WORKPLACE GENDERED VIOLENCE Who has a duty to stop it?

EMPLOYERS

OCCUPATIONAL HEALTH AND SAFETY ACT

- Provide and maintain a safe work environment
- Instruction, training on work-related gendered violence
- Supervision and discipline any employees engaging in serious misconduct
- Provide safe systems of work to eliminate risks (policies and procedures, reporting mechanisms)
- Consultation with HSRs and employees about how to better prevent work-related gendered violence.

EQUAL OPPORTUNITY ACT

• Must take reasonable steps to eliminate discrimination or sexual harassment within workplace otherwise can be held vicarious liable



EQUAL OPPORTUNITY ACT

EMPLOYEES

OCCUPATIONAL HEALTH AND SAFETY ACT

- Take reasonable care for their own health and safety
- Make sure they don't affect the health and safety of others through their own conduct Obligations to cooperate with any actions taken
- by employer
- Duty to not engage in discrimination or sexual harassment



MANAGEMENT AND CONTROL

OCCUPATIONAL HEALTH AND SAFETY ACT

• Ensure that so far as is reasonably practicable, workplace is safe and without risks to health

• If deemed a 'Principal' must take reasonable steps to eliminate discrimination or sexual harassment within workplace otherwise can be held vicarious liable

EQUAL OPPORTUNITY ACT

• Duty to not engage in discrimination or sexual harassment