



WORKPLACE HARASSMENT AND VIOLENCE PREVENTION REGULATIONS

Workplace Policy Template



Recent changes to the **Canada Labour Code** introduce new obligations for federally regulated employers. One important new piece of legislation is *Bill C-65*, which protects against harassment and violence in the workplace. *Bill C-65* introduced new **Workplace Harassment and Violence Prevention Regulations**, which came into force on January 1st, 2021. Under this new framework, employers are required to conduct a **Workplace Harassment and Violence Prevention Policy**.



Below you will find a sample Workplace Harassment and Violence Prevention Policy. As each organization is unique, it is critical that you thoroughly review the template and customize the sample policy with specific information relevant to your company. Placeholders **[sample]** can be found where information specific to your company should be inserted. Select compliance topics and associated best practices are identified throughout the document, as applicable.



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Workplace Harassment and Violence Prevention Policy Template



MISSION

[Company Name] is committed to providing a work environment in which all individuals are treated with respect and dignity. **[Company Name]** will take proactive measures to prevent workplace harassment and violence. **[Company Name]** will take whatever steps are appropriate to protect our employees from potential risks associated with workplace harassment and violence.

Workplace harassment and violence will not be tolerated by any person in the workplace, regardless of what position you may hold. Any act of harassment or violence committed by or against any employee is illegal pursuant to the *Canada Labour Code*. These unacceptable behaviours will be subject to **[Company Name]**'s discipline policy and/or legal action.



THRC COMPLIANCE CHECK: Paragraph 10(2)(A) of the regulations requires that the policy contains a mission statement that outlines the company's commitment to the prevention of and protection against workplace harassment and violence.



THRC HR TIP: It's important that senior leaders within your organization understand the importance of this commitment. Consider adding 'Workplace Harassment and Violence Discussion' to the agenda of a senior management meeting so that there is a robust conversation about this commitment and the impact of this policy. Keeping this as a frequent agenda item will ensure it remains top of mind.



APPLICATION

This policy applies to all employees and contractors of **[Company Name]** who are engaged in work, work-related activities and/or work-related relationships both on company property and outside of company property, including full and part-time employees, casual employees, dependent contractors, permanent and temporary employees, and any employee with a defined contract.

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THRC COMPLIANCE CHECK: The Regulations do not require that the application includes Independent Contractors as those parties are able to bring their concerns forward to their own employer. For more information on who the workplace policy applies to under the Regulations, consult Trucking HR Canada's *Understanding Bill C-65 – How-to Guide for Employers*.

All employees of this company are expected to follow this policy on company premises, or while an employee is conducting company business at other locations.



THRC HR TIP: Clearly identifying scope (who, how and where the policy will be applied) will help create clarity of understanding for employees and enforcement for management.

This policy applies to all incidents of workplace harassment and violence, including sexual harassment and sexual violence, family violence, and third-party violence.



DEFINITIONS

Per subsection 122(1) of the Canada Labour Code, harassment and violence is defined as “any action, conduct or comment, including of a sexual nature, that can reasonably be expected to cause offence, humiliation or other physical or psychological injury or illness to an employee, including any prescribed action, conduct or comment.”



THRC COMPLIANCE CHECK: For federally regulated employers, it's advisable for the policy to include the Canadian Labour Code definition for harassment and violence (as stated here).

For the purpose of this policy, violence includes but is not limited to:

- The use of (or attempt to use) physical force by a person against an employee while in the workplace or while conducting company business, that causes or threatens to cause physical injury.
- Any threat, behaviour, or action directed at an employee that could reasonably be interpreted to carry the potential to harm or endanger the safety of an employee.
- This includes threats of, or actual violence outside of the workplace (for example, domestic violence) that may create a risk of danger to the affected employee or other employees within the workplace.



THRC HR TIP: Further clarifying specific behaviours that constitute harassment and violence in the workplace will clearly outline to employees what's unacceptable.



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Workplace violence examples:

- Hitting, shoving, pushing, kicking;
- The use of threatening language;
- Shaking fists;
- Spitting at a person;
- Destroying property;
- Throwing objects;
- Assault with any type of weapon;
- Rape; and
- Homicide.

