

TOP 10 HR POLICIES EMPLOYERS MUST HAVE



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Among the nearly limitless range of policies that should be contained in an employee handbook, 10 are especially important:

1. Anti-Harassment Policy

The list starts with an [anti-harassment policy](#) that specifically and clearly bans psychological harassment of all forms in the workplace, including sex harassment, bullying, etc., setting out a complaint resolution process and defining the range of disciplinary measures for violations, up to and including termination.

2. Privacy Policy

All workplaces must have a personal information protection policy (aka a [privacy policy](#)) protecting personal information of customers and employees and providing mechanisms for accessing and revising personal information and a complaint resolution process.

3. Computer & Internet Use Policy

Every employer needs a [computer use policy](#) governing employees' use of technology in the workplace, including e mail use, internet usage and information security, including company access to computer hard drives, e mails, etc. to monitor compliance.



4. Termination Notice Policy

To protect against court actions for wrongful dismissal, every employer must have (and abide by) a [policy setting out the termination notice and/or pay formula](#) for employees that meets the applicable statutory employment standards for notice of termination (or pay in lieu).

5. Progressive Discipline Policy

You must have a [progressive discipline or other policy](#) setting out the process to be followed in response to employee misconduct and explaining how you respond to instances of misconduct and specifically identifying the escalating disciplinary measures which you may impose.

6. Work Attendance Policy

It's vital to have an [attendance policy](#) policy setting out the employee's basic obligation to attend work as scheduled and describing how excessive levels of absenteeism will be handled.

7. Overtime Policy

It's essential to have an [overtime policy](#) establishing overtime rates, strictly controlling the circumstances in which overtime may be worked and laying out the process for obtaining prior approval to work overtime—all of which must be consistent with employment standards requirements of your province (or the *Canada Labour Code* if you're federally regulated).

8. Workplace Impairment Policy

Employers (especially those in safety-sensitive settings) should have a [policy addressing workplace impairment](#), banning possession and use of intoxicants, including prescribed medications, which might cause impairment without prior approval and, if necessary, setting out a procedure for drug and/or alcohol testing.

9. Conflict of Interest Policy

All employers should have a [conflict of interest policy](#) banning employees from engaging in conduct that creates a conflict of interest, defining such a conflict broadly to include any means by which an employee might inappropriately gain a personal benefit by taking advantage of the employment relationship and clearly stating the disciplinary measures for violations.

10. Workplace Health & Safety Policy

Finally, every employer should have a [workplace health and safety policy](#) to ensure employees are informed of their rights and obligations relating to workplace safety issues, e.g., the employee's obligations to: take reasonable care in the workplace; carry out their work in accordance with established safe work procedures and occupational health and safety regulations; use and wear the required protective equipment; not engage in horseplay; not be impaired by drugs, alcohol, or other intoxicants; and promptly report any circumstances which pose a safety risk.

Conclusion

These 10 policies, if implemented properly, will form the core of an effective employee manual. Clicking on the hyperlinks will enable you to access materials in HR Compliance Insider that explain how to write the policy along with a Model of that particular policy that you can adapt to your own circumstances.

Robert Smithson is a labour and employment lawyer who has his own practice, Smithson Employment Law Corporation, in Kelowna, BC. <http://www.smithsonlaw.ca>, 778-478-0150

1. Psychological Harassment Policy

Benefits

Workplace violence is one of the hazards employers must protect against. Violence doesn't simply mean good old assault and battery. Many jurisdictions, including BC, Manitoba, Ontario and Quebec, also require employers to control bullying, intimidation and other forms of psychological harassment. Creating a written policy on psychological harassment is one of the things employers are required to do.

How To Use The Tool

We've created a Model Policy that you can adapt for your own workplace. Although the Policy you use must be tailored to your company and workplace, the Model Policy includes the elements a policy should list, including:

- A statement of management's commitment to prevent and not tolerate psychological harassment in the workplace
- A definition of psychological harassment—including conduct that is not harassment;
- An explanation of how and where it may occur;
- A statement calling on workers to report incidents of harassment; and
- An indication of how complaints will be investigated and responded to.

The Model Policy is based on a sample developed by the Ministry of Labour in Ontario but includes a number of improvements that we've added, including changes to make the Policy work in whatever jurisdiction you're in.



2. Workplace Privacy Policy

All workplaces must have a personal information protection policy (aka a privacy policy) protecting personal information of employees and providing mechanisms for accessing and revising personal information and a complaint resolution process. The following Model Employee Privacy Policy is based on one used by a leading supplier of agricultural products and is one of the best examples of a policy we've ever seen.

