Human Resources Legislative Update

Ontario Passes Sexual Violence and Harassment Bill

Date: March 8, 2016

On March 8, 2016, the Ontario government passed Bill 132, Sexual Violence and Harassment Action Plan Act (Supporting Survivors and Challenging Sexual Violence and Harassment), 2015, as amended by the Standing Committee on Social Policy.

Bill 132 amends various statutes with respect to sexual violence and harassment, domestic violence and other matters. In addition to the amendments to statutes previously reported, amendments made at Committee include:

- the *Ministry of Training, Colleges and Universities Act* will now contain provisions to permit the Minister to conduct, or to direct a college or university to conduct, a survey of students and other persons relating to the effectiveness of the college's or university's sexual violence policy, and to require every college and university to provide its board of governors with an annual report setting out data regarding, among other things, the number of incidents and complaints of sexual violence made by students and the programs developed by the college and university to promote awareness of the supports available on these issues
- the *Private Career Colleges Act, 2005* will now contain provisions to permit the Superintendent to conduct, or to direct a private career college to conduct, a survey of students and other persons relating to the effectiveness of the college's sexual violence policy
- a change in the definition of "sexual violence" applicable to community colleges, universities and private career colleges to include an act targeting a person's gender identity or gender expression
- a new requirement in the *Occupational Health and Safety Act* that an employer shall consult with the committee or a health and safety representative, as the case may be, to develop and maintain a written program to implement the workplace harassment policy.

The Bill should be consulted for coming into force information.