## MENTAL HEALTH AND WELLNESS

[Organization Name] recognizes that psychological injuries may be work-related, and discriminatory treatment based on mental health disabilities and addictions may occur in the workplace. There are laws in Ontario that cover three diﬀerent areas that are discussed below:

* freedom from discrimination and duty to accommodate
* workplace safety insurance
* occupational health and safety

Freedom from Discrimination and the Duty to Accommodate

The Ontario Human Rights Code states that every person has a right to equal treatment in employment without discrimination or harassment based on disability, among other grounds. Disability includes mental health disabilities and addictions.

For example, an employer cannot fire a worker or deny them a job or promotion because of mental health issues or other disabilities. The employer has a duty to accommodate the workers' disability-related needs unless doing so would cause undue hardship, based on high costs or health and safety factors.

The Ontario Human Rights Code sets out the roles of the three pillars of the human rights system:

* Ontario Human Rights Commission (OHRC)
* Human Rights Tribunal of Ontario (HRTO)
* Human Rights Legal Support Centre (HRLSC)

The OHRC has a mandate to protect, promote and advance human rights in Ontario through Education, policy development, public inquiry and litigation. It has developed a policy on preventing discrimination based on mental health disabilities.

Workplace Safety Insurance

A worker may be entitled to compensation under the Workplace Safety and Insurance Act (WSIA) if they experience chronic or traumatic work-related mental stress.

Post-traumatic stress disorder presumption

If a speciﬁed professional diagnoses certain workers with post-traumatic stress disorder (PTSD), the Workplace Safety and Insurance Board (WSIB) may presume their PTSD is work-related unless proven otherwise.

This applies to workers, including:

* nurses who provide direct patient care
* provincially regulated first responders (for example, paramedics, police, firefighters)
* speciﬁed workers in a correctional institution

Occupational Health and Safety

Workplace violence and workplace harassment may result in psychological injury. The Occupational Health and Safety Act (OHSA) sets out the rights and duties of all those who have a role in dealing with workplace violence and workplace harassment.

The OHSA requires employers to:

* have workplace violence and workplace harassment policies and programs in place
* ensure that appropriate information is shared with workers about these policies and programs

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