

December 2022 Environmental Scan

A dark green, solid-colored shape that starts from the bottom left corner and extends diagonally upwards towards the right, covering the bottom half of the slide.

On social media

- GoC return to office raises recruitment concerns
- Harassment by a coworker
- Mental health at work
- Instagram account @Ottawa_Bubble_Memes posts anonymous confessions, including stories about ADMs relationships with junior staff.





Dan Istead 🇨🇦 @isteadde · Dec 20



Take a look. Running a few IT comps and have had a number of undergrads pull applications since [#RTO](#) announcement... [#GCDigital](#)

Canadians' 2023 plan? Find a new job

By Ben Cousins, Editor at LinkedIn News

Updated 1h ago ⓘ

About half of Canadians plan on looking for a new job in 2023. A new survey from the business consulting firm [Robert Half's Job Optimism Survey](#) found 50% of respondents plan to search for a new job in the first half of the New Year, up from just 31% six months ago. A higher salary was the primary reason for 62% of respondents entering the job hunt, while better benefits (39%) and more opportunities for promotions (30%) also factored into the reasoning.





16



r/CanadaPublicServants · Posted by u/External-Mammoth-166 13 days ago



Labour Relation Officer Roles in my department

Union / Syndicat

I am in a difficult position with a teammate where I am being harassed. Reading this sub, I see mentions to contacting union for informal help.

I am on CAPE website and looking at Labour Relation Officers list. There is a person for our department, but I can't find their name in our internal directory. Do they work in the department as well or their position is a full time job with union?

I am worried about burning bridges as this teammate is very close to manager and well connected in department. However, I have been crying all day and this can't go on.



14 Comments



Award



Share



Save

...





15



r/CanadaPublicServants · Posted by u/throwawaytome674 22 days ago



How appropriate is it to tell my manager about my mental health as an FSWEF student?

Students / Étudiants

I'm currently an FSWEF student and started in my department in the summer and moved to part time work in september. I have struggled with depression and anxiety since I was a kid and was medicated for it. Before I began my job I had stopped medication for the first time since I started them and was coasting through life without them. However now that I'm back in school it turns out that not being on medication and then trying to get back on them after having such a high tolerance after years and years of taking them is not easy. I'm struggling without taking medication but also struggling to take them as they make me extremely drowsy.

I have had to put in for accommodations and accessible education in university because of how severe my depression and anxiety is and feel that it may be necessary to also inform my manager as it is something that effects my day to day life and how i perform at work (i'm starting to hand in projects late). But is that the right thing to do? My boss is very supportive of me and my performance but i don't want them to think i'm suddenly slacking off. How informative should I be?



11 Comments



Award



Share



Save ...



send me anonymous
messages!

FIN EX02, treats women
like they're less, lies to
hide it but we all saw it,
and gives special
treatment to his male
employees. Has clashed
w all female EX03s over
him, which were ALL
amazing. You're the
problem, sir. We know
you and we see you.

You hear that? We're
👁👁👁👁👁 you.

NGL

anonymous q&a

send me anonymous
messages!

re: ADM from ECCC who
slept with junior staff ...
it was well over 5 years
ago.

Is there a statute of
limitations?

NGL

anonymous q&a

send me anonymous
messages!

DND is one of the most
toxic work environments
in the PS! Too bad!

DND hate is real

NGL

anonymous q&a

send me anonymous
messages!

CBSA's DM has about as
much integrity as an
extramarital affair with
your boss... Oh wait...

PCO Spy, are you
seeing this?

