# Preventing Psychological Injury in the Workplace

## In preparation of a new YWCHSB health and safety regulation

May 7th, 2019

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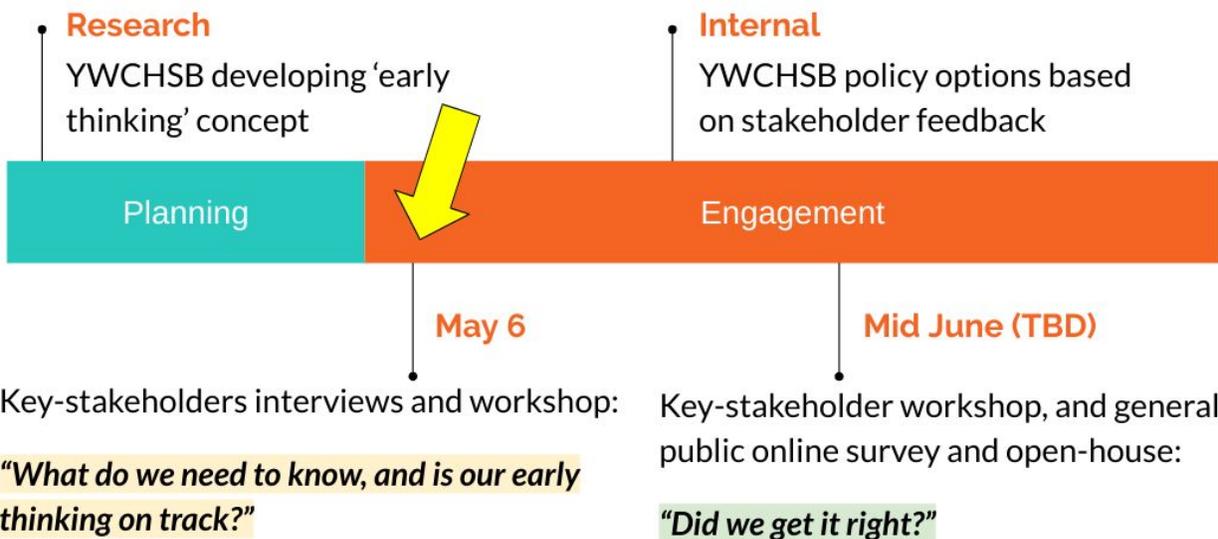Proud member of [NorthLight Innovation](#), Whitehorse
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## Workshop purpose

Yukon Workers' Compensation Health and Safety Board (YWCHSB) invited a variety of stakeholders to a May 6th workshop to help better understand perspectives about the prevention of psychological injuries in the workplace, particularly in regards to violence and harassment, in the best interests of employers and workers.

This first workshop was the kick-off public engagement event and focussed on identifying key considerations as well as testing early policy ideas.

# Timeline



**Research**
YWCHSB developing 'early thinking' concept

**Internal**
YWCHSB policy options based on stakeholder feedback

Planning | Engagement

**May 6**

**Mid June (TBD)**

Key-stakeholders interviews and workshop:

*"What do we need to know, and is our early thinking on track?"*

Key-stakeholder workshop, and general public online survey and open-house:

*"Did we get it right?"*

## Stakeholders' initial key questions

**What is the most important question this conversation needs to consider?**

| | |
|---|---|
| By identifying violence and harassment, is YWCHSB getting it right? | How will we get employer and employee buy-in when it comes to the new regs? |
| How do we break down the barriers and stigma around mental health to allow employers and employees to have open and honest conversations about this? | How to ensure regulations provide for non-adversarial supports to address and the assess? (Bullying, abuse of authority, sexual harassment etc.) |
| How do you address a topic this big with so many factors to consider? | How do we help people understand Mental Health? |
| How do we help prevent psychological injuries in the workplace? | Where is a worker to go when an incident happens in a small business? |
| What constitutes psychological injury that will be covered under the new regulations? (i.e. difference between stress and psychological injury?) | How are we able to deliver a mental health awareness program that is effective and accessible to all workers? |
| What types of supports, tools and guides will be provided to help employers conduct Hazard assessments? | How do we ensure employers and workers have the tools they need to understand and comply with the proposed regulations? |
| How to make legislative change that improves the psychological health and safety regime for all parties involved? | How do we build a legislative framework scaled for 1 to 10 person businesses with no dedicated HR resources or expertise? |
| What is a psychologically safe workplace? | What needs to be in place to prevent psychological unsafe workplaces |
| What tools and resources will be available to stakeholders? | What tools are we going to have to ensure we are on the right track to meet the regulations? |

## Group deliberation of 'key questions'

- Is there a tension by having large organizations apply their reality to small organizations? In other words, will there be a distinction between government and businesses and their respective capacity?
- There are different levels of understanding around this topic which suggests an education opportunity
- Measuring ability matters in defining the problem and coming up with solutions
- How do we ensure processes are not adversarial so that tension isn't raised further? This is connected to how things are legally defined, we need to ensure the process of investigation does not lead to increased trauma
- What are the numbers of real incidents in the Yukon?
- Early interventions are key: how can we support supervisors given high workload?

