacts and traumatic effects of the violence and harassment. Without financial support and job protection, survivors may be unable to afford counselling or take leave, and may feel that quitting is their only option.

### ***Annual Monitoring and Reporting***

Across Canadian jurisdictions, annual monitoring and reporting remain uncommon in OHS workplace violence and harassment legislation (see Table 5). Currently, only CA [fed] (Canada Labour Code, 1985), BC (OHS Regulations, 1998), and MB (Workplace Safety and Health Regulation, 2006) have legal provisions related to reporting. In MB (Workplace Safety and Health Regulation, 2006), annually, employers must develop a report compiling the following:

1. Records of violent incidents to workers in the workplace,
2. Investigation results into an incident of violence, including a copy of,
  - a. Any recommendations for control measures or changes to the workplace violence prevention policy, and
  - b. Any report prepared from an investigation,
3. If any, the control measures implemented, as a result of an investigation.

This report is submitted to (a) the workplace committee, (b) the workplace representative, or (c) if neither exist in the workplace, then, the workers. In BC, following the first year of implementation of a violence prevention program in a late-night retail workplace, and every second year after that first year, the employer is required to receive a security audit report from an independent qualified person to confirm the program meets the legal requirements. This security audit report must be posted in the workplace upon receipt (BC OHS Regulations, 1998). CA [fed] (Canada Labour Code, 1985), on the other hand, must provide an annual report to the Minister on or before March 1 of each year, that sets out:

1. The employer's name or business name,
2. The employer's business phone number,
3. The name of a person who can be contacted regarding the report, and
4. The following information related to the occurrences for which notice was provided:
  - a. The total number of occurrences,
  - b. The total number of occurrences that were related, respectively, to sexual harassment and violence and non-sexual harassment and violence,
  - c. The number of occurrences that resulted in the death of an employee,
  - d. If known, the number of occurrences that fell under each prohibited ground of discrimination in the *Canadian Human Rights Act*,
  - e. The locations where the occurrences took place, with the total number of occurrences provided for each location,
  - f. The types of professional relationships that existed between the principal and responding parties, specifying the total number for each type,
  - g. The means by which resolution processes were completed, and
  - h. The average time, expressed in months, that it took to complete the resolution process for an occurrence.

**Recommendation #39:** We recommend that regular reporting to a third body, such as exists in the CA [fed] OHS legislation, be adopted by all jurisdictions.

### ***Right to Refuse Work***

Violence and harassment have been recognized as hazards in the workplace. While in the case of most workplace hazards, workers have the right to refuse unsafe work, provisions often do not cover hazards of violence or harassment. Currently, only ON (OHS Act, 1990) provides the right to refuse work in case of risk of violence. Given the narrow definition of violence (limited to physical violence), there are restrictions in the types of situations to which this legal provision can be applied.

**Recommendation #40:** We recommend that all jurisdictions adopt a provision alongside an inclusive definition of violence and harassment, that provides workers with the right to refuse unsafe work due to risk of violence and harassment.

### ***Retaliation Protection***

Currently, only MB OHS legislation requires that in a workplace harassment policy, employers include a statement that they are to protect workers from retaliation in relation to a complaint of harassment (MB Workplace Safety and Health Regulation, 2006). However, no specific procedures, processes, or definitions follow, describing what such protection would entail. This leaves the statement open to interpretation, which can result in retaliation protections falling short, especially for the most marginalized workers.

**Recommendation #41:** We recommend that all jurisdictions ensure that retaliation protections for complaints of violence and harassment are legally outlined, with specific procedures, processes, and definitions provided to reduce ambiguity in interpretation and to ensure equitable protection for all workers.

### ***Gender Responsive OHS Approach and Deep Uptake of ILO C-190***

Currently, OHS legislation regarding workplace violence and harassment takes a gender-neutral approach, evident in the distinct lack of recognition of GBVH in the workplace and the general focus on violence and aggressive behaviour (Cox, 2024). Further, the current approach falls within the individualistic approach, viewing violence and harassment as a problem caused by individuals, and placing responsibility on the worker to report and respond to violence. Given the deeply gendered nature of much workplace violence and harassment, and the role of organizational and structural factors in violence and harassment, a systems-based, intersectional, and gender responsive approach to OHS is needed. This involves the necessity to transform gender relations and other social dimensions that increase workers' risk, to end violence and harassment in workplaces.

Canada ratified the International Labour Organization's (ILO) Violence and Harassment Convention No. 190 (C-190) to eliminate harassment and violence at work in 2023, and it came into force on January 30, 2024. While positive, C-190 must be enforced federally, provincially, and territorially. Truly moving C-190 into force will shift Canadian jurisdictions' OHS legislation to a gender responsive model. Scholars doing research related to GBVH in workplaces have called for Canada to adopt ILO C-190 into legislation (e.g., MacQuarrie et al., 2023).

ILO C-190 provides a framework to ensure a world of work free from violence and harassment, including GBVH (ILO, 2019). It recognizes that everyone in the world of work, including governments, employees, unions, and individual workers, have a role to play to provide and sustain a mutually respectful workplace culture. Furthermore, in adopting ILO C-190, each member must adopt an inclusive, integrated, and gender-responsive approach to the prevention and elimination of violence and harassment, including GBVH, in the world of work

**Recommendation #42:** We recommend that Canadian jurisdictions reform OHS legislation to reflect the ratification of ILO C-190 in Canada and to ensure a gender responsive approach to addressing harassment and violence in the world of work.

## **GBVH-Related Legislation**

### **Domestic Violence Disclosure Laws**

In Canada, several jurisdictions have adopted Clare's Law (see Table 14), which authorizes police to disclose certain risk-related information about an intimate partner's history of violence with individuals who request it or who are believed to be at risk of DV (Lowe et al., 2023). The law comes out of the United Kingdom, where the Domestic Violence Disclosure Scheme ("Clare's Law") was introduced in 2014, following the murder of Clare Wood by a former partner in 2009. Clare Wood had contacted the police on several occasions regarding harassment, threats, and assaults by her ex-partner (Fitz-Gibbon & Walklate, 2017). Her family stated that had she been aware of her ex-partner's prior intimate partner violence convictions, she would not have become involved with him.

AB (Disclosure to Protect Against Domestic Violence Regulation, 2021), SK (Interpersonal Violence Disclosure Protocol Act, 2019), and NL (Interpersonal Violence Disclosure Protocol Act, 2019) have fully developed and implemented Clare's Law. Legislation

to develop and implement Clare's Law protocols passed in MB (The Disclosure to Protect Against IPV Act, 2022) and NB (Disclosure to Protect Against IPV Act, 2022), but the proclamation for the legislation to come into force remains pending. BC and ON both introduced disclosure legislation, but BC's bill did not make it past the first reading, and ON's bill did not make it past the second reading. The remainder of the provinces and territories do not have disclosure legislation.

Clare's Law aims to prevent future violence by sharing relevant information about an individual's prior history of violence. Proponents argue that this information helps individuals make informed decisions about their safety and risk of violence in the relationship (Lowe et al., 2023). Concerns have been raised, however, about the implications of such protocols for women's safety.

Protocols typically involve two disclosure avenues: the "right to ask" and the "right to know" (AB Disclosure to Protect Against Domestic Violence Regulation, 2021; SK Interpersonal Violence Disclosure Protocol Act, 2019; NL Interpersonal Violence Disclosure Protocol Act, 2019). The right to ask allows a member of the public to complete an application with the police for information on an individual regarding their history of violence. Following the request, a risk assessment will be completed to determine the applicant's risk for IPV. Disclosure occurs based on the risk determined. The right to know avenue occurs when the police initiate the process, if they have reason to suspect that an occurrence of IPV is likely to occur. Following the initiation of the process, a risk assessment and disclosure will similarly take place.

### ***Benefits***

DV disclosure protocols can be beneficial. They represent a shift to prevention-focused interventions (Lowe et al., 2023). Findings from the UK have shown that disclosure can provide information to victim-survivors that can meaningfully impact their decisions regarding their safety and risk in the relationship (Barlow et al., 2021). The provision of support for applicants can also be beneficial. For example, AB's protocol provides an option for an applicant to be connected to victim serving agencies. Further, the disclosure protocols provide police with clear processes for disclosing personal information (AB Disclosure to Protect Against Domestic Violence Protocol, 2021).

### ***Concerns and Critiques***

While benefits to the law exist, several critiques have been raised. First, concern arises within how DV disclosure protocols place responsibility on the victim (Fitz-Gibbon & Walklate, 2017). While beneficial in providing opportunities for victim empowerment, there must be recognition how a survivor's agency can be limited by fear, threats, coercive control, economic abuse, and systemic barriers. Placing responsibility on the victim to manage their relationship without effective support can increase the risk for violence. Thus, while protocols connect victims to supports in the community, without a strong system in place, the victim-survivor may be limited in the decisions they can make upon disclosure (Wang & Chellapermal, 2023).

Concerns regarding victim-blaming have also been raised. If a potential victim learns through disclosure protocols of their partner's history of abuse and cannot or does not leave, they could be blamed for future abuse from their partner, since they used the disclosure protocol

(Barlow et al., 2021; Fitz-Gibbon & Walklate, 2017). Victim-blaming can negatively affect a survivor's mental health and be a barrier to help-seeking.

**Table 14**

*Domestic Violence Disclosure Legislation (Clare's Law)*

Province/Territory	Date of Force	Legislation/Regulation/Protocol
BC	BC does not have DV disclosure legislation Introduced as a private member's bill in May 2019 but did not make it to second reading (Bill M 217)	
AB	April 1, 2021 Received royal assent on October 30, 2019	<a href="#">Disclosure to Protect Against Domestic Violence (Clare's Law) Act, SA 2019, c D-13.5</a> <a href="#">Disclosure to Protect Against Domestic Violence Regulation, Alta Reg 66/2021</a> <a href="#">Disclosure to Protect Against Domestic Violence (Clare's Law) Protocol</a>
SK	Received Royal Assent in May 2019 In force as of June 29, 2020	<a href="#">Interpersonal Violence Disclosure Protocol Act, SS 2019, c I-10.4</a>
MB	Legislation introduced but not yet in force. Received Royal Assent on November 3, 2022 and is awaiting proclamation	<a href="#">The Disclosure to Protect Against IPV Act, SM 2022, c 44</a>
ON	ON does not have DV disclosure legislation Introduced April 1, 2021 Lost on division in Second Reading on April 14, 2021 <a href="#">Bill 274, IPV Disclosure Act, 2021</a>	
QC	QB does not have DV disclosure legislation	
NS	NS does not have DV disclosure legislation	
NB	Introduced in November 2022. Received Royal Assent on December 16, 2022 and is awaiting proclamation	Bill 17 <a href="#">Disclosure to Protect Against IPV Act SNB 2022, c 57</a>
NL	Received Royal Assent on December 6, 2019. Came in to force November 2023.	<a href="#">Interpersonal Violence Disclosure Protocol Act, SNL 2019, c I-18.1</a>  <a href="#">Interpersonal Violence Disclosure Protocol Regulations, NLR 83/23</a>
PEI	PEI does not have DV disclosure legislation	
NWT	NWT does not have DV disclosure legislation	
NU	NU does not have DV disclosure legislation	
YT	YT does not have DV disclosure legislation	

In a study of Clare's Law, Fitz-Gibbon & Walklate, (2017) found no evidence that the law acted as a preventative strategy or an effective intervention for DV. They argue that women who use the right-to-ask route may be given a false sense of security, if they find out their partner does not have a documented history of violence. This may due to the high likelihood of underreporting by previous partners. Fitz-Gibbon & Walklate (2017) raise concerns that disclosure information may inaccurately capture records of DV history, particularly in cases of

malicious allegations of violence by previous partners or in cases where the primary aggressor is misidentified by police.

Structural issues also influence access to disclosure protocols. Little evidence exists about the experiences, access to, and use of these protocols by Black, racialized, and Indigenous communities (Wang & Chellapermal, 2023). For example, in the UK, Barlow et al. (2021) found that most participants who used disclosure protocols were white, heterosexual, and non-disabled. Immigrant women may face language barriers in accessing and obtaining disclosure protocol information. As well, they may experience fear, related to immigration status and engaging with the police (Grace, 2019). Literature on DV clearly shows that Black, Indigenous, racialized, and gender-diverse survivors often do not report DV to the police, due to past experiences of discrimination, higher rates of criminalization when seeking support, and historical and ongoing structural violence (Bent-Goodley et al., 2023; Duhaney, 2021; Fitz-Gibbon & Walklate, 2017; Wang & Chellapermal, 2023). Thus, the lack of intersectional considerations in the protocols may be problematic. Wang & Chellapermal (2023) argue that for such groups, disclosure protocols can function as colonial practices and may not be effective pathways for safety for Black, Indigenous, racialized, immigrant, queer, and trans communities. As such, disclosure protocols require careful consideration, before being implemented and adopted in legislation, as they are unlikely to offer equitable benefits.

**Recommendation #43:** We recommend before further adoption of Clare’s Law occurs in Canada, additional research and consideration of the benefits and limitations be conducted.

### **Domestic Violence Death Review Committees**

Several Canadian jurisdictions have domestic violence death review committees (DVDRCs) (See Table 15). DVDRCs are multi-disciplinary advisory committees formed by experts that review DV related deaths. Experts typically include law enforcement, the criminal justice system, the healthcare sector, social services, and other public safety organizations. The underpinning objective of these committees is to make recommendations to prevent future DV-related deaths (Officer of the Chief Coroner Province of Ontario, 2024). The first DVDRC in Canada was established in Ontario in 2003 in response to recommendations from two major inquests (Canadian Domestic Homicide Prevention Initiative, n.d.). Since then, committees have been formally established in AB (Est. 2013), MB (Est. 2010), QC (Est. 2018), NS (Est. 2021) and NB (Est. 2010). BC and SK do not have a continuous DVDRC. In both jurisdictions, under the BC *Coroners Act* (2007) and the SK *Coroners Act* (1999), circumstances related to the death of a child, or an adult, must be reported to a coroner or peace officer when the death may be related to DV. In turn, a coroner must conduct an investigation. Further, in both jurisdictions, reviews and reports of DV-related deaths have been conducted. For example, in late 2015, the Government of Saskatchewan announced a DVDRC, with the final report released in May 2018. The 2024 Domestic Violence Death Review Report for Saskatchewan was released in January 2025 (Government of Saskatchewan, 2025). In British Columbia, a report on *Intimate Partner Violence Deaths* between 2010 and 2015 was completed (British Columbia Coroners Service, 2016). The remaining provinces and jurisdictions do not have a DVDRC.

**Recommendation #44:** We recommend the continuation of domestic violence death review committees across Canada, and their adoption where they do not currently exist.

**Table 15**

*Domestic Violence Death Review Committees and Panels*

Province/Territory	Name of the Committee/Panel	Year Committee/Panel was Established	Most Recent Report
BC	BC does not have a DV Death Review Committee.  The death of child/adult resulting from DV must be reported to a coroner and the coroner must investigate.		<a href="#">BC Coroners Service Death Review Panel – A review of IPV Deaths 2010-2015</a>
AB	<a href="#">Family Violence Death Review Committee</a>	Established in 2013 under the <i>Protection Against Family Violence Act</i> as part of the <i>Children First Act</i>	<a href="#">Annual reports available from 2014-2015 to 2022-2023</a>
SK	No formal committee – ad hoc		<a href="#">SK's Second DV Death Review Report</a>
MB	Domestic Violence Death Review Committee	June 2010	<a href="#">Annual reports available from 2011/12 to 2018/19</a>
ON	Domestic Violence Death Review Committee	2003	<a href="#">2019-2020 Annual Report</a>
QC	Domestic Violence Death Review Committee	2018	
NS	Domestic Violence Death Review Committee  <a href="#">Death Review Committee Regulations, NS Reg 138/2021</a>	2021	Under the regulations, required to provide the Minister with an annual report
NB	<a href="#">Domestic Violence Death Review Committee</a>  <a href="#">Death Review Committee, NB Reg 2022-68 under the Coroner's Act</a>	February 2010	<a href="#">Recommendation reports available from 2012/13 to 2020</a>
NL	Newfoundland and Labrador does not have a DV death review committee		
PEI	PEI does not have a DV death review committee		
NWT	NWT does not have a DV death review committee		
NU	Nunavut does not have a DV death review committee		
YT	Yukon does not have a DV death review committee		

## Strategies and Action Plans to Address GBVH

### National Action Plan to End Gender-Based Violence

In 2017, Canada released, *It's Time: Canada's Strategy to Prevent and Address Gender-based Violence*. The government committed \$100.9 million over 5 years, and \$20.7 million per year ongoing. This strategy was a whole-of-government approach to ending GBV, coordinating all federal efforts and complementing the work of provincial and territorial governments. The pillars of the strategy included (1) prevention, (2) support for survivors and their families, and (3) promoting responsive legal and justice systems (Government of Canada, 2017). A full version of this strategy could not be found, preventing assessing whether the strategy covered GBVH in workplaces.

Building on the federal strategy, *It's Time*, the Government of Canada launched the *National Action Plan to End Gender-Based Violence* (NAPGBV) in 2022. The strategic framework bridges and coordinates action within and across the federal, provincial, and territorial jurisdictions to support victims, survivors, and their families. Five pillars form the NAPGBV: (1) support for survivors and their families, (2) prevention, (3) responsive justice system, (4) implementing Indigenous-led approaches, and (5) social infrastructure and enabling environment. The NAPGBV also involves a component called The Foundation which involves three components, (a) leadership, coordination, and engagement; (b) data, research, and knowledge mobilization; and (c) reporting and monitoring (Government of Canada, 2022). An expected results framework exists for evaluation and monitoring purposes.

In launching the NAPGBV, the federal government developed bilateral agreements with each of the provinces and territories for the period of April 1, 2023 to March 30, 2027 (see Table 16). Under the agreements, each province and territory must develop an Implementation Plan to support meeting the goals of the NAPGBV.

The NAPGBV recognizes the need for improved programs, services and supports for those who have experienced GBVH in the workplace, increased awareness of GBV as a work-related issue, increased training and guidance for professionals to prevent and address workplace GBVH, and strengthened protections for addressing workplace harassment and violence, including supports that attend to ableism, sexism, colonialism, racism, misogyny, and discrimination on the basis of sex, sexual orientation, gender identity and expression in the workplace (Government of Canada, 2022). The NAPGBV does not provide specific work-related law or policy reforms; however, the pillar on social infrastructure does address the importance of strengthening protections related to workplace violence and harassment on the basis of social identity factors.

