

# Frequently asked questions

## Workplace bullying and harassment

### What are my duties regarding bullying and harassment in the workplace?

Under the *Workers Compensation Act*, employers, workers, and supervisors have duties to ensure or protect the health and safety of workplace parties. These obligations include preventing and addressing workplace bullying and harassment. In 2013, WorkSafeBC released Occupational Health and Safety (OHS) policies that explain what WorkSafeBC considers to be reasonable steps for workplace parties to take to prevent and address workplace bullying and harassment.

### When are the OHS policies effective?

November 1, 2013

### Where can I find the OHS policies?

Until November 1, 2013, they are available on WorkSafeBC's website in the form of a [Board of Directors resolution](#), and, starting November 1, 2013, they will be available in the [Prevention manual](#).

### What is the definition of bullying and harassment?

Not every unpleasant interaction or inappropriate conduct or comment in the workplace is considered to be bullying and harassment.

The OHS policies define bullying and harassment as a single term, which:

- (a) includes any inappropriate conduct or comment by a person towards a worker that the person knew or reasonably ought to have known would cause that worker to be humiliated or intimidated, but
- (b) excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment

### What does WorkSafeBC expect employers to have in place on November 1, 2013?

WorkSafeBC recognizes that preventing bullying and harassment in the workplace is a shared responsibility, and expects that all parties – employers, supervisors, and workers – will be in compliance with the OHS policies, effective November 1, 2013.

## Is WorkSafeBC planning a specific inspection strategy or blitz when the OHS policies become effective?

There is no planned “enforcement blitz.” WorkSafeBC prevention officers will respond to enquiries and concerns about bullying and harassment in the workplace through existing inspection practices. Prevention officers will engage in inspection, consultation, and education activities with respect to workplace bullying and harassment as they would for any occupational health and safety requirement.

## Will WorkSafeBC prevention officers be responding to every incident, complaint, or claim involving bullying and harassment in the workplace?

No. A worker who experiences bullying and harassment in the workplace must report it through the employer’s established reporting procedures. The bullying and harassment policies require the employer to establish an internal process to both prevent and address issues of bullying and harassment in the workplace.

## Will WorkSafeBC prevention officers be involved in resolving bullying and harassment issues in the workplace?

The employer is required to have a policy statement and procedures in place to deal with incidents and complaints of bullying and harassment, and to ensure that workers and supervisors are trained to understand and follow the established procedures. It is through this internal process that specific issues of bullying and harassment should be addressed. The role

of WorkSafeBC prevention officers will be to ensure workplace parties are fulfilling and following their obligations.

## If an officer inspects a workplace and finds the employer’s procedures to be deficient, will the employer have to pay a fine?

An officer may issue orders noting the deficiencies. Orders are specific directions to take steps to come into compliance. Fines will not be issued unless an employer either fails to comply with orders to come into compliance, or is found in non-compliance a number of times.

## As an employer, I already have a respectful workplace policy, a harassment policy, or an occupational health and safety program. Must I have a separate program to comply with this?

Existing programs can be modified to incorporate bullying and harassment. Employers with existing programs should review them to ensure they fully address the requirements in the OHS policies.

## What about diverse industries like construction? How will the bullying and harassment policies apply on construction sites or in similar workplaces?

The bullying and harassment policies arise from the general duty sections of the *Workers Compensation Act* and, as such, apply to all workplaces in the province of British Columbia. The OHS policies apply equally across all workplaces, regardless of sector or industry.

## I am having problems with a co-worker. Can I get WorkSafeBC to come to my workplace and solve the problem?

WorkSafeBC officers are not in a position to resolve specific issues or disputes among co-workers. If you feel you are being bullied and harassed, you should make a complaint according to your employer's procedures. Your employer is required to have policies and procedures in place to deal with bullying and harassment. WorkSafeBC's role will be to ensure your employer has adequate procedures that have been implemented in the workplace.

## What if my employer or supervisor is bullying and harassing me?

The employer has the responsibility to develop a policy and have procedures designed to prevent or minimize bullying and harassment in the workplace. They must include procedures for a worker to report if the employer, supervisor, or person acting on behalf of the employer is the alleged bully and harasser.

## Can I be fired for reporting bullying and harassment?

Your employer is legally prohibited from taking any steps against you for reporting a health and safety issue, including bullying and harassment.

## What is WorkSafeBC doing to help workplace parties comply with their obligations?

WorkSafeBC has published a tool kit of resources and information about workplace bullying and harassment. It provides tips, information, and advice to help employers, workers, and supervisors meet their legal obligations. The tool kit is available at [www.worksafebc.com/bullying](http://www.worksafebc.com/bullying) and is accessible to anyone, free of charge.

In addition, WorkSafeBC will issue a guideline that will provide further information on how workplace parties can meet their legal obligations. The guideline will also be published on WorkSafeBC's website.

## Resources and additional information

**WorkSafeBC prevention information line**  
1.888.621.7233

**Employers' Advisers Office**  
[www.labour.gov.bc.ca/eao/](http://www.labour.gov.bc.ca/eao/)

**Workers' Advisers Office**  
[www.labour.gov.bc.ca/wab/](http://www.labour.gov.bc.ca/wab/)

WorkSafeBC has created a package of tools and resources to help workplace parties prevent and address workplace bullying and harassment. Access the online tool kit and OHS policies at [www.worksafebc.com/bullying](http://www.worksafebc.com/bullying).