Of course, privacy policies aren't one-size-fits-all and what works for one organization might not work for you. So you'll need to modify the models to your own situation.

3. Computer Use Policy

Benefits

Creating a Computer Use Policy restricting employees' social networking and Internet use is an indispensable step in the HR director's effort to protect the company from abuse.

How To Use The Tool

Tailor this policy for use in your workplace, but also be sure to follow it up with monitoring usage. Have all employees read and sign the policy you adopt.

4. Termination Payment Policy

Benefits

Unfortunately, termination notices typically leave out the key information payroll needs to calculate and process payments. For example, it's common for a notice to state that an employee is due earned overtime but not list the actual amount owed. Another common omission is an explanation of how earned commissions are to be paid after termination.

The best way to avoid these problems is to ensure that payroll lets HR (and other departments) know what information it needs to process termination by listing it in a policy the way our Model Policy does.

How To Use The Tool

This policy, which you should share with your HR department, is based on employment standards laws in Alberta but can be adapted to meet the rules of any part of Canada. As ever, we remind you that there's no such thing as a one-size-fits-all policy and that you must tailor the model to meet your particular situation and province's laws.

5. Progressive Discipline Policy

Benefits

Progressive discipline works best against workers who commit repeat offenses over a period of time, as opposed to serious offences that warrant the imposition of immediate termination. So it's ideally suited for employees on leave who don't return repeated calls from their supervisors or other organization contact.

How To Use The Tool

If your employees belong to a union, you might have to negotiate the terms of the progressive discipline policy as part of the collective agreement. If employees aren't unionized or if you can keep progressive discipline out of the collective agreement, create a progressive discipline policy like this Model Policy and include it in your employee manual.

6. Model Language for Attendance Management Program

Definitions

Culpable Absenteeism: Failure to be present for work as a result of factors within the control of the Employee, including but not limited to: failure to notify, absence without leave, abuse of leave and coming to work late or leaving early without notification or excuse. Culpable absenteeism is grounds for discipline, up to and including termination.

Non-Culpable or Innocent Absenteeism: Failure to be present for work due to illness or non-occupational injury, including absences resulting from a disability that is not a compensable illness or injury. Non-culpable absenteeism is subject to non-punitive corrective action in accordance with the terms of this Program.



Attendance Management Policy

Benefits

Missing work is grounds for discipline when it's culpable absenteeism. Non-culpable absenteeism may also be grounds for discipline where:

- The absence frustrates the employee's contract; *and*
- The discipline doesn't violate the employee's rights to accommodations.

The best way to ensure compliance with these rules is to establish a policy that sets out clear and reasonable attendance standards and response procedures for dealing with employees who fail to meet them. The best way to ensure compliance with rules is to establish a policy that sets out clear and reasonable attendance standards and response procedures for dealing with employees who fail to meet them.

How To Use The Tool

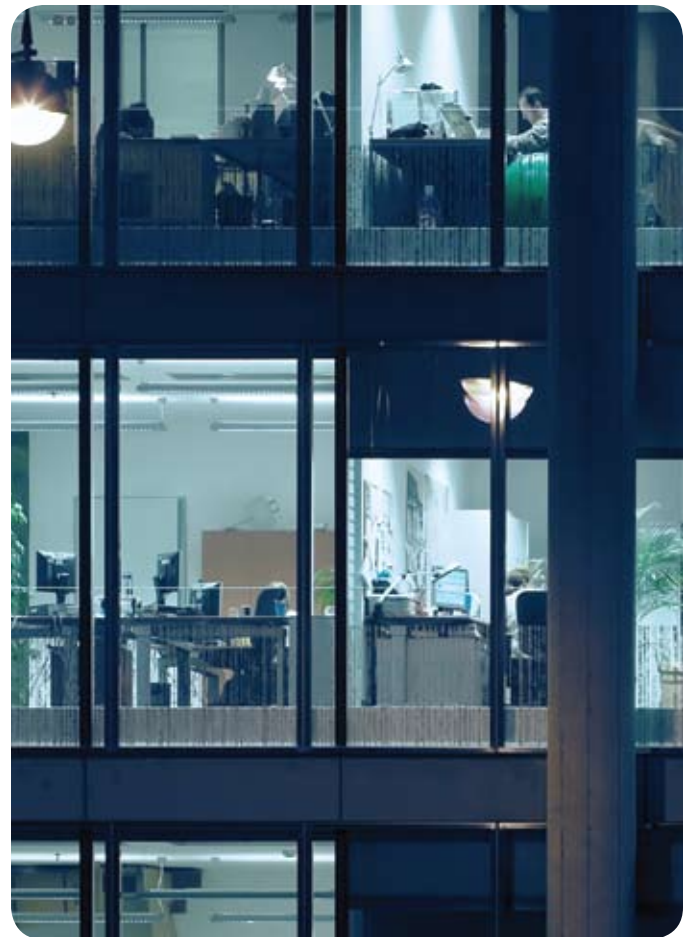
If you're not from BC, it's advisable to consider framing all of this in the context of an attendance management policy. Adapt this model policy to meet your own needs.

