

# Integral HR Solutions

## Providing Practical Solutions

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### WORKPLACE VIOLENCE & HARASSMENT:

- Bill 168 received Royal Assent on December 15, 2009. Amendments to the *Occupational Health and Safety Act* will, therefore, come into force on June 15, 2010. As a result of the legislation, workplaces in Ontario where more than 5 workers are regularly employed will be required to have the necessary workplace violence and anti-harassment policies, programs, measures, and procedures in place.
- Bill 168 amends the *Occupational Health and Safety Act (OHSA)* to address issues of workplace harassment and violence. Employers will be required to develop workplace violence and workplace harassment policies, review the policies regularly and develop programs to implement the policies and to effectively manage incidents and complaints of workplace violence and harassment.
- Bill 168 will also amend the work refusal section of OHSA to give workers a right to refuse to work if workplace violence is likely to endanger the worker.
- Bill 168 clearly indicates that employers must take a number of proactive steps to manage the risk of violence and harassment in the workplace.

As a result of Bill 168 employers must proactively develop a strategy to address the risk of workplace violence and harassment in the workplace. For example, employers will be required to:

- **develop written policies with respect to both workplace violence and workplace harassment and must review those policies at least once per year with employees;**
- **ensure that policies include measures and procedures for workers to report incidents of workplace harassment to the employer or a supervisor. Policies must also set out how the employer will investigate and deal with incidents and complaints of workplace harassment;**
- **introduce measures and procedures for summoning immediate assistance when workplace violence occurs or is likely to occur;**
- **assess the risk of workplace violence occurring and report the results to the Joint Health & Safety Committee.**

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## Successful Terminations Follow a “Nine Step” Process

- 1) Define the standard of job performance that is required (Job Description/Performance Review)
- 2) Communicate the performance standards and expectations to the employee
- 3) Provide the employee with an appropriate opportunity to meet the performance standards
- 4) Provide sufficient supervision, instruction, and training for employee to meet performance expectations
- 5) Issue written warnings that document the fact that employee was provided with opportunities to address performance concerns (Performance Improvement Plans /Progressive Discipline)
- 6) Advise the employee (in writing) that failure to meet performance expectations could result in the termination of employment
- 7) Establish that there is an inability on behalf of the employee to meet the performance standards
- 8) Establish the appropriate termination payment
- 9) Prepare for and conduct a professional termination interview

## Managing Volatile Terminations

Anthony Folan of Integral HR Solutions has participated in several hundred difficult and potentially volatile termination interviews as well as numerous restructuring initiatives throughout North America. In addition, he has coached and prepared countless numbers of Executives, Managers, and Front-Line Supervisors to ensure that termination interviews are managed without incident.

Anthony provides proven yet practical strategies for effectively dealing with difficult situations such as:

- Terminations for poor performance and unethical conduct
- Terminations for Harassment and Workplace Violence
- Managing multiple terminations as a result of organization restructuring
- Preparing for and managing volatile behaviour and inappropriate conduct during the termination interview

Presently Integral HR Solutions is partnering with a number of clients to introduce Workplace Violence & Anti-Harassment Workshops.

With over 20 years experience in managing workplace violence and claims of harassment and discrimination we welcome the opportunity to develop cost effective educational workshops for your organization.

Please contact Anthony Folan to coordinate a no cost meeting to discuss your organizations Human Resources needs.

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