

Employer Information Sheet

Requirements for Workplaces: Ontario

A. Posters/Copies of Legislation

Ontario employers must print and display where employees can see them:

- Health and Safety Poster: http://www.labour.gov.on.ca/english/hs/pubs/poster_prevention.php
- Employment Standards Poster: <http://www.labour.gov.on.ca/english/es/pubs/poster.php>
- Workplace Safety and Insurance “In case of injury” Poster: <http://www.wsib.on.ca/en/community/WSIB/230/ArticleDetail/24338?vnextoid=cafee35c819d7210VqnVCM100000449c710aRCRD>
- *Occupational Health and Safety Act*: http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90o01_e.htm

B. Policies

1. Occupational Health and Safety Act (OHSA)

- **Occupational Health & Safety Policy:** The *OHSA* requires employers to prepare and review at least annually an occupational health and safety policy and develop and maintain a program to implement that policy. The policy must be in writing and posted at a conspicuous location in the workplace.
- **Workplace Violence and Harassment Policies:** Employers must also prepare policies with respect to workplace violence and workplace harassment, and review these policies at least annually. These policies must be in writing and posted at a conspicuous location in the workplace. With respect to workplace violence, employers must also develop and maintain a program to implement the policy.
- **Health & Safety Awareness Training:** Employers are required to provide basic health and safety awareness training for workers and supervisors. Workers should complete the worker program as soon as reasonably possible. Supervisors must complete the supervisor program within one week of beginning work as a supervisor. A record of training must be kept. If requested, workers and supervisors must be provided with written proof that they completed the training. Details of the training programs can be found at <http://www.labour.gov.on.ca/english/hs/training/index.php>.

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- **Health and Safety Representatives & Committees:** Workplaces with between 6 and 19 employees are required to have one Health and Safety Representative selected by the workers they represent. Workplaces with over 20 employees must have a Joint Health and Safety Committee that meets at least once every three months. At least half of the committee members must represent workers who do not exercise managerial functions. The committee's principal functions are to:
 - a. Identify actual and potential hazards in the workplace;
 - b. Obtain health and safety information from the employer;
 - c. Inspect the workplace on a regular basis;
 - d. Provide consultation about worker representation at health and safety-related testing in the workplace; and
 - e. Recommend health and safety improvements in the workplace.

Details on Health and Safety Representatives and Joint Health and Safety Committee requirements can be found at:

http://www.labour.gov.on.ca/english/hs/pubs/jhsc/jhsc_jhsc.php.

2. *Accessibility for Ontarians with Disabilities (AODA)*

Providers of customer service are required to establish policies, practices and procedures on the following:

- a. How goods or services will be provided to people with disabilities;
- b. Allowing people to use personal assistive devices, service animals and support persons to access the providers' goods and use their services, as well as measures offered to enable access to goods and use of services;
- c. The steps that will be taken in the event of a temporary disruption to services used by people with disabilities to access the organizations' goods or services;
- d. Processes to receive and respond to feedback on how goods and services are being provided to people with disabilities;
- e. Training for every person who deals with the public or other third parties on behalf of the organization, and every person who participates in developing the policies, practices and procedures on providing goods or services to the public. Providers must keep summaries of the contents of the training and details of when training is provided.

Organizations with 50 or more employees in Ontario must develop, implement and maintain policies on how the organization achieves or plans to achieve accessibility. Effective January 1, 2015, this requirement will also apply to organizations with at least one employee in Ontario.

3. *Ontario Human Rights Code*

Employers have a primary, proactive obligation to ensure they provide workplaces free from discrimination and harassment. When allegations of human rights issues arise, employers must respond in a timely and effective manner. Employers are encouraged to develop a complete strategy to prevent and address human rights issues. The Ontario Human Rights Commission recommends that such a strategy include the following:

- a. A plan for preventing, reviewing and removing barriers;
- b. Anti-harassment and anti-discrimination policies;
- c. An internal complaints procedure;
- d. An accommodation policy and procedure;
- e. An education and training program.

Details about employers' duties under the *Human Rights Code* and guidelines on developing human rights policies and procedures can be found on the Ontario Human Rights Commission website:

http://www.ohrc.on.ca/en/social_areas/employment.

Requirements for Workplaces: Federally Regulated

(eg. interprovincial trucking, banking, telecommunications)

A. *Canada Labour Code*

Federally-regulated employers are required to post at a location accessible to every employee, and at every place directed by a health and safety officer:

- A copy of Part II of the *Canada Labour Code* (Occupational Health and Safety): https://www.canlii.org/en/ca/laws/stat/rsc-1985-c-l-2/latest/#PART_II_OCCUPATIONAL_HEALTH_AND_SAFETY_283831
- A statement of the employer's general policy concerning the health and safety at work of employees; and
- Any other printed material related to health and safety that may be directed by a health and safety officer or that is prescribed.

B. *Canadian Human Rights Act*

To ensure compliance with the *Canadian Human Rights Act*, the Canadian Human Rights Commission recommends that employers develop internal dispute resolution processes that are fair, flexible, efficient and effective. The Commission will usually refer discrimination complaints back to these internal processes, where they are available.

Details on creating an internal dispute resolution process can be found at the Canadian Human Rights Commission website: <http://www.chrc-ccdp.ca/eng/content/i-want-develop-internal-process-resolving-complaints>.

Need Legal Advice?

Nelson, Watson LLP offers employment law advice and representation to employers and employees in the Guelph and Wellington County area. Every situation is different and good legal advice is based on a thorough understanding of the background facts. We'll tailor our advice to your situation. Nelson, Watson LLP practices in association with Wolfe, Smith & Forster in Fergus. For more information about our firm, visit www.nelwat.com.