Reviewing the actions provided by all jurisdictions, with the exception of Alberta (no implementation plan provided) and Quebec (Quebec following a previously developed action plan) showed that workplace-related GBV is very minimally covered (see Table 16). Only in a few provinces do Year 1 and Year 2 actions include a work-related action. The lack of inclusion of actions across all jurisdictions related to GBV in workplaces remains highly problematic, as it risks ignoring an entire group of victim-survivors, continuing to relegate GBV to the private sphere, and preventing increased recognition that GBV is a work-related concern.

**Table 16**

*NAPGBV Bilateral Agreements between Canada and the provinces and territories*

Province/ Territory	Allocation	Actions under Schedule B	Workplace-related actions	Reports provided
BC (Government of Canada, 2025a)	<ul style="list-style-type: none"> <li>- 7,848,000 for the Fiscal Year beginning April 1, 2023</li> <li>- \$18,048,000 for the Fiscal Year beginning April 1, 2024</li> <li>- \$18,048,000 for the Fiscal Year beginning April 1, 2025</li> <li>- \$18,048,000 for the Fiscal Year beginning April 1, 2026</li> </ul>	Outlined	2 actions related to workcamps  ACTION: GBV mitigation in Environmental Assessment process  ACTION: GBV Compliance and Enforcement Training Program for Environmental Assessment Process	Not provided

<b>AB</b> (Government of Canada, 2024a)	<ul style="list-style-type: none"> <li>- \$6,988,000 for the Fiscal year beginning on April 1, 2023</li> <li>- \$15,688,000 for the Fiscal year beginning on April 1, 2024</li> <li>- \$15,688,000 for the Fiscal year beginning on April 1, 2025</li> <li>- \$15,688,000 for the Fiscal year beginning on April 1, 2026</li> </ul>	Not provided	No specific workplace actions outlined in Year 1 and 2 actions	Not provided
<b>SK</b> (Government of Canada, 2025b)	<ul style="list-style-type: none"> <li>- \$3,333,000 for the fiscal year beginning April 1, 2023</li> <li>- \$5,658,000 for the fiscal year beginning April 1, 2024</li> <li>- \$5,658,000 for the fiscal year beginning April 1, 2025</li> <li>- \$5,658,000 for the fiscal year beginning April 1, 2026</li> </ul>	Outlined	No specific workplace actions outlined in Year 1 and 2 actions	Not Provided
<b>MB</b> (Government of Canada, 2025c)	<ul style="list-style-type: none"> <li>- \$3,548,000 for the fiscal year beginning April 1, 2023</li> <li>- \$6,248,000 for the fiscal year beginning April 1, 2024</li> <li>- \$6,248,000 for the fiscal year beginning April 1, 2025</li> <li>- \$6,248,000 for the fiscal year beginning April 1, 2026</li> </ul>	Outlined	No workplace actions outlined in Year 1 and 2 actions	Not provided
<b>ON</b> (Government of Canada, 2024b)	<ul style="list-style-type: none"> <li>- \$18,864,000 for the fiscal year beginning April 1, 2023</li> <li>- \$47,784,000 for the fiscal year beginning April 1, 2024</li> <li>- \$47,784,000 for the fiscal year beginning April 1, 2025</li> <li>- \$47,784,000 for the fiscal year beginning April 1, 2026</li> </ul>	Outlined	No specific workplace actions outlined in Year 1 and 2 actions  ACTION: Targeted funding to expand the Women's Economic Security Program, including for victims/survivors of GBV	Not provided
<b>QC</b> (Government of Canada, 2024c)	<ul style="list-style-type: none"> <li>- \$11,675,000 for the fiscal year beginning April 1, 2023</li> <li>- \$28,550,000 for the fiscal year beginning April 1, 2024</li> <li>- \$28,550,000 for the fiscal year beginning April 1, 2025</li> <li>- \$28,50,000 for the fiscal year beginning April 1, 2026</li> </ul>			Not provided
<b>NS</b> (Government of Canada, 2025d)	<ul style="list-style-type: none"> <li>- \$3,118,000 for the fiscal year beginning April 1, 2023</li> <li>- \$5,068,000 for the fiscal year beginning April 1, 2024</li> <li>- \$5,068,000 for the fiscal year beginning April 1, 2025</li> <li>- \$5,068,000 for the fiscal year beginning April 1, 2026</li> </ul>	Outlined	No specific actions for workplaces identified	Not provided
<b>NB</b> (Government of Canada, 2025e)	<ul style="list-style-type: none"> <li>- \$2,903,000 for the fiscal year beginning April 1, 2023</li> <li>- \$4,478,000 for the fiscal year beginning April 1, 2024</li> <li>- \$4,478,000 for the fiscal year beginning April 1, 2025</li> <li>- \$4,478,000 for the fiscal year beginning April 1, 2026</li> </ul>	Outlined	NB is a partner in <u>DIPV in the Workplace</u> , which is meant to support employers in developing safe, trauma-informed workspaces free of IPV.  ACTION: Education and Training Hub for Initiatives Addressing Gender-Based Violence in New Brunswick	Not provided
<b>NL</b> (Government)	<ul style="list-style-type: none"> <li>- \$2,602,000 for the fiscal year beginning April 1, 2023</li> </ul>	Outlined	No workplace actions outlined in Year 1 and 2 actions	Not provided

of Canada, 2024d)	<ul style="list-style-type: none"> <li>- \$3,652,000 for the fiscal year beginning April 1, 2024</li> <li>- \$3,652,000 for the fiscal year beginning April 1, 2025</li> <li>- \$3,652,000 for the fiscal year beginning April 1, 2026</li> </ul>			
<b>PEI</b> (Government of Canada, 2025f)	<ul style="list-style-type: none"> <li>- \$2,172,000 for the fiscal year beginning April 1, 2023</li> <li>- \$2,172,000 for the fiscal year beginning April 1, 2024</li> <li>- \$2,172,000 for the fiscal year beginning April 1, 2025</li> <li>- \$2,172,000 for the fiscal year beginning April 1, 2026</li> </ul>	Outlined	<p>No specific workplace actions outlined in Year 1 and 2 actions</p> <p><b>ACTION:</b> Review govt GBV related policies and protocols</p>	Not provided
<b>NWT</b> (Government of Canada, 2025g)	<ul style="list-style-type: none"> <li>- \$4,043,000 for the fiscal year beginning April 1, 2023</li> <li>- \$4,118,000 for the fiscal year beginning April 1, 2024</li> <li>- \$4,118,000 for the fiscal year beginning April 1, 2025</li> <li>- \$4,118,000 for the fiscal year beginning April 1, 2026</li> </ul>	Outlined	No workplace actions outlined in Year 1 and 2 actions	Not provided
<b>NU</b> (Government of Canada, 2025h)	<ul style="list-style-type: none"> <li>- \$4,043,000 for the fiscal year beginning April 1, 2023</li> <li>- \$4,118,000 for the fiscal year beginning April 1, 2024</li> <li>- \$4,118,000 for the fiscal year beginning April 1, 2025</li> <li>- \$4,118,000 for the fiscal year beginning April 1, 2026</li> </ul>	Outlined	No workplace actions outlined in Year 1 and 2 actions	Not provided
<b>YT</b> (Government of Canada, 2024e)	<ul style="list-style-type: none"> <li>- \$4,043,000 for the fiscal year beginning April 1, 2023</li> <li>- \$4,118,000 for the fiscal year beginning April 1, 2024</li> <li>- \$4,118,000 for the fiscal year beginning April 1, 2025</li> <li>- \$4,118,000 for the fiscal year beginning April 1, 2026</li> </ul>	Outlined	No specific workplace actions outlined in Year 1 and 2 actions	Not provided

### Provincial and Territorial Strategies and Action Plans

Table 17 provides links to the provinces and territories current and/or past strategic or action plans for GBVH, DV, or violence against women. Several of these action plans have expired, but for some jurisdictions, they remain the most recent plans available. For others, they show the historical work in the jurisdiction related to GBVH or DV. The lack of recent action plans to prevent and address GBVH across all 14 jurisdictions is highly problematic, given the high prevalence rates across Canada. Further, the inconsistency between action plans demonstrates a lack of planning as a plan comes to end. This likely results in breakdown of sustainability of GBVH initiatives, programs, and services due to changes in funding and government support. These findings demonstrate that all jurisdictions have worked on something. However, based on the fragmented existence of strategies and action plans, the use of different language, and lack of consistency over time, the evidence shows that no strong framework for strategies and action exists. As such, the current approach to addressing GBVH both generally and in workplaces, lacks a strong robust framework.

**Table 17***Provincial and Territorial strategies, action plans, and initiatives on GBVH*

<b>Jurisdiction</b>	<b>Name of GBV/DV/SV/VAW Action Plan/ Strategy/ Framework/ Initiative</b>	<b>Developed by</b>
<b>BC</b>	<a href="#"><u>Safe and Supported: BC's GBV Action Plan (2023)</u></a>	Govt of BC
	<a href="#"><u>A Vision for a Violence Free British Columbia: Addressing Violence Against Women in BC</u></a>	Govt of BC
	<a href="#"><u>British Columbia's Provincial DV Plan (2014)</u></a>	Govt of BC
	<a href="#"><u>Taking Action on DV in BC (2012)</u></a>	Govt of BC – Ministry of Children and Family Development
	<a href="#"><u>Domestic Violence Response A Community Framework for Maximizing Women's Safety (2010)</u></a>	Govt of BC – Victim Services and Crime Prevention Division
<b>AB</b>	<a href="#"><u>Winning Against Domestic and Sexual Violence: Alberta's Primary Prevention Playbook (2023)</u></a>	Written by SHIFT for the Govt of AB and the IMPACT Collective
	<a href="#"><u>Advancing gender equality in Alberta: A critical strategy to prevent GBV (2023)</u></a>	Developed by Shift: The Project to End DV to inform the Alberta Primary Prevention Framework Collaborative, whose goal is to help the Govt of AB and the IMPACT collective identify strategies and actions for DV and SV primary prevention
<b>SK</b>	<a href="#"><u>SASKATCHEWAN SEXUAL VIOLENCE ACTION PLAN (2019)</u></a>	Sexual Assault Services of SK
<b>MB</b>	<a href="#"><u>Manitoba's Framework: Addressing GBV (2020)</u></a>	GBV Committee of Cabinet, Govt of MB
	<a href="#"><u>Manitoba's Multi-Year Domestic Violence Prevention Strategy (2012)</u></a>	Govt of MB
	<a href="#"><u>Manitoba Post-Secondary Sexual Violence Policy Guide: Promoting Awareness and Prevention</u></a>	Govt of MB
<b>ON</b>	<a href="#"><u>Ontario STANDS: Standing Together Against Gender-Based Violence (2023)</u></a>	Govt of ON
	<a href="#"><u>Anti-Human Trafficking Strategy (2020–2025)</u></a>	Govt of ON
	<a href="#"><u>Pathways to Safety: Ontario's Strategy in Response to the Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls (2021)</u></a>	Govt of ON
	<a href="#"><u>It's Never Okay: Ontario's Gender-Based Violence Prevention Strategy (2018)</u></a>	Govt of ON
	<a href="#"><u>Walking Together: Ontario's Long-Term Strategy to End Violence Against Indigenous Women (2016)</u></a>	Govt of ON
	<a href="#"><u>It's Never Okay: An Action Plan to Stop Sexual Violence and Harassment (2015)</u></a>	Govt of ON
	<a href="#"><u>The Domestic Violence Action Plan (2004)</u></a> <a href="#"><u>Domestic Violence Action Plan Update (2007)</u></a>	Govt of ON
<b>QC</b>	<a href="#"><u>Integrated Government Strategy to Counter Sexual and Domestic Violence and to Rebuild Trust (2022–2027)</u></a>	Govt of QC
	<a href="#"><u>GOVERNMENT STRATEGY FOR GENDER EQUALITY 2022-2027</u></a>	Govt of QC
	<a href="#"><u>Government Action Plan on Domestic Violence (2018–2023)</u></a>	Govt of QC

	Plan d'action gouvernemental 2021-2026 en réponse aux recommandations de la commission spéciale sur l'exploitation sexuelle des mineurs – Briser le cycle de l'exploitation sexuelle (in French only)	Govt of QC
	Actions prioritaires pour contrer la violence conjugale et les féminicides 2021-2026 (in French only)	Govt of QC
	Plan d'action spécifique pour prévenir les situations à haut risque de dangerosité et accroître la sécurité des victimes 2020-2025 (in French only)	Govt of QC
	Programme visant la lutte contre le harcèlement psychologique ou sexuel dans les milieux de travail (program to counteract psychological or sexual harassment in the workplace, in French only)	Govt of QC
NS	<a href="#">Standing Together to Prevent Domestic Violence: Building a Provincial Action Plan</a>	Govt of NS
	<a href="#">Breaking the Silence a Coordinated Response to Sexual Violence in Nova Scotia (2015-2017)</a>	Govt of NS
	<a href="#">Domestic Violence Action Plan (2010)</a>	Govt of NS
NB	<a href="#">Weaving Our Voices Together: New Brunswick's Path to Safety for Indigenous Women, Girls, and 2SLGBTQQIA+ People (2023)</a>	Govt of NB
	<a href="#">New Brunswick plan to prevent and respond to violence against Aboriginal women and girls (2017-2021)</a>	Govt of NB
	<a href="#">Preventing and Responding to Sexual Violence in New Brunswick: A Framework for Action (2018)</a>	Govt of NB
NL	<a href="#">Working Together for Violence-Free Communities: An Action Plan for the Prevention of Violence in Newfoundland and Labrador (2015-2019)</a>	Govt of NL
PEI	<a href="#">Addressing Family Violence: A Guide for PEI Workplaces (2019)</a>	Govt of PEI
	<a href="#">Strategies for Addressing Family Violence in PEI (2015)</a>	Govt of PEI
NWT	<a href="#">Reclaiming the Capable Person: A Strategic Framework to End Family Violence in the NWT (2023)</a>	Govt of NWT
	<a href="#">Changing the Relationship: GNWT's Response to the MMIWG Calls for Justice (2022)</a>	Govt of NWT
NU	<a href="#">Inuusivut Anninaqtuq Action Plan (2024–2029)</a> - Suicide prevention	Govt of NT
	<a href="#">Inuusivut Anninaqtuq Action Plan (2017–2022)</a> - Suicide prevention	Govt of NT
	<a href="#">Nunavut Crime Prevention Strategy (2017)</a>	Govt of NT
YT	<a href="#">Changing the Story to Upholding Dignity and Justice: Yukon's Missing and Murdered Indigenous Women, Girls, and Two-Spirit+ People Strategy (2020)</a>	Govt of YU

Moreover, as Table 18 shows, existing strategies and actions plans only minimally address GBVH in the workplace. Similar to the lack of focus on workplaces in provincial and territorial Implementation Plans for the NAPGBV, the lack of attention to GBVH at work, reifies the idea that GBVH is a private sphere and risk, ignoring an entire group of victim-survivors.

**Recommendation #45:** We recommend that a strong, comprehensive, and robust framework to address GBVH be implemented. The NAPGBV offers a useful starting point to informing collection action and strategies across all 14 jurisdictions.

**Recommendation #46:** We recommend that GBVH in the workplace be a core site of strategizing and action plans to the wider approach in preventing and eradicating GBVH.

**Recommendation #47:** We recommend that strategies and action plans address GBVH at work, attend to the high importance of developing and strengthening organizational cultures at work that do not enable, facilitate, or accept violence and harassment. Organizational culture plays a key role in the occurrence and acceptance of violence and harassment, including GBVH at work, and thus, must be a key area of action.

**Table 18**

*Do action plans address GBVH in workplaces?*

Jurisdiction	Action Plan/Strategy	GBVH in the workplace
CA	NAPGBV	<p>The need to address GBV in workplaces is covered under pillars 1, 2, and 5.</p> <p>However, they are addressed as opportunities for action, leaving it up to the discretion of jurisdictions as to how such actions are taken up</p> <ul style="list-style-type: none"> <li>- This has resulted in workplace-specific GBV actions being almost non-existent in jurisdictional implementation plans</li> </ul>
BC	SAFE AND SUPPORTED British Columbia's Gender-Based Violence Action Plan	<p>No actions specifically related to or focused on addressing GBVH in workplaces.</p> <p>Note of workplaces limited to statement of legislation aimed to prevent and respond to violence in the workplace under OHS.</p>
AB	Advancing Gender Equality in Alberta: A Critical Strategy to Prevent Gender-Based Violence	<p>Workplaces are strongly included in the strategy developed by SHIFT.</p> <ul style="list-style-type: none"> <li>▪ They are included in several actions under multiple strategies</li> <li>▪ They are actions specified to workplaces</li> <li>▪ These actions variably involve               <ul style="list-style-type: none"> <li>- Strengthening women's representation in workplaces,</li> <li>- educating workplaces on GBV through trainings,</li> <li>- policies for ensuring work-life-wellbeing balance and flexible work arrangements,</li> <li>- mandating training and prevention policies and programs regarding GBV in workplaces,</li> <li>- mandate the introduction of gender equality into workplace strategic planning,</li> <li>- mandate the collection and reporting of gender equality data to stakeholders,</li> <li>- mandate capacity building for management and HR to address unconscious bias</li> <li>- Mandate workplaces to assess and address gender pay equity</li> </ul> </li> </ul>
	<a href="#"><u>Winning Against Domestic and Sexual Violence: Alberta's Primary Prevention Playbook (2023)</u></a>	<p>Workplaces are included in the playbook:</p> <ul style="list-style-type: none"> <li>▪ Building awareness and strengthening advocacy efforts between sectors and industries to co-develop shared strategies to address common root causes and drivers of violence relevant to their workplaces, settings, and communities</li> <li>▪ Improve working conditions in the sector by ensuring all organizations and ministries               <ul style="list-style-type: none"> <li>- Develop policies and practices that improve workplace climates</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>- Commit to pay equity, pay transparency, comparable wages, and employee benefits</li> <li>- Implement gender-response, accessible, age-friendly, and family-friendly workplace policies</li> <li>- Active engagement in reconciliation and decolonization and application of anti-racism and anti-oppression frameworks</li> <li>▪ Measuring change <ul style="list-style-type: none"> <li>- Violence prevention will be measured in workplaces</li> </ul> </li> </ul>
<b>SK</b>	SK does not have a current GBV strategy or action plan.	
<b>MB</b>	<i>Manitoba's Framework: Addressing Gender-Based Violence</i> (2020) is the most current strategy/action plan from the Govt of MB. However, it is unclear if this is in use or out-of-date.	Workplaces are not addressed in this framework.
<b>ON</b>	<u>Ontario STANDS: Standing Together Against Gender-Based Violence</u> (2023)	Workplaces are not addressed in this in this action plan
<b>QC</b>	<u>Integrated Government Strategy to Counter Sexual and Domestic Violence and to Rebuild Trust</u> (2022-2027)	<p>Actions to address violence in the workplace:</p> <ul style="list-style-type: none"> <li>- Develop and centralize tools to support workplaces in dealing with domestic, family or sexual violence</li> <li>- Form a working committee to study how cases of sexual assault and sexual harassment are handled in the workplace</li> </ul>
<b>NS</b>	NS does not have a current GBV strategy or action plan.	
<b>NB</b>	NB does not have a current GBV strategy or action plan.	
	NB does have an action plan for Indigenous women, girls, and 2SLGBTQIA+ <u>Weaving Our Voices Together: New Brunswick's Path to Safety for Indigenous Women, Girls, and 2SLGBTQIA+ People</u>	<p>Actions in <i>Weaving Our Voices Together</i>:</p> <ul style="list-style-type: none"> <li>- Provide training sessions on IPV, the danger assessment tool, and the <i>It's Your Business: A Domestic &amp; Intimate Partner Violence Workplace Toolkit</i> with Indigenous communities, organizations, and service providers</li> <li>- Explore opportunities for creating culturally safe workplaces within the govt of NB and potential for private sector employers</li> <li>- Develop a process for including mandatory training on Indigenous cultural awareness, sensitivity, and safety training as part of public sector staff workplace performance evaluations</li> </ul>
<b>NL</b>	NL does not have a current GBV strategy or action plan.	
<b>PEI</b>	PEI does not have a current GBV strategy or action plan.	
<b>NWT</b>	<u>Reclaiming the Capable Person: A Strategic Framework to End Family Violence in the NWT</u> (2023)	Workplaces are not addressed in this in this action plan
<b>NU</b>	NU does not have a current GBV strategy or action plan.	
<b>YT</b>	YT does not have a current GBV strategy or action plan.	