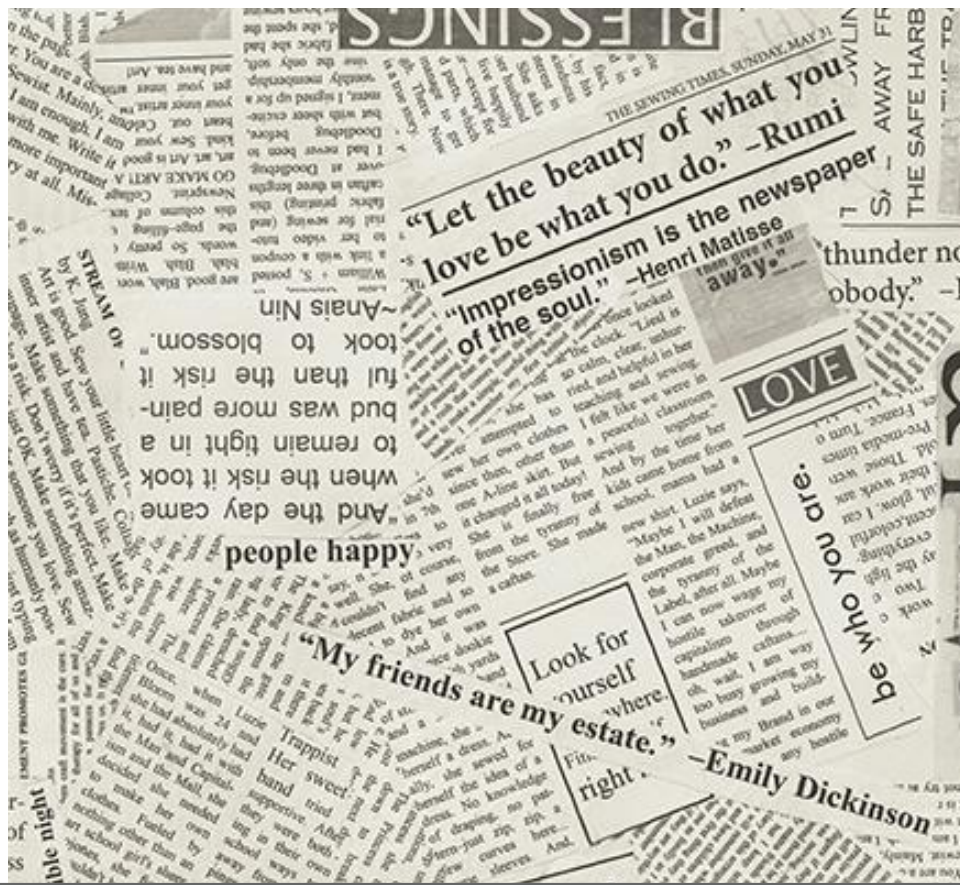
NGL

anonymous q&a



In the news

- Northern Health fined \$355K for failing to adequately complete workplace safety investigations
- City of Mississauga hit with nearly \$700K lawsuit as former councillor alleges repeated harassment
- 1 in 5 workers experience violence globally
- Domestic violence at work and pregnancy discrimination



Global survey: workplace violence, harassment is widespread

UNITED NATIONS (AP) — The first attempt to survey the extent of violence and harassment at work around the globe has found that workplace abuse is widespread, and particularly pronounced among young people, migrants, and wage earners, especially women.

More than 22% of the nearly 75,000 workers in 121 countries surveyed last year reported having experienced at least one type of violence or harassment, according to the report released Monday by the U.N. International Labor Organization, the Lloyd's Register Foundation and Gallup.

“Violence and harassment in the world of work is a pervasive and harmful phenomenon, with profound and costly effects ranging from severe physical and mental health consequences to lost earnings and destroyed career paths to economic losses for workplaces and societies,” the three organizations said in the 56-page report.

According to the findings, one-third of the people who experienced violence or harassment at work said they had experienced more than one form — and 6.3% said they had faced all three forms: physical, psychological, and sexual violence and harassment during their working life.

Labour group calls on government to address ‘growing’ workplace violence

The Canadian Labour Congress (CLC) is calling on the federal government to address the growing violence that workers face in the workplace.

“A call centre worker receives a torrent of verbal abuse while helping a customer. A nurse returns from work with bruises and torn scrubs after being attacked by an agitated patient. A barista is stalked by a regular customer. These stories are a daily reality for many workers across Canada — and unfortunately, current worker protections fall short,” it says.

“It’s high time for the federal government to wake up and say, ‘Never again’ to violence and harassment at work.”

ILO standard

In 2019, the International Labour Organization (ILO) Convention No. 190, also known as C190, was introduced as a global standard to establish the right to a world of work free from violence and harassment.

Employers and governments must act to end gender-based violence at work

At this time of year, we remember the 14 women murdered at l'École polytechnique de Montréal on December 6, 1989, and all others who have lost their lives to gender-based violence.