7. Overtime Policy

It's essential to have an overtime policy establishing overtime rates, strictly controlling the circumstances in which overtime may be worked and laying out the process for obtaining prior approval to work overtime—all of which must be consistent with employment standards requirements of your province (or the Canada Labour Code if you're federally regulated).

Here are 2 Model Overtime Policies. Model 1 is for union employees and reflects the terms of not only ESA laws (Alberta, in this case) but the collective agreement. Model 2 is for non-union employees and based on the ESA laws of Ontario.

Note that these Policies are intended only as illustrations. The usual caveats not to use one-size-fits-all policies becomes magnified to an even greater degree when the policy involves compensation or other basic term of employment. In a sense, the overtime agreement is as unique as a set of fingerprints. The purpose of these Policies is to illustrate the kinds of things such policies should address, not to provide you a template to copy or even try to adapt in any kind of literal sense.



8. Drugs & Alcohol

Mandatory testing is one of the best ways to keep employees from using drugs and alcohol in the workplace. But in addition to union opposition, testing raises thorny issues under privacy and civil rights laws. Courts, arbitrators and labour boards (which we'll refer to collectively as "courts") review testing policies with a fine tooth comb and won't uphold them unless they're minimally intrusive and essential to safety. We'll explain how to create a testing policy that incorporates the provisions necessary to survive a legal challenge. We'll also provide sample language you can adapt. And because testing policies are too long to fit in the newsletter, we've posted a few excellent examples on that you can access for free on our website, www.hrinsider.ca.

Defining Our Terms

Except where noted, we'll use the terms "drugs" or "drug testing," to refer to both drugs and alcohol testing. Also note that this story only covers testing of *current* employees; we'll deal with pre-employment testing of job applicants, which is subject to slightly different standards, in a future issue.

What the Law Requires

Drug testing is problematic because it targets those with disabilities. That's because drug addiction and alcoholism are considered disabilities under human rights laws. The protection against discrimination also applies to employees who aren't actually disabled but are perceived to be. For example, it's illegal to treat an employee unfavourably because you *think* he's a drug addict even if your suspicion turns out to be wrong. Employers must also make accommodations for employees with disabilities to the point of "undue hardship."

But employers can justify an otherwise discriminatory policy or practice like drug testing if it's what's called a "bona fide occupational requirement" (BFOR). According to the Supreme Court of Canada, to qualify as a BFOR, a drug testing policy must be:

- Designed to carry out a legitimate, non-discriminatory purpose, such as ensuring workplace safety;
- Adopted in the good faith belief that the policy is essential to promote the purpose; and
- "Reasonably necessary" to serve that purpose—that is, if there's a non-discriminatory way to ensure safety, the employer can't follow the discriminatory practice. In addition, the policy or practice must be consistent with the employer's duty to accommodate.



7 Rules of Drug & Alcohol Testing

Because drug testing is generally recognized as serving the legitimate purpose of promoting safety, the validity of drug testing policies usually boils down to the "reasonably necessary" criterion. There's no magic formula for determining if a drug testing policy is reasonably necessary. But there are 3 key factors that courts consider in evaluating the question:

What triggers the test. Testing must be carried out in the most unintrusive way as possible to ensure the safety purpose. So courts look carefully at when employees are required to submit to testing. There are 2 general bases for testing: random testing and testing for reasonable cause, that is, in circumstances where there are reasonable grounds to suspect impairment, such as after an employee gets involved in an accident at work. Random testing is much harder to justify. In fact, random testing for *drugs* is never permissible; random testing for alcohol may be reasonably necessary in certain situations.

What's being tested. Drug testing is much harder to justify than testing for alcohol because testing positive for drugs isn't conclusive proof of current impairment. In other words, because drugs can remain in the system long after the "high" has worn off, a positive drug test doesn't necessarily prove the employee was impaired when she took the test. Thus, it's harder for employers to show that drug testing is reasonably necessary to ensure safety. Alcohol testing, in contrast, does detect current impairment. People generally don't test positive for alcohol unless they're impaired at the time of testing.