For the purpose of this policy, harassment includes but is not limited to:

- The use of vexatious comments or engagement in conduct against an employee, in the workplace or while conducting company business, that is known, or ought to be reasonably known, to be unwelcome. This includes unwelcome words or actions that are known or should be known to be offensive.
- **Sexual harassment** is the use of vexatious comments or engagement in conduct against an employee, in the workplace or while conducting company business, because of sex, sexual orientation, gender identity, or gender expression, that is known, or ought to be reasonably known, to be unwelcome. It is also making a sexual solicitation or advance against a person to confer, grant, advance or deny an employment benefit and where it is known, or ought to be reasonably known, that the solicitation is unwelcome.

Example of harassment may include, but are not limited to:

- Physically or verbally offending or humiliating someone;
- Spreading rumours or gossip about an individual or group;
- Unwelcome discriminatory jokes or comments;
- Sexual conditions in exchange for a job or employment benefits;
- Unwelcome behaviour of a sexual nature;
- Socially excluding or isolating someone;
- Offensive gestures;
- Vandalizing or tampering with someone's work, equipment or personal belongings;
- Impeding a person's work in any deliberate way;
- Threats or intimidation;
- Public ridicule or disrespect;
- Abusing authority
- Cyber bullying, or harassment that takes place online; or
- Engaging in any of the actions, conduct and comments listed above because of the target's race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, disability, or any of the other prohibited grounds that are listed in the Canadian Human Rights Act.

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Examples of what workplace harassment is not:

- Reasonable management actions to carry out the day-to-day operations of the business, such as attendance monitoring, the assignment of tasks, reference checks, progressive discipline actions, and dismissals;
- Workplace conflict itself does not constitute harassment;
- Difficult conditions of employment; and
- Consensual social relationships between colleagues. This includes consensual workplace jokes, banter and interactions, unless these interactions are based on hurtful and/or offensive remarks.

Designated Recipient: A work unit in a workplace (that is, a team of individuals), or an individual within the workplace, that is designated by the employer to receive harassment and violence complaints.

Applicable Partner: The Applicable Partner is a general term used to describe the company's **[Select: Workplace Committee | Policy Committee | Health and Safety Representative]**.

Occurrence: An incident of workplace harassment or violence.

Principal Party: An employee or employer who is the object of an occurrence.

Responding Party: The person who is alleged to have been responsible for an occurrence of workplace harassment or violence.

Witness: A person who witnessed an occurrence of workplace harassment or violence, or a person who is informed of an occurrence by the principal party or the responding party.

Workplace: Any place where an employee is engaged in work for their employer, as per section 122(1) of the Canada Labour Code.



ROLES AND RESPONSIBILITIES



THRC COMPLIANCE CHECK: The Regulations, paragraph 10(2)(b), require that descriptions, as they relate to harassment and violence in the workplace, be provided for the following roles:

- The Employer
- The Designated Recipient
- The Applicable Partner (specific roles depend on the number of employees at the company)
- Employees

[Company Name] is responsible for ensuring a violence and harassment free workplace. All workers are expected to comply with this policy and the associated workplace harassment and violence programs and to report any concerns, incidents, or complaints.

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THRC HR TIP: By carefully reviewing the responsibilities for each of the required roles, you will be able to determine if all aspects of the workplace harassment and violence program (prevention, response, and support) are covered. Additionally, this will help create a point of reference for communication and training requirements.

A description of roles and responsibilities under the Workplace Harassment and Violence Prevention Regulations can be found in the Trucking HR Canada [*Employer's Guide to Harassment and Violence Prevention, Response and Support*](#).

Additional responsibilities, as they pertain to harassment and violence in the workplace, are outlined below.

The employer is responsible for:

- Taking all reasonable and appropriate measures to protect against and prevent workplace harassment and violence;
- Fostering a workplace culture that is harassment and violence free and setting an example of appropriate workplace behaviour;
- Ensuring legislative compliance with all governing laws, including but not limited to the Canada Labour Code and the Canadian Human Rights Act in applying the policies and procedures outlined in the Workplace Harassment and Violence Prevention Policy;
- Ensuring the company has established Health and Safety practices and representation, compliant with Part II of the Canadian Labour Code;
- Ensuring the company has assigned an Applicable Partner and Designated Recipient;
- Providing the appropriate budgets and resources to provide a safe workplace;
- Effectively distributing this policy to all employees;
- Ensuring employees are trained on and understand this policy and its associated employment procedures and practices;
- Ensuring this policy is applied in a timely, consistent and confidential manner;
- Determining what corrective action is appropriate where a harassment complaint has been investigated and substantiated; and
- Establishing, communicating and arranging appropriate recourse and support measures.