## **Conclusion**

Overall, this report demonstrates that legislation across the 14 Canadian jurisdictions is highly variable and major gaps exist. Currently, ES legislation in most jurisdictions does not include provisions related to workplace violence and harassment, preventing a strong capacity to address ES violations that co-occur with harassment. ES legislation across all 14 jurisdictions includes DV leave, however, there are several variations in this legislation across the jurisdictions. Such differences likely create inequities. Most workplace violence and harassment legislation comes from OHS. Several major components of violence and harassment legislation, such as the requirement for a prevention policy/plan, reporting and investigation procedures, confidentiality protections, and training are relatively common across the jurisdictions. Other elements, such as protections against retaliation, requirements to list a designated person to receive complaints, reporting procedures if the employer is the perpetrator, and others are much more variable across OHS violence and harassment legislation. Moreover, the approach taken to violence and harassment is highly gender neutral. Given the highly gendered nature of GBVH, a gender neutral approach can be highly problematic. Together, the inconsistencies and variability in legislation and the gender neutral approach create opportunities for inequitable protections.

Further limitations to the framework for addressing workplace GBVH are apparent in the NAPGBV given the lack of workplace-specific actions in the jurisdictional implementation plans. This is compounded by the the lack provincial and territorial strategic and action plans addressing GBVH. Even among those that currently exist, actions addressing GBVH in the workplace are highly minimal. Altogether, the findings from this review and comparative analysis demonstrate a great deal of work remains to be done to ensure a strong legislative framework to prevent and address GBVH in the workplace.

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## Appendix A – Employer Responsibilities in Employment Standards

Jurisdiction	Legislation	
CA [fed]	<a href="#"><u>Canada Labour Code, RSC, 1985, c L-2.</u></a> Duties of Employers (s. 125)	<p><b>(z.16)</b> take the prescribed measures to prevent and protect against harassment and violence in the work place, respond to occurrences of harassment and violence in the work place and offer support to employees affected by harassment and violence in the work place;</p> <p><b>(z.161)</b> ensure that employees, including those who have supervisory or managerial responsibilities, receive training in the prevention of harassment and violence in the work place and are informed of their rights and obligations under this Part in relation to harassment and violence;</p> <p><b>(z.162)</b> undergo training in the prevention of harassment and violence in the work place;</p> <p><b>(z.163)</b> ensure that the person designated by the employer to receive complaints relating to occurrences of harassment and violence has knowledge, training and experience in issues relating to harassment and violence and has knowledge of relevant legislation;</p>
BC	<a href="#"><u>Employment Standards Act, RSBC 1996, c 113</u></a>	No duties/responsibilities of employers related to violence and harassment listed in Employment Standards
AB	<a href="#"><u>Employment Standards Code, RSA 2000</u></a>	No duties/responsibilities of employers related to violence and harassment listed in Employment Standards
SK	<a href="#"><u>Saskatchewan Employment Act, SS 2013, c S-15.1</u></a> (s. 3-8, 3-9, 3-10)	<p><b>General duties of employer (3-8):</b></p> <p>(d) ensure, insofar as is reasonably practicable, that the employer’s workers are not exposed to harassment with respect to any matter or circumstance arising out of the workers’ employment;</p> <p>(d.1) ensure, insofar as is reasonably practicable, that the employer’s workers are not exposed to violence with respect to any matter or circumstance arising out of the workers’ employment</p> <p><b>General duties of supervisors (3-9):</b></p> <p>(c) ensure, insofar as is reasonably practicable, that all workers under the supervisor’s direct supervision and direction are not exposed to harassment at the place of employment;</p> <p>(c.1) ensure, insofar as is reasonably practicable, that all workers under the supervisor’s direct supervision</p> <p><b>General Duties of workers (3-10):</b></p> <p>(b) refrain from causing or participating in the harassment of another worker;</p> <p>(b.1) refrain from causing or participating in any violent act towards another worker;</p>
MB	<a href="#"><u>Employment Standards Code, CCSM c E110,</u></a>	No duties/responsibilities of employers related to violence and harassment listed in Employment Standards
ON	<a href="#"><u>Employment Standards Act, 2000, SO 2000, c 41</u></a>	No duties/responsibilities of employers related to violence and harassment listed in Employment Standards
QC	<a href="#"><u>Act Respecting Labour Standards, CQLR c N-1.1</u></a> (s. 81.19)	<p>Every employee has a right to a work environment free from psychological harassment.</p> <p>Employers must take reasonable action to prevent psychological harassment from any person and, whenever they become aware of such behaviour, to put a stop to it. They must, in particular, adopt and make available to their employees a policy to prevent and manage situations of psychological harassment.</p>

<b>NS</b>	<a href="#"><u>Labour Standards Code, RSNS 1989, c 245</u></a>	No duties/responsibilities of employers related to violence and harassment listed in Employment Standards
<b>NB</b>	<a href="#"><u>Employment Standards Act, SNB 1982, c E-7.2</u></a>	No duties/responsibilities of employers related to violence and harassment listed in Employment Standards
<b>NL</b>	<a href="#"><u>Labour Standards Act, RSNL 1990, c L-2,</u></a>	No duties/responsibilities of employers related to violence and harassment listed in Employment Standards
<b>PEI</b>	<a href="#"><u>Employment Standards Act, RSPEI 1988, c E-6.2 (s. 25, 26)</u></a>	<p><b>Employee right</b> (s. 25) Every employee is entitled to employment free of sexual harassment.</p> <p><b>Employer obligation</b> (s. 26) Every employer shall make every reasonable effort to ensure that no employee is subjected to sexual harassment.</p>
<b>NWT</b>	<a href="#"><u>Employment Standards Act, SNWT 2007, c 13</u></a>	No duties/responsibilities of employers related to violence and harassment listed in Employment Standards
<b>NU</b>	<a href="#"><u>Labour Standards Act, RSNWT (Nu) 1988, c L-1</u></a>	No duties/responsibilities of employers related to violence and harassment listed in Employment Standards
<b>YT</b>	<a href="#"><u>Employment Standards Act, RSY 2002, c 72, s 60.03</u></a>	No duties/responsibilities of employers related to violence and harassment listed in Employment Standards

## Appendix B: Definitions of Domestic Violence/Family Violence/Interpersonal Violence in Employment Legislation

Jurisdiction	Legislation	Definition	Victims	Covered when DV is committed by
CA [fed]				
BC	Employment Standards Act, RSBC 1996, c 113	<p><b>"domestic or sexual violence"</b> includes, with or without an intent to harm an intimate partner or family member,</p> <p>(a) physical abuse by an intimate partner or by a family member, including forced confinement or deprivation of the necessities of life, but not including the use of reasonable force to protect oneself or others from harm,</p> <p>(b) sexual abuse by any person,</p> <p>(c) attempts to commit</p> <p>(i) physical abuse by an intimate partner or by a family member, or</p> <p>(ii) sexual abuse by any person, and</p> <p>(d) psychological or emotional abuse by an intimate partner or by a family member, including</p> <p>(i) intimidation, harassment, coercion or threats, including threats respecting other persons, pets or property,</p> <p>(ii) unreasonable restrictions on, or prevention of, financial or personal autonomy,</p> <p>(iii) stalking or following, and</p> <p>(iv) intentional damage to property;</p>	<p>Victims include:</p> <ul style="list-style-type: none"> <li>▪ Employee or</li> <li>▪ Eligible person</li> </ul> <p>An eligible person is defined as</p> <ul style="list-style-type: none"> <li>▪ a child under the daily care of the employee</li> <li>▪ a person 19+, due to illness, disability, or another reason cannot care for themselves</li> <li>▪ under the daily care of the employee who is their parent/guardian</li> </ul>	<p>DV is views as occurring when an act or omission, as listed, is committed by:</p> <p>(a) a family member</p> <p>(b) an intimate partner</p> <p>A family member is defined as</p> <ul style="list-style-type: none"> <li>▪ the spouse, child, parent, guardian, sibling, grandchild or grandparent of the person, or</li> <li>▪ an individual who lives with the person as a member of the person's family;</li> <li>▪ any other individual who is a member of a prescribed class;</li> </ul> <p>An intimate partner, where an intimate partner is defined as</p> <ul style="list-style-type: none"> <li>▪ an individual who is or was a spouse, dating partner or sexual partner of the person;</li> </ul>
AB	Employment Standards Code, RSA 2000, c E-9	<p>The following acts and omissions constitute <b>domestic violence</b> for the purposes of this Division:</p> <p>(a) any intentional or reckless act or omission that causes injury or property damage and that intimidates or harms a person;</p> <p>(b) any act or threatened act that intimidates a person by creating a reasonable fear of property damage or injury to a person;</p> <p>(c) conduct that reasonably, in all circumstances, constitutes psychological or emotional abuse;</p> <p>(d) forced confinement;</p> <p>(e) sexual contact of any kind that is coerced by force or threat of force;</p> <p>(f) stalking.</p>	<p>Victims include:</p> <ul style="list-style-type: none"> <li>▪ employee</li> <li>▪ employee's dependent child</li> <li>▪ protected adult living with the employee</li> </ul>	<p>DV is defined as occurring when committed by someone who:</p> <ul style="list-style-type: none"> <li>▪ Is/has been married to the employee, or been an adult partner of the employee or has resided with the employee in an intimate relationship</li> <li>▪ Is/has been in a dating relationship with the employee</li> <li>▪ Is the biological or adoptive parent of one or more children with the employee, regardless of marital status</li> <li>▪ Is related to the employee by blood, marriage or adoption or by virtue of an adult interdependent relationship</li> <li>▪ Resides with the employee and has care and custody over the employee by court order</li> </ul>
SK	The Saskatchewan Employment	<p>Interpersonal violence is defined as per <i>The Victims of Interpersonal Violence Act</i>, SS 1994, c V-6.02</p> <p>"interpersonal violence" means:</p>	<p>Victims include:</p> <ul style="list-style-type: none"> <li>▪ an employee,</li> <li>▪ a child of an employee,</li> </ul>	<p>Leave covered when interpersonal violence committed by:</p> <ul style="list-style-type: none"> <li>▪ a person who is/has been in a family relationship, spousal relationship, intimate</li> </ul>

	Act, SS 2013, c S-15.1	<ul style="list-style-type: none"> <li>(i) any intentional or reckless act or omission that causes bodily harm or damage to property;</li> <li>(ii) any act or threatened act that causes a reasonable fear of bodily harm or damage to property;</li> <li>(iii) forced confinement;</li> <li>(iv) sexual abuse;</li> <li>(v) harassment;</li> <li>(vi) deprivation of necessities; or</li> <li>(vii) human trafficking as defined in The Protection From Human Trafficking Act;</li> </ul>	<ul style="list-style-type: none"> <li>▪ a person for whom an employee is a caregiver, regardless of whether the person and employee have lived together</li> </ul>	<p>relationship or dating relationship with the employee, regardless of whether they have lived together at any time;</p> <ul style="list-style-type: none"> <li>▪ a person who is the parent of one or more children with the employee, regardless of their marital status or whether they have lived together at any time;</li> <li>▪ a person who is in an ongoing caregiving relationship with the employee, regardless of whether they have lived together at any time; or</li> <li>▪ any other prescribed person</li> </ul> <p>Sexual violence does not have to be committed by someone in the listed categories</p>
<b>MB</b>	The Employment Standards Code, CCSM c E110	<p><b>"interpersonal violence"</b> means</p> <p>(a) domestic violence as defined in <i>The Domestic Violence and Stalking Act</i> that is caused by an act or omission of a person described in <u>subsection 2(1)</u> of that Act;</p> <p>(b) stalking as defined in the <i>Domestic Violence and Stalking Act</i>, including the conduct referred to in <u>subsection 2(3)</u> of that Act; and</p> <p>(c) any sexual act or act targeting a person's sexuality, gender identity or gender expression — whether the act is physical or psychological in nature — that is committed, threatened or attempted against a person without the person's consent, and includes sexual assault, sexual harassment, indecent exposure, voyeurism and sexual exploitation.</p> <p>The following acts and omissions constitute domestic violence:</p> <p>(a) an intentional, reckless or threatened act or omission that causes bodily harm or property damage;</p> <p>(b) an intentional, reckless or threatened act or omission that causes a reasonable fear of bodily harm or property damage;</p> <p>(c) conduct that reasonably, in all the circumstances, constitutes psychological or emotional abuse;</p> <p>(d) forced confinement;</p> <p>(e) sexual abuse.</p> <p>Stalking occurs when a person, without lawful excuse or authority and knowing that another person is harassed or recklessly as to whether the other person is harassed, repeatedly engages in conduct that causes the other person reasonably, in all the circumstances, to fear for their own safety.</p>	<p>Victims include:</p> <ul style="list-style-type: none"> <li>▪ an employee</li> <li>▪ a dependent of the employee</li> </ul> <p><b>"dependant"</b> means</p> <p>(a) a child of the employee;</p> <p>(b) a child of the employee's spouse or common-law partner;</p> <p>(c) any person under 18 years of age who is under the care and control of the employee;</p> <p>(d) any person who is 18 years of age or older, and who, because of illness, disability or any other reason, is under the day-to-day care and control of the employee; and</p> <p>(e) any other prescribed person.</p>	<p>Domestic violence occurs when a person is subjected to a defined act or omission by another person who</p> <ul style="list-style-type: none"> <li>▪ is/has cohabited with the person in a spousal, conjugal or intimate relationship;</li> <li>▪ has/had a family relationship with the person, in which they have lived together;</li> <li>▪ has/had a family relationship with the person, in which they have not lived together;</li> <li>▪ has/had a dating relationship with the person, whether or not they have ever lived together; or</li> <li>▪ is the other parent of their child under Part 2 of <i>The Family Law Act</i> or by adoption, regardless of their marital status or whether they have ever lived together.</li> </ul>
<b>ON</b>	Employment Standards Act,	DV/IPV/FV/SV are not defined under employment law	<p>Victims include:</p> <ul style="list-style-type: none"> <li>▪ employee or</li> </ul>	

	2000, SO 2000, c 41		<ul style="list-style-type: none"> <li>a child of the employee</li> </ul>	
<b>QC</b>	Act respecting labour standards, CQLR c N-1.1	DV/IPV/FV/SV are not defined under employment law	Victims include: <ul style="list-style-type: none"> <li>employee</li> </ul>	
<b>NS</b>	Labour Standards Code, RSNS 1989, c 246	DV is defined as physical, sexual, emotional, or psychological abuse and may include an act of coercion, stalking, harassment or financial control, or a threat or attempt to do such an act.	Victims include: <ul style="list-style-type: none"> <li>Employee</li> <li>Child of the employee</li> </ul>	DV includes an act of abuse between an <p>(a) an employee and</p> <ul style="list-style-type: none"> <li>(i) the employees current or former intimate partner,</li> <li>(ii) a child of the employee or an individual under 18 residing with the employee, or</li> <li>(iii) an adult who resides with the employee and is related to the employee by blood, marriage, foster care, or adoption</li> </ul> <p>(b) a child of the employee and</p> <ul style="list-style-type: none"> <li>(i) the child's current or former partner, or</li> <li>(ii) an individual who resides with the child of the employee</li> </ul>
<b>NB</b>		DV/IPV/FV/SV are not defined under employment law  A definition of IPV is provided under NB's <a href="#">Intimate Partner Violence Intervention Act</a> , SNB 2017, c 5 "Intimate partner violence" means violence committed against a person by another person who is or has been in an intimate personal relationship with the person and includes the following: (a) abusive, threatening, harassing or violent behaviour used as a means to psychologically, physically, sexually or financially coerce, dominate and control the other member of the relationship; and (b) deprivation of food, clothing, medical attention, shelter, transportation or other necessities of life.	Victims include: <ul style="list-style-type: none"> <li>employee or</li> <li>a child of the employee</li> </ul>	
<b>PEI</b>	Domestic Violence, Intimate Partner Violence and Sexual Violence Leave Regulations,	"intimate partner violence" means violence committed against a victim by an intimate partner;  "sexual violence" means any sexual act or act that targets a victim's sexuality, gender identity or gender expression, whether physical or psychological in nature, that is committed, threatened or attempted against a victim without the victim's consent, and includes, but is not limited to, sexual assault, sexual harassment, stalking, indecent exposure, voyeurism and sexual exploitation;	Victims include: <ul style="list-style-type: none"> <li>an employee,</li> <li>a minor child of an employee, or</li> <li>a person for whom an employee is a primary caregiver or becomes a primary caregiver as the result of domestic</li> </ul>	DV/IPV occurs when a person is subjected to a defined act or omission by another person who <ul style="list-style-type: none"> <li>Is/has been married to the employee, or been an adult partner of the employee or has resided with the employee in an intimate relationship</li> <li>Is/has been in a dating relationship with the employee</li> <li>Is the biological or adoptive parent of one or more children with the employee, regardless of marital status</li> </ul>