The USW is joining with unions and social-justice organizations around the world to mark the 16 Days of Activism Against Gender-Based Violence. From Nov. 25 until Dec. 10 – including Dec. 6, the National Day of Remembrance and Action on Violence Against Women – we amplify our demand for an end to the violence.

In 2022, we demand that governments act to end gender-based violence at work. This violence often takes the form of harassment and disproportionately impacts women, Two Spirit, trans, non-binary and gender-nonconforming workers.

Employers must ensure a safe and healthy workplace. And the federal government must put in place a concrete plan to ratify and implement the new international convention, C-190, to eliminate violence and harassment from the world of work.

More than 5 paid days needed to escape domestic violence, say advocates

The Government of Nunavut is caught up with the rest of Canada in offering family abuse leave, and while some experts applaud the move, they say more support is needed for survivors in the territory.

The territorial government implemented the policy, which consists of five days paid and five days of unpaid leave, for its employees in August.

Nunavut is the last Canadian jurisdiction to make domestic violence leave available to government employees, following the Northwest Territories in 2020. It is now on par with other provinces and territories, most of which offer some paid leave. British Columbia and Alberta offer domestic violence leave, but it is all unpaid.

Nunavut is also one of the jurisdictions in Canada most affected by domestic violence.

The rate of domestic violence in Nunavut is nine times higher than the rest of Canada, according to research done by the Qaujigiartiit Health Research Centre in 2019.

Inuit women specifically experience domestic violence at higher rates than any other group of women in Canada, according to Gerri Sharpe, president of the national women's organization Pauktuutit.

AFN begins assembly amid still-simmering internal tensions

The national chief of the Assembly of First Nations (AFN) and its executive committee plan to present a united front during the December special chiefs assembly, starting today in Ottawa, but tensions continue behind the scenes and workplace complaints from both sides remain unresolved, according to sources.

Conflict engulfed the AFN's last gathering, in July in Vancouver. The committee had temporarily suspended National Chief RoseAnne Archibald amid accusations of workplace bullying and harassment, until First Nations leaders at the Vancouver assembly voted to reinstate her.

Archibald, meanwhile, accused CEO Janice Ciavaglia of undermining her through collusion with those complainants, according to a July 4 briefing note, distributed by the executive committee, from the law firm Stockwoods Barristers.

Archibald and the executive committee — which is made up of chiefs representing 10 regions — were eventually ordered to set their differences aside and work together, by a resolution from the member First Nation chiefs, who ultimately set the direction of the organization.

Health-Care Workers Are Facing an Epidemic of Violence

Ten years after she was assaulted at work, Pam Owen still remembers her attacker's empty eyes as he pinned her backwards over a washing machine and beat her head.

"There was just nothing there, he was not registering anything," said the former recreational therapist, who worked with mental health and addictions patients for Vancouver Coastal Health.

The pain of being wrenched backwards was so blinding Owen did not realize the attacker had strangled her and punched her repeatedly in the face until he was pulled off by three nurses, five long minutes later.

In shock, Owen drove herself home from the UBC Hospital to Vancouver's North Shore, insisting to colleagues she was fine. But the horrified looks of her husband and son at the bruises and scrapes on her neck and face when she arrived home on March 17, 2012, instantly convinced her otherwise.

Her mental and emotional injuries would run deeper and last far longer than the serious physical injuries.

Mental health tips for retail, hospitality employers ahead of holiday season

The Mental Health Commission of Canada (MHCC) is offering two new tip sheets for the retail and hospitality industries to support workforce wellbeing ahead of an anticipated rush during the holiday season.

"As many retail and hospitality workers are preparing to welcome customers and clients in droves, we need to be mindful of these workers' collective mental health and create workplaces that are psychologically safe," says MHCC CEO Michel Rodrigue.

One of the tip sheets gives advice for employees so they can support themselves and their teams during a busy time.

The other tip sheet is for managers and how they can protect themselves as well as their teams from physical and mental harm. Some of the common advice for employers and employees includes being aware of available mental health resources and wellbeing benefits, communicating with empathy, and protecting colleagues from harassment and bullying.

Interim CEO Caroline Dromaguet named permanent head of Canadian Museum of History

Carole Beaulieu, chair of the Museum of History's board of trustees, said in appointing Dromaguet as the permanent CEO, the board was celebrating Dromaguet's creativity and collaborative leadership style.

