

RECOMMENDATION #5

INVESTIGATIONS AND INFORMATION ABOUT RESULTS

DESCRIPTION

The *Occupational Health and Safety Act* states that the employer must set out how it will investigate complaints of workplace violence; however, gaps exist in the following areas:

- There is no requirement to include in measures and procedures that the worker will be informed of results and of corrective action (if any); and
- There is no defined process to perform an investigation

Excerpt from the *Occupational Health and Safety Act*:

Program, violence

32.0.2 (1) *An employer shall develop and maintain a program to implement the policy with respect to workplace violence required under clause 32.0.1 (1) (a).*

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- (2) *Without limiting the generality of subsection (1), the program shall,*
- include measures and procedures to control the risks identified in the assessment required under subsection 32.0.3 (1) as likely to expose a worker to physical injury;*
 - include measures and procedures for summoning immediate assistance when workplace violence occurs or is likely to occur;*
 - include measures and procedures for workers to report incidents of workplace violence to the employer or supervisor;*
 - set out how the employer will investigate and deal with incidents or complaints of workplace violence; and*
 - include any prescribed elements. 2009,*

RECOMMENDED SOLUTION AND INTENDED OUTCOME

- Build upon investigation requirements from tools and content developed by the Leadership Table Working Groups.
- Add new language to the *Occupational Health and Safety Act* Section *Program, violence* 32.0.2 (1):
 - set out how a worker(s) who has experienced workplace violence will be informed of the results of the investigation and of any corrective action that has been taken or that will be taken as a result of the investigation;*

RECOMMENDED IMPLEMENTATION

SHORT

1. Promote a root cause analysis tool recommended by the Hazard Prevention and Control Working Group through the Transition Toolkit.

MEDIUM

1. Follow the government's process to develop and introduce the language suggested above.