	PEI Reg EC188/19	<p>“violence” includes</p> <ul style="list-style-type: none"> <li>(i) an assault on the victim, but does not include an act committed in self-defence,</li> <li>(ii) a reckless act or omission that causes injury to the victim or damage to property,</li> <li>(iii) an act or threat that causes a reasonable fear of injury to the victim or damage to property,</li> <li>(iv) forced confinement of the victim,</li> <li>(v) actions or threats of sexual abuse, physical abuse or emotional abuse of the victim,</li> <li>(vi) depriving a victim of food, clothing, medical attention, shelter, transportation or other necessities of life,</li> <li>(vii) a series of acts that collectively causes the victim to fear for safety, including following, contacting, communicating with, observing or recording any person, and</li> <li>(viii) an act by a person solicited to do so by a domestic partner or intimate partner which, if done by the domestic partner or intimate partner, would constitute domestic violence or intimate partner violence.</li> </ul>	<p>violence, intimate partner violence or sexual violence, regardless of whether the person and the employee have lived together at any time</p>	<ul style="list-style-type: none"> <li>▪ Is related to the employee by blood, marriage or adoption or by virtue of an adult interdependent relationship</li> <li>▪ Resides with the employee and has care and custody over the employee by court order</li> </ul>
NL	Labour Standards Act, RSNL 1990, c L-2	<p>Family violence is defined as per the <i>Family Violence Protection Act</i>, SNL 2005, c F-3.1</p> <p>“<b>family violence</b>” means one or more of the following acts or omissions committed against an applicant or a child by a respondent:</p> <ul style="list-style-type: none"> <li>(a) an assault that consists of the intentional application of force that causes the applicant to fear for the applicant’s safety but does not include an act committed in self-defence;</li> <li>(b) an intentional, reckless or threatened act or omission that causes bodily harm or damage to property;</li> <li>(c) an intentional, reckless or threatened act or omission that causes a reasonable fear of bodily harm or damage to property;</li> <li>(d) forcible physical confinement without lawful authority;</li> <li>(e) sexual assault, sexual exploitation or sexual molestation, or the threat of sexual assault, sexual exploitation or sexual molestation;</li> <li>(f) conduct that causes the applicant to reasonably fear for the applicant’s safety, including following, contacting, communicating with, observing or recording a person;</li> <li>(f.1) conduct that causes psychological or emotional harm or a reasonable fear of that harm, including a pattern of behaviour the purpose of which is to undermine the psychological or emotional well-being of the applicant or a child;</li> <li>(f.2) conduct that controls , exploits or limits the applicant's access to financial resources for the purpose of ensuring the applicant's financial dependency; and</li> </ul>	<p>Victims include:</p> <ul style="list-style-type: none"> <li>▪ employee</li> <li>▪ a person to whom the employee is a parent or</li> <li>▪ a person to whom the employee is a caregiver</li> </ul> <p>has been directly or indirectly subjected to, a victim of, impacted or seriously affected by family violence or has witnessed family violence</p>	<p>Family violence is defined to occur when acts/omissions are committed by</p> <ul style="list-style-type: none"> <li>▪ a person who is or has been a family member;</li> <li>▪ a person who is or has been in an intimate relationship or who is living or has lived with the employee;</li> <li>▪ a person who is the parent of a child with the employee;</li> <li>▪ a person who is or has been a caregiver to the employee; or</li> <li>▪ any other person who is a member of a class of persons prescribed in the regulations.</li> </ul>

		<p>(g) the deprivation of food, clothing, medical attention, shelter, transportation or other necessities of life.</p> <p>Family violence may be found to have occurred for the purpose of this Act whether or not , in respect of an act or omission described in subsection (1), a charge has been laid or dismissed or withdrawn or a conviction has been or could be obtained.</p> <p>For the purpose of this Act, a respondent who encourages or solicits another person to do an act which, if done by the respondent, would constitute family violence against the applicant, is considered to have done that act personally</p>		
NWT	Employment Standards Act, SNWT 2007, c 13	<p>"family violence" means "family violence" as defined in subsection 1(2) of the Protection Against Family Violence Act</p> <p>"family violence" means any of the following acts or omissions committed against an applicant, any child of the applicant or any child who is in the care of the applicant:</p> <p>(a) an intentional or reckless act or omission that causes bodily harm or damage to property;</p> <p>(b) an intentional, reckless or threatened act or omission that</p> <p>(i) causes the applicant to fear for his or her safety,</p> <p>(ii) causes the applicant to fear for the safety of any child of the applicant or any child who is in the care of the applicant, or</p> <p>(iii) causes any child of the applicant or any child who is in the care of the applicant to fear for his or her safety;</p> <p>(c) sexual abuse;</p> <p>(d) forcible confinement;</p> <p>(e) psychological abuse, emotional abuse or financial abuse that causes harm or the fear of harm to the applicant, any child of the applicant or any child who is in the care of the applicant.</p>	<p>Victims include:</p> <ul style="list-style-type: none"> <li>▪ employee or</li> <li>▪ a child of the employee</li> </ul>	
NT	Labour Standards Act, RSNWT (Nu) 1988, c L-1	<p>"care relationship", "family abuse" and "family relationship" have the same meanings as in section 2 of the <u><a href="#">Family Abuse Intervention Act</a></u>, SNu 2006, c 18</p>	<p>Victims include:</p> <ul style="list-style-type: none"> <li>▪ Employee</li> <li>▪ Person in a family relationship with the employee</li> <li>▪ Person in a care relationship with the employee</li> </ul>	<p>Family abuse occurs when a person, a child of or in the care of a person, a parent of a person or another family member of a person is subjected to one or more of the acts or omissions listed by another person with whom the person has</p> <p>(a) a spousal relationship;</p> <p>(b) an intimate relationship;</p> <p>(c) a family relationship; or</p> <p>(d) a care relationship.</p> <p>A spousal relationship exists between two persons</p> <p>(a) who are or were married to each other;</p>

				<p>(b) who are or were living together in a conjugal relationship outside marriage for a period of at least one year;</p> <p>(c) who together are or were the natural or adoptive parents of a child, whether within or outside marriage;</p> <p>(d) who together act or acted as the foster parents of a child, whether within or outside marriage.</p> <p>An intimate relationship exists between two persons, whether or not they have ever lived together, who are or were dating each other, and whose lives are or were enmeshed to the extent that the actions of one affect or affected the actions or life of the other.</p> <p>A family relationship exists between two persons, whether or not they have ever lived together,</p> <p>(a) who are related by blood, marriage or adoption; or</p> <p>(b) whom it is reasonable in the circumstances to regard as being related.</p> <p>A care relationship exists between two persons, whether or not they have ever lived together, if one person is or was dependent on the other person for assistance in his or her daily life activities because of disability, illness or impairment.</p>
<p><b>YT</b></p>	<p>Employment Standards Act, RSY 2002, c 72</p>	<p>“sexualized violence” in relation to a person (a) means a sexual act, or an act that targets the person's sexuality, gender identity or gender expression, or a threat of, or attempt at, such an act, that is committed or made by another person without the person’s consent, whether the act is physical or psychological in nature, and (b) includes sexual assault, sexual harassment, stalking and sexual exploitation of the person by the other person, and acts of indecent exposure and voyeurism by the other person in relation to the person</p> <p>a person experiences domestic violence if (a) the person is subjected to any of the following acts or omissions by their family member or intimate partner:</p> <p>(i) any intentional or reckless act or omission that causes bodily harm to the person, or damage to their property,</p> <p>(ii) any act or threatened act that causes a reasonable fear of bodily harm to the person, or damage to their property,</p>	<p>Victims include:</p> <ul style="list-style-type: none"> <li>▪ Employee or</li> <li>▪ eligible person</li> </ul> <p>“eligible person” in relation to an employee, means</p> <p>(a) a person to whom the employee is a parent,</p> <p>(b) a person to whom the employee provides care or support, such as a family member, intimate partner or close friend of the employee, regardless</p>	<p>a person experiences sexualized violence if (a) the person is subjected to sexualized violence; or (b) the person witnesses their family member or intimate partner being subjected to sexualized violence.</p> <p>a person experiences domestic violence if (a) the person is subjected to domestic violence; or (b) the person witnesses their family member or intimate partner being subjected to domestic violence.</p> <p>“intimate partner” in relation to a person, means another person who</p> <p>(a) is or was married to the person or is or was in a common-law relationship, intimate relationship or</p>

		<p>(iii) any conduct that, considered reasonably in the context of all relevant circumstances of the relationship, constitutes psychological or emotional abuse of the person,</p> <p>(iv) forced confinement,</p> <p>(v) any conduct that deprives the person of food, clothing, medical attention, shelter, transportation, or other necessities of life; or</p> <p>(b) the person witnesses their family member or intimate partner being subjected to any of the acts or omissions described in paragraph (a)</p>	<p>of whether they have lived together at any time, or</p> <p>a prescribed person or a member of a calls of prescribed persons;</p>	<p>dating relationship with the person, regardless of whether they have lived together at any time, or</p> <p>(b) is the biological or adoptive parent of one or more children with the person, regardless of whether they have lived together at any time;</p> <p>“family member” in relation to a person, means another person who</p> <p>(a) is the person’s parent or of whom the person is a parent,</p> <p>(b) is related to the person by blood or adoption, regardless of whether they have lived together at any time,</p> <p>(c) is a relative of the person’s spouse or common-law partner, regardless of whether the person and the relative have lived together at any time,</p> <p>(d) is or was appointed for the person, or for whom the person is or was appointed, as guardian under the Adult Protection and Decision-Making Act, or</p> <p>(e) is or was appointed for the person, or for whom the person is or was appointed, by an order of a court made outside Yukon, to carry out duties comparable to those of a guardian appointed under the Adult Protection and Decision-Making Act</p>
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### Appendix C: Definitions of Workplace

Jurisdiction	Legislation	Workplace Definition
CA [fed]	Canada Labour Code, Part II OHS s 122(1)	<i>workplace</i> means any place where an employee is engaged in work for the employee's employer;
BC	OHS Regulation, B.C. Reg. 296/97	" <b>workplace</b> " means any place where a worker is or is likely to be engaged in any work and includes any vessel, vehicle or mobile equipment used by a worker in work;
AB	OHS Act, 2020	" <b>work site</b> " means a location where a worker is, or is likely to be, engaged in any occupation and includes any vehicle or mobile equipment used by a worker in an occupation.
SK	The OHS Regulations, 2020	" <b>work</b> " and " <b>at work</b> " means: (a) the time during which a worker is in the course of the worker's employment; or (b) the time that a self-employed person devotes to work as a self-employed person; " <b>work-related area</b> " means all places that are ancillary to a place of employment, and includes lunchrooms, restrooms, first aid rooms, lecture rooms, parking lots under the control of the employer or contractor, offices and work camp living accommodations, but does not include a permanent living accommodation.
MB	Workplace Safety and Health Act, CCSM c W210	" <b>workplace</b> " means any building, site, workshop, structure, mine, mobile vehicle, or any other premises or location whether indoors or outdoors in which one or more workers, or self-employed persons, are engaged in work or have worked.
ON	OHS Act, R.S.O. 1990, c.O.1	" <b>workplace</b> " means any land, premises, location or thing at, upon, in or near which a worker works
QC	Act respecting occupational health and safety, CQLR c S-2.1	" <b>workplace</b> " means any place in or at which a person is required to be present out of or in the course of work, including an establishment and a construction site.
NS	OHS Act, SNS 1996, c 7	" <b>workplace</b> " means any place where an employee or a self-employed person is or is likely to be engaged in any occupation and includes any vehicle or mobile equipment used or likely to be used by an employee or a self-employed person in an occupation.
NB	Employment Standards Act, SNB 1982, c E-7.2	" <b>place of employment</b> " means any building, structure, premises, water, land or other place or thing in or upon which one or more persons are or has been employed for wages
NL	OHS Act	" <b>workplace</b> " means a place where a worker or self-employed person is engaged in an occupation and includes a vehicle or mobile equipment used by a worker in an occupation.
PEI	Employment Standards Act, RSPEI 1988, c E-6.2	" <b>place of employment</b> " means any building, structure, premises, water, land or other place or thing in or upon which one or more persons are or have been employed for wages.
NWT	Safety Act RSNWT 1988,c.S-1	" <b>work site</b> " means a location where a worker is, or is likely to be, engaged in work, or a thing at, on, in or near which a worker is, or is likely to be, engaged in work;
NU	Safety Act, RSNWT (Nu) 1988, c S-1	" <b>work site</b> " means a location where a worker is, or is likely to be, engaged in work, or a thing at, on, in or near which a worker is, or is likely to be, engaged in work
YT	Workers' Safety and Compensation Act, SY 2021, c 11	" <b>workplace</b> " means a building, site, project site, workshop, structure, vehicle or mobile equipment, or any other location where one or more workers perform or have performed work."

## Appendix D: Definitions of Violence and Harassment

Jurisdiction	Legislation	Harassment/Violence Definitions
International	ILO C190	Under this Convention: (a) The term “ <b>violence and harassment</b> ” at work refers to “a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment” (b) The term “ <b>gender-based violence and harassment</b> ” means “violence and harassment directed at persons because of their sex or gender, or affecting persons of a particular sex or gender disproportionately, and includes sexual harassment”
Canada	Canada Labour Code, Part II OHS s 122(1)	“ <b>harassment and violence</b> ” means any action, conduct or comment, including of a sexual nature, that can reasonably be expected to cause offence, humiliation or other physical or psychological injury or illness to an employee, including any prescribed action, conduct or comment
BC	OHS Regulation, B.C. Reg. 296/97, Part 4,	“ <b>violence</b> ” means the attempted or actual exercise by a person, other than a worker, of any physical force so as to cause injury to a worker, and includes any threatening statement or behaviour which gives a worker reasonable cause to believe that the worker is at risk of injury
AB	OHS Act, 2020	“ <b>Workplace violence</b> ” means “the threatened, attempted, or actual conduct of a person that causes or is likely to cause physical or psychological injury or harm, and includes domestic or sexual violence”  “ <b>Workplace harassment</b> ” means “any single incident or repeated incidents of objectionable or unwelcome conduct, comment, bullying, or action by a person that the person knows or ought to reasonably know will or would cause offence or humiliation to a worker, or adversely affects the workers health and safety, and includes conduct, comment, bullying or action because of social identity and a sexual solicitation or advance”
SK	The Saskatchewan Employment Act	“ <b>harassment</b> ” means: any inappropriate conduct, comment, display, action or gesture by a person towards a worker: (a) that either: i. is based on any prohibited ground as defined in <i>The Saskatchewan Human Rights Code, 2018</i> or on physical size or weight; or ii. adversely affects the worker’s psychological or physical well-being and that the person knows or ought reasonably to know would cause the worker to be humiliated or intimidated; and iii. that constitutes a threat to the health or safety of the worker; or (b) any conduct, comment, display, action or gesture by a person towards a worker that: i. is of a sexual nature; and ii. the person knows or ought reasonably to know is unwelcome
	The OHS Regulations, 2020	“ <b>violence</b> ” means the attempted, threatened or actual conduct of a person that causes or is likely to cause injury, and includes any threatening statement or behaviour that gives a worker reasonable cause to believe that the worker is at risk of injury
MB	OHS – Workplace Safety and Health Regulation, Man Reg 217/2006 (MBWSHR), Part 10, Harassment in the workplace	“ <b>harassment</b> ” means (a) objectionable conduct that creates a risk to the health of a worker; or (b) severe conduct that adversely affects a worker's psychological or physical well-being.  “ <b>harassment</b> ” is (a) objectionable, if it is based on race, creed, religion, colour, sex, sexual orientation, gender-determined characteristics, marital status, family status, source of income, political belief, political association, political activity, disability, physical size or weight, age, nationality, ancestry or place of origin; or (b) severe, if it could reasonably cause a worker to be humiliated or intimidated and is repeated, or in the case of a single occurrence, has a lasting, harmful effect on a worker.