Article content

"We look forward to building the future together."

Both museums have faced the pressures of the pandemic. The Museum of History faced an investigation into allegations of workplace harassment after a formal complaint was laid in 2020. In April 2021, then-CEO Mark O'Neill, who was the subject of the complaint, resigned two months before his official end date.

A third-party assessment found that while the museum has had great success in results such as attendance and advancing research, bad behaviour was common and "left unchecked," including incidents of bullying, put-downs, demoralizing behaviour and fear-driven leadership, according to an April 2021 report from the company BDO, which has been made public by the museum.

Northern Health fined \$355K for failing to adequately complete workplace safety investigations

WorkSafeBC has fined the Northern Health Authority \$355,249 for failing to adequately complete workplace investigations related to safety.

According to the WorkSafeBC website, the agency inspected a long-term care facility in Fort St. John, B.C., in response to an incident of violence against a worker. The agency found the investigation reports for that incident and several past incidents "lacked key information such as underlying causes and corrective actions."

It also said the employer failed to ensure a report of its full investigation was prepared in accordance with WorkSafeBC guidelines.

"This was a repeated violation," the website read. In a statement, Northern Health said it is working to improve its investigation platform to help staff report incidents more efficiently.

"Northern Health has a robust reporting process to address hazards and near-misses to support a strong safety culture and environment. Northern Health's injury rate is lower than the provincial health-care average, and NH continues work to advance the health and safety management system," the statement read.

City of Mississauga hit with nearly \$700K lawsuit as former councillor alleges repeated harassment

A former Mississauga city councillor has filed a lawsuit against a former council colleague who allegedly repeatedly harassed her, and also the City of Mississauga for its failure to “take preventative action to prevent harassment or the creation of a poisoned environment.”

Former Ward 2 councillor, Karen Ras, resigned in January citing “workplace issues” and her inability to appropriately address them in her role. She was first elected as city councillor in 2014 and was re-elected in 2018.

“Make no mistake – being an elected official and councillor is a tough job. As rewarding as it can be, we deal with some difficult people that make us question ‘is this worth it?’ and at times raise concerns for our personal safety,” Ras wrote in a statement on her website in January.

It was later revealed that her car was repeatedly scratched over a span of two years while parked in a city hall lot and that then-Ward 6 councillor Ron Starr was allegedly behind the vandalism.

Report outlines toxic workplace for CBRM firefighters

Firefighters in the Cape Breton Regional Municipality are calling for change after releasing a report that describes a toxic workplace due to bullying and harassment.

The Cape Breton Firefighters Association Local 2779 says they were only able to see the 2018 report this summer, after filing a Freedom of Information request that took nearly four years to fulfil. The workplace audit was prepared by Ontario-based Bernardi Human Resources Law.

The association claims the CBRM and management within the fire service had access to the report since 2018, but did not allow members to see it. The union shared it with reporters this week.

"We have a saying at work," said Donnie Whalen, association president. "It's the best job in the world. It's the most hateful place to go to work."

The report describes a broken culture with low levels of trust and morale. Whalen says there are 70 full time firefighters within the department who were surveyed. Nearly 30 took part in the audit in 2018. The report found 80 per cent of respondents said the employer did not make an effort to prevent harm from harassment, discrimination and violence from management. The same number of respondents said their workplace is not psychologically safe.

More than 1 in 5 workers globally experience violence, harassment

More than one in five people have experienced violence and harassment at work, according to a new analysis released by the International Labour Organisation (ILO).

The analysis found that 22.8% of the respondents across 121 countries said they have experienced violence and harassment at work, whether physical, psychological, or sexual.

Broken down, the harassment and violence was psychological (17.9%), physical (8.5%) or sexual (6.3%).

"Psychological violence and harassment is the most prevalent across countries and women are particularly exposed to sexual violence and harassment," says Manuela Tomei, ILO assistant director-general for governance, rights and dialogue.

Why employees aren't coming forward

More than three out of five victims said they had experienced violence and harassment at work multiple times, according to the report.

TDSB could see record high number of violent incidents if current trend continues

A report prepared by Toronto District School Board (TDSB) staff points to escalating violence at public schools in the city.

