

Occupational
Health and Safety

Field Visit Report

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OHS Case ID: **4773DCSBQTS**

Field Visit no: **4773DCSBQTS-4773-FV001**

Visit Date: **2025-FEB-05**

Field Visit Type: **INITIAL**

Workplace Identification: **NORFOLK ASSOCIATION FOR COMMUNITY LIVING
644 IRELAND ROAD, SIMCOE, ON CA N3Y 4K2**

Notice ID:

Telephone:
(519) 426-5000

JHSC Status:
Active

Work Force #:
180

Completed %:

Persons Contacted: **Stella Barker (Executive Director) and Deanna Davidson (Direct Services Manager, certified employer co-chair of the Joint Health and Safety Committee JHSC).**

Visit Purpose: **To investigate a complaint of workplace harassment reported to the MLITSD on January 19, 2025.**

Visit Location: **Boardroom.**

Visit Summary: **Orders issued.**

Detailed Narrative:

This Ontario Ministry of Labour, Immigration, Training and Skills Development (MLITSD) Inspector met with this workplace today to investigate a complaint of workplace harassment reported to the MLITSD on January 19, 2025.

The following individuals were spoken to:

Stella Barker (Executive Director) and,

Deanna Davidson (Direct Services Manager, certified employer co-chair of the Joint Health and Safety Committee JHSC).

INSPECTOR'S COMMENTS:

For privacy and confidentiality, the specific allegation of workplace harassment, including the name of the involved individuals were reviewed and discussed with the employer and are not documented in this field visit report.

INSPECTOR ACTIONS/FINDINGS:

At the time of the investigation, the employer is aware of the complaint and determined an investigation was not appropriate in the circumstances.

To protect a worker from workplace harassment, it is important that an employer ensure that an investigation is conducted into incidents and complaints of workplace harassment. The investigation must be appropriate in the circumstances. The employer must ensure an investigation is conducted into workplace harassment, whether a worker has formally or informally made a complaint, or the employer is otherwise aware of an incident(s) (for example, if a supervisor witnessed it or learned about it from a third party).

The investigation must be objective. The person conducting the investigation, whether internal or external to the workplace, must not be directly involved in the incident or complaint, and must not be under the direct control of the alleged harasser. This person should have knowledge of how to conduct an investigation appropriate in the circumstances.

The worker or an ex-worker who has allegedly experienced workplace harassment and the alleged harasser are also to be informed in writing of the results of the investigation and of any corrective action that has been taken or that will be taken as a result of the investigation.

At the time of the investigation the workplace parties stated there is a workplace harassment policy and program in place.

At the time of the investigation the harassment program did not include measures and procedures for workers to report an incident of workplace harassment to the employer or supervisor (ORDER ISSUED).

At the time of the investigation the harassment program did not include measures and procedures for workers to report an incident of workplace harassment to a person other than the employer or supervisor, if the employer or supervisor is the alleged harasser (ORDER

Recipient	Inspector Data	Worker Representative
Name <u>Deanna Davidson</u>	Erica Gavin O.H.S.A. & B.O.S.T.A. INSPECTOR PROVINCIAL OFFENCES OFFICER	Name _____
Title <u>Direct Services Manager</u>	19 King St W, 14th Fl., Hamilton, ON, L8P 4Y7 MOLIHSHAMILTONEAST@ontario.ca Tel: (289) 244-0567 Fax: (905) 577-1324	Title <u>N/A @ time of Signing</u>
Signature <u>[Signature]</u>	Signature <u>[Signature]</u>	Signature _____

You are required under the Occupational Health and Safety Act to post a copy of this report in a conspicuous place at the workplace and provide a copy to the health and safety representative or the joint health and safety committee if any. Failure to comply with an order, decision or requirement of an inspector is an offence under Section 66 of the Occupational Health and Safety Act. You have the right to appeal any order or decision within 30 days of the date of the order issued and to request suspension of the order or decision by filing your appeal and request in writing on the appropriate forms with the Ontario Labour Relations Board, 505 University Ave., 2nd Floor, Toronto, Ontario M5G 2P1. You may also contact the Board by phone at (416) 326-7500 or 1-877-339-3335 (toll free), mail or by website at <http://www.orb.gov.on.ca/> for more information.

The Government of Ontario wants to hear from you. You can provide feedback on this visit at 1-888-745-8888

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ISSUED).

At the time of the investigation the harassment program did not set out how a worker who has allegedly experienced workplace harassment and the alleged harasser, if he or she is a worker of the employer, will be informed of the results of the investigation and of any corrective action that has been taken or that will be taken as a result of the investigation (ORDER ISSUED).