The Designated Recipient is responsible for:

- Receiving and handling complaints related to workplace harassment and violence;
- Responding to all notices of an occurrence within 7 days of receiving the notice;
- Initiating negotiated resolution with the principal party within 45 days after the day on which the notice of an occurrence is received;
- Making every reasonable effort to resolve an occurrence of harassment and violence for which a notice of an occurrence is provided;
- Conducting a review of every notice of an occurrence with the principal party and determining whether or not allegations of harassment are substantiated, as evaluated against the definition of harassment and violence provided for under subsection 122(l) of the Canada Labour Code;
- Engaging with third parties to conduct investigations; and
- Cooperating with any persons carrying out a duty imposed under the Regulations/Canada Labour Code.



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The [Applicable Partner – select from Policy Committee/ Workplace Committee/ Health and Safety Representative] is responsible for:

- Jointly, with the Employer: developing, implementing and maintaining this policy;
- Jointly, with the Employer: reviewing and updating this policy, as required (and at least once every three years);
- Jointly, with the Employer: completing a workplace assessment that identifies risks of harassment and violence in the workplace, and ensuring on-going monitoring and updating as required (and at least once every three years);
- Jointly, with the Employer: developing and/or implementing preventive measures for any identified risks;
- Informing employees of identified risks;
- Jointly, with the Employer, identifying or developing workplace harassment and violence training programs that suit the company's training needs and updating training plans at least once every three years (or as required);
- Jointly, with the Employer, developing a roster of qualified investigators;
- Jointly, with the Employer, determining which recommendations proposed by an investigator are appropriate to implement following a workplace investigation; and
- Jointly, with the Employer, ensuring emergency protocols are established and updating these procedures as required.

Managers and Supervisors are responsible for:

- Upholding the standards and intentions set forth in this policy and supporting programs;
- Fostering a workplace culture that is harassment and violence free and setting an example of appropriate workplace behaviour;
- Communicating the process for investigating and resolving workplace violence and harassment complaints;
- Alerting the Designated Recipient or the Employer to any violent persons or hazardous situations;
- Diligently dealing with workplace harassment and violence situations immediately upon becoming aware of them;
- Taking appropriate action during a workplace harassment and violence investigation, including separating the parties and determining alternate work arrangements, if needed;
- Maintaining the confidentiality of anyone involved in a workplace harassment or violence incident or details of such incident, if aware; and
- Ensuring employee participation in the required training.

Employees are responsible for:

- Complying with this policy and all related procedures for both their personal protection and the protection of others within the workplace;
- Immediately reporting any incidents or threats of harassment or violence in the workplace that the employee has either witnessed or been directly involved in, to the Designated Recipient, to the supervisor, or to the Employer;
- Towards resolving instances and preventing incidents, (and in instances where it is safe and appropriate to do so), informing a perpetrator of harassment and violence that their actions are inappropriate and/or unwelcome;
- Informing management of any identified potential or real workplace risks or hazards;
- Cooperating to resolve complaints during the resolution process and/or fully cooperating with any investigation of complaints or incidents of workplace harassment or violence;
- Refraining from retaliatory behaviour against the principal party, responding party, witnesses and any other individuals who are involved in the resolution process for an occurrence;

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- Respecting the confidentiality of the information shared throughout the resolution process of an occurrence; and
- Treating others with respect in the workplace and refraining from perpetrating harassment and violence in the workplace.

**RISK ASSESSMENT**

THRC COMPLIANCE CHECK: Section 5 of the Regulations requires companies to complete a Workplace Risk Assessment specific to workplace harassment and violence risks. Conducting the workplace assessment, monitoring, and updating it is a joint responsibility shared with the employer and the Applicable Partner.



