

Workplace Harassment Regulations

Frequently Asked Questions

Every worker has a right to a healthy and safe workplace. To achieve this, employers and workers play a contributing role in creating and maintaining a positive and respectful work environment.

The Workers Compensation Board (WCB) of Prince Edward Island has introduced changes to the *Occupational Health and Safety (OHS) Act and Regulations on Workplace Harassment*.

What is workplace harassment?

Workplace Harassment is generally defined as any inappropriate conduct, comment, display action or gesture where the person responsible knows, or ought reasonably to know, that the behavior could have a harmful effect on a worker's psychological or physical health or safety. The Workplace Harassment Regulations provides a standard definition for harassment

As an employer, what are my responsibilities?

The Workplace Harassment Regulations outline the employer responsibilities. This includes:

- Developing a written workplace harassment policy that includes reporting procedures.
- Performing a confidential investigation, appropriate to the circumstances, when a complaint of harassment is made in the workplace.
- Ensuring that sources of harassment are identified and stopped.
- Taking reasonable steps to remedy the effects of harassment and to prevent or minimize future incidents.

As a worker, what are my responsibilities?

Workers can contribute to a harassment free workplace by conducting themselves in accordance with the standards established in the employer's harassment policy. Workers are required to report incidents of harassment, cooperate in the investigation of a harassment complaint and maintain confidentiality throughout the process.

What is the role of an OHS Officer?

An Officer's role is to ensure an employer has adequate policies, procedures, and training in place to address workplace harassment and takes appropriate actions to remedy any harassment consistent with their obligations as described in the *OHS Act and Workplace Harassment Regulations*.

Are workers eligible for workers compensation benefits for bullying and harassment?

As with any claim, WCB's entitlement team will consider claims for psychological injuries in accordance with the *Workers Compensation Act* and policies. Psychological injury claims are recognized only where the condition has been caused by an "acute reaction" to a "traumatic event" as defined in the Psychological or Psychiatric Conditions Policy (POL-01).

When will the new regulations come into effect?

The Workplace Harassment Regulations come into effect July 1, 2020. To view the Regulations, and other helpful resources on workplace harassment, please visit wcb.pe.ca.



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14 Weymouth Street, PO Box 757 | Charlottetown PE | C1A 7L7