## Initial stakeholder 1:1 interview themes

| Affirmation of need | Importance of scalability |
|---|---|
| Multiple paradigms | Address stigma |
| Regulation as one tool | Successful application |
| Culture matters | Addressing 'soft stuff' |
| Challenges | Learning from others |
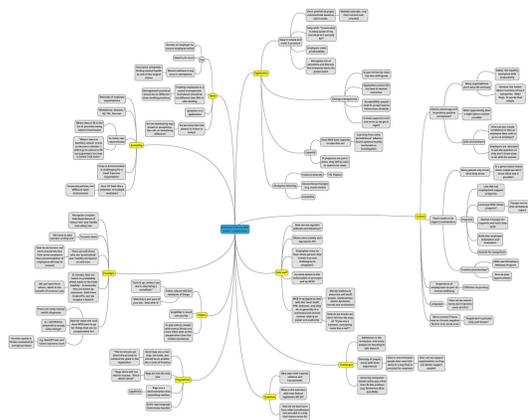
## "When you think about this conversation, <u>what</u> do we need to consider?"

- Resources: where do people go?
- Fairness: for large and small employers, as well as supervisors
- Literacy: common language and understanding as these terms mean many things to many people, which is a problem
- Affirming connection of harassment and violence to psychological injury
- There is a responsibility on the employer to support mental health
- Understand violence from small employer and employee perspective, like a robbery, and the impact that has on people
- Preventing harassment from ever happening makes a difference

## "Given 'what' needs to be considered… <u>so what</u> does it mean?"

- What are the elephants in the room? Are there icebergs where we are only exploring the tips knowing there is way more below?
- Importance of scalability namely between larger and smaller employers: how do we ensure approaches fit the diversity of workplaces?
- Thresholds: do you determine by issue of impact?
- Measurability: how does Yukon fit in an international context? What is our landscape? The situation in Yukon should determine the strategy, therefore let's figure out what we know and what we don't know. For example, we know there is a high alcoholism rate and mental health metrics are comparable to global metrics
- YWCHSB is seeing increases in mental health-related claims and some are compensable while some are not, such as stress. Where are the patterns heading?
- Many people bring strong lived experiences whether it's residential schools or immigrants coming from war-torn countries
- Focus on prevention in the workplace
- Literacy: link to employer and their scope of responsibilities at the workplace. There is fear that employers will be responsible for everything

## "Given 'what' and 'so what', when we think about the future: <u>now what</u>?"

- Let's co-host a Yukon event to build understanding and provide tools
- Could we use CSA standards for psychological wellness in the workplace? They provide a really good starting point and provide support on resilience and interpersonal reactions by linking people to each other. The question is how do we operationalize especially for a smaller organizations?
- What about trauma-exposed workplaces: how do we prepare for them? How do we build resilience? What are the conditions that build resilience?
- Regarding the 2017 legislation and notion of "psychological injury": need clarity of definition of occurrence. What does it look like? How to prepare employers? What is the application? It is easy for PPE, how do I do a 'tailgate' on mental health?
- We need to tackle the stigma of mental health. There are many factors ranging from pre-existing to environmental. We also need to work in the reality of small-town and confidentiality challenges
- What can be done ahead: the 'inoculation question'?
- Let's manufacture opportunities for collaboration so that we pool resources and address our collective limited capacity

# Evaluation of Initial Policy Ideas

## Part 1: Hazards

- Application and ability to identify: due diligence is not about perfection but about best efforts; this needs to be clear
- The concept of hazard assessment: often organizations get one done but never again.  What drives that behaviour: the department or physical locations? How do we ensure assessments become a standing agenda item?
- Guidance: concerned about being over prescriptive, think scalability of employers
- Issue of definitions: some can be more clear than others: concern that everyone is consistent about what is and what is not within scope and responsibility
- How much of this is simply connected to bad management?  How do we promote good managers to mitigate the situation in the first place?
- Be sensitive that some terms can be generalized or made slang while others are legal.  Need to be clear especially with the public
- Assessment capacity: concern who conducts the assessment. The right skill set is critical and would be very different from physical assessment skill-set
- Key aspect of assessment is prevention
- Ensure there is focus on violence and harassment

## Part 2: Violence and Harassment

- #2 and #5: Issue is idea of judgment.  Feels like a slippery slope.  For example, in the situation of family violence, are the 'sins of the father transcended to the son'?
    - Key is not being too literal and having rationale
    - YWCHSB should clarify the types of procedures with examples
- Intent: what about types of employment where trauma is prevalent such as EMS?
- Application to small workplaces: have templates that people can easily adopt.
- Need to be clear about what we want workplaces to do: be aspirational
- Yes, workplaces can combine all parts into one health and safety manual
- Question of scalability: should we be exploring opt-in, exemption, tiered or risk-based options?  (To be clear this is not an "if" question but "how")
- Legislation needs to be geared to scale of employer
- What is the culture of Yukon's bigger employers?  Is there a culture of advancing by bullying?  Does the Yukon have a bullying problem