



**Action on Workplace Stress:**

**Mental Injury Prevention Tools  
for Ontario Workers**

**PSYCHOLOGICAL SAFETY ACTION PLAN  
TIP SHEET FOR UNION LEADERS**



## **Action on Workplace Stress**

### **A Worker's Guide to Addressing Workplace Causes of Mental Distress**

This guide and resource kit will provide workers a basic understanding and a place to start to learn about workplace stress and what to do about it. The guide gives definitions, common causes of mental distress, legal frameworks (focusing on Ontario), possible actions to take, and resources available. It is an introduction and action guide created by workers for workers.

These tools are not clinical diagnostic tools. They are not meant to diagnose medical or psychological conditions or to be used by a physician to these ends. These tools are designed to identify problems that may exist within the workplace and provide possible avenues to address them.

This resource kit and tools are provided with a focus on the Ontario jurisdiction – workers in other provinces or in federally regulated workplaces should refer to their own legal framework.

# PSYCHOLOGICAL SAFETY ACTION PLAN TIP SHEET FOR UNION LEADERS

## Before You Begin

- You would benefit from understanding occupational law, principles and rights. Consider accessing basic health and safety training from your union or the Workers Health and Safety Centre (WHSC) <http://www.whsc.on.ca>.
- Remember to carefully document all concerns, issues, investigations, efforts, etc.
- Know that your employer is required by Ontario law to establish and maintain safe and healthy workplaces and specifically to “take every precaution reasonable in the circumstances to protect” you as a worker (Occupational Health and Safety Act, 1990, Sect. 25-27).

[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_90o01\\_e.htm#BK42](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90o01_e.htm#BK42)

## Your Role

As a workplace leader, your role is to expose problems, champion best practices, join with others, give voice to others, and advocate for workers to achieve justice with respect to psychological safety in the workplace.

## Actions to Take

### LEAD and JOIN TOGETHER

Unions in particular need be proactive in the care of their members with regards to workplace psychological health and safety. Psychosocial hazards that cause any type of mental distress (diagnosed or undiagnosed) should be treated like every other workplace hazard.

Whether the JHSC or HSR *leads* the prevention effort depends on the workplace. Workers acting together, or a union leadership, can spearhead their own efforts — and incorporate actions for the JHSC or HSR in tandem with their own strategy. The key here isn't who is leading the action — the goal is to involve many people (and committees) within the workplace to draw attention to these hazards and push for change.

### Investigate and make recommendations

If a workplace is unionized, leaders should:

- identify psychosocial hazards (see Fig 2) via reports from the workers and the JHSC or worker HSR and report to the supervisor/employer
- bring together sources and JHSC members/HSRs to ensure unresolved psychosocial hazards are investigated by the JHSC or worker HSR

- ensure evidence is gathered to support assertions. Use the [COPSOQ](#) where appropriate.
- ensure action plan developed based on evidence gathered
  - identify the cause(s) of mental distress in the workplace
- use grievances, JHSCs, and other forums as appropriate to recommend courses of action to the employer that may include the following elements (e.g. in Ontario as a written recommendation from the JHSC as per sections 18 and 19.1 of the Occupational Health and Safety Act (1990)):

[http://www.elaws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_90o01\\_e.htm#BK42](http://www.elaws.gov.on.ca/html/statutes/english/elaws_statutes_90o01_e.htm#BK42)

- develop prevention program
- clarify reporting mechanism for workers suffering from mental distress, with particular attention to the legal requirement for employers to report disabling incidents to the JHSC/HSR/trade union(s) (Occupational Health and Safety Act, 1990, Sect. 52)
- training on psychosocial hazards for JHSC or worker HSR and supervisors
- training on psychosocial hazards for workers
- worker access to medical intervention and workplace support and reintegration
- consider workplace sub-committee (of the JHSC) for psychosocial hazards
- consider negotiating language about psychologically safe workplace
- watch out for precarious workers who have no “voice” and join together with them
- ensure vulnerable injured workers are protected from premature return to work that may cause or aggravate psychological stress and/or physical injury
- join with other bargaining units, locals, worker groups, etc. to share information, strategies, momentum etc.

### **UNIONS CAN CALL MOL and ask that an inspector come and investigate**

Every provincial and federal jurisdiction has inspectors that enforce occupational health and safety legislation. For example, Ontario’s Ministry of Labour has approximately 430 inspectors whose job it is to enforce Ontario’s Occupational Health and Safety Act (1990). Inspectors in all jurisdictions inspect workplaces, decide on work refusals, respond to worker complaints, and can write orders to employers or prosecute employers when employers fail to comply with health and safety legislation, or fail to take reasonable precautions to protect workers. Find how to contact the Ministry of Labour here:

[http://www.labour.gov.on.ca/english/about/reg\\_offices.php](http://www.labour.gov.on.ca/english/about/reg_offices.php)