

## **Why All the Fuss about Workplace Bullying?**

By Andrew Lawson, Human Rights Advisor

*Learn Don't Litigate*

In 1988 a man applied for Worker's Compensation due to the stress of being teased, at work, about his appearance. His claim was denied. Almost 20 years later another man made a similar claim, a claim that was allowed; Worker's comp paid up. Change was on the horizon.

In 1999 a man walked into his former place of employment in Ottawa and shot to death 4 coworkers, seriously injuring a fifth person. He then killed himself. The killer had been teased by his coworkers because he spoke with a stutter.

A young woman was forced to quit her job as a senior claims adjudicator in 2000. A relative of her employer with whom she worked constantly harassed her, wrongly accused her of sabotaging company equipment and aggressively confronted her on several occasions. The woman successfully sued her former employer for constructive dismissal and was awarded damages for lost wages and for mental distress.

In 2009 the Ontario government passed new legislation requiring employers to proactively address the serious issue of harassment and violence in the workplace.

Bullying is finally against the law in Canada and that is what all the fuss is about. In the harassment case involving the young woman, above, the employee reported the bullying to her employer and the employer told her to avoid the bully. The bully was not disciplined. The new law finally requires employers to create a mechanism for employees to report bullying behaviour. Employees are also entitled under the new law to know how the employer will investigate allegations of workplace bullying.

### **WHAT TO DO NOW:**

**ARRANGE TRAINING FOR YOUR STAFF  
ON THE CONTENTS OF YOUR  
WORKPLACE HARASSMENT  
AND VIOLENCE POLICIES.**

**THE DEADLINE IS JUNE 15, 2010.**

