



Bill 168 Best Practices Checklist

Please utilize the below checklist to help your organization become compliant by June 15, 2010 with Bill 168 and ensure ongoing compliance. The major elements and best practices should include:

1) Creating and Conducting a Workplace Violence Risk Assessment

The major elements should include:

- Creating a risk assessment that will take into account potential risks of workplace violence that may exist at your organization and circumstances that may be common to environments and/or industries similar to yours;
- Meeting with the appropriate individuals at the your organization to assess potential risk (this should include meeting with employees, Managers, Senior Management, and owners);
- Conduct a risk assessment of every facility where employees work including those who work in a mobile environment (if you have highly skilled JHSC Worker Representatives and Management Representatives, you should include them in this assessment);
- Provide a written report to Management and the JHSC based on the results of the risk assessment; and
- Train the JHSC members on how to conduct the risk assessments moving forward.

2) Creating a Workplace Violence Program

The major elements should include:

- Measures and procedures to control the potential risks identified in the assessment;
- Defining the provision of information both from the organization's perspective and the employee's perspective;
- Defining measures and procedures for contacting internal or external third parties when there is a risk;
- Defining measures and procedures for employees to report incidents of workplace violence;
- Defining a process for investigating incidents or complaints brought to the organization's attention;
- Creating a process for evaluating the program at least annually; and

- Having legal counsel review the program for compliance with Ministry of Labour standards.

3) *Creating a Workplace Harassment Program*

The major elements should include:

- Defining measures and procedures for employees to report incidents of workplace harassment;
- Defining measures and procedures for contacting internal or external third parties when there is a incident or complaint;
- Defining a process for investigating incidents or complaints brought to the organization's attention;
- Creating a process for evaluating the program at least annually; and
- Having legal counsel review the program for compliance with Ministry of Labour standards.

4) *Creating Policies to Address Workplace Violence and Workplace Harassment*

The major elements should include:

- Establish a style (e.g. first person, 3rd person, mixture) for the two policies and determine the language level that is most appropriate to the average employee at the organization. This may be done by reviewing the current policies in place to identify style and language level;
- Policies should include definitions of the terms, responsibilities of the organization, Supervisors/Managers, and Employees, a process for employees to file complaints of workplace harassment and/or workplace violence, a process for investigating complaints, corrective actions, and reprisals;
- Having legal counsel review the policies for compliance with Ministry of Labour standards; and
- Post policies in a conspicuous location(s) within all of your organizations facilities.

5) *Creating an Implementation Strategy for Rolling out the Programs*

The major elements should include:

- Creating an implementation strategy to rollout the policies, which includes communication and roll-out communiqués, and identification of forms and documents required; and
- Creation of complaint, investigation, and final report documents and forms.

6) *Creating and Conducting a Comprehensive Training Program for Supervisors and Managers*

The workshops elements should incorporate:

- Factors that contribute to a positive work environment;
- Causes of a poisoned work environment and the barriers associated with this type of work environment;
- Responsibilities of employees, Supervisors, and Managers in maintaining a positive work environment;
- How to address complaints brought to your attention;
- The basics of incident investigation;
- Tips on how to appropriately investigate concerns and complaints;
- Writing reports based on your findings; and
- Provide pre-testing and post-testing, which will aid in the compliance of Bill 168 from an “information/education” standpoint.

7) *Creating and Conducting a Training/Education Program for Employees*

The workshop/education program should incorporate:

- Definitions under Bill 168 of workplace violence and workplace harassment;
- Responsibilities of employees, Supervisors, and Managers in maintaining an environment free from harassment and violence;
- Review of policies created by the organization to support Bill 168;
- How to file a complaint;
- Discussion of the investigation process, no retaliation clause, confidentiality and other pertinent components of the organization’s policies; and
- Provide pre-testing and post-testing, which will aid in the compliance of Bill 168 from an “information/education” standpoint.

8) *Maintaining Compliance with Bill 168*

Practices should include:

- Review of the risk assessment annually at a minimum or in the following set of circumstances:
 - If a new or different type of violence occurs in your workplace;
 - If a new or different type of violence occurs in similar workplaces;
 - If there is a significant change in either the work, the way employees interact with the public or the physical location;
 - If a new facility is erected or an existing facility is renovated; and/or

- If ordered to do so by a Ministry of Labour Inspector.
- Reviewing the programs annually and measure and acknowledge success of the programs;
- Reviewing policies annually;
- Re-posting policies in a conspicuous location(s) within all of your organization's facilities;
- Conducting annual training sessions with Management and the JHSC on how to remain compliant with Bill 168 on an ongoing basis;
- Testing or re-training Managers and employees annually if no changes have been made to the policy or program; and
- Training Managers and employees if changes have been made to the policy or program.