For the 2022-2023 school year, the document states that if the current trend continues, the board would be on track to report its highest number of violent incidents since 2000, when it first began tracking that data.

On Wednesday evening, the board held a continuation of a Monday night's special meeting, which included virtual submissions from parents, youth advocates, trustees and community leaders.

In recent weeks, the country's largest school board has grappled with rising reports of violence, and numerous lockdowns.

One of the most contentious issues to arise from discussions about possible solutions was the concept of reintroducing police officers to schools.

Albertans asked to provide input on how to combat violence and extremism

The Organization for the Prevention of Violence has released a survey aimed at gathering input from Albertans from across the province and across various communities to gain insights into how they are affected by hate. John McCoy, executive director of OPV, said they are hoping to hear about how different hate incidents have affected both individuals and communities.

The survey, heralded as a first of its kind in Alberta, will be used to create policy recommendations that will be presented to the provincial government next year. The survey will be accessible until Dec. 31 and takes approximately 15 minutes to complete.

“What are their experiences with hate crimes and incidents at the individual level at the family level, but also at the community level?” said McCoy. “This is really in line with what we do at the organization. We’re trying to use research to inform policy and practices related to prevention of violence.”

McCoy said the level of hate-related incidents has been on the rise for the past decade. However, he said the public data on such incidents is incomplete as governments have historically relied on police reporting to gather information. OPV is attempting to dig deeper into what racialized communities are facing.

Ontario Court Affirms that Workplace Sexual Harassment is not an Independent Tort

The Ontario Superior Court of Justice recently released a decision, *Incognito v. Skyservice Business Aviation Inc.*, 2022 ONSC 1795 (“Skyservice”), in which it struck out a Plaintiff’s claim for vicarious liability against her employer, Skyservice Business Aviation Inc. (the “Employer”) in connection with workplace sexual harassment allegations by the Plaintiff against another employee.

Skyservice affirms that sexual harassment is not an independent tort and does not give rise to a stand-alone civil cause of action, and further that an employer cannot be found vicariously liable for such claims. In considering the interaction between the Ontario Human Rights Code (the “Code”) and the common law, Skyservice specifically upheld that the Code precludes individuals from bringing civil claims in respect of matters dealt with under the Code.

Legislative Background – Human Rights Code & Civil Remedies

By way of further background, starting with the Supreme Court of Canada’s decision in *Seneca College v. Bhaduria*, 1981 CanLII 29 (SCC) (“Bhaduria”), Canadian courts have consistently enforced the Code to preclude plaintiffs from pursuing common law remedies, in part on the basis that the Code already contains comprehensive enforcement schemes for violations of its substantive terms.[1]

It's time to end gender-based violence at work

A call centre worker receives a torrent of verbal abuse while helping a customer. A nurse returns from work with bruises and torn scrubs after being attacked by an agitated patient. A barista is stalked by a regular customer. These stories are a daily reality for many workers across Canada—and unfortunately, current worker protections fall short.

For the past three decades, during the 16 Days of Activism against Gender-Based Violence, individuals and groups around the world have called for the prevention and elimination of all forms of gender-based violence against women and girls.

This year, we are casting a light on the disturbing and growing phenomenon of third-party harassment and violence in the world of work.

A recent survey by the Canadian Labour Congress paints a horrifying picture. Seven in ten workers have experienced harassment and violence at work in the past two years—often at the hands of third parties such as customers, patients, and members of the public. That's the majority of us, and the people we work with. Women and gender-diverse workers are at higher risk of third-party violence because they dominate public-facing jobs.

Black Montrealer says police racial profiling cost him his job

Carl Luberisse didn't anticipate a short drive to the depanneur would lead to racial profiling, hundreds of dollars in fines and the loss of his job.

While on a lunch break this September from his job as a forklift driver at Bveggie in Laval, the 41-year-old decided to get chips at the nearest convenience store.

On his way back, Luberisse said, he was parking his car when police stopped him and demanded to see his identification.

Luberisse declined, saying they didn't have a reason to stop him and he was now late.

Under Quebec's Highway Safety Code, police officers can stop a vehicle they find suspicious. But Luberisse was already out of his car and was back at his workplace, where — according to a video obtained by CBC — a police officer prevented him from entering the building.