THRC HR TIP: It is beneficial to complete the Workplace Risk Assessment prior to completing the rest of the policy. To ensure compliance and instill best practice into the process, you may wish to reference Trucking HR Canada's [*Workplace Risk Assessment Checklist*](#).

[Company Name], together with the Applicable Partner, will carry out a workplace risk assessment in accordance with the legislative requirements outlined in the Canada Labour Code.

This comprehensive risk assessment will take into consideration the following:

- the culture, conditions, activities and organizational structure of the workplace;
- circumstances external to the workplace, such as family violence, that could give rise to harassment and violence in the workplace;
- any reports, records and data that are related to harassment and violence in the workplace;
- the physical design of the workplace; and
- the measures that are in place to protect psychological health and safety in the workplace.

[Company Name] has identified the following internal and external risks to be present within the trucking industry:

- **[include a descriptive summary of risks identified in your risk assessment]**



THRC COMPLIANCE CHECK: Paragraph 10(2)(c) of the Regulations requires that the policy contains a description of the internal and external risk factors as they pertain to workplace harassment and violence. These should be directly linked to those identified within your company's risk assessment process. Examples of factors that contribute to workplace harassment and violence could include client characteristics, the work environment, job factors, or other external factors such as family and/or domestic violence.

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[Company Name] will review or update the workplace assessment every 3 years . An update may occur sooner if there is a change to any risk factors or to the effectiveness of any preventative measures. It will also be reviewed if the resolution process is stalled, ended by the complainant before resolution takes place, or if the responding party is not an employee or the employer.



THRC HR TIP: What is outlined in this section is the baseline requirement under the Regulations. Companies may wish to complete a risk assessment more frequently.



THRC COMPLIANCE CHECK: Paragraph 10(2)(f) of the Regulations requires the policy to contain a description of the reasons for which a review must be conducted (per section 6(1) of the Regulations).



EMPLOYEE TRAINING

THRC COMPLIANCE CHECK: Paragraph 10(2)(d) of the Regulations require that the policy contains a summary of the training, specific to workplace harassment and violence, that will be provided to employees.



At a minimum, the training should include the following:

1. Elements of the workplace harassment and violence prevention policy.
2. The relationship between workplace harassment and violence and the prohibited grounds of discrimination under the Canadian Human Rights Act.
3. How to recognize, minimize and prevent workplace harassment and violence.

Developing and/or identifying harassment and violence prevention training, reviewing, and (if necessary) updating training is a joint responsibility shared by the employer and the Applicable Partner.

[Company Name] is committed to creating a safe workplace and to equipping workers with the knowledge and information required to successfully prevent and navigate instances of workplace harassment and violence. As such, [Company Name], along with all employees and Designated Recipients, will undergo training specific to the trucking industry in accordance with the Workplace Harassment and Violence Prevention Regulations.

The employer and all employees will receive training on workplace violence and harassment per the Regulations by January 1, 2022.

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Employees hired after the initial training is implemented will receive training within three months of commencing employment with **[Company Name]**. All members of the company will undergo subsequent training at least once every three years.



THRC HR TIP: Every three years is the minimum legislative requirement. Companies may wish to conduct some form of training more frequently to demonstrate commitment.

The Designated Recipient will receive training prior to assuming any related duties and every three years thereafter.

Employees will receive additional training following any training updates or upon assignment to a new activity or role for which there is an increased or specific risk of workplace harassment and violence.

The training employees will receive includes:

- [list all training employees will receive specific to workplace harassment and violence]



EMERGENCY PROCEDURES



THRC COMPLIANCE CHECK: It is required, per paragraph 10(2)(g) of the Regulations that the policy contains a summary of the emergency procedures that must be implemented when an occurrence poses immediate danger to the health and safety of an employee or where there is a risk of such occurrence. Developing, reviewing, and if necessary, updating the emergency procedures is a joint responsibility shared with the employer and the Applicable Partner. The company should consider a broad spectrum of potential critical incidents which may arise in the workplace or while employees are at work, including incidents of domestic violence. This can include emergency procedures for when drivers are on the road.

If an emergency situation arises that poses an immediate danger to an employee, or where there is a threat of such an occurrence, below are the emergency procedures to follow:

In office:

- [outline the in-office protocols specific to your organization – may include going to safe place, calling police, calling building security, etc.]

