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## **New Workplace Harassment Regulations**

### *Bill 132 Becomes Law in September*

This Fall (September 2016), Ontario will implement its newest workplace harassment prevention measure. The *Sexual Violence and Harassment Action Plan Act*, also known as Bill 132, will become law.

This is an enhancement to the *Occupational Health and Safety Act's* Bill 168 which became law in June 2010, requiring all employers to draft policies dealing with workplace violence and harassment.

Now, in addition to drafting policies and developing programs to assess and manage threats of violence and harassment, employers will need to go one step further by ensuring that their workplace harassment program includes:

- A reporting mechanism;
- A requirement to investigate any complaint of harassment and report investigation outcomes to complainants;
- Ensuring all employees are trained in the new procedures;
- Expanding the definition of "workplace sexual harassment";

It also appears that Bill 132 will effectively end the practice of many employers who choose to internally investigate their own harassment complaints. The Bill expands the powers of the Ministry of Labour to order an employer to conduct an investigation by an impartial third-party at the employer's own expense and report the outcome of their findings to the complainant (a practice not consistently followed by many employers).

For the most part, your existing workplace harassment and violence prevention policies will address most if not all of these new requirements. However, you should review your programs to ensure they meet Ontario's latest chapter, particularly as it respects investigation procedures and reporting requirements.

# Bill 132

## Canadian Employers to Face \$5.6 Billion Bill for Specialty Drugs



*Advances in Medications and Shifting Treatment from Public Healthcare to Private Plans May Spike Costs*

Aging workforces, increased prescription drug use and the introduction of new “lifestyle medications” are only a few drivers trending drug benefit costs higher. Spending by Canadian employers on life-saving specialty drugs is another (for example, those used to treat chronic conditions such as cancer or hepatitis C). Some studies predict these costs could double to \$5.6 billion for private plans by 2020.

This alarming trend was identified in a recent report published by *Express Scripts Canada*, which has analyzed prescription drug claims made by employees across Canada.

With up to 7,000 new specialty drugs currently in the development pipeline, and the number of patients requiring these treatments increasing, the study projects that the cost to employers is going to be significant.

Other key findings from this study include:

- Injectable treatments administered in hospitals or clinics are rapidly being replaced by new medicines that can be taken by patients at home. This is a very significant development because it shifts the cost from public plans (which normally cover the cost of drugs administered in a hospital), to private plans.
- To put this in perspective, close to half of all new cancer drugs in development are oral medications. Cost impact to private plans hasn’t materialized, but will in future.
- Many patients appear to be uninformed when it comes to selecting drugs that will benefit them at the lowest cost possible. Those who do not have the right information and support services are choosing more expensive medications when lower-cost alternatives provide similar results.
- Worse still, many out-patients are not following their doctors’ instructions on how to properly self-administer these medications, resulting in further health issues and an even greater financial toll on benefit providers and ultimately the public health system. A ‘lose, lose’ scenario.

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## **\$5.6 Billion Bill for Specialty Drugs**

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That everyone should have access to life-saving medications is without question. However, increasingly many of these treatments will no longer be administered through the public health care system, but rather through employer-sponsored plans. Ensuring you have strategy to manage these risks and costs has never been more important.

As an employer / plan sponsor, you are well advised to take action now to ensure your program remains viable and does not become unaffordable -- or make it necessary to transfer the additional burden of cost and financial risk to employees, undermining the effectiveness and value of your benefit program.

Make certain your insurer and broker are aware of these developments and have the resources and expertise to respond in this evolving environment. We can also provide you with strategies to ensure your employees are protected and your plan remains economically viable.

## **Ministry of Labour Launches an Inspection Blitz**

From now until the end of March 2017, Ministry of Labour inspectors will visit Ontario workplaces spanning industries such as food services, retail, construction and mining, to investigate potential violations to Provincial occupational health and safety laws.

Workplaces most likely to be targeted will be those with employees who are at a higher risk for occupational injury, as well as workplaces that have a history of violations or safety incidents.

If you've had a higher than average record of incidents in the past, expect a visit this summer. Workplaces with what the Ministry deems 'vulnerable' workers (i.e.: temporary foreign workers, young workers / summer students, and employees of repeat violators) are also more likely to be inspected. These site audits will go beyond H&S reviews to include a review of work hours, pay, and overtime practices.

For a complete 2016-2017 blitz schedule visit the Ministry of Labour website to see if your industry or region is a likely inspection target: <https://www.labour.gov.on.ca/english/resources/blitzschedule.php>



In addition to providing a variety of Human Resources, Organizational and Management Consulting services, we offer Recruiting solutions as well. Below are some of the Projects we are currently managing on behalf of Clients:

 [2016 - Account Manager \(Insurance Agent\) - Lindsay-Ontario](#)

 [2016 - Accounting - Tax Seniors-Managers-Technicians - Central Eastern Ontario](#)

 [2016 - Administrative-Customer Service Coordinator \(LLQP\) - Peterborough, ON](#)

 [2016 - Customer Service Manager - High Growth Retailer - Windsor, Ontario](#)

 [2016 - Director of Quality \(Food Manufacturing\) - Lindsay-Peterborough Region](#)

 [2016 - Estimator-Purchasing Manager -Home Builder- Peterborough](#)

 [2016 - Industrial Sales Rep \(CSS\) - Heavy Equipment - Hamilton](#)

 [2016 - Maintenance Reliability Manager - Fort McMurray](#)

 [2016 - Outside Sales Representative Office Products - Peterborough](#)

 [2016 - Production Worker \(Moulding Operator\) -Manufacturer- Peterborough, Ontario](#)

 [2016 - Senior Wills Estate Lawyer - Peterborough Ontario](#)

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