Winnipeg librarians were worried about growing violence before fatal stabbing, union says

The union for Winnipeg's librarians tried to sound an alarm about an increase in violence and weapons just days before a man was fatally stabbed at the city's downtown Millenium Library, a union official says.

Gord Delbridge, president of CUPE Local 500, the union that represents 5,000 City of Winnipeg workers, said he sent an urgent letter to the mayor and city officials last week, calling for a meeting to address the safety concerns.

"Something has to be done. We're at the point now where we're no longer asking, now we're demanding," he told CBC News.

Officers were called to the library, at Donald Street and Graham Avenue, just after 4:30 p.m. Sunday. A man was rushed to hospital in critical condition, where he was pronounced dead.

Police have not said if the stabbing occurred inside or outside the library. Three boys, aged 14 to 16, have been arrested and charged.

Worker's perception of toxic workplace doesn't hold up to labour board scrutiny

The Nova Scotia Labour Board has dismissed a worker's constructive dismissal claim, finding that the workplace was not objectively toxic and the worker's negative perceptions affected her view of it.

“The fact that you may be dissatisfied with your workplace or you may be unhappy with certain things is not all that's needed to reach the threshold of constructive dismissal,” says Geoff Breen, chair of the Employment and Labour Group at Cox & Palmer in Halifax. “There needs to be such fundamental action that the employer is effectively evincing an intention not to be bound by the employment contract – [the worker's] subjective interpretation of events is not going to override that.”

The worker was employed with Cornerstone Cape Breton Association, a nonprofit charity organization based in Sydney, NS, providing domestic violence education and treatment.

Gender-based violence increased during the pandemic, and it's robbing women of their potential

Gender-based violence isn't something that's often spoken of at work.

But with one-third of women worldwide affected by gender-based violence and an increase in reported domestic or intimate partner abuse during the COVID-19 pandemic, it's an issue that can't be ignored, says Paulette Senior, president and CEO of the Canadian Women's Foundation.

"We all know someone that has experienced gender-based violence at home," Ms. Senior says. "They exist in our workplaces."

Incidents of gender-based violence increased by as much as 30 per cent during COVID-19 lockdowns in Canada, with racialized women disproportionately affected. Women's organizations, shelters and support groups received more calls for help at the height of the pandemic.

The increase in gender-based violence resulted in advocates and the UN calling the issue a shadow pandemic. According to UN Women, increased domestic violence intensifies concerns about victims' security, health and finances.

Sexual harassment in Toronto police forces 'unacceptable': Ontario labour minister

Police officers facing sexual harassment at work is “unacceptable,” Ontario’s labour minister said in response to a CTV News Investigates story about complaints claiming the Toronto Police Association (TPA) is failing to protect members facing harassment or discrimination.

Ontario Labour Minister Monte McNaughton said he would look into the state of Ontario law that gives victims of sexual assault few options when their union decides not to represent them — a situation two officers alleged happened repeatedly thanks to what they called a toxic culture at work that was reflected in the association’s behaviour.

“I think this is unacceptable and I’ve been working with the solicitor-general to make sure we get to the bottom of this and if there’s any action to be taken we’ll take some action,” McNaughton said.

The minister was responding to a series of stories by CTV News Investigates that outlined previously unreported complaints by Toronto Police officers that their association had failed to represent them in concerns of workplace harassment, leaving them with few legal options.

Hold resource sector accountable for violence against Indigenous women, MPs urge feds

The Canadian government should start holding resource development firms accountable for violence against Indigenous women that occurs in their industries, a House of Commons committee says.

Members of Parliament representing all major parties on Wednesday released findings of an eight-month study into links between resource extraction and violence against Indigenous women, girls and gender-diverse people.

They unanimously agreed it's time Ottawa forces the resource sector to start addressing its role in the crisis.

"This can be done by requiring companies to establish workplace safety plans and policies, track and report incidents of gender-based violence, educate workers about gender-based and sexual violence, cultural safety, and the effects of colonization on Indigenous peoples," the report says.

The Standing Committee on the Status of Women announced the study in April following a request from Manitoba NDP MP Leah Gazan. The committee heard from dozens of witnesses and offered 15 recommendations.

