

WORKPLACE HARASSMENT EMPLOYER CHECKLIST

New Brunswick's *Occupational Health and Safety Act* includes several employer responsibilities regarding prevention of workplace Harassment.

"harrasment", in a place of employment, means any objectionable or offensive behaviour that is known or ought reasonably to be known to be unwelcome, including bullying, or any other conduct, comment or display made on either a one-time or repeated basis that threatens the health or safety of an employee, but does not include reasonable conduct of an employer in respect of the management and direction of employees at the place of employment."

The following checklist will help determine whether an employer has fulfilled the requirements of this important legislation.

EMPLOYER – Is your place of employment in compliance?	Check Yes or No: ✓	
Has a written code of practice been established at the place of employment? [General Regulation 91-191 s.374.3(1)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Has the employer consulted with the joint health and safety committee or health and safety rep (or workers where no committee or rep exists) in establishing a work place harassment code of practice? [General Regulation 91-191 s.374.4(2)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, does the code of practice provide the following information; [General Regulation 91-191 s.374.3,(2)] <ul style="list-style-type: none"> • A statement that every employee is entitled to work free of harassment. • Identify the person responsible for implementing the code of practice. • A statement requiring employees to report incidents of harassment as soon as possible. • Investigative procedures which will be used to document and investigate incidents of harassment. • Explaining how affected an employee(s) will be informed of the results of an investigation. • The procedure to be followed to implement corrective measures identified during the investigation. • The follow up measures that will be taken with affected employees. • The identification of training needs and records of training. 	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<ul style="list-style-type: none"> Yes <input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/> Yes <input type="checkbox"/> 	No <input type="checkbox"/>	No <input type="checkbox"/>
Is a copy of the code practice readily available to employees if asked for?[General Regulation 91-191 s.374.4(3)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>
When followed, is the code of practice sufficient to provide for the health and safety of employees at the place of employment to the extent possible.[General Regulation 91-191 s.374.4(1)]	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<u>MANAGEMENT OF CHANGE</u>		
<p>When conditions change the place of employment and at least once each year, the harassment code of practice shall be reviewed and updated in consultation with with Joint Health and Safety Committee, Safety representative or employees if no committee or representative exists. [General Regulation 91-191 s.374.7(1),(2)]</p>		