Who's being tested. Another key factor in determining whether testing is reasonably necessary to protect safety is the position of the employee tested. Employers have much more leeway to require testing of employees who hold positions that are "safety-sensitive," such as equipment operators, rescue workers and drivers. True, employers don't want any of their employees to show up for work less than sober. But it's harder to justify testing a receptionist or office clerk as reasonably necessary to protect safety.

All things being equal, when you put these factors together, the hardest testing policy to justify is random drug testing for non-safety-sensitive employees; the easiest one to justify is reasonable cause alcohol testing of safety-sensitive employees.

In a previous issue of *Insider* (Vol. 5, Issue 12) we boiled the parameters courts use to determine whether testing is “reasonably necessary” to 7 basic (and, of course, unofficial) rules:

1. Random testing of non-safety-sensitive employees is illegal;
2. Random *alcohol* testing of employees in safety-sensitive positions is OK;
3. Random *drug* testing of safety-sensitive employees is usually illegal;
4. Post-incident testing of safety-sensitive employees is OK;
5. Post-incident testing of non-safety-sensitive employees is usually illegal;
6. Testing non-safety sensitive employees before moving them to safety-sensitive positions is OK; and
7. Any testing policy, including the consequences of violating it, must accommodate the employee.

Key Elements of a Drug Testing Policy

Drug testing policies are complex and, in unionized workplaces, highly negotiated. So you can't simply take a boilerplate drug testing policy and use it. You must adapt the policy to reflect your workplace, company safety rules and the terms of the collective agreement. But you don't have to create a testing policy out of whole cloth. A model policy is a great place to start. In general, your company's drug testing policy should contain the following key elements:

Policy statement. Include a statement explaining the purpose and objectives of the drug testing policy, emphasizing the company's commitment to a healthy and safe work environment.

Model Language. This policy is established to provide a safe workplace for all employees and those whose safety may be affected by the conduct of employees; and to ensure that all employees are treated fairly and with respect.

Definitions of key terms. Define the key terms used in the policy. For example, the legality of drug testing in many ways turns on whether the employee in question has a safety-sensitive position. In general, an employer can't perform random drug and alcohol testing on employees who don't have safety-sensitive jobs, such as bus driver or forklift operator. Thus, it's critical that you define “safety sensitive position” or spell out the criteria that will be used to determine if a worker's position is safety-sensitive.

Model Language: “Safety-Sensitive Position” means a position designated as such by the Steering Committee on the basis of a risk-based analysis performed in accordance with standards specified in Appendix A of this Policy.

Other key terms your policy should define:

- Alcohol, drugs and drug paraphernalia;
- Workplace;
- Incident, including whether it includes near misses;
- Negative and positive test results; and
- Reasonable grounds.

Explanation of the policy's scope and application. The policy should explain who is and isn't covered, such as full-time workers, part-time employees, interns, contractors' employees, etc. It should also explain the circumstances under which the policy applies. For example, you might want to establish reasonable cause testing for employees in safety-sensitive positions. You may also want to note that although employees in non-safety-sensitive positions can't be subjected to random drug and alcohol testing, they may be required to submit to such testing before being moved to positions that *are* safety-sensitive.

Standards regarding drug and alcohol use. Spell out the standards the company expects employees to meet when doing company business or in the workplace. For example, state that employees may not use drugs and alcohol while working. And explain whether the policy applies when employees conduct job duties offsite. Consider exceptions such as saying that prohibitions on alcohol use and possession don't apply to company social events, such as office picnics or holiday parties and language that allows employees to appropriately use over-the-counter or prescription drugs at work.

Model Language: Prescription & Non-prescription Medication: Possession or use of Medication at a Company Worksite is allowed under the following conditions:

- a. The prescription must be in the name of the employee;
- b. The employee must be using the Medication for its intended purpose only and in the manner directed by a physician, pharmacist or manufacturer;
- c. The use of the Medication must not adversely affect the employee's ability to safely perform any job duties; and
- d. The employee must have notified his or her supervisor or manager before starting work if a doctor or pharmacist has stated that the Medication may have side effects that could affect safe performance of the employee's work duties.

Testing standards. Explain when workers may be required to submit to drug and/or alcohol tests. It's important to distinguish the standards based on:

- *Random testing.* Random breathalyser testing for alcohol use is acceptable for employees in safety-sensitive positions. If your company plans to conduct random alcohol testing of employees in safety-sensitive positions, explain how such random tests will be conducted.