Canada: Roasted: Investigation Conduct Lands Employer Café In Hot Water

In the recent case of *Cho v Café La Foret*, the Supreme Court of British Columbia found that the Plaintiff was wrongfully dismissed and awarded him damages equivalent to a reasonable notice period and as well \$25,000 in punitive and aggravated damages. The decision, which stands out for its bizarre fact pattern, is instructive employers who are dealing with a complaint of sexual harassment within the workplace.

Background

The Plaintiff, a 60-year old Head Baker of the Defendant, was accused of sexual harassment of a much younger female subordinate employee by briefly touching her on the back of her neck, her shoulder, and later near her right buttocks. The Plaintiff was also accused by the employee of bullying her by refusing to let her eat an afternoon meal the same day as the touching incident.

The complainant left work after a second instance of touching by the Plaintiff. Her husband learned of the incident and confronted a manager, demanding that something be done about the Plaintiff.

Shortly thereafter, the Plaintiff was called into a meeting by the manager and was presented with the complainant's accusations. The Plaintiff admitted to having touched the employee but denied that the touching was sexual and asserted that he was merely demonstrating where he had experienced pain in the course of discussing a recent therapeutic massage. He offered to apologize or to quit in order to resolve the situation, but was instead told to not come to work temporarily.

Court Rules that Placement on Unpaid Leave for Violation of Mandatory Vaccination Policy is not Constructive Dismissal

In September 2022, the B.C. Supreme Court released its decision in *Parmar v. Tribe Management Inc.*. This was the first Canadian civil court decision to weigh in on whether an employer is entitled to place an employee on unpaid leave for non-compliance with a mandatory vaccination policy (“MVP”), and whether doing so constitutes constructive dismissal.

Background

The Defendant, a provider of condominium management services, implemented an MVP for its employees to help deal with the threats of COVID-19. The MVP applied to all employees and required them to be fully vaccinated by November 24, 2021. Employees who were non-compliant with the MVP after the deadline were to be placed on unpaid leave.

The Plaintiff objected to the Defendant’s requirement to get vaccinated. She did not claim to have any religious or medical reason for failing to be vaccinated. Rather, she raised concerns over the speed at which the COVID-19 vaccines were developed and distributed, and that there was limited data about their long-term efficacy and health implications for certain people. She stated that she was fearful of negative side effects from getting vaccinated, and cited her family’s health history, including negative health impacts allegedly experienced by family members in the aftermath of receiving a COVID-19 vaccine, as a factor in her position. The Plaintiff proposed various alternatives to vaccination, but she was advised that there would be no exceptions to the MVP.

Ontario to regulate campus employee–student sexual misconduct with Bill 26

BACKGROUND

On October 27, 2022, the Ontario government announced Bill 26, Strengthening Post-secondary Institutions and Students Act, 2022 (“Bill 26”). Beyond finalizing the legal name change of the former Ryerson University to the now Toronto Metropolitan University, Bill 26 proposes new rules on how Ontario post-secondary institutions (“PSI” or “PSIs”) will handle sexual misconduct cases between employees and students. These new rules will come into force on July 1, 2023.

In this blog, I will look at some of those changes and the questions arising from them.

SUMMARY OF PROPOSED CHANGES

Bill 26 will amend the legislation that regulates all publicly assisted PSIs and private career colleges in Ontario to include the following changes:

- New terminology such as “sexual misconduct” and “publicly-assisted university” with statutory definitions;
- New requirements for PSIs to have a sexual misconduct policy that has rules about employee–student sexual behaviour, as well as disciplinary measures if such rules are violated;
- New PSI powers regarding the discipline, termination, and rehire of employees found to have engaged in employee–student sexual misconduct;
- New limits on the use of non-disclosure agreements (NDAs) that usually prohibit any person related to the PSI from disclosing employee–student sexual misconduct; and
- New prohibitions on the ability of an adjudicator or board to substitute the disciplinary measures imposed by a PSI on employees found to engage in employee–student sexual misconduct.

Purolator delivers discharge to worker following security incident

An Ontario arbitrator has upheld the discharge of a worker who breached her employer's respectful workplace policy and then denied and tried to downplay her misconduct.

It's a good decision for employers because it affirms that employers should take seriously acts of misconduct, according to Rich Appiah, an employment lawyer and principal of Appiah Law in Toronto.