		<p><b>1.1.1(2)</b> Reasonable conduct of an employer or supervisor in respect of the management and direction of workers or the workplace is not harassment.</p> <p><b>1.1.1(3)</b> In this section and in the definition "harassment" in <a href="#">section 1.1</a>, conduct includes a written or verbal comment, a physical act or gesture or a display, or any combination of them.</p>
	Part 11 Violence in the Workplace	<p><b>Violence</b> means</p> <p>(a) The attempted or actual exercise of physical force against a person</p> <p>(b) Any threatening statement or behaviour that gives a person reasonable cause to believe the physical force will be used against the person</p>
<b>ON</b>	OHS Act, R.S.O. 1990, c.O.1 Part III.0.1, Violence and Harassment	<p><b>“workplace violence”</b> means,</p> <p>(a) the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker,</p> <p>(b) an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker,</p> <p>(c) a statement or behaviour that it 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.</p> <p><b>“workplace harassment”</b> means,</p> <p>(a) engaging in a course of vexatious comment or conduct against a worker in a workplace, including virtually through the use of information and communications technology, that is known or ought reasonably to be known to be unwelcome, or</p> <p>(b) workplace sexual harassment;</p> <p><b>“workplace sexual harassment”</b> means,</p> <p>(a) engaging in a course of vexatious comment or conduct against a worker in a workplace, including virtually through the use of information and communications technology, 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</p> <p>(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</p>
<b>QC</b>	Act respecting OHS, CQLR c S-2.1	<b>“sexual violence”</b> means any form of violence targeting sexuality or any other misconduct, including unwanted gestures, practices, comments, behaviours or attitudes with sexual connotations, whether they occur once or repeatedly, including violence relating to sexual and gender diversity;
	Act respecting labour standards, CQLR c N-1.1	<b>“psychological harassment”</b> means any vexatious behaviour in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures, that affects an employee’s dignity or psychological or physical integrity and that results in a harmful work environment for the employee. For greater certainty, psychological harassment includes such behaviour in the form of such verbal comments, actions or gestures of a sexual nature.
<b>NS</b>	Violence in the Workplace Regulations, NS Reg 209/2007 (NSVWR)	<p><b>“violence”</b> means:</p> <p>(a) threats, including a threatening statement or threatening behaviour that gives an employee reasonable cause to believe that the employee is at risk of physical injury,</p> <p>(b) conduct or attempted conduct of a person that endangers the physical health or physical safety of an employee.</p>

<b>NB</b>	OHS Act, NB Reg 91-191	<p><b>“violence”</b> in a place of employment, means the attempted or actual use of physical force against an employee, or any threatening statement or behaviour that gives an employee reasonable cause to believe that physical force will be used against the employee, and includes sexual violence, intimate partner violence and domestic violence</p> <p><b>“harassment”</b> , in a place of employment, means any objectionable or offensive behaviour that is known or ought reasonably to be known to be unwelcome, including bullying or any other conduct, comment or display made on either a one-time or repeated basis that threatens the health or safety of an employee, and includes sexual harassment, but does not include reasonable conduct of an employer in respect of the management and direction of employees at the place of employment;</p>
<b>NL</b>	OHS Regulations, 2012, NLR 5/12	<p><b>“violence”</b> means the attempted or actual exercise of physical force to cause injury to a worker and includes threatening statements or behaviour which gives a worker reason to believe that the worker is at risk of injury.</p> <p><b>"workplace harassment"</b> means inappropriate vexatious conduct or comment by a person to a worker that the person knew or ought to have known would cause the worker to be humiliated, offended or intimidated</p>
<b>PEI</b>	OHS Act General Regulations, PEI Reg EC180/87, Part 52	<p><b>“violence”</b> means the threatened, attempted or actual exercise of any physical force by a person other than a worker that can cause, or that causes, injury to a worker, and includes any threatening statement or behaviour that gives a worker reasonable cause to believe that he or she is at risk of injury.</p>
	Workplace Harassment Regulations, PEI Reg EC710/19	<p><b>“harassment”</b> means any inappropriate conduct, comment, display, action or gesture or any bullying that the person responsible for the conduct, comment, display, action or gesture or the bullying knows, or ought reasonably to know, could have a harmful effect on a worker's psychological or physical health or safety, and includes</p> <ul style="list-style-type: none"> <li>(a) conduct that is based on any personal characteristic such as, but not limited to, race, creed, religion, colour, sex, sexual orientation, marital status, family status, disability, physical size or weight, age, nationality, ancestry or place of origin, gender identity or pregnancy, and</li> <li>(b) inappropriate sexual conduct that is known, or ought reasonably to be known, to the person responsible for the conduct to be unwelcome, including, but not limited to, sexual solicitations or advances, sexually suggestive remarks, jokes or gestures, circulating or sharing inappropriate images, or unwanted physical contact</li> </ul>
<b>NWT</b>	OHS Regulations R-039-2015	<p><b>"violence"</b> means attempted, threatened or actual conduct of an individual that causes or is likely to cause injury, such as a threatening statement or behaviour that gives a worker a reasonable belief that he or she is at risk of injury.</p> <p><b>"harassment"</b> means a course of vexatious comment or conduct at a work site that</p> <ul style="list-style-type: none"> <li>(a) is known or ought reasonably to be known to be unwelcome; and</li> <li>(b) constitutes a threat at the work site to the health or safety of a worker.</li> </ul> <p>To constitute harassment any one of the following must have occurred:</p> <ul style="list-style-type: none"> <li>(a) repeated conduct, comments, displays, actions or gestures; or</li> <li>(b) a single, serious occurrence of conduct, or a single, serious comment, display, action or gesture, that has a lasting, harmful effect on the worker's health or safety.</li> </ul>
<b>NU</b>	OHS Regulations, Nu Reg 003-2016	<p><b>"violence"</b> means attempted, threatened or actual conduct of an individual that causes or is likely to cause injury, such as a threatening statement or behaviour that gives a worker a reasonable belief that they are at risk of injury.</p> <p><b>"harassment"</b> means a course of vexatious comment or conduct at a work site that</p> <ul style="list-style-type: none"> <li>(a) is known or ought reasonably to be known to be unwelcome; and</li> <li>(b) constitutes a threat at the work site to the health or safety of a worker.</li> </ul> <p>To constitute harassment any one of the following must have occurred:</p> <ul style="list-style-type: none"> <li>(a) repeated conduct, comments, displays, actions or gestures; or</li> </ul>

		(b) a single, serious occurrence of conduct, or a single, serious comment, display, action or gesture, that has a lasting, harmful effect on the worker's health or safety.
YT	OHS Regulations	<p><b>“harassment”</b> of a worker by a person means bullying, or any other objectionable conduct or inappropriate comment, by the person that occurs in a workplace or is work- related, that the person knows, or ought reasonably to know, is likely to be unwelcome, and that adversely affects the worker's physical or psychological well-being or constitutes a threat to the worker's health and safety; includes the person engaging in bullying or a course of inappropriate comments to, or in relation to, the worker, or a course of objectionable conduct against the worker that occurs in a workplace or is work- related, that the person knows, or ought reasonably to know, is likely to be unwelcome, and that relates to, or is motivated by, the worker's sex, sexual orientation, gender identity or gender expression; and does not include reasonable conduct of a person who is an employer or supervisor in respect of the management of workers or a workplace.</p> <p><b>“violence”</b> means any of the following that occurs in a workplace or is work-related: the threatened, attempted, or actual exercise of physical force by a person that causes, or is likely to cause, an injury to a worker; or a threatening statement made or any conduct engaged in by a person that gives a worker reasonable cause to believe that the worker is at risk of injury</p>

## Appendix E: Employment Contexts Where OHS Violence and Harassment Legislation Applies and Exemptions

Jurisdiction	Legislation	Workplaces Mandated	Workplaces Exempt
CA	Canada Labour Code, Part II OHS s 122(1) (V+H)	ALL federally regulated workplaces	<b>NO exemptions except those generally exempt from OHS legislation</b>
BC	OHS Regulation, B.C. Reg. 296/97, Part 4 (V)	<p><b>SPECIFIED workplaces</b></p> <ul style="list-style-type: none"> <li>▪ Late night retail workplaces               <ul style="list-style-type: none"> <li>- Open any time between 11:00 pm and 6:00 am</li> <li>- A gas station or other retail fueling outlet</li> <li>- a convenience store or any other store where good are sold directly to consumers</li> </ul> </li> </ul> <p><b>Where there is RISK identified</b></p> <ul style="list-style-type: none"> <li>▪ risk assessments required where risk of injury to workers from violence out of employment may be present</li> <li>▪ if risk is identified by a risk assessment, an employer must establish procedures, policies, and work environment arrangements to eliminate risk</li> </ul>	<p><b>ALL OTHER workplaces not specified or have risk identified are exempt</b></p> <p>Under the <i>Workers' Compensation Act</i>, RSBC 2019, c 1, the following are exempt from OHS provisions and regulations (s 3(1)):</p> <ul style="list-style-type: none"> <li>- <b>Mines to which the <i>Mines Act</i> applies</b></li> <li>- Unless a regulation under s 3(2) applies, the operation of industrial camps to the extent their operation is subject to regulations under the <i>Public Health Act</i></li> </ul>
AB	OHS Act, 2020  OHS Code, Alta Reg 191/2021 (V+H)	<p><b>ALL workplaces except those exempt from OHS provisions</b></p> <p>Additional requirements for late night retail</p> <ul style="list-style-type: none"> <li>- Open any time between 11:00 pm and 5:00 am</li> <li>- A gas station or other retail fueling outlet</li> <li>- a convenience store or any other store where good are sold directly to consumers</li> </ul>	<b>NO exemptions except those generally exempt from OHS legislation</b>
SK	OHS Regulations (V)	<p><b>SPECIFIED workplaces</b></p> <p>Places of employment that provide the following services or activities must develop a violence policy statement and prevention plan:</p> <ul style="list-style-type: none"> <li>(a) services provided by health care facilities mentioned in clauses (a) to I and (l) of the definition of “health care facilities” in section 31-1;</li> <li>(b) pharmaceutical-dispensing services;</li> <li>(c) education services;</li> <li>(d) police services;</li> <li>(e) corrections services;</li> <li>(f) other law enforcement services;</li> <li>(g) security services;</li> <li>(h) crisis counselling and intervention services;</li> <li>(i) late night retail premises as defined in section 3-27;</li> <li>(j) financial services;</li> <li>(k) the sale of alcoholic beverages or the provision of premises for the consumption of alcoholic beverages;</li> <li>(l) taxi services;</li> <li>(m) transit services.</li> </ul>	<b>ALL OTHER workplaces exempt</b>

		Additional requirements for late-night retail	
	OHS Regulations (H)	<b>ALL workplaces except those exempt from OHS provisions</b>	<b>NO exemptions except those generally exempt from OHS legislation</b>
<b>MB</b>	Workplace Safety and Health Regulation, Man Reg 217/2006, Part 11 (V)	<p><b>SPECIFIED workplaces</b>  A workplace is subject to this Part if</p> <p>(a) the workplace is used to provide healthcare services, which for certainty includes the workplaces described in <a href="#">section 11.8</a>;</p> <p>(b) the workplace is used to provide the following services:</p> <ul style="list-style-type: none"> <li>(i) pharmaceutical-dispensing services,</li> <li>(ii) education services,</li> <li>(iii) financial services,</li> <li>(iv) police, corrections or other law enforcement services,</li> <li>(v) security services,</li> <li>(vi) crisis counselling and intervention services,</li> <li>(vii) public transportation, if the workplace is a taxi cab or a transit bus;</li> </ul> <p>(c) the workplace is open to the public for the purpose of retail sales between the hours of 11:00 p.m. and 6:00 a.m.;</p> <p>(d) the workplace is a licensed premises within the meaning of <i>The Liquor, Gaming and Cannabis Control Act</i>; or</p> <p>(e) <b>the workplace is made subject to this Part as the result of an assessment done under <a href="#">section 11.2</a>.</b></p> <p>ALL workplaces must conduct a risk assessment</p>	<b>ALL OTHER workplaces not specified or have risk identified in an assessment are exempt</b>
	Workplace Safety and Health Regulation, Man Reg 217/2006 Part 10 (H)	<b>ALL workplaces except those exempt from OHS provisions</b>	<b>NO exemptions except those generally exempt from OHS legislation</b>
<b>ON</b>	Occupational Health and Safety Act, RSO 1990, c O.1 (V)	<b>ALL workplaces except those exempt from OHS provisions</b>	<p>OHS Act does not apply to</p> <p><b>Private residences</b></p> <ul style="list-style-type: none"> <li>- <b>3</b> (1) Except as is prescribed and subject to the conditions and limitations prescribed, this Act does not apply to work performed by the owner or occupant or a servant of the owner or occupant to, in or about a private residence or the lands and appurtenances used in connection therewith.</li> </ul> <p><b>Farming operations</b></p> <ul style="list-style-type: none"> <li>- (2) Except as is prescribed and subject to the conditions and limitations prescribed, this Act or a Part thereof does not apply to farming operations.</li> </ul>

			<p><b>Teachers, etc.</b></p> <p>- (3) Except as is prescribed and subject to the conditions and limitations prescribed, this Act or a Part thereof does not apply to,</p> <p>(a) a person who is employed as a teacher as defined in the <i>Education Act</i>; or</p> <p>(b) a person who is employed as a member or teaching assistant of the academic staff of a university or a related institution</p> <p>Subsection (2) [regarding policies in written form and posting] does not apply if the number of workers regularly employed at the <b>workplace is five or fewer</b>, unless an inspector orders otherwise.</p>
QC	<p>Act respecting occupational health and safety, CQLR c S-2.1</p> <p>Act respecting labour standards, CQLR, c N-1.1 (H)</p>	<p><b>ALL workplaces except those exempt from provincial OHS and ES legislation</b></p>	<p>NO workplace exemptions specific to psychological and sexual harassment legislation.</p> <p>The workplaces exempt are those exempt from OHS and ES.</p>
NS	<p>Violence in the Workplace Regulations, NS Reg 209/2007 (NSVWR) (V)</p>	<p><b>Application of these regulations</b></p> <p>4 These regulations apply at any workplace where the primary business is any of the following:</p> <p>(a) health services, including services provided at a healthcare workplace;</p> <p>(b) ambulance, emergency ambulance and emergency health services provided under the <i>Emergency Health Services Act</i>;</p> <p>(c) medical services;</p> <p>(d) dental services;</p> <p>(e) veterinary services;</p> <p>(f) blood collection services;</p> <p>(g) testing and diagnostic services;</p> <p>(h) pharmaceutical-dispensing services, including facilities operating under the <i>Pharmacy Act</i>;</p> <p>(i) education services provided by institutions, including any of the following:</p> <p>(i) Nova Scotia Community College,</p> <p>(ii) a degree granting institution designated under the <i>Degree Granting Act</i>,</p> <p>(iii) a private career college registered under the <i>Private Career Colleges Act</i>,</p> <p>(iv) a school governed by the <i>Education Act</i>;</p>	<p><b>ALL other workplaces are exempt</b></p>

		<p>(j) policing services, detective services and other law enforcement services, including services provided under the <u><i>Police Act</i></u>, the <u><i>Police Services Act</i></u> and the <u><i>Constables Act</i></u>;</p> <p>(k) correctional services, including services provided at any of the following:</p> <ul style="list-style-type: none"> <li>(i) a correctional facility as defined in the <u><i>Corrections Act</i></u>,</li> <li>(ii) a facility under the <u><i>Correctional Services Act</i></u>,</li> <li>(iii) a facility under the <u><i>Court Houses and Lockup Houses Act</i></u>,</li> <li>(iv) a place or facility designated as a youth custody facility under <u>subsection 85(2)</u> of the <u><i>Youth Criminal Justice Act</i></u> (Canada),</li> <li>(v) a place or facility designated as a place of temporary detention under <u>subsection 30(1)</u> of the <u><i>Youth Criminal Justice Act</i></u> (Canada);</li> </ul> <p>(l) probation services provided by a probation officer or assistant probation officer appointed under the <u><i>Correctional Services Act</i></u>;</p> <p>(m) security and related services, including licensees under the <u><i>Private Investigators and Private Guards Act</i></u>;</p> <p>(n) counseling and intervention services, including any services provided by an agency as defined in the <u><i>Children and Family Services Act</i></u>;</p> <p>(o) retail sales;</p> <p>(p) delivery services, including parcel delivery services;</p> <p>(q) financial services, including services provided by any of the following:</p> <ul style="list-style-type: none"> <li>(i) facilities operating under the <u><i>Trust and Loan Companies Act</i></u>,</li> <li>(ii) facilities operating under the <u><i>Credit Union Act</i></u>,</li> <li>(iii) [an] insurer licensed to carry on business under the <u><i>Insurance Act</i></u>,</li> <li>(iv) a money lender under the <u><i>Money-lenders Act</i></u>;</li> </ul> <p>(r) sales of liquor or providing premises for consuming liquor, including premises licensed under the <u><i>Liquor Control Act</i></u>;</p> <p>(s) taxi services;</p> <p>(t) passenger transit services;</p> <p>(u) gaming activities conducted and managed under the <u><i>Gaming Control Act</i></u>;</p> <p>(v) provided by or on behalf of the departments, offices and special operating agencies established under the <u><i>Public Service Act</i></u> that involve regular interaction with the public;</p> <p>(w) homemakers' services as defined in the <u><i>Homemakers' Services Act</i></u>.</p> <p>Violence prevention plan to be developed where risk is identified during a risk assessment</p>	
NB	Occupational Health and Safety Act, SNB 1983, c O-0.2 (general)		<p><b>Exemptions</b></p> <p><b>3(1)</b> This Act does not apply to a place of employment that is a private home unless the work that is carried on has been contracted to the employer of one or more persons employed at that private home.</p>

			<p><b>3(2)</b> This Act does not apply to any place of employment exempted by regulation from the application of the Act.</p> <p><b>3(3)</b> Where an employer applies, in writing, for an authorization to deviate from any provision of the regulations, the Chief Compliance Officer may give permission in writing for that deviation under such terms and conditions as the Chief Compliance Officer considers advisable</p> <ul style="list-style-type: none"> <li>a. in accordance with the standards, if any, prescribed by regulation for granting such deviations, or</li> <li>b. where no standards for granting deviations are prescribed by regulation, if the Chief Compliance Officer is satisfied that the deviation affords protection for the health and safety of employees equal to or greater than the protection prescribed by regulation.</li> </ul> <p>Mines exempt, as they have their own OHS regulations</p>
	<p>General Regulation, NB Reg 91-191 (V)</p>	<p><b>374.2(3)</b>An employer that has 20 or more employees regularly employed at one or more places of employment in the Province shall establish a written code of practice for violence.</p> <p><b>374.2(4)</b>An employer that has fewer than 20 employees regularly employed at one or more places of employment in the Province shall establish a written code of practice for violence in any of the following circumstances:</p> <ul style="list-style-type: none"> <li>(a) work is carried on at the place of employment by any of the following persons: <ul style="list-style-type: none"> <li>(i) an employee of the Public Service;</li> <li>(ii) a supplier of goods or services to a public body under the <i>Procurement Act</i>;</li> <li>(iii) an employee of an emergency service provider;</li> <li>(iv) a health professional;</li> <li>(v) a pharmacist;</li> <li>(vi) a veterinarian;</li> <li>(vii) a social worker, outreach worker, crisis intervener or support worker, including persons providing services to victims of intimate partner violence, domestic violence or sexual violence;</li> <li>(viii) an employee of an agency as defined in the <i>Private Investigators and Security Services Act</i>; or</li> <li>(ix) a person registered or licensed under an Act of the Province to provide financial services;</li> </ul> </li> <li>(b) the following work is carried on at the place of employment:</li> </ul>	<p><b>ALL other workplaces are exempt</b></p>

