

HIGH MARK WELL SERVICING LTD.

STAY SAFE BULLETIN

VIOLENCE AND HARASSMENT IN THE WORKPLACE - PART 1

Employers are increasingly becoming encouraged to provide and support a harassment free workplace. As harassment and violence can cause harm and have a detrimental effect on the health of an employee, it should be considered to fall under the normal standard of care that most OH&S legislation requires of workers and employers.

Violence and harassment can come from anyone in the workplace and be directed at anybody. It can be deliberate or unintended, subtle or overt. Harassment need not be intentional; it need only be offensive to the recipient.

Behaviours referred to as “personal harassment”, as defined by the Canadian Human Rights Commission, can include:

- Verbal abuse or threat;
- Unwelcome remarks, jokes or innuendoes or taunting;
- Displaying offensive or derogatory pictures;
- Condescension of paternalism which undermines self-respect;
- Unnecessary physical contact and physical assault.

A typical description of “sexual harassment” in Alberta includes:

- Unwanted sexual advances, unwanted requests for sexual favors, and other unwanted verbal or physical conduct of a sexual nature for which,
- Submission to such conduct is explicitly or implicitly a term or condition of an individual’s employment and submission or rejection of such conduct by an individual affects that individual’s employment.

Violence is a form of harassment that can refer to conduct, threatened conduct or attempted conduct that may cause physical injury. Alberta, British Columbia and Saskatchewan require employers to implement policies and procedures concerning potential workplace violence.

Violence and harassment are costly and can seriously compromise a work environment. Workers may no longer feel as safe and comfortable at work which may lead to decreased productivity and work performance. Higher insurance premiums, increased workers’ compensation payments and lost-time claims may also result.

In the absence of policies, or with the failure to enforce them, the employer may be subject to legal proceedings from victims.

Managing the Hazard - Policies

A first step towards creating a harassment free workplace is to have clear policies in-place to demonstrate the employer’s commitment to eliminating harassment.

- The policy should state that workplace violence and harassment will not be tolerated under any circumstances.
- The policy should demonstrate a commitment to preventing violence and harassment.
- The policy should commit to taking corrective action when harassment occurs.

Thinking is the hardest work there is, which is the probable reason so few engage in it.

Henry Ford