Drivers:

- [outline the driver protocols specific to your organization – may include re-routing to a safe place, staying in the truck, calling police, etc.]

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Following any situation in which emergency procedures are implemented, **[Company Name]**'s Applicable Partner, together with senior leaders, will jointly review the emergency procedures and update them if necessary.



THRC HR TIP: Providing the emergency procedures within the policy is important, however, ensuring emergency procedures are visible within the workplace (especially in high risk zones) will further assist in workplace harassment and violence prevention and response.



REPORTING OCCURRENCES



THRC COMPLIANCE CHECK: Paragraph 10(2)(e) of the Regulations requires the policy to contain a summary of the resolution process – including the name/identity of the Designated Recipient and how employees or witnesses can report an occurrence.

How to Report:

Complaints about a workplace harassment or violence incident can be made in-person, by phone or in writing to **[Company Name]**'s Designated Recipient:

- **[Insert name, title and contact details of the designated recipient]**

When reporting a complaint in writing, employees should use **[Company Name]**'s **[complaint form]**. If reporting in person or by phone, the Designated Recipient will complete the complaint form.



THRC HR TIP: While not required under the Regulations, it is recommended to create a standardized complaint form so that baseline information is obtained when the complaint is made. This will help with the immediate assessment of the severity of the incident.

When reporting an incident, employees will be asked to reveal:

- The name of the principal party (the person who is the object of the occurrence);
- The date of the occurrence;
- The name of the responding party (the person alleged to have been responsible for the occurrence);
- Any witnesses to the occurrence; and
- A detailed description of the occurrence.

Employees filing a complaint may also submit any related evidence.

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A witness may provide notice of an occurrence anonymously. Occurrences that are reported anonymously by a witness will be treated with the same seriousness as other complaints.

However, employees should note that to proceed with the resolution process, it is mandatory to provide the name of the principal party who was involved in the occurrence. If the name or identity of the principal party is not provided, the occurrence will not be reviewed further.

[Company Name] is prohibited from revealing the identities of the parties involved in the resolution process to the Applicable Partner without the consent of the parties.

The identities of parties to the complaint may be revealed to each other as part of the resolution process.

When to Report:

Employees are encouraged to report an incident promptly so that the incident can be effectively responded to and addressed.



RESOLUTION PROCESS

[Company Name] is committed to meaningfully addressing employee complaints regarding workplace harassment and violence and to participating in negotiated resolution, conciliation, and/or investigation processes, as appropriate. The goal is to make every meaningful effort to resolve complaints in a respectful, collaborative, and timely manner in accordance with the Workplace Harassment and Violence Prevention Regulations.

Within seven days of receipt of the notice of an occurrence, the principal party, or witness who submitted the **[complaint form]**, and the accused, will be contacted. The resolution process will begin as promptly as possible but no later than 45 days after the day on which notice is provided.

The resolution process at [Company Name] is a progressive process that is inclusive of the following steps:

- Negotiated Resolution
- Conciliation
- Investigation

Representation:

An employee may be accompanied or represented by a union representative, friend, partner, colleague, or person of their choosing, at any time during the resolution process.



THRC HR TIP: It is recommended to include the right to representation within your policy. This might include a union member, friend, spouse, colleague, or any other person of their choosing.



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Negotiated Resolution:

Negotiated Resolution involves a process by which the principal party meets with the employer or the Designated Recipient to discuss the occurrence and to attempt to reach a resolution to the complaint.

The employer and Designated Recipient will review the details of the occurrence to assess the conflict and determine if the occurrence meets the definition of harassment and violence, as defined by section 122(l) of the Canada Labour Code.

If both the employer and/or the Designated Recipient and the principal party agree that the occurrence does not meet the definition of workplace harassment and violence as set forth under the Canada Labour Code, then the occurrence will be determined to be resolved.

If the employer and/or the Designated Recipient and the principal party are not able to agree as to whether the occurrence meets the definition, the principal party may still continue with the resolution process if they choose to do so. The principal party reserves the right to proceed with a negotiated resolution, conciliation and/or a formal investigation.

If the principal party wishes to continue with negotiated resolution, they must inform the employer and/or the Designated Recipient. At this point, a series of meetings with the principal party (and, where applicable, the responding party) will be scheduled to discuss the occurrence and attempt to reach a resolution.