		<ul style="list-style-type: none"> <li>(i) teaching;</li> <li>(ii) early learning and childcare services;</li> <li>(iii) retail sales;</li> <li>(iv) transporting goods or persons for hire in a vehicle, whether the vehicle is owned by a public body or privately owned; or</li> <li>(v) home support services;</li> </ul> <p>(c) work is carried on at any of the following places of employment:</p> <ul style="list-style-type: none"> <li>(i) a casino or other gaming premises under the <i>Gaming Control Act</i>;</li> <li>(ii) a place in respect of which a licence or permit issued under the <i>Liquor Control Act</i> applies and to which members of the public have access; or</li> <li>(iii) a cannabis retail outlet as defined in the <i>Cannabis Control Act</i>; or</li> </ul> <p>(d) an assessment referred to in <a href="#">subsection 374.1(1)</a> identifies a risk of violence.</p>	
	General Regulation, NB Reg 91-191 (H)	<b>ALL workplaces except those exempt from OHS provisions</b>	<b>NO exemptions except those generally exempt from OHS legislation</b>
NL	OHS Regulations, 2012, NLR 5/12 (V)	<p><b>Where RISK IS identified</b></p> <p><b>23. (1)</b> Where a risk of injury to workers from violence is identified by an assessment performed under <a href="#">section 22.1</a>, the employer shall</p> <ul style="list-style-type: none"> <li>(a) establish procedures, policies and work environment arrangements to eliminate the risk to workers from violence; and</li> </ul> <p>Risk assessments in ALL workplaces</p>	<b>Anywhere that risk is not identified</b>
	OHS Regulations, 2012, NLR 5/12 (H)	<b>ALL workplaces except those exempt from OHS provisions</b>	<b>NO exemptions except those generally exempt from OHS legislation</b>
PEI	OHS Act General Regulations, PEI Reg EC180/87, Part 52 (V)	<p><b>Where RISK IS identified</b></p> <p><b>Risk assessment of workplace</b></p> <p>An employer shall conduct a risk assessment of the workplace to determine whether or not a risk of injury to workers from violence arising out of their employment may be present.</p> <p><b>Risk identified</b></p> <p>If a risk of injury to a worker from violence in a workplace is identified by an assessment under section 52.2, the employer shall establish procedures, policies and work environment arrangements</p>	<b>Anywhere that risk is not identified</b>
	Workplace Harassment Regulations, PEI Reg EC710/19	<b>ALL workplaces except those exempt from OHS provisions</b>	<b>NO exemptions except those generally exempt from OHS legislation</b>
NWT	Occupational Health and Safety	<p><b>SPECIFIED workplaces</b></p> <p>Places of employment that provide the following services or activities must develop a violence policy statement and prevention plan:</p>	<p><b>ALL other workplaces exempt</b></p> <p>OHS regulations do not apply to work in respect to</p>

	Regulations, NWT Reg 039-2015 (V)	<ul style="list-style-type: none"> <li>(a) services provided by health care facilities as defined in section 463;</li> <li>(b) pharmaceutical-dispensing services;</li> <li>(c) educational services;</li> <li>(d) police services;</li> <li>(e) corrections services;</li> <li>(f) other law enforcement services;</li> <li>(g) security services;</li> <li>(h) crisis counselling and intervention services;</li> <li>(i) financial services;</li> <li>(j) the sale of alcoholic beverages or the provision of premises for the consumption of alcoholic beverages;</li> <li>(k) taxi services;</li> <li>(l) transit services.</li> </ul>	<ul style="list-style-type: none"> <li>(a) a mine, as defined in section 1 of the Mine Health and Safety Act</li> <li>(b) the exploration, production and conservation of oil and gas resources</li> </ul>
	Occupational Health and Safety Regulations, NWT Reg 039-2015 (H)	<b>ALL workplaces except those exempt from OHS provisions</b>	<b>NO exemptions except those generally exempt from OHS legislation</b>
NU	Occupational Health and Safety Regulations, Nu Reg 003-2016 (V)	<b>SPECIFIED workplaces</b> Places of employment that provide the following services or activities must develop a violence policy statement and prevention plan: <ul style="list-style-type: none"> <li>(a) services provided by health care facilities as defined in section 463;</li> <li>(b) pharmaceutical-dispensing services;</li> <li>(c) educational services;</li> <li>(d) police services;</li> <li>(e) corrections services;</li> <li>(f) other law enforcement services;</li> <li>(g) security services;</li> <li>(h) crisis counselling and intervention services;</li> <li>(i) financial services;</li> <li>(j) the sale of alcoholic beverages or the provision of premises for the consumption of alcoholic beverages;</li> <li>(k) taxi services;</li> <li>(l) transit services.</li> </ul>	All others exempt  These regulations do not apply to work in respect of <ul style="list-style-type: none"> <li>(a) a mine, as defined in section 1 of the Mine Health and Safety Act; or</li> <li>(b) the exploration, production and conservation of oil and gas resources.</li> </ul>
	Occupational Health and Safety Regulations, Nu Reg 003-2016 (H)	<b>ALL workplaces except those exempt from OHS provisions</b>	<b>NO exemptions except those generally exempt from OHS legislation</b>
YT	Workplace Health and Safety Regulations, O.I.C. 2006/178 (V+H)	<b>ALL workplaces except those exempt from OHS provisions</b>	<b>NO exemptions except those generally exempt from OHS legislation</b>

## Appendix F: Risk Assessments

Jurisdiction	Legislation		Risk Assessment
CA	Canada Labour Code, Part II OHS s 122(1) (V+H)	ALL	<p><b>Work Place Assessment</b></p> <p><b>Joint assessment</b></p> <p><b>5 (1)</b> An employer and the applicable partner must jointly carry out a work place assessment that consists of the identification of risk factors under section 8 and the development and implementation of preventive measures under section 9.</p> <p><b>Joint monitoring and updates</b></p> <p><b>(2)</b> An employer and the applicable partner must jointly monitor the accuracy of the work place assessment and, if necessary, update it in order to reflect a change to the information set out in the assessment, including</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> a change to the risk factors identified under section 8; and</li> <li>• <b>(b)</b> a change that compromises the effectiveness of a preventive measure developed and implemented under section 9.</li> </ul> <p><b>Review after three years</b></p> <p><b>(3)</b> An employer and the applicable partner must jointly review the work place assessment every three years and, if necessary, update it.</p>
BC	OHS Regulation, B.C. Reg. 296/97, Part 4 (V)	SPECIFIED	<p><b>Risk assessment</b></p> <p><b>4.28 (1)</b> A risk assessment must be performed in any workplace in which a risk of injury to workers from violence arising out of their employment may be present.</p> <p><b>(2)</b> The risk assessment must include the consideration of</p> <ul style="list-style-type: none"> <li>(a) previous experience in that workplace,</li> <li>(b) occupational experience in similar workplaces, and</li> <li>(c) the location and circumstances in which work will take place.</li> </ul>
AB	OHS Code, Alta Reg 191/2021 (V+H)	NO	--
SK	OHS Regulations (V)	Late Night Retail	
	OHS Regulations (H)	NO	--
MB	WSH Regulation, Man Reg 217/2006, Part 11 (V)	ALL	<p><b>Employer must assess risk of violence</b></p> <p><b>11.2</b> An employer at a workplace that is not described in <a href="#">clauses 11.1(a) to (d)</a> must assess the risk of violence to a worker at the workplace. The assessment must be carried out in consultation with</p> <ul style="list-style-type: none"> <li>(a) the committee at the workplace;</li> <li>(b) the representative at the workplace; or</li> <li>(c) when there is no committee or representative, the workers at the workplace.</li> </ul> <p>A workplace is subject to this Part if a risk of violence to a worker is identified as a result of the assessment.</p>
	WSH Regulation, Man Reg 217/2006 Part 10 (H)	NO	--
ON	OHS Act, RSO 1990, c O.1 (V)	ALL	<p><b>Assessment of risks of violence</b></p> <p><b>32.0.3 (1)</b> An employer shall assess the risks of workplace violence that may arise from the nature of the workplace, the type of work or the conditions of work. <a href="#">2009, c. 23, s. 3.</a></p> <p><b>Considerations</b></p>

			(2) The assessment shall take into account, <ul style="list-style-type: none"> <li>(a) circumstances that would be common to similar workplaces;</li> <li>(b) circumstances specific to the workplace; and</li> <li>(c) any other prescribed elements.</li> </ul>
	OHS Act, RSO 1990, c O.1 (H)	NO	--
<b>QC</b>	Act respecting OHS, CQLR c S-2.1	NO	--
<b>NS</b>	Violence in the Workplace Regulations, NS Reg 209/2007 (NSVWR)	ALL	<p><b>Violence risk assessment</b></p> <p><b>5(1)</b> An employer must conduct a violence risk assessment for each of their workplaces in accordance with this Section to determine if there is a risk of violence in the workplace and prepare a written report concerning the violence risk assessment detailing the extent and nature of any risk identified by the assessment.</p> <p><b>(2)</b> In conducting a violence risk assessment, an employer must take all of the following into consideration:</p> <ul style="list-style-type: none"> <li>(a) violence that has occurred in the workplace in the past;</li> <li>(b) violence that is known to occur in similar workplaces;</li> <li>(c) the circumstances in which work takes place;</li> <li>(d) the interactions that occur in the course of performing work;</li> <li>(e) the physical location and layout of the workplace.</li> </ul>
<b>NB</b>	General Regulation, NB Reg 91-191 (V)	ALL	<p><b>374.1 (1)</b>An employer shall assess the risk of violence at the place of employment.</p> <p><b>374.1 (2)</b>In assessing the risk of violence, an employer shall consult with</p> <ul style="list-style-type: none"> <li>(a) all committees, if any,</li> <li>(b) all health and safety representatives, if any, or</li> <li>(c) if there is no committee or representative, employees.</li> </ul> <p><b>374.1(3)</b>When conducting the assessment referred to in subsection (1), the employer shall consider the following information:</p> <ul style="list-style-type: none"> <li>(a) the location and circumstances in which the work is carried on;</li> <li>(b) the risk that may arise out of or in connection with <ul style="list-style-type: none"> <li>(i) an employee’s work, or</li> <li>(ii) sexual violence, intimate partner violence or domestic violence occurring at the place of employment;</li> </ul> </li> <li>(c) the categories of employees at risk, or the types of work that place employees at risk of experiencing violence;</li> <li>(d) the possible effects on the health or safety of employees who are exposed to violence at the place of employment;</li> <li>(e) all previous incidents of violence at the place of employment; and</li> <li>(f) incidents of violence in similar places of employment.</li> </ul> <p><b>374.1(4)</b>An employer shall ensure that the assessment referred to in subsection (1) is documented and made available to all committees, if any, or all health and safety representatives, if any, and to an officer on request.</p> <p><b>374.1(5)</b>The employer shall review the assessment of the risk of violence and update it</p>

			(a) when there is a change in conditions at the place of employment, or (b) when ordered to do so by an officer.
	General Regulation, NB Reg 91-191 (H)	NO	--
NL	OHS Regulations, 2012, NLR 5/12 (V)	ALL	<b>Risk assessment</b> <b>22.1</b> (1) An employer shall conduct a risk assessment which shall include consideration of (a) previous experience in the workplace; (b) occupational experience in similar workplaces; (c) the location and circumstances in which work may take place; (d) workplace characteristics including demographics, culture and the presence of new workers; and (e) issues raised by the occupational health and safety committee, the worker health and safety representative or the workplace health and safety designate. (2) Where an employer obtains personal information in the course of conducting a risk assessment under this section, the employer shall keep the personal information confidential and shall not disclose the personal information except for the purpose of an investigation or where required by law.
	OHS Regulations, 2012, NLR 5/12 (H)	NO	--
PEI	OHS Act General Regulations, PEI Reg EC180/87, Part 52 (V)	ALL	A risk assessment under subsection (1) shall include a consideration of (a) previous experience of violence in that workplace; (b) occupational experience of violence in similar workplaces; and (c) the location and circumstances in which the work will take place.
	Workplace Harassment Regulations, PEI Reg EC710/19	NO	--
NWT	OHS Regulations, NWT Reg 039-2015 (V)	NO	--
	OHS Regulations, NWT Reg 039-2015 (H)	NO	--
NU	OHS Regulations, Nu Reg 003-2016 (V)	NO	--
	OHS Regulations, Nu Reg 003-2016 (H)	NO	--
YT	Workplace Health and Safety Regulations, O.I.C. 2006/178 (V+H)	NO	--

## Appendix G: Violence and Harassment Prevention Policy Content

Jurisdiction	Legislation	Policy/Plan Content
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CA	Canada Labour Code, Part II OHS s 122(1) (V+H)	<p><b>Policy content</b></p> <p>(2) The policy must contain the following elements:</p> <ul style="list-style-type: none"> <li>(a) the employer's mission statement regarding the prevention of and protection against harassment and violence in the work place;</li> <li>(b) a description of the respective roles of the employer, designated recipient, employees, policy committee, work place committee and health and safety representative in relation to harassment and violence in the work place;</li> <li>(c) a description of the risk factors, internal and external to the work place, that contribute to work place harassment and violence;</li> <li>(d) a summary of the training that will be provided regarding work place harassment and violence;</li> <li>(e) a summary of the resolution process, including <ul style="list-style-type: none"> <li>(i) the name or identity of the designated recipient, and</li> <li>(ii) the manner in which a principal party or witness may provide the employer or the designated recipient with notice of an occurrence;</li> </ul> </li> <li>(f) the reasons for which a review and update of the work place assessment must be conducted under subsection 6(1);</li> <li>(g) a summary of the emergency procedures that must be implemented when an occurrence poses an immediate danger to the health and safety of an employee or when there is a threat of such an occurrence;</li> <li>(h) a description of the manner in which the employer will protect the privacy of persons who are involved in an occurrence or in the resolution process for an occurrence under these Regulations;</li> <li>(i) a description of any recourse, in addition to any under the Act or these Regulations, that may be available to persons who are involved in an occurrence;</li> <li>(j) a description of the support measures that are available to employees; and</li> <li>(k) the name of the person who is designated to receive a complaint made under subsection 127.1(1) of the Act.</li> </ul>
BC	OHS Regulation, B.C. Reg. 296/97, Part 4 (V)	<p>If a worker is assigned to work alone or in isolation in late night retail premises and there is any risk of harm from a violent act to the worker, then, in addition to any other obligations the employer has under sections 4.20.2 to 4.23 and 4.28 to 4.30,</p> <ul style="list-style-type: none"> <li>(a) the employer must develop and implement a written procedure to ensure the worker's safety in handling money, and</li> <li>(b) when that worker is assigned to work late night hours, the employer must also do one or more of the following: <ul style="list-style-type: none"> <li>(i) ensure that the worker is physically separated from the public by a locked door or barrier that prevents physical contact with or access to the worker;</li> <li>(ii) assign one or more workers to work with the worker during that worker's assignment;</li> <li>(iii) implement a violence prevention program in accordance with subsections (2.1) to (2.3).</li> </ul> </li> </ul> <p><b>Procedures and policies</b></p> <p>If a risk of injury to workers from violence is identified by an assessment performed under section 4.28 the employer must</p> <ul style="list-style-type: none"> <li>(a) establish procedures, policies and work environment arrangements to eliminate the risk to workers from violence, and</li> <li>(b) if elimination of the risk to workers is not possible, establish procedures, policies and work environment arrangements to minimize the risk to workers.</li> </ul>
AB	OHS Code, Alta Reg 191/2021 (V+H)	<p><b>390(1)</b> An employer must develop and implement a violence and harassment prevention plan that includes the following:</p> <ul style="list-style-type: none"> <li>(a) measures to eliminate or, if that is not reasonably practicable, control the hazards of violence and harassment to workers;</li> <li>(b) any applicable requirements referred to in <a href="#">section 392.2</a>;</li> <li>(c) procedures to inform workers of the nature and extent of the hazard of violence and harassment, including information related to specific or general threats of violence or harassment that exist or may exist;</li> <li>(d) procedures to report violence or harassment;</li> <li>(e) procedures to investigate complaints and incidents of violence or harassment;</li> <li>(f) provisions to protect the confidentiality of all parties involved in a complaint or incident, except where disclosure is</li> </ul>

		<ul style="list-style-type: none"> <li>(i) necessary to             <ul style="list-style-type: none"> <li>a. investigate the complaint or incident,</li> <li>b. take corrective action, or</li> <li>c. inform the parties involved in the complaint or incident of the results of the investigation and of any corrective action to be taken to address the complaint or incident,</li> </ul> </li> <li>(i) necessary to inform workers of a specific or general threat of violence or potential violence, or</li> <li>(ii) required by law.</li> </ul>
<p><b>SK</b></p>	<p>OHS Regulations (V)</p>	<p>A policy statement required by subsection 14(1) of the Act must be in writing and must include:</p> <ul style="list-style-type: none"> <li>(a) the employer’s commitment to minimize or eliminate the risk;</li> <li>(b) the identification of the worksite or worksites where violent situations have occurred or may reasonably be expected to occur;</li> <li>(c) the identification of any staff positions at the place of employment that have been, or may reasonably be expected to be, exposed to violent situations;</li> <li>(d) the procedure to be followed by the employer to inform workers of the nature and extent of risk from violence, including, except where the disclosure is prohibited by law, any information in the employer’s possession related to the risk of violence from persons who have a history of violent behaviour and whom workers are likely to encounter in the course of their work;</li> <li>(e) the actions the employer will take to minimize or eliminate the risk, including the use of personal protective equipment, administrative arrangements and engineering controls;</li> <li>(f) the procedure to be followed by a worker who has been exposed to a violent incident to report the incident to the employer;</li> <li>(g) the procedure the employer will follow to document and investigate a violent incident reported pursuant to clause (f);</li> <li>(h) a recommendation that any worker who has been exposed to a violent incident consult the worker’s physician for treatment or referral for post-incident counselling; and</li> <li>(i) the employer’s commitment to provide a training program for workers that includes:             <ul style="list-style-type: none"> <li>(i) the means to recognize potentially violent situations;</li> <li>(ii) procedures, work practices, administrative arrangements and engineering controls that have been developed to minimize or eliminate the risk to workers;</li> <li>(iii) the appropriate responses of workers to incidents of violence, including how to obtain assistance; and</li> <li>(iv) procedures for reporting violent incidents.</li> </ul> </li> </ul>
	<p>OHS Regulations (H)</p>	<p>An employer, in consultation with the committee, shall develop a policy in writing to prevent harassment that includes:</p> <ul style="list-style-type: none"> <li>(a) a definition of harassment that includes the definition in the Act;</li> <li>(b) a statement that every worker is entitled to employment free of harassment;</li> <li>(c) a commitment that the employer will make every reasonably practicable effort to ensure that no worker is subjected to harassment;</li> <li>(d) a commitment that the employer will take corrective action respecting any person under the employer’s direction who subjects any worker to harassment;</li> <li>(e) an explanation of how complaints of harassment may be brought to the attention of the employer;</li> <li>(f) a statement that the employer will not disclose the name of a complainant or an alleged harasser or the circumstances related to the complaint to any person except where disclosure is:             <ul style="list-style-type: none"> <li>(i) necessary for the purposes of investigating the complaint or taking corrective action with respect to the complaint; or</li> <li>(ii) required by law;</li> </ul> </li> <li>(g) a reference to the provisions of the Act respecting harassment and the worker’s right to request the assistance of an occupational health officer to resolve a complaint of harassment;</li> </ul>

