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COCA Update on WorkSafeBC Activities #564 October 7, 2013

New WorkSafeBC Policies on Bullying Come into Effect Soon

WorkSafeBC has developed policies to correspond to the new provincial legislation on bullying and harassment. These policies come into effect on November 1, 2013.

To assist employers, supervisors and workers, WorkSafeBC has developed a toolkit which clarifies legal duties, provides tips, suggestions, templates and step-by-step guides for employers to create their required policies and procedures.

The online tool kit is available at www.worksafebc.com/bullying. Documents may be downloaded from this website.

The WorkSafeBC toolkit contains the following information.

Handbook - provides information about complying with legal duties and additional suggestions and tips for dealing with workplace bullying and harassment

Small business guide - a concise reference tool outlining legal duties for small business owners

Policy and procedures templates and step-by-step guides – documents that employers can adapt to their workplaces to meet their OHS obligations, including development of policy statements, reporting procedures, and investigation procedures

Investigations guide - a sample investigation process that can be adapted in the event that an employer needs to investigate a bullying and harassment incident or complaint

Fact sheets - easy reference tools for use at safety meetings or as handouts

Training presentation - a presentation employers can use to train workers and supervisors about this topic and their workplace procedures

Worker checklist - a tool for workers who believe they are being bullied or harassed in the workplace and are unsure of what action to take

Multimedia tools - animated videos that describe legal duties and show how to have difficult conversations in the workplace about bullying and harassment

Posters - for display around the workplace

In addition, COCA has drafted – below -- a proposed Policy Statement that could be added to your company's Occupational Health & Safety Manual and posted within your company.

Policy Statement on Bullying and Harassment

At XYZ Construction Company, we are committed to providing a safe and respectful work environment for all staff and customers. No one, whether a manager, an employee, a contractor, or a member of the public, has to put up with harassment at XYZ Construction Company, for any reason, at any time. And no one has the right to harass anyone else, at work or in any situation related to employment. This policy is one step toward ensuring that our workplace is a comfortable place for all of us.

Harassment is against the law

The Canadian Human Rights Act and the Canada Labour Code protect us from harassment. The Criminal Code protects us from physical and sexual assault. You have a right to live and work without being harassed, and if you are harassed, you can do something about it.

XYZ Construction Company responsibilities

As an employer, XYZ Construction Company also has a responsibility to be aware of what is happening in the workplace. As President, I promise to treat all incidents of harassment seriously. I undertake to act on all complaints and to ensure that they are resolved quickly, confidentially, and fairly. I will discipline anyone who has harassed a person or group of people or who retaliates in any way against anyone who has complained of harassment, given evidence in harassment investigations, or been found guilty of harassment. I will discipline managers who do not act properly to end harassment.

At XYZ Construction Company we will not put up with harassment.

Managers and supervisors responsibilities

Each manager and supervisor is responsible for fostering a safe working environment, free of harassment. Managers must set an example for appropriate workplace behaviour, and must deal with situations of harassment immediately upon becoming aware of them, whether or not there has been a complaint. Courts may impose penalties on the employer and the manager, even if neither of them was actually involved in or aware of the harassment, but should have known about it. A manager that didn't do anything to prevent harassment or to mitigate its effects may find her or himself facing financial and legal consequences.

Workers' responsibilities

All employees have the responsibility to treat each other with respect, and to speak up if they or someone else is being harassed. All employees have a responsibility to report harassment to the appropriate person. All employees are responsible for respecting the confidentiality of anyone involved in a harassment complaint.