

The Ontario Government's Bill 21 proposes new workplace obligations for retirement homes

"*An Act to regulate retirement homes*" passed second reading on April 22, 2010, and is currently being considered by the Standing Committee on Social Policy. The proposed legislation aims to protect retirement home residents by imposing a number of obligations that will promote "zero tolerance" of abuse and neglect of residents.

If passed into law, Bill 21 would require retirement home operators to screen prospective employees and volunteers. The current draft of the legislation requires a police background check for any prospective employee or volunteer 18 years of age or older. Regulations, which have not yet been drafted, may require additional screening measures.

Operators would also be required to ensure that all staff have the proper skills and qualifications to perform their duties. Staff would be required to receive training in a number of areas including:

- the Residents' Bill of Rights;
- promotion of zero tolerance of abuse and neglect of residents;
- injury prevention;
- emergency plans and infection prevention and control programs.

Employees who provide direct care to residents would be required to undergo additional training relating to matters such as abuse recognition and prevention, caring for residents with mental health issues, and behaviour management.

The proposed legislation also requires operators to take steps to ensure that staff are able to recognize and report certain types of improper conduct, such as resident abuse, neglect or other forms of improper treatment. It also provides protection for "whistle-blowers" who report incidents of this nature. Employees who do not have access to a grievance process would be able to pursue complaints of employer retaliation with the Ontario Labour Relations Board.

On Monday, May 10th, the Standing Committee on Social Policy began consideration of the provisions of the proposed legislation. Interested parties are entitled to make written submissions to the Standing Committee until 5:00 pm Friday, May 14, 2010. Information on how to make a submission can be found at the following [web page](#).

For further information, please contact [Vicky Satta](#) at (613) 940-2753.

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