		<ul style="list-style-type: none"> <li>(h) a reference to the provisions of The Saskatchewan Human Rights Code respecting discriminatory practices and the worker's right to file a complaint with the Saskatchewan Human Rights Commission;</li> <li>(i) a description of the procedure that the employer will follow to inform the complainant and the alleged harasser of the results of the investigation; and</li> <li>(j) a statement that the employer's harassment policy is not intended to discourage or prevent the complainant from exercising any other legal rights pursuant to any other law.</li> </ul>
<b>MB</b>	WSH Regulation, Man Reg 217/2006, Part 11 (V)	<p>A violence prevention policy must set out the actions and measures the employer will take to eliminate the risk of violence to a worker or to control that risk if it is not reasonably practicable to eliminate it. Without limitation, the violence prevention policy must include</p> <ul style="list-style-type: none"> <li>(a) a description of <ul style="list-style-type: none"> <li>(i) any particular worksite at the workplace where an incident of violence has occurred or may reasonably be expected to occur, and</li> <li>(ii) any particular job functions at the workplace where the worker performing the function has been, or may reasonably be expected to be, exposed to incidents of violence;</li> </ul> </li> <li>(b) the measures that the employer must implement to eliminate the risk of violence to a worker at the workplace, or to control that risk if it is not reasonably practicable to eliminate it;</li> <li>(c) the measures and procedures that the employer has in place for summoning immediate assistance when an incident of violence occurs or is likely to occur;</li> <li>(d) the procedure a worker is to follow in reporting an incident of violence to the employer, including how and when an incident is to be reported;</li> <li>(e) the procedure the employer will follow to document and investigate any incident of violence to a worker that the employer becomes aware of;</li> <li>(f) the procedure the employer will follow to implement any control measures identified as a result of the investigation that will eliminate or control the risk of violence to a worker;</li> <li>(g) a recommendation that a worker who has been harmed as a result of an incident of violence at the workplace is advised to consult the worker's health care provider for treatment or referral for post-incident counselling, if appropriate;</li> <li>(h) in respect of an incidence of violence, a statement that the employer must not disclose the name of a complainant or the circumstances related to the complaint to any person, other than where the disclosure is <ul style="list-style-type: none"> <li>(i) necessary in order to investigate the complaint,</li> <li>(ii) required in order to take corrective action in response to the complaint, or</li> <li>(iii) required by law;</li> </ul> </li> <li>(i) a statement that the personal information that is disclosed under clause (h) in respect of an incidence of violence must be the minimum amount necessary for the purpose; and</li> <li>(j) a statement that the violence prevention policy is not intended to discourage or prevent a complainant from exercising any other rights, actions or remedies that may be available to him or her under any other law.</li> </ul>
	WSH Regulation, Man Reg 217/2006 Part 10 (H)	<p>The harassment prevention policy must include the following statements:</p> <ul style="list-style-type: none"> <li>(a) every worker is entitled to work free of harassment;</li> <li>(b) the employer must ensure, so far as is reasonably practicable, that no worker is subjected to harassment in the workplace;</li> <li>(c) the employer will take corrective action respecting any person under the employer's direction who subjects a worker to harassment;</li> <li>(d) the employer will not disclose the name of a complainant or an alleged harasser or the circumstances related to the complaint to any person except where disclosure is <ul style="list-style-type: none"> <li>(i) necessary to investigate the complaint or take corrective action with respect to the complaint, or</li> </ul> </li> </ul>

		<p>(ii) required by law;</p> <p>(e) a worker has the right to file a complaint with the Manitoba Human Rights Commission;</p> <p>(f) the employer's harassment prevention policy is not intended to discourage or prevent the complainant from exercising any other legal rights pursuant to any other law.</p> <p>The harassment prevention policy must provide information on the following procedures under the policy:</p> <p>(a) how to make a harassment complaint;</p> <p>(b) how a harassment complaint will be investigated;</p> <p>(c) how the complainant and alleged harasser will be informed of the results of the investigation.</p>
ON	OHS Act, RSO 1990, c O.1 (V)	<p><b>Contents (violence)</b></p> <p>Without limiting the generality of subsection (1), the program shall,</p> <p>(a) include measures and procedures to control the risks identified in the assessment required under <a href="#">subsection 32.0.3 (1)</a> as likely to expose a worker to physical injury;</p> <p>(b) include measures and procedures for summoning immediate assistance when workplace violence occurs or is likely to occur;</p> <p>(c) include measures and procedures for workers to report incidents of workplace violence to the employer or supervisor;</p> <p>(d) set out how the employer will investigate and deal with incidents or complaints of workplace violence; and</p> <p>(e) include any prescribed elements</p>
	OHS Act, RSO 1990, c O.1 (H)	<p><b>Contents (harassment)</b></p> <p>Without limiting the generality of subsection (1), the program shall,</p> <p>(a) include measures and procedures for workers to report incidents of workplace harassment to the employer or supervisor;</p> <p>(b) include measures and procedures for workers to report incidents of workplace harassment to a person other than the employer or supervisor, if the employer or supervisor is the alleged harasser;</p> <p>(c) set out how incidents or complaints of workplace harassment will be investigated and dealt with;</p> <p>(d) set out how information obtained about an incident or complaint of workplace harassment, including identifying information about any individuals involved, will not be disclosed unless the disclosure is necessary for the purposes of investigating or taking corrective action with respect to the incident or complaint, or is otherwise required by law;</p> <p>(e) set out how a worker who has allegedly experienced workplace harassment and the alleged harasser, if he or she is a worker of the employer, will be informed of the results of the investigation and of any corrective action that has been taken or that will be taken as a result of the investigation; and</p> <p>(f) include any prescribed elements</p>
QC	<p>Act respecting OHS, CQLR c S-2.1</p> <p>Act respecting labour standards</p>	<p><b>Under Bill 42, which increased protections for psychological harassment, the policy statement must include:</b></p> <ul style="list-style-type: none"> <li>• methods for identifying, controlling and eliminating the risks of psychological harassment</li> <li>• information and employee training provided to employees</li> <li>• complaint procedures, including reporting procedures and follow-up procedures.</li> <li>• Measures to protection against retaliation</li> <li>• Investigation procedures</li> <li>• Measures to ensure confidentiality of complaints, report, information, or documentation received.</li> </ul>
NS	Violence in the Workplace Regulations, NS Reg 209/2007 (NSVWR)	<p><b>Workplace violence prevention plan</b></p> <p><b>7 (1)</b> An employer must establish and implement a workplace violence prevention plan for each workplace for which a significant risk of violence is identified through a violence risk assessment or that an officer orders a plan for.</p>

		<p>(2) As part of a workplace violence prevention plan, an employer must do all of the following:</p> <ul style="list-style-type: none"> <li>(a) prepare a written workplace violence prevention statement;</li> <li>(b) either <ul style="list-style-type: none"> <li>(i) take and document reasonable measures to minimize and, to the extent possible, eliminate the risk of violence in the workplace, or</li> <li>(ii) adopt a code of practice on violence in the workplace published by the Director governing the primary business conducted at the employer's workplace;</li> </ul> </li> <li>(c) establish and document procedures for providing employees with the information and training required by <a href="#">Sections 10 and 11</a>;</li> <li>(d) establish and document procedures for reporting, documenting and investigating incidents of violence as required by <a href="#">Sections 12 and 13</a>.</li> </ul>
NB	General Regulation, NB Reg 91-191 (V)	<p><b>Code of practice – violence</b></p> <p>A code of practice established under <a href="#">section 374.2</a> shall include the following:</p> <ul style="list-style-type: none"> <li>(a) an inventory of the locations at which and circumstances in which <ul style="list-style-type: none"> <li>(i) violence may reasonably be expected to occur, and</li> <li>(ii) the code of practice would be applicable;</li> </ul> </li> <li>(b) a description of the types of violence that may reasonably be expected to occur;</li> <li>(c) a description of the categories of employees at risk, or of the types of work that place employees at risk of experiencing violence;</li> <li>(d) the identity of the person responsible for implementing the code of practice; and</li> <li>(e) a statement that an employee shall report an incident of violence to the employer as soon as the circumstances permit.</li> </ul> <p>A code of practice referred to in subsection (1) shall set out the actions and measures the employer shall take to mitigate the risk of violence, including</p> <ul style="list-style-type: none"> <li>(a) the methods and equipment to be used and the procedures to be followed,</li> <li>(b) the follow-up measures to be used with affected employees,</li> <li>(c) the means, including alternative means, by which an employee may secure emergency assistance,</li> <li>(d) the procedure the employer shall follow to investigate and document any incident of violence of which the employer is aware,</li> <li>(e) the manner in which affected employees shall be informed of the results of an investigation,</li> <li>(f) the procedure the employer shall follow to implement any corrective measures identified as a result of the investigation, and</li> <li>(g) the identification of training needs</li> </ul>
	General Regulation, NB Reg 91-191 (H)	<p><b>Code of practice – harassment</b></p> <p>An employer shall establish a written code of practice for harassment at the place of employment to ensure the health and safety of employees to the extent possible.</p> <p>A code of practice for harassment shall include the following:</p> <ul style="list-style-type: none"> <li>(a) a statement that every employee is entitled to work free of harassment;</li> <li>(b) the identity of the person responsible for implementing the code of practice;</li> <li>(c) a statement that an employee shall report an incident of harassment to the employer as soon as the circumstances permit;</li> <li>(d) the procedure the employer shall follow to investigate and document any incident of harassment of which the employer is aware;</li> <li>(e) the manner in which affected employees shall be informed of the results of an investigation;</li> </ul>

		<ul style="list-style-type: none"> <li>(f) the procedure the employer shall follow to implement any corrective measures identified as a result of the investigation;</li> <li>(g) the follow-up measures to be used with affected employees; and</li> <li>(h) the identification of training needs.</li> </ul>
NL	OHS Regulations, 2012, NLR 5/12 (V)	<p><b>Violence prevention</b></p> <p>(1) Where a risk of injury to workers from violence is identified by an assessment performed under <a href="#">section 22.1</a>, the employer shall</p> <ul style="list-style-type: none"> <li>(a) establish procedures, policies and work environment arrangements to eliminate the risk to workers from violence; and</li> <li>(b) where elimination of the risk to workers is not possible, establish procedures, policies and work environment arrangements to minimize the risk to workers.</li> </ul> <p>(2) Where an employer becomes aware, or ought reasonably to be aware, that family violence that would likely expose a worker to physical injury may occur in the workplace, the employer shall take every precaution reasonable in the circumstances for the protection of the worker.</p>
	OHS Regulations, 2012, NLR 5/12 (H)	<p><b>Harassment prevention plan</b></p> <p>(1) An employer shall develop, implement and maintain a written harassment prevention plan in consultation with the occupational health and safety committee, the worker health and safety representative or the workplace health and safety designate.</p> <p>(2) A harassment prevention plan shall</p> <ul style="list-style-type: none"> <li>(a) include a statement that every worker is entitled to employment free from workplace harassment;</li> <li>(b) include a statement that the employer is committed to eliminating, where possible, or otherwise, minimizing the hazard of workplace harassment;</li> <li>(c) include a statement of the worker's obligation to take reasonable care to <ul style="list-style-type: none"> <li>(i) not engage in bullying or workplace harassment,</li> <li>(ii) report observations or experiences of bullying and workplace harassment, and</li> <li>(iii) comply with the harassment prevention plan;</li> </ul> </li> <li>(d) include a statement of a supervisor's obligation to ensure the health and safety of workers, including the supervisor's obligation to apply and comply with the harassment prevention plan;</li> <li>(e) set out the procedures for workers to report instances of harassment to an employer or supervisor or where the employer or supervisor is the alleged harasser, the procedures to report harassment to an external third party;</li> <li>(f) set out the procedures to be followed after a complaint of workplace harassment is received and the manner in which a complaint is investigated;</li> <li>(g) include a statement that any information obtained relating to workplace harassment, including personal information, will not be disclosed unless it is necessary for the purpose of an investigation, corrective action relating to the complaint or where required by law;</li> <li>(h) set out the procedures regarding notification of results of investigations and any actions to be taken as a result of an investigation;</li> <li>(i) include a statement that the harassment prevention plan is not intended to discourage a worker from exercising the worker's rights under the <a href="#">Human Rights Act, 2010</a>, the <a href="#">Criminal Code</a> (Canada) or any other law of the province or of Canada; and</li> <li>(j) include a statement that the employer shall protect workers from retaliation and provide support to workers when workplace harassment occurs.</li> </ul>
PEI	OHS Act General Regulations, PEI Reg	<b>Violence</b>

	EC180/87, Part 52 (V)	<p>Risk identified If a risk of injury to a worker from violence in a workplace is identified by an assessment under section 52.2, the employer shall establish procedures, policies and work environment arrangements</p> <p>to either (i) eliminate the risk of violence to workers in that workplace, or (ii) if elimination of the risk is not possible, minimize the risk of violence to workers in that workplace; and</p> <p>to provide for reporting, investigating and documenting incidents of violence in that workplace.</p>
	Workplace Harassment Regulations, PEI Reg EC710/19	<p>An employer shall, in consultation with the committee or representative, if any, develop and implement a written policy to prevent and investigate harassment in the workplace that includes</p> <ul style="list-style-type: none"> <li>(a) a definition of harassment that is consistent with clause 1(b) of these regulations;</li> <li>(b) a statement that every worker is entitled to work free of harassment;</li> <li>(c) a commitment that the employer shall ensure, as far as is reasonably practicable, that no worker will be subjected to harassment in the workplace;</li> <li>(d) a commitment that the employer shall take corrective action respecting any person under the employer's direction who subjects a worker to harassment;</li> <li>(e) information or procedures about <ul style="list-style-type: none"> <li>(i) how to make a harassment complaint to the employer or supervisor,</li> <li>(ii) how to make a harassment complaint to a person other than the employer or supervisor, if the employer or supervisor is a subject of the complaint,</li> <li>(iii) how a harassment complaint will be investigated, and</li> <li>(iv) how the complainant and subject of the complaint will be informed of the results of the investigation and any corrective action that has been or will be taken as a result; (</li> </ul> </li> <li>(f) a statement that the employer shall not disclose any identifying information about any person involved or the circumstances relating to the complaint to any person unless disclosure is <ul style="list-style-type: none"> <li>(i) necessary for the purposes of investigating the complaint or taking corrective action with respect to the complaint, or</li> <li>(ii) permitted by law;</li> </ul> </li> <li>(g) a statement that the employer's harassment policy is not intended to discourage, prevent, or preclude a complainant from exercising other legal rights pursuant to any other law;</li> <li>(h) a statement that the employer's harassment policy does not preclude a worker from filing a complaint under the Human Rights Act R.S.P.E.I. 1988, Cap. H-12; and</li> <li>(i) a statement that the employer shall not reprimand, seek reprisal or discriminate against a worker who has made a workplace harassment complaint in good faith.</li> </ul>
NWT	OHS Regulations, NWT Reg 039-2015 (V)	<p>The policy required by subsection (3) must be in writing and must include</p> <ul style="list-style-type: none"> <li>(a) a commitment that the employer will eliminate or reduce the risk of violence at the work site;</li> <li>(b) the identification of the work site or work sites where violence has occurred or could reasonably be expected to occur;</li> <li>(c) the identification of staff positions at the work site that were, or could reasonably be expected to be, exposed to violence;</li> <li>(d) the procedure to be followed by the employer to inform workers of the nature and extent of risk from violence, including information in the employer's possession about the risk of violence from individuals who have a history of violent behaviour and whom workers are likely to encounter in the course of their work, unless the disclosure is prohibited by law;</li> <li>(e) the actions the employer will take to eliminate or reduce the risk of violence, including the use of personal protective equipment, administrative arrangements and engineering controls;</li> </ul>

		<ul style="list-style-type: none"> <li>(f) the procedure to be followed by a worker who is exposed to violence to report the incident to the employer;</li> <li>(g) the procedure the employer will follow to document and investigate violence reported under paragraph (f);</li> <li>(h) a recommendation that a worker who has been exposed to violence consult the worker's physician for treatment or referral for post-incident counselling;</li> <li>(i) the employer's commitment to provide training programs for workers that include             <ul style="list-style-type: none"> <li>(i) the means to recognize potentially violent situations,</li> <li>(ii) procedures, work practices, administrative arrangements and engineering controls to eliminate or reduce the risk of violence to workers,</li> <li>(iii) the appropriate responses of workers to violence, including how to obtain assistance, and</li> <li>(iv) procedures for reporting violence.</li> </ul> </li> </ul>
	<p>OHS Regulations, NWT Reg 039-2015 (H)</p>	<p>An employer shall, in consultation with the Committee or representative, or, if no Committee or representative is available, the workers, develop and implement a written policy that includes</p> <ul style="list-style-type: none"> <li>(a) a definition of harassment that is consistent with subsections (1), (2), and (3);</li> <li>(b) a statement that each worker is entitled to work free of harassment;</li> <li>(c) a commitment that the employer will make every reasonable effort to ensure that workers are not subjected to harassment;</li> <li>(d) a commitment that the employer will take corrective action respecting any individual who subjects any worker to harassment;</li> <li>(e) an explanation of how harassment complaints may be brought to the attention of the employer;</li> <li>(f) a statement that the employer will not disclose the name of a complainant or an alleged harasser or the circumstances relating to the complaint to a person unless disclosure is             <ul style="list-style-type: none"> <li>(i) necessary for the purposes of investigating the complaint or taking corrective action with respect to the complaint, or</li> <li>(ii) required by law;</li> </ul> </li> <li>(g) a description of the procedure that the employer will follow to inform a complainant and alleged harasser of the results of an investigation; and</li> <li>(h) a statement that the employer's harassment policy is not intended to discourage or prevent a complainant from exercising other legal rights.</li> </ul>
<p>NU</p>	<p>OHS Regulations, Nu Reg 003-2016 (V)</p>	<p>The policy required by subsection (3) must be in writing and must include</p> <ul style="list-style-type: none"> <li>(a) a commitment that the employer will eliminate or reduce the risk of violence at the work site;</li> <li>(b) the identification of the work site or work sites where violence has occurred or could reasonably be expected to occur;</li> <li>(c) the identification of staff positions at the work site that were, or could reasonably be expected to be, exposed to violence;</li> <li>(d) the procedure to be followed by the employer to inform workers of the nature and extent of risk from violence, including information in the employer's possession about the risk of violence from individuals who have a history of violent behaviour and whom workers are likely to encounter in the course of their work, unless the disclosure is prohibited by law;</li> <li>(e) the actions the employer will take to eliminate or reduce the risk of violence, including the use of personal protective equipment, administrative arrangements and engineering controls;</li> <li>(f) the procedure to be followed by a worker who is exposed to violence to report the incident to the employer;</li> <li>(g) the procedure the employer will follow to document and investigate violence reported under paragraph (f);</li> <li>(h) a recommendation that a worker who has been exposed to violence consult the worker's physician for treatment or referral for post-incident counselling;</li> <li>(i) the employer's commitment to provide training programs for workers that include</li> </ul>