"The decision signals to employers that they have the right to take significant action in circumstances in which they're concerned that employees may engage in forms of workplace violence and harassment in the future."

Old cellphone in bag

The worker began working at a Purolator facility in Ontario in 2006. There was no discipline on her record, which was limited to the previous 12 months due to a sunset clause in the collective agreement.

Why it's time to talk about domestic violence at work. Plus, how to deal with pregnancy discrimination

Gender-based violence isn't something that's often spoken of at work.

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"We all know someone that has experienced gender-based violence at home," Ms. Senior says. "They exist in our workplaces."

Incidents of gender-based violence increased by as much as 30 per cent during COVID-19 lockdowns in Canada, with racialized women disproportionately affected. Women's organizations, shelters and support groups received more calls for help at the height of the pandemic.

Perhaps the most profound impact is that victims have untreated trauma and cannot live up to their potential, says Sue Bookchin, executive director of Nova Scotia-based Be the Peace, a non-profit that works to end gender-based violence.

Court filing provides more details in alleged Hockey Canada sexual assault

In a filing with the Ontario Court of Justice, the London police say they have reasonable grounds to believe five members of the 2018 world junior hockey team sexually assaulted a woman after a fundraising event, according to a story published Sunday by the Globe and Mail.

The 94-page document, which was filed and dated Oct. 17, includes a request for a judge to approve warrants and production orders as part of the police investigation into the alleged assault. Sportsnet has also obtained and reviewed the court documents.

The names of the players and their accuser have been redacted, though the woman is referred to as E.M. in the filing.

“I believe, when taking a global view of the evidence, [E.M.] subjectively believed that she had no alternative but to engage in the [specific sex act(s)]. Further, I believe that each of the suspects knew or ought to have known that [E.M.] had not consented,” wrote Sergeant David Younan, the application’s author, according to the Globe and Mail.

Union calls on CLASS to protect workers in wake of violence

Developmental services workers at Community Living Association of South Simcoe (CLASS) are calling for their employer to take action immediately in the wake of numerous incidents of workplace violence in the past year.

The OPSEU/SEFPO Local 332 members have reported multiple threats to their personal safety to their employer. The workers have been experiencing physical and verbal assaults while supporting individuals in the community living facility, following an increase in individuals with psychiatric and substance use issues being served by CLASS.

“Enough is enough. We are not equipped or trained to house clients with psychiatric and substance use issues and the facilities in Community Living settings are not designed for individuals who have a history of violence,” says Allan May, president of OPSEU/SEFPO Local 332. “Our members cannot provide adequate support for these individuals and our employer needs to immediately protect the safety of CLASS workers.”

Tackling Barriers for LGBTQ2S+ Canadians in the Workplace

The job seekers that Nick Ebbadi-Cook works with have two things in common.

The first is that they're LGBTQ2S+. And the second is that almost all of them have faced discrimination in the workplace because of it.

“We’ve had about 40 participants come through, and the majority of those folks have faced discrimination,” said Ebbadi-Cook in an interview earlier this month. “They’ve been misgendered. They’ve faced harassment. They’ve been let go because of their identity.”

Ebbadi-Cook is the program manager of Prism Employment Support Service, a program specifically designed to help LGBTQ2S+ people in Greater Vancouver learn skills, navigate workplace issues and find jobs. “The base of our resources are the general employment resources but with a queer lens,” he said.

The program, a collaboration between the YWCA and Vancouver resource centre Qmunity, is in part a reaction to what Ebbadi-Cook says is becoming an increasingly understood gap in work outcomes for LGBTQ2S+ people in Canada.

Professor suing University of Guelph, colleagues for \$3 million

The University of Guelph and several of its employees are facing a \$3 million lawsuit from within their ranks.

Associate professor Byram Bridle, who has been outspoken in his opposition to COVID vaccine mandates, filed the lawsuit in Toronto on Dec. 19.

In it the Ontario Veterinary College viral immunologist alleges he's experienced online harassment, was instructed to "censor" his comments and withdraw from public appearances.

"This caused the plaintiff mental anguish because he had performed his duty as a public servant, on request, to inform the public on matters within his field of expertise, but he was socially and professionally chastised," the claim states.

None of the allegations have been proven in court and no statements of defence have been filed.