Model Language: Random testing: At work sites where the employer has confirmed in writing that each employee is covered by an employee assistance services program, the employer may implement a lawful computer-generated random alcohol testing program in accordance with the procedures set out in the Collective Agreement. In the event a lawful random alcohol testing program is to be adopted by an employer, a written notice shall be delivered to each employee and a written notice shall be provided to any bargaining agent of affected employees of the implementation of random alcohol testing at least 30 days prior to implementation of that program at the work site.

- *Incident-related or "reasonable cause" testing.* Although random drug testing is illegal, employers are generally permitted to test an employee for either drugs or alcohol after a safety incident occurs and/or when there's "reasonable cause" to believe that the employee is impaired—provided that the employee has a safety-sensitive job.

Model Language: Alcohol and Drug Testing for Reasonable Cause: Reasonable cause testing for Alcohol or Drugs shall be conducted where a supervisor or manager has objective and reasonable grounds to believe that an employee in a Safety-Sensitive Position may be unable to work in a safe manner due to the use of Alcohol or Drugs. Suspected breaches of this Policy by employees who are not in Safety-Sensitive Positions will be treated as a performance management matter and may not involve the use of testing procedures.

You should also explain the types of test to be used (urine, blood, hair), who'll perform the tests and the testing procedures to be used, including who'll have access to the test results.

Procedures to be followed if violation is suspected. Set out the procedures the company will follow if it suspects an employee of violating the policy, including how investigations into such violations will be conducted.

Consequences of a policy violation. State the possible disciplinary actions if the company determines that an employee has violated the policy, such as suspension with or without pay, demotion or other disciplinary action up to, and

including, termination. Remember that testing policies must be consistent with the employer's duty to accommodate and account for each employee's individual circumstances and characteristics. Blanket policies that treat all employees the same violate the duty to accommodate as do "zero tolerance" policies that provide for automatic termination after positive tests.

Be sure to differentiate between types of violations. For example, refusing to take a drug test shouldn't be treated the same as failing to take a test. In addition, spell out options for accommodating employees with alcohol or drug problems, such as referral to a substance abuse professional for assessment of a possible alcohol or other drug problem or the use of a "last chance" agreement.

Conclusion

Drug and alcohol testing is a tricky issue and a very sensitive one. You might be tempted to avoid dealing with the issue altogether. But doing so would be a big mistake. Employees who come to work drunk or high—or get drunk or high at work—pose a potential peril to co-workers, members of the public affected by the work and themselves.



9. Conflict of Interest Policy

Benefits

Having a policy such as this will help spell out what behaviour and actions associated with romantic relationships may constitute a conflict of interest that can hurt the company. Instead of banning office romances, policies like this help deal directly with the problems you're afraid the romances is going to create.

How To Use The Tool

Adopt this model policy to your workplace, stating that disciplinary action will be taken to anybody who violates your conflict of interest policy.

10. The OHS Policy

In most jurisdictions (all but Québec and Yukon), employers are specifically required to have something called an OHS policy, i.e., a written statement signed by management expressing the organization's commitment to health and safety and listing who's responsible for different safety functions.

Meeting this requirement isn't as simple as it sounds. Just sticking an OHS policy into a binder that gathers dust isn't enough. The OHS policy must be a living, breathing document that evolves over time and that people in the organization actually know about and refer to when doing their jobs. Adding to the complexity is the fact that OHS policy requirements vary by jurisdiction. ([Click here](#) to see what your province requires an OHS policy to include.)

Here's a look at what HR directors must do to keep their organizations in compliance. There's also a **Model OHS Policy** for each of the 14 jurisdictions so that you can get a compliant template to adopt no matter what part(s) of Canada you're in.

- [MODEL ALBERTA OHS POLICY](#)
- [MODEL BRITISH COLUMBIA OHS POLICY](#)
- [MODEL FEDERAL OHS POLICY](#)
- [MODEL MANITOBA OHS POLICIES](#)
- [MODEL NEW BRUNSWICK OHS POLICIES](#)
- [MODEL NEWFOUNDLAND OHS POLICIES](#)
- [MODEL NOVA SCOTIA OHS POLICY](#)
- [MODEL NORTHWEST TERRITORIES/NUNAVUT OHS POLICY](#)
- [MODEL ONTARIO OHS POLICY](#)
- [MODEL PRINCE EDWARD ISLAND OHS POLICY](#)
- [MODEL QUEBEC OHS POLICY](#)
- [MODEL SASKATCHEWAN OHS POLICIES](#)
- [MODEL YUKON OHS POLICY](#)

10 THINGS YOU MUST DO TO COMPLY

1. Put Policy in Writing

The OHS policy must be in writing and can't be oral or informal. Nor is it acceptable to adopt canned policies. Although you can adapt models and templates like the ones in TOOLS, the OHS policy must reflect the circumstances of your particular workplace.