The responding party does not have to be informed of the principal party's notice of occurrence or be involved at this stage of the resolution process if the principal party does not wish for them to be notified and/or involved.

Every reasonable effort will be made to resolve an occurrence through negotiated resolution by way of individual discussions with involved parties or facilitated discussion between parties.

Conciliation:

If an occurrence cannot be resolved in the negotiated resolution stage, parties will be asked to participate in a conciliation. A principal and responding party may also engage in conciliation at any time over the course of the resolution process. However, conciliation can only proceed prior to an investigator providing their final investigation report.

Both the principal and responding parties must both agree to participate in the conciliation process and on a person to facilitate it.



THRC HR TIP: The Regulations don't clearly outline that participation in the selection process of a conciliator is required, however, it is a best practice to ensure the conciliation participants are comfortable with the conciliator. That will help ensure both parties enter the process in the right frame of mind.

Conciliation is voluntary and confidential and is intended to support a mutually acceptable resolution to the occurrence.

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INVESTIGATION



THRC HR TIP: During the investigation process, steps may need to be taken to ensure the involved parties feel safe and protected. That might mean modifications to employee schedules (work hours, work locations, etc.) to ensure the amount of interaction between the involved parties is limited, especially where interactions are one-to-one.

The principal party may request an investigation at any point during the complaint resolution process.

Alternatively, upon determining that neither negotiated resolution, nor conciliation can resolve the occurrence, an investigation will begin, and the following steps will take place:

- The principal and responding parties will be advised by the Designated Recipient or the employer that an investigation will be carried out and they will receive monthly updates on the status of the investigation.
- The investigator will be selected from a pre-determined list of qualified investigators. Within 60 days, all parties must agree on the choice of the investigator.
- The investigator will be provided with any relevant information collected by the employer to date.
- The investigator will interview the principal party, the responding party, and any witnesses to the occurrence. Individuals interviewed will have the ability to review their statements to ensure accuracy.
- The employer has one year after the day on which the notice of occurrence is provided to complete the resolution process.



THRC COMPLIANCE CHECK: The information outlined here only provides a summary of the Investigation process, in addition to some best practices. Taking time in advance of an incident to review Regulatory obligations against your company's standard process will ensure effective execution of an investigation if required.

Upon conclusion of the investigation, the investigator will prepare a report that ensures the individual identity of the principal and responding parties are not revealed and that outlines:

- A general description of the occurrence;
- The investigator's conclusions, including those related to the circumstances in the workplace that contributed to the occurrence; and
- Their recommendations to eliminate or minimize the risk of a similar occurrence.

The employer and the Applicable Partner will jointly determine which of the recommendations outlined in the report will be implemented.

The report will be provided to the principal party, the responding party, and the Applicable Partner.

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Resolution Process Conclusion:

The resolution process concludes when:

- The identity of the principal party is unknown;
- Any required updates to the workplace assessment are carried out;
- The occurrence is resolved;
- The investigator's recommendations (as applicable) are implemented.

Substantiated Occurrences:

Should an occurrence be substantiated, resolution for the principal party may include:

- An apology;
- Compensation for lost time;
- Medical or mental health support;
- **[list other resolution outcomes specific to your workplace]**

Corrective action for an employee found to have engaged in workplace harassment or violence will be consistent with **[Company Name]**'s progressive discipline policy and practices and may include immediate dismissal.



THRC HR TIP: Including repercussions for anyone who violates the policy will help ensure appropriate corrective action, depending on the seriousness of the situation, can be taken. They could include justifying dismissal for cause.

Notices Submitted in Bad Faith:

Notices of harassment and violence that are identified as having been made in bad faith may be subject to disciplinary action.

Recourse:

If either party believes that the complaint is not being handled in accordance with this policy, the Canada Labour Code or the Workplace Harassment and Violence Prevention Regulations, he or she should contact **[Select all that apply: Company Name's Top Position Title, Name of Designated Recipient, Human Resources, In-House Counsel, or the Union]**.



THRC COMPLIANCE CHECK: Paragraph 10(2)(i) of the Regulations requires that the policy contains a description of any recourse avenues that may be available. For example: under the collective agreement, Canadian Human Rights Act, Criminal Code or other internal avenues.

