

B.C. WORKPLACE

Employers face new bullying rules

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Employers in British Columbia returned to the office this week facing a whole new set of responsibilities, and potentially higher costs, related to the province's beefed-up anti-bullying legislation.

As of July 1, workers suffering mental disorders caused by "significant work-related stressors," or a series of traumatic events on the job, may now seek compensation through WorkSafeBC, similar to claims made in relation to workplace accidents.

For the first time, the law sets out harassment and bullying as behaviours that could trigger such a claim.

In the past, the Workers Compensation Act covered only those who suffered mental stress arising from a sudden or unexpected event, such as a bank teller involved in a holdup or an emergency medical worker shaken by trauma.

Employers are generally supportive of "any legislation that makes it safer for people to come to work," said Christian Codrington of the BC Human Resources Management Association, representing human resources professionals.

But many, particularly those representing smaller companies, are already voicing concern over the potential costs associated with revising or developing policy to match the new expectations, performing risk assessments and rolling out training programs to allow for better identification and reporting of

workplace stressors.

"This will be potentially new ground for many, many employers," Codrington said, adding that the language used in the legislation is also confusing.

"What is a 'significant workplace stressor?'" he asked. "How much is a normal level of stress and by how much must it exceed that in order for it to be compensable?"

"The challenge will be on WorkSafeBC to interpret this and put it into practice," he said.

Joe Pinto, program consultant with WorkSafeBC, said the agency plans to start out slowly "and train staff to approach this carefully and consciously."

He said WorkSafeBC receives about 1,000 claims a year related to mental stress. That number is expected to roughly double under the new legislation.

But, Pinto added, "It is very hard for us to predict what will happen."

WorkSafeBC handles about 150,000 claims every year, the majority related to physical injury and occupational disease.

If approved, compensation can cover lost wages, counselling and rehabilitation support and, in rare cases, permanent disability.

Richard Milton, a human resources manager with Telus, said the new provincial legislation gives employees another avenue to seek financial compensation for injury, but it should change little in terms of his company's workplace culture.

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