2. Ensure EHS, HR & Employee Collaboration

At larger organizations, the Environmental, Health and Safety (EHS) director plays the leading role in drafting the OHS policy. But HR should also be involved in the process. In addition,

securing employee input, either directly or via the Joint Health and Safety Committee (JHSC) or Health and Safety Representative (HSR) is either a Best Practice or specific legal requirement in provinces like NL, NS, PEI and SK.

3. Use Clear & Simple Language

The OHS policy must be in clear language. Best Practices: Gear the language to an 8th grade reading level, keep sentences short and avoid jargon. Examples:

BAD	GOOD
Legislative health and safety requirements	Health and safety laws
Prior to	Before
Comply/adhere to safety requirements	Obey safety rules
To the extent that	If
In order to	To
Encourage and promote the participation of workers	Get workers involved
Conduct inspections	Inspect
Review on a regular basis	Regularly review
Integrate good occupational safety practices into all their daily activities	Act safely at work and away from the workplace

4. Express Management Commitment

At a minimum, your OHS policy must include the elements the OHS laws of your province specifically require. Typically, such required elements include an expression by management of its commitment to make the organization a safe and healthy place to work and its promise to work with employees and the JHSC/HSR to achieve that goal.

5. List Health and Safety Responsibilities

Another legally mandated OHS policy element is the listing of safety responsibilities of various workplace stakeholders, including the employer, supervisors and employees. Best Practice: Also list the safety duties of the EHS director, HR and other managers, contractors and visitors.

6. Include All the Other Right Information

Other elements the government requires or recommends be in an OHS policy include statements:

- Of the organization's intention to treat OHS law requirements as a minimum standard;
- Of its commitment to provide the resources necessary to effectively implement and monitor the OHS policy;

- Explaining how individuals with safety responsibilities will be held accountable;
- Listing who's responsible for safety in each area of the facility;
- That working in a health and safety way is a condition of employment; and
- Of who will review the policy and how often.

7. Get Policy Signed

The OHS policy must be signed and dated by a high management official. Several jurisdictions specify who that person should be:

- Alberta (guidelines): the "CEO or senior operations manager";
- Newfoundland: the "employer or person responsible for management of the employer's operations in the province"; and
- Northwest Territories, Nunavut, Ontario (guidelines): a "top" or "senior" manager.

8. Communicate Policy

You must clearly communicate the OHS policy. Specific requirements:

- MB, NL, NS, SK: Policy must be posted in prominent place at workplace;
- New Brunswick: Must file copy of policy with WHSCC;
- Nova Scotia: Must make copy of policy available to Labour Dept. official upon request; and
- Manitoba: Guidelines recommended telling clients, contractors and suppliers about the policy and making new employees aware of it as part of their orientation.
- Northwest Territories, Nunavut and Ontario (guidelines): a "top" or "senior" manager.

9. Review and Update Policy

You must review and revise the OHS policy on a regular basis. Some jurisdictions stipulate when and how review must take place:

- NL, NS, ON, PEI: policy must be reviewed once a year; and
- NL, NS, PEI: review must be in consultation with JHSC or HSR.

10. Get People to Follow the Policy

Writing the OHS policy is the easy part; getting managers, supervisors, employees and others to take it seriously is the big challenge. The only way to make that happen is to make compliance with the OHS policy part of the job or, to use fancy language, integrate its requirements into their work regimes.

Best Practices:

- Make OHS policy compliance an element of the performance review of each employee, supervisor and manager;
- Make sure the health and safety responsibilities stated in the OHS policy are actually listed in the job descriptions for the affected positions;
- Refer to the policy during safety training and new employee orientation;
- Giving new employees a copy of the policy when they're hired and make it clear that following the policy is a condition of their employment;
- Require contractors and subcontractors to follow the policy as a condition of the agreement and give them copies of the policy before they start work;
- Give your suppliers copies of the policy;
- Post the policy in the workplace even if the law doesn't specifically require you to; and
- Most important of all, enforce the policy consistently against violators up to and, if necessary, including termination.



Conclusion

Not having an OHS policy is bad; but having a policy that nobody pays attention to is worse. The latter is evidence of a lax safety culture and tells OHS inspectors, prosecutors and judges that management talks the talk but doesn't walk the walk. Conversely, a clearly stated, studiously administered and diligently enforced OHS policy minimizes liability risks and puts you in a strong position to make out a due diligence defence if problems do occur. Better yet, it helps prevent problems from happening in the first place.