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THRC COMPLIANCE CHECK: The Canada Labour Code and the Regulations require that the policy includes the name of the person who can receive complaints from employees who believe there was a failure to comply with the Code or Regulations when responding to a notice of occurrence.

Should the occurrence violate the Canadian Human Rights Act or the Criminal Code of Canada, employees can pursue direct recourse as applicable.



PRIVACY & CONFIDENTIALITY



THRC COMPLIANCE CHECK: Paragraph 10(2)(h) of the Regulations requires employers to outline the manner in which the privacy of persons involved in an occurrence or in the resolution process will be protected.

[Company Name] will make every effort to ensure the privacy of any persons involved in an occurrence, or the resolution process for an occurrence, by:

- Limiting the number of persons who have access to the specifics of incidents;
- Ensuring any information shared about the incident does not allow for identification of persons involved in the incident or the investigation;
- Ensuring all parties who participate in an investigation are aware of their obligation to maintain confidentiality;
- Removing any personal identifiers from reports;
- **[list the specific ways in which your company will protect the privacy of those involved in an occurrence or resolution process].**



THRC HR TIP: It's important to consider how information is shared and stored within your company to determine if there are risks of privacy violations. Consider involving the company's Privacy Officer in determining if your process is compliant.

To ensure compliance with the Workplace Harassment and Violence Regulations, **[Company Name]** will retain all records related to workplace harassment and violence investigations for a period of 10 years.

Should **[Company Name]** be required to disclose any personal information as a result of a legal investigation arising from a workplace harassment and violence incident, **[Company Name]** will comply with all Provincial and Federal Laws, including the Criminal Code and Personal Information Protection and Electronic Documents Act.

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SUPPORT



THRC COMPLIANCE CHECK: Paragraph 10(2)(l) of the Regulations requires that the policy contains a description of the support measures available to employees. It is sufficient to include information about medical, psychological, and other support services that are available within the organization's geographical area per section 13 of the Regulations.

[Company Name] is dedicated to ensuring that employees are receiving support following any instances of workplace harassment and/or violence. As such, **[Company Name]** will provide employees affected by workplace harassment and/or violence with the following support:

- Information about medical, psychological, or other support services, that are available within the geographical area
- **[Providing access to the Employee Assistance Program for confidential counselling]**
- **[Include other support measures specific to your workplace]**
- **[Include information about support measures specific to your geographic location]**

Employees who are victims of workplace violence or harassment are encouraged to seek assistance through these programs, or others. Any company provided or referred support will remain completely confidential.



REPRISALS



THRC HR TIP: While not specifically required within the Regulations, it is recommended to include a section that guarantees protection against workplace reprisals. This will help ensure that employees continue to report incidents without fear of repercussions.

This policy prohibits reprisals against employees, acting in good faith, who report incidents of workplace harassment or violence or who are involved in an investigation. Management will take all reasonable and practical measures to prevent reprisals, threats of reprisal, or further harassment and violence. Employees who experience any form of workplace retaliation, or threat of retaliation from any individual within or outside of the workplace are encouraged to inform the employer, a supervisor, or the Designated Individual immediately.

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THRC COMPLIANCE CHECK: The employer and the Applicable Partner are responsible for jointly reviewing and, when necessary, updating the policy at least once every three years or following any change to an element of the policy.

[Company Name] is committed to distributing the Policy, emergency procedures, and training materials to all employees and to reviewing and updating the Policy, workplace assessment, emergency procedures and all other relevant elements of its workplace harassment and violence prevention program, if deemed necessary, annually, but no less than once every three years.

 COMPLIANCE

[Company Name] has developed the Workplace Harassment and Violence Prevention Policy in accordance with the Workplace Harassment and Violence Prevention Regulations and in collaboration with the company's Applicable Partner.

With everyone's cooperation, **[Company Name]** will continue to be a safe and healthy workplace.

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I acknowledge that I have read and understand the Workplace Harassment and Violence Prevention Policy. I agree to comply with this Policy and its guiding principles. I understand that if I violate any elements of this policy, I may face corrective action, up to and including termination of employment.

Name (*Print*):

Signature:

Date:

Effective Date:

Revision Date: