



What's New in HR Law

Federal Labour Program Provides Guidance on New Workplace Harassment and Violence Laws

January 19, 2021

Bottom Line

On January 1, 2021, enhanced obligations came into effect to assist in the prevention of harassment and violence in federally regulated workplaces. The enhanced obligations were established under the *Canada Labour Code* by [Bill C-65, An Act to amend the Canada Labour Code \(harassment and violence\)](#), the [Parliamentary Employment and Staff Relations Act](#) and the [Budget Implementation Act, 2017, No. 1](#), as well as the [Work Place Harassment and Violence Prevention Regulations](#) (the “Regulations”).

New Requirements for Federally Regulated Employers

We previously provided a comprehensive summary of the new obligations in an earlier update published in the summer (available [here](#)). In brief, among the new obligations, federally regulated employers are now required to provide training and take proactive steps to prevent

This update is for general discussion purposes and does not constitute legal advice or an opinion.

[Filion Wakely Thorup Angeletti LLP](#) www.filion.on.ca

Toronto

Bay Adelaide Centre
333 Bay Street, Suite 2500, PO Box 44
Toronto, Ontario M5H 2R2
tel 416.408.3221 | fax 416.408.4814
toronto@filion.on.ca

London

620A Richmond Street, 2nd Floor
London, Ontario N6A 5J9
tel 519.433.7270 | fax 519.433.4453
london@filion.on.ca

Hamilton

1 King Street West, Suite 1201, Box
57030
Hamilton, Ontario L8P 4W9
tel 905.526.8904 | fax 905.577.0805
hamilton@filion.on.ca

workplace violence and harassment, as well as investigate, record, and report any such incidences which may occur.

We encourage federally regulated employers to familiarize themselves with the new obligations to ensure compliance with the requirements that are now in effect. We also encourage employers to review the publication recently issued by the federal government entitled [Work Place Harassment and Violence Prevention \(HVP\) - 943-1-IPG-104](#). This publication answers frequently asked questions, and provides practical guidance on a number of topics, including:

- the meaning of various terms such as "harassment", "violence", "complaint", "occurrence", "other support services", and "negotiated resolution";
- training requirements;
- the purpose and process of workplace assessments;
- preventative measures, emergency procedures, and support measures;
- complaint processes and time limits for employees to report an occurrence of harassment or violence;
- negotiated resolutions and conciliation;
- investigations;
- monthly status updates;
- annual reports to the Minister of Labour; and
- record keeping and access to health and safety records.

Check the Box

These new requirements came into effect on January 1, 2021. Federally regulated employers are encouraged to review and update their policies and procedures in order to meet their new workplace obligations.

Need more information?

For more information regarding workplace violence and harassment policies, investigations, or related litigation, please contact [Anthony Panacci](#) at 416.408.5568, or speak to your regular lawyer at the firm.



Toronto
Bay Adelaide Centre
333 Bay Street, Suite 2500,
PO Box 44
Toronto, Ontario M5H 2R2
tel: 416.408.3221



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