KNOW THE LAWS OF YOUR PROVINCE

WHAT OHS POLICY MUST INCLUDE

The OHS laws of most jurisdictions require employers to establish what's called an OHS policy. Here's what each province requires (and recommends government guidelines) that an OHS policy include:

FEDERAL: A statement of employer's general policy concerning the health and safety at work of employees [*Canada Labour Code*, Sec. 125(d)(ii), http://laws.justice.gc.ca/en/showdoc/cs/L-2/bo-ga:l_II-gb:s_124/20090616].

ALBERTA: The company's policy of protecting the health and safety of workers at the site and arrangements to implement the policy [*OHS Act*, Sec. 32, www.qp.alberta.ca/574.cfm?page=002.cfm&leg_type=Acts&isbncln=0779749200].

BRITISH COLUMBIA: The employer's general health and safety aims and description of the health and safety-related responsibilities of the employer, supervisors and workers [*OHS Reg.*, Sec. 3.3(a), <http://www2.worksafebc.com/publications/OHSRegulation/Part3.asp>].

MANITOBA: A statement of the employer's policy on the protection of the safety and health of workers at the workplace and a statement of the responsibilities of the employer, supervisors and workers [*Workplace Health & Safety Act*, Sec. 7.4(5), <http://web2.gov.mb.ca/laws/statutes/ccsm/w210e.php>].

NEWBRUNSWICK: A statement of the employer's commitment to health and safety and OHS objectives and a definition of the safety roles and responsibilities of the employer, supervisors and workers [*Govt. Guidelines on Effective Safety Programs*, http://www.worksafenb.ca/522top6b_e.htm].

NEWFOUNDLAND/LABRADOR: A statement of the employer's commitment to safety including its commitment to cooperate with the occupational health and safety committee and workers in the workplace in carrying out their collective responsibility for occupational health and safety and statement of the respective responsibilities of the employer, supervisors, the occupational health and safety committee and workers in carrying out their collective responsibility for occupational health and safety [*OHS Regs.*, Secs. 4(1)(a) and (b), www.assembly.nl.ca/legislation/sr/regulations/rc961165.htm].

NORTHWEST TERRITORIES/NUNAVUT: The employer's commitment to a health and safety philosophy, the company's health and safety goals and objectives, management's commitment to maintain a safe and healthy workplace and comply with all laws and regulations [*Guidelines for Developing Effective Health & Safety Policies*, www.wcb.nt.ca/publications/GuidelinesDeveloping.pdf].

NOVA SCOTIA: The employer's commitment to occupational health and safety, reasons for the employer's commitment, employer's commitment to co-operate with employees in pursuing occupational health and safety and the responsibilities of employer, supervisors and other employees in fulfilling the employer's commitment to health and safety. [*OHS Act*, Sec. 27(3), <http://gov.ns.ca/legislature/legc/>].

ONTARIO: OHS laws require OHS policy but don't specify what it should say. MOL Guidelines say that it should reflect management's commitment, support and attitude to the health and safety program for the protection of workers.

PRINCE EDWARD ISLAND: The employer's commitment to health and safety, including commitment to cooperate with workers in pursuing health and safety and a statement of the safety responsibilities of employers and other workers [*OHS Act*, Sec. 24(4), www.gov.pe.ca/law/statutes/pdf/o-01_01.pdf].

QUÉBEC: OHS laws don't specifically require OHS policies.

SASKATCHEWAN: A statement of the employer's policy with respect to the health and safety of workers and of the safety responsibilities of the employer, supervisors and workers [*OHS Reg.*, Secs. 22(1)(a) and (c), www.qp.gov.sk.ca/documents/English/Regulations/Regulations/O1-1R1.pdf].

Govt. guidelines recommend that OHS policy state organization's health and safety philosophy and management's commitment to prevent accidents and occupational illnesses; list the objectives of the health and safety program; indicate who's responsible for and accountable for various elements of the program; and say that substandard health and safety performance won't be accepted [*Govt. Guidelines: Elements of an OHS Policy*, <http://www.labour.gov.sk.ca/Default.aspx?DN=612911ca-ae98-40bf-8d4d-d978830b1fb4>].

YUKON: OHS laws don't specifically require OHS policies.