The employer is reminded pursuant to 32.0.6, the employer shall in consultation with the JHSC, develop and maintain a written program to implement the policy with respect to workplace harassment.

The employer is reminded pursuant to 32.0.8 of OHS/A/1990, an employer shall provide a worker with information and instruction on the contents of the policy and program with respect to workplace harassment.

At the time of the investigation the workplace parties stated workers receive annual information and instruction on the harassment program and policy.

DOCUMENTS REVIEWED:

1. Workplace Violence Prevention (B-23 A) dated September 5, 2024.
2. Workplace Violence Prevention Program (B-23 A.1) dated September 5, 2024.
3. Discriminatory Harassment (B-23 B) dated September 5, 2024.

The employer was reminded, pursuant to Section 50 of the Occupational Health and Safety Act (OHS/A/1990) "Reprisals by Employer Prohibited":



No employee or person acting on behalf of an employer shall,

1. dismiss or threaten to dismiss a worker;
2. discipline or suspend or threaten to discipline or suspend a worker;
3. impose any penalty upon a worker; or
4. intimidate or coerce a worker,

Because the worker has acted in compliance with this Act or the regulations.

At the time of the investigation the employer was provided a copy of "Information for workers and employers about reprisals" document, for reference.

Pursuant to OHS/A/90 section 57, subsection (10) (a), THE EMPLOYER SHALL POST A COPY OF THIS ENTIRE REPORT IN THE WORKPLACE WHERE IT WILL COME TO THE ATTENTION OF WORKERS.

Recipient	Inspector Data	Worker Representative
Name _____	Erica Gavin O.H.S.A. & B.O.S.T.A. INSPECTOR PROVINCIAL OFFENCES OFFICER 119 King St W, 14th Fl., Hamilton, ON, L8P 4Y7 MOLIHSHAMILTONEAST@ontario.ca Tel: (289) 244-0567 Fax: (905) 577-1324	Name _____
Title _____		Title _____
Signature 	Signature 	Signature _____

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Field Visit Type: **INITIAL**

Order(s) /Requirement(s) Issued:

To:
NORFOLK ASSOCIATION FOR COMMUNITY LIVING FOUNDATION

Org/Ind Role:
Primary Employer

Mailing Address:

664 IRELAND ROAD, SIMCOE, ON, CA N3Y4K2

Order(s) /Requirement(s) Description:

You are required to comply with the order(s) /requirement(s) by the Comply by dates listed below.

No	Type Code	Act/Reg	Year	Sec.	Sub Sec.	Clause	Text of Order/Requirement	Comply by Date
1	Time	OHSA	1990	32.0.6	2	a	The employer shall ensure the harassment program includes measures and procedures for workers to report incidents of workplace harassment to the employer or supervisor. The harassment program did not include measures and procedures for workers to report incidents of workplace harassment to the employer or supervisor.	2025-MAR-21
4773DCSBQTS-4773-OR001								
2	Time	OHSA	1990	32.0.6	2	b	The employer shall ensure the harassment program includes measures and procedures for workers to report incidents of workplace harassment to a person other than the employer or supervisor, if the employer or supervisor is the alleged harasser. The harassment program did not include measures and procedures for workers to report incidents of workplace harassment to a person other than the employer or supervisor, if the employer or supervisor is the alleged harasser.	2025-MAR-21
4773DCSBQTS-4773-OR002								
3	Time	OHSA	1990	32.0.6	2	e	The employer shall ensure the harassment program sets out how a worker who has allegedly experienced workplace harassment and the alleged harasser, if he or she is a worker of the employer, will be informed of the results of the investigation and of any corrective action that has been taken or that will be taken as a result of the investigation. The harassment program does not set out how a worker who has allegedly experienced workplace harassment and the alleged harasser, if he or she is a worker of the employer, will be informed of the results of the investigation and of any corrective action that has been taken or that will be taken as a result of the investigation.	2025-MAR-21
4773DCSBQTS-4773-OR003								

Recipient	Inspector Data	Worker Representative
Name _____	Erica Gavin	Name _____
Title _____	O.H.S.A. & B.O.S.T.A. INSPECTOR PROVINCIAL OFFENCES OFFICER 119 King St W, 14th Flr., Hamilton, ON, L8P 4Y7 MOLIHSHAMILTONEAST@ontario.ca Tel: (289) 244-0567 Fax: (905) 577-1324	Title _____
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