		<ul style="list-style-type: none"> <li>(i) the means to recognize potentially violent situations,</li> <li>(ii) procedures, work practices, administrative arrangements and engineering controls to eliminate or reduce the risk of violence to workers,</li> <li>(iii) the appropriate responses of workers to violence, including how to obtain assistance, and</li> <li>(iv) procedures for reporting violence.</li> </ul>
	OHS Regulations, Nu Reg 003-2016 (H)	<p>An employer shall, in consultation with the Committee or representative, or, if no Committee or representative is available, the workers, develop and implement a written policy that includes</p> <ul style="list-style-type: none"> <li>(a) a definition of harassment that is consistent with subsections (1), (2), and (3);</li> <li>(b) a statement that each worker is entitled to work free of harassment;</li> <li>(c) a commitment that the employer will make every reasonable effort to ensure that workers are not subjected to harassment;</li> <li>(d) a commitment that the employer will take corrective action respecting any individual who subjects any worker to harassment;</li> <li>(e) an explanation of how harassment complaints may be brought to the attention of the employer;</li> <li>(f) a statement that the employer will not disclose the name of a complainant or an alleged harasser or the circumstances relating to the complaint to a person unless disclosure is <ul style="list-style-type: none"> <li>(i) necessary for the purposes of investigating the complaint or taking corrective action with respect to the complaint, or</li> <li>(ii) required by law;</li> </ul> </li> <li>(g) a description of the procedure that the employer will follow to inform a complainant and alleged harasser of the results of an investigation; and</li> <li>(h) a statement that the employer's harassment policy is not intended to discourage or prevent a complainant from exercising other legal rights.</li> </ul>
YT	WHS Regulations, O.I.C. 2006/178 (V+H)	<p><b>19.02 The policy statement developed under subsection 19.01(1) must include the following:</b></p> <ul style="list-style-type: none"> <li>(a) a statement that violence and harassment in the workplace are prohibited;</li> <li>(b) a statement that every worker is entitled to employment free of violence and harassment;</li> <li>(c) a statement that the employer is committed to eliminating or, if that is not practicable, controlling the risks of violence and harassment in the workplace;</li> <li>(d) a statement that workers have the right to bring complaints of violence or harassment to the employer or, if the employer is the person alleged to have committed the violence or harassment, to persons other than the employer;</li> <li>(e) a statement that the employer will not disclose the circumstances related to an incident or complaint of violence or harassment or the names of the victim, the person alleged to have committed the violence or harassment, or any witnesses, except <ul style="list-style-type: none"> <li>(i) where to do so would be necessary, <ul style="list-style-type: none"> <li>(A) to investigate the incident or complaint,</li> <li>(B) to take corrective action,</li> <li>(C) to inform the persons involved in the incident or complaint of the results of the investigation and any corrective action to be taken to address the incident or complaint, or</li> <li>(D) to inform workers in the workplace of the nature and extent of the risk of violence or harassment there, or</li> </ul> </li> <li>(ii) as required by law;</li> </ul> </li> <li>(f) a statement that any personal information that is disclosed under paragraph (e) in respect of an incident or complaint of violence or harassment will be the minimum amount necessary for the purpose for which it is being disclosed;</li> <li>(g) a statement that the policy statement and procedures do not limit workers in the exercise of any other rights pursuant to any other law.</li> </ul>

		<p><b>19.03 The procedures developed under subsection 19.01(1) must be in writing and include the following:</b></p> <ul style="list-style-type: none"> <li>(a) a description of the measures that the employer is to take to eliminate or, if that is not practicable, control the risk of injury to workers from violence and harassment in the workplace;</li> <li>(b) the procedure to be followed by a worker when bringing a complaint of violence or harassment to the employer, including how and when to report;</li> <li>(c) if the employer is the person alleged to have committed the violence or harassment, the procedure to be followed by a worker when bringing a complaint of violence or harassment to a person other than the employer;</li> <li>(d) the procedures to be followed by the person who becomes aware of an incident of violence or harassment or to whom a complaint of violence or harassment has been brought when <ul style="list-style-type: none"> <li>(i) documenting the incident or complaint,</li> <li>(ii) investigating the incident or complaint, and</li> <li>(iii) implementing measures to eliminate or control a risk of violence or harassment raised in the incident or complaint;</li> </ul> </li> <li>(e) the procedure to be followed by the employer or other person who has investigated an incident or complaint of violence or harassment when informing the persons involved in it of <ul style="list-style-type: none"> <li>(ii) the results of the investigation, and</li> <li>(iii) any corrective action to be taken;</li> </ul> </li> </ul> <p>the procedure to be followed by the worker and the employer to obtain assistance following an incident or a complaint of violence or harassment, including post-incident treatment or counselling.</p>
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## Appendix H: Training Requirements

Jurisdiction	Legislation	Training Mandated	Details	Training not mandated but have to instruct	Details
CA	Canada Labour Code, Part II OHS s 122(1)	ALL	<p><b>Required training elements</b></p> <p>(2) The training must be specific to the culture, conditions and activities of the work place and include the following elements:</p> <ul style="list-style-type: none"> <li>(a) the elements of the work place harassment and violence prevention policy;</li> <li>(b) a description of the relationship between work place harassment and violence and the prohibited grounds of discrimination set out in subsection 3(1) of the <i>Canadian Human Rights Act</i>; and</li> <li>(c) a description of how to recognize, minimize, prevent and respond to work place harassment and violence.</li> </ul>	--	--
BC	OHS Regulation, B.C. Reg. 296/97, Part 4 (V)	NO	--	YES	<p><b>Instruction of workers</b></p> <p><b>4.30</b> (1) An employer must inform workers who may be exposed to the risk of violence of the nature and extent of the risk.</p> <p>(2) The duty to inform workers in subsection (1) includes a duty to provide information related to the risk of violence from persons who have a history of violent behaviour and whom workers are likely to encounter in the course of their work.</p> <p>(3) The employer must instruct workers who may be exposed to the risk of violence in</p> <ul style="list-style-type: none"> <li>(a) the means for recognition of the potential for violence,</li> <li>(b) the procedures, policies and work environment arrangements which have been developed to minimize or effectively control the risk to workers from violence,</li> <li>(c) the appropriate response to incidents of violence, including how to obtain assistance, and</li> <li>(d) procedures for reporting, investigating and documenting incidents of violence.</li> </ul>
AB	OHS Code, Alta Reg 191/2021 (V+H)	YES	<p><b>Training of workers</b></p> <p><b>391</b> An employer must ensure that workers are trained in</p> <ul style="list-style-type: none"> <li>(a) the recognition of violence and harassment,</li> </ul>	--	--

			<ul style="list-style-type: none"> <li>(b) The violence and harassment prevention plan the employer has developed and implemented under <u>section 390(1)</u>, including when revisions are made to the plan,</li> <li>(c) the appropriate response to violence and harassment, including procedures for obtaining assistance, and</li> <li>(a) (d) the procedures for reporting, investigating and documenting complaints and incidents of violence and harassment.</li> </ul>		
<b>SK</b>	OHS Regulations (V)	YES	<p>Employer’s commitment to provide a training program for workers that includes:</p> <ul style="list-style-type: none"> <li>(i) the means to recognize potentially violent situations;</li> <li>(ii) procedures, work practices, administrative arrangements and</li> <li>(iii) engineering controls that have been developed to minimize or eliminate</li> <li>(iv) the risk to workers;</li> <li>(v) the appropriate responses of workers to incidents of violence,</li> <li>(vi) including how to obtain assistance; and</li> <li>(vii) procedures for reporting violent incidents.</li> </ul>	--	--
	OHS Regulations (H)	NO	--	NO	--
<b>MB</b>	WSH Regulation, Man Reg 217/2006, Part 11 (V)	YES	The employer must train workers in the violence prevention policy;	--	--
	WSH Regulation, Man Reg 217/2006 Part 10 (H)	NO	--	NO	--
<b>ON</b>	OHS Act, RSO 1990, c O.1 (V)	NO	--	YES	<p><b>Information</b></p> <p>(2) An employer shall provide a worker with,</p> <ul style="list-style-type: none"> <li>(a) information and instruction that is appropriate for the worker on the contents of the policy and program with respect to workplace violence; and</li> <li>(b) any other prescribed information or instruction.</li> </ul>

	OHS Act, RSO 1990, c O.1 (H)	NO	--	YES	<b>Information and instruction, harassment</b> <b>32.0.8</b> An employer shall provide a worker with, (a) information and instruction that is appropriate for the worker on the contents of the policy and program with respect to workplace harassment; and (b) any other prescribed information
<b>QC</b>	Act respecting OHS, CQLR c S-2.1  Act respecting labour standards, CQLR				
<b>NS</b>	Violence in the Workplace Regulations, NS Reg 209/2007 (NSVWR)	YES	<b>Training and supervision for employees</b> <b>11(1)</b> In accordance with the procedure in an employer’s workplace violence prevention plan, an employer must provide adequate training on all of the following for any employee who is exposed to a significant risk of violence: (a) the rights and responsibilities of employees under the Act; (b) the workplace violence prevention statement; (c) the measures taken by the employer to minimize or eliminate the risk of violence; (d) how to recognize a situation in which there is a potential for violence and how to respond appropriately; (e) how to respond to an incident of violence, including how to obtain assistance; (f) how to report, document and investigate incidents of violence.	--	--
<b>NB</b>	General Regulation, NB Reg 91-191 (V)	YES	<b>Training</b> An employer shall implement a training program in respect of the codes of practice established under <a href="#">sections 374.2</a> and <a href="#">374.4</a> for each employee and for each supervisor who is responsible for an employee.	--	--
	General Regulation, NB Reg 91-191 (H)	YES		--	--

NL	OHS Regulations, 2012, NLR 5/12 (V)	NO	--	NO	--
	OHS Regulations, 2012, NLR 5/12 (H)	YES	<b>Training</b> 24.2 (1) An employer shall participate in training relating to harassment prevention. (2) An employer shall provide training to employees regarding harassment prevention and the harassment prevention plan.		
PEI	OHS Act General Regulations, PEI Reg EC180/87, Part 52 (V)	NO	--	YES	Instruction in recognition, procedures, response An employer shall instruct workers who may be exposed to the risk of violence in (a) the means of recognition of the potential for violence; (b) the procedures, policies and work environment arrangements developed under section 52.3; and (c) the appropriate response to incidents of violence in the workplace, including how to obtain assistance.
	Workplace Harassment Regulations, PEI Reg EC710/19	NO	--	NO	--
NWT	OHS Regulations, NWT Reg 039-2015 (V)	YES	Training programs to include: - The means to recognize potentially violence situations - Procedures, work practices, administrative arrangements, and engineering controls to eliminate or reduce the risk of violence to workers - The appropriate responses of workers to violence, including how to obtain assistance - Reporting procedures	--	--
	OHS Regulations, NWT Reg 039-2015 (H)	NO	--	NO	--
NU	OHS Regulations, Nu Reg 003-2016 (V)	YES	Training programs to include: - The means to recognize potentially violence situations	--	--

			<ul style="list-style-type: none"> <li>- Procedures, work practices, administrative arrangements, and engineering controls to eliminate or reduce the risk of violence to workers</li> <li>- The appropriate responses of workers to violence, including how to obtain assistance</li> <li>- Reporting procedures</li> </ul>		
	OHS Regulations, Nu Reg 003-2016 (H)	NO	--	NO	--
YT	WHS Regulations, O.I.C. 2006/178 (V+H)	YES	Every employer must, in relation to each of the employer's workplaces, give necessary training to workers in relation to the policy statement and procedures;	--	--

### Appendix I: Review and Updates

Jurisdiction	Legislation	Review and Update for	Review and Update Required	When to review	Details
CA	Canada Labour Code, Part II OHS s 122(1)	Risk assessment	YES	Every 3 years Circumstantial	<p><b>Review after three years</b>  <b>(3)</b> An employer and the applicable partner must jointly review the work place assessment every three years and, if necessary, update it.</p> <p><b>Joint review and update</b>  <b>6 (1)</b> An employer and the work place committee or the health and safety representative must jointly review and, if necessary, update the work place assessment if notice of an occurrence is provided under subsection 15(1) and</p> <ul style="list-style-type: none"> <li>• <b>(a)</b> the occurrence is not resolved under section 23 and the principal party ends the resolution process under section 18; or</li> <li>• <b>(b)</b> the responding party is not an employee or the employer</li> </ul>
		Work Place Harassment and Violence Prevention Policy	YES	Every 3 years Circumstantial	<p><b>Joint review and update</b>  <b>(4)</b> An employer and the applicable partner must jointly review and, if necessary, update the policy at least once every three years and following any change to an element of the policy.</p>
		Training	YES	Every 3 years Circumstantial	<p><b>Joint review and update</b></p>

					(3) An employer and the applicable partner must jointly review and, if necessary, update the training at least once every three years and following any change to an element of the training
		Emergency procedures	YES	After every implementation of the emergency procedures	(3) After every implementation of the emergency procedures under subsection (1), an employer and the applicable partner must jointly review and, if necessary, update the procedures.
<b>BC</b>	OHS Regulation, B.C. Reg. 296/97, Part 4 (V)	Violence prevention program	YES	Annual Circumstantial	If a violence prevention program is implemented, the procedures, policies and work environment arrangements must be reviewed at least annually, or more frequently if there is (a) a change in work environment arrangements that could adversely affect (i) the effectiveness of the violence prevention program, or (ii) a worker's well-being or safety,
<b>AB</b>	OHS Code, Alta Reg 191/2021 (V+H)	Violence and Harassment prevention plan	YES	Every 3 years Circumstantial	<b>Review of violence and harassment prevention plan</b> <b>390.7(1)</b> An employer must review the violence and harassment prevention plan required by <a href="#">section 390(1)</a> in any of the following circumstances: (a) when an incident of violence or harassment indicates a review is required; (b) where there is a change to the work or work site that could affect the potential for violence or harassment to occur; (c) if the joint health and safety committee or the health and safety representative requests a review; (d) at least every 3 years.
<b>SK</b>	OHS Regulations (V)	Violence policy statement and prevention plan	YES	3 years Circumstantial	An employer shall ensure that the policy statement and prevention plan required by subsection 3-21(1) of the Act is reviewed and, if necessary, revised every 3 years and whenever there is a change of circumstances that may affect the health or safety of workers.
	OHS Regulations (H)	Harassment policy and prevention plan	NO		
<b>MB</b>	WSH Regulation, Man Reg 217/2006, Part 11 (V)	Violence prevention plan	NO		
	WSH Regulation, Man Reg 217/2006 Part 10 (H)	Harassment prevention plan	NO		
<b>ON</b>	OHS Act, RSO 1990, c O.1 (V)	Violence prevention policy	YES	Annual Circumstantial	<b>32.0.1</b> (1) An employer shall, review the policies as often as is necessary, but at least annually.
	OHS Act, RSO 1990, c O.1 (H)	Harassment prevention policy	YES		

<b>QC</b>	Act respecting OHS, CQLR c S-2.1		NO	No	
<b>NS</b>	Violence in the Workplace Regulations, NS Reg 209/2007 (NSVWR)	Violence prevention plan	YES	5 years Circumstantial	<b>Review and revision of workplace violence prevention plan 8 (1)</b> If a new violence risk assessment indicates a significant change to the extent and nature of the risk of violence, an employer who is required to establish and implement a workplace violence prevention plan must ensure that the plan is reviewed and, if necessary, revised. <b>(2)</b> At least every 5 years, an employer who is required to establish and implement a workplace violence prevention plan must ensure that the plan is reviewed and, if necessary, revised.
<b>NB</b>	General Regulation, NB Reg 91-191 (V)	Violence code or practice	YES	Annual Circumstantial	<u>374.8(1)</u> An employer shall review the codes of practice established under <u>section 374.2</u> and <u>374.4</u> at least once each year
	General Regulation, NB Reg 91-191 (H)	Harassment code of practice	YES		
<b>NL</b>	OHS Regulations, 2012, NLR 5/12 (V)	Violence prevention plan	NO	NO	
	OHS Regulations, 2012, NLR 5/12 (H)	Harassment prevention plan	YES	Annual Circumstantial	(3) The harassment prevention plan shall be reviewed as necessary but at least annually.
<b>PEI</b>	OHS Act General Regulations, PEI Reg EC180/87, Part 52 (V)	Violence prevention plan	NO		
	Workplace Harassment Regulations, PEI Reg EC710/19	Harassment prevention plan	NO		
<b>NWT</b>	OHS Regulations, NWT Reg 039-2015 (V)	Violence prevention plan	YES	3 years Circumstantial	Employer to ensure that the policy is reviewed and, if necessary, revised not less than once every three years or whenever there is a change of circumstances that could affect the health and safety of workers
	OHS Regulations, NWT Reg 039-2015 (H)	Harassment prevention plan	NO	NO	
<b>NU</b>	OHS Regulations, Nu Reg 003-2016 (V)	Violence prevention plan	YES	3 years Circumstantial	Employer to ensure that the policy is reviewed and, if necessary, revised not less than once every three years or whenever there is a change of circumstances that could affect the health and safety of workers.

	OHS Regulations, Nu Reg 003-2016 (H)	Harassment prevention plan	NO	NO	
<b>YT</b>	WHS Regulations, O.I.C. 2006/178 (V+H)	Violence and harassment prevention plan	NO	NO	