MODEL OHS POLICIES

ALBERTA VERSION

The Alberta *OHS Act* (Sec. 32) requires employers to adopt an OHS policy stating the company's policy of protecting the health and safety of workers at the site and arrangements to implement the policy, employers to write a statement of general policy concerning the health and safety at work of employees. [Here's an OHS Policy that you can adapt if you're in Alberta.](#)

BC VERSION

Section 3.3(a) of the BC *OHS Regulation* requires employers to adopt an OHS policy stating the employer's general health and safety aims and description of the health and safety-related responsibilities of the employer, supervisors and workers. [Here's an OHS Policy that you can adapt if you're in BC.](#)

FEDERAL VERSION

The *Canada Labour Code* (Sec. 125(d)(ii)), requires employers to write a statement of general policy concerning the health and safety at work of employees. [Here's an OHS Policy that you can adapt if your workplace is federally regulated.](#)

MANITOBA VERSION

Section 7.4(5) of the Manitoba *Workplace Health & Safety Act* requires employers to adopt an OHS policy statement of the employer's policy on the protection of the safety and health of workers at the workplace and a statement of the responsibilities of the employer, supervisors and workers. [Here are 2 versions of an OHS Policy from WorkSafe Manitoba that you can adapt if you're in Manitoba.](#)



NEW BRUNSWICK VERSION

New Brunswick government guidelines recommend that employers adopt an OHS policy statement of the employer's commitment to health and safety and OHS objectives and a definition of the safety roles and responsibilities of the employer, supervisors and workers. [Here are 3 versions of an OHS Policy from WorkSafeNB that you can adapt if you're in New Brunswick.](#)

NEWFOUNDLAND VERSION

Newfoundland *OHS Regs.* (Secs. 4(1)(a) and (b)) require companies to publish a statement of the employer's commitment to safety including its commitment to cooperate with the occupational health and safety committee and workers in the workplace in carrying out their collective responsibility for occupational health and safety and statement of the respective responsibilities of the employer, supervisors, the occupational health and safety committee and workers in carrying out their collective responsibility for occupational health and safety. [Here are 2 versions of an OHS Policy from the government that you can adapt if you're in Newfoundland—one for small companies and one for larger ones.](#)

NOVA SCOTIA VERSION

The Nova Scotia *OHS Act*, Sec. 27(3), requires employers to adopt an OHS policy stating its commitment to occupational health and safety, reasons for the employer's commitment, employer's commitment to co-operate with employees in pursuing occupational health and safety and the responsibilities of employer, supervisors and other employees in fulfilling the employer's commitment to health and safety. [Here's a version of an OHS Policy that you can adapt if you're in Nova Scotia.](#)

NORTHWEST TERRITORIES/NUNAVUT VERSION

Government guidelines in Northwest Territories and Nunavut call on employers to adopt an OHS Policy stating its commitment to a health and safety philosophy, the company's health and safety goals and objectives, management's commitment to maintain a safe and healthy workplace and comply with all laws and regulations. [Here's a version of an OHS Policy from the government that you can adapt if you're in Northwest Territories or Nunavut.](#)

ONTARIO VERSION

Ontario OHS laws require employers to have an OHS policy but don't specify what it should say. MOL Guidelines say that it should reflect management's commitment, support and attitude to the health and safety program for the protection of workers. [Here's a version of an OHS Policy from the MOL that you can adapt if you're in Ontario.](#)

MODEL OHS POLICIES, *Cont'd*

PRINCE EDWARD ISLAND VERSION

Sec. 24(4) of the PEI *OHS Act* requires employers to adopt an OHS Policy stating their commitment to health and safety, including commitment to cooperate with workers in pursuing health and safety and a statement of the safety responsibilities of employers and other workers. [Here's a version of an OHS Policy that you can adapt if you're in PEI.](#)

QUÉBEC VERSION

Although not specifically required by the province's OHS laws, adopting an OHS policy is advisable as a Best Practice if you're in Québec. [Here's a version of an OHS Policy that you can adapt.](#)

SASKATCHEWAN VERSIONS

Saskatchewan *OHS Reg.* (Secs. 22(1)(a) and (c)) require employers to adopt an OHS Policy statement of its policy with respect to the health and safety of workers and of the safety responsibilities of the employer, supervisors and workers. Govt. guidelines recommend that the OHS policy state the organization's health and safety philosophy and management's commitment to prevent accidents and occupational illnesses; list the objectives of the health and safety program; indicate who's responsible for and accountable for various elements of the program; and say that substandard health and safety performance won't be accepted. [Here are 3 versions of an OHS Policy from WorkSafeSaskatchewan that you can adapt if you're in Sask.](#)

YUKON VERSION

Although not specifically required by the territory's OHS laws, adopting an OHS policy is advisable as a Best Practice if you're in Yukon. [Here's a version of an OHS Policy that you can adapt.](#)

