

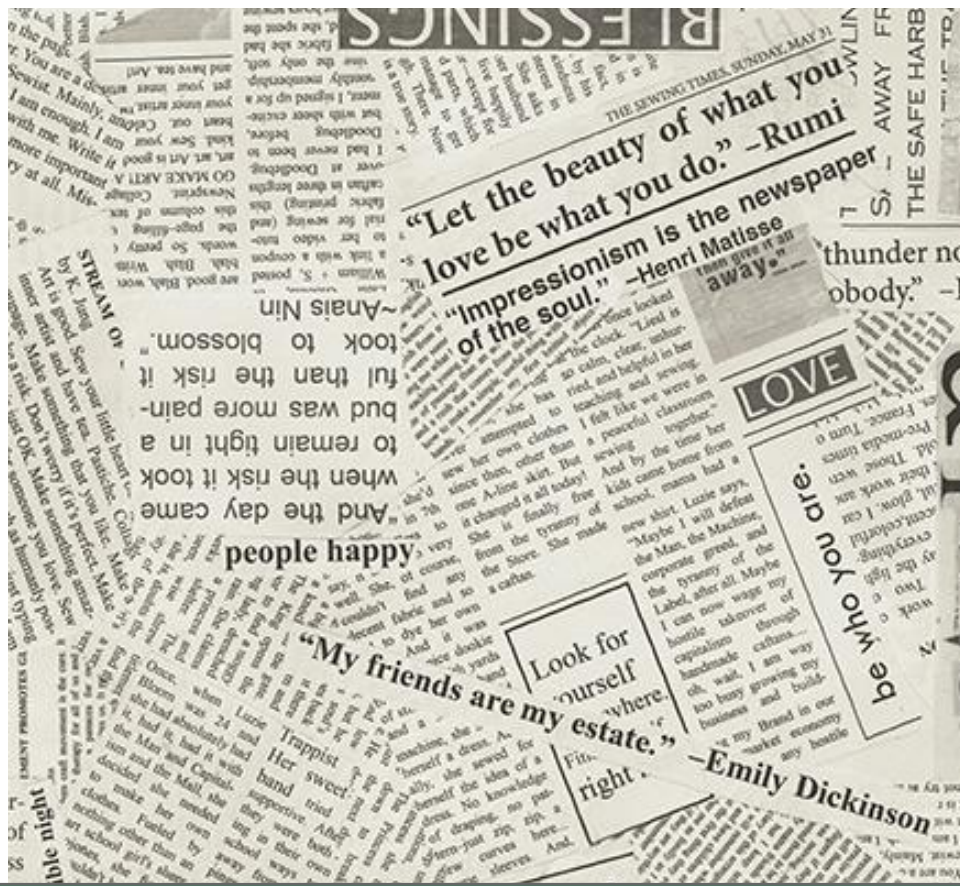
July 2023

Environmental Scan



In the news:

- RCMP's independent process for harassment complaints is plagued by delays
- Harassment complaints at House of Commons rise more than 60% year over year
- Sexualized violence and harassment permeates AFN



Two years in, the RCMP's independent process for harassment complaints is plagued by delays

RCMP employees have lodged hundreds of sexual assault and harassment complaints with a new independent body since its creation two years ago — but according to some of the people who've used it, the process has been afflicted by long delays.

"For these things to be effective, you need somebody to address these issues immediately, a timely investigation," said lawyer Sherry Shir, whose client took the RCMP to court alleging her complaint was dismissed improperly.

"And the process is still missing that very, very significant piece."

Launched on June 30, 2021, the Independent Centre for Harassment Resolution (ICHR) was born in the wake of a sexual abuse scandal in the ranks of the RCMP.

A historic class-action lawsuit saw the government pay out more than \$125 million to 2,304 women who were sexually assaulted and harassed as Mounties.

Many questions asked as UPEI holds listening session tied to hard-hitting report

Hundreds of people flooded into a theatre on the UPEI campus Monday afternoon as administrators offered members of the campus community and former students a chance to speak their minds.

The town hall came less than two weeks after the release of a scathing third-party review looking into harassment, discrimination and other workplace issues that were allowed to fester over the last decade at Prince Edward Island's only university.

Monday's session was billed as a chance for the university to listen to the community while developing a path forward to make the necessary changes recommended by the report's authors, the Toronto-based law firm Rubin Thomlinson.

Some people leaving Monday's meeting said they are waiting to see what happens next.

"It will take a lot of work, and real work — and accountability and transparency and effort — to even start to build that trust back," said Ashley Clark, a former UPEI student who now works at the campus and is the provincial president of the Canadian Union of Public Employees.

Harassment complaints at House of Commons rise more than 60% year over year: report

The number of allegations of workplace violence and harassment in the House of Commons almost doubled year over year and is now more than six times higher than it was two years ago, according to a newly published parliamentary report.

In 2022-23 there were 13 complaints made, eight of which were made against someone who does not work for the House of Commons, such as an outside consultant.

Of the remaining five cases included in the report, four were made against an employee or colleague of a Member of Parliament, while one complaint was made against an MP.

The report does not detail which allegations were made against which people. But it does say that of the 13 complaints four were for sexual harassment, three for harassment, two for violence, including psychological violence, and one for discrimination.

There were also three complaints that involved more than one of the above offences.

External report on ousted AFN chief found harassment, wrongdoing

OTTAWA — An investigation into allegations against former Assembly of First Nations national chief RoseAnne Archibald found the ousted leader was guilty of workplace harassment and created a toxic work environment.

The report by Emond Harnden LLP reviewed five complaints against Archibald and found her behaviour amounted to harassment in more than one instance.

A summary of the findings obtained by The Canadian Press says Archibald failed to maintain confidentiality and breached AFN policy, including by retaliating against complainants.

The report was delivered in April to the assembly's legal counsel.

That triggered a special assembly last week, where chiefs voted to remove Archibald as the head of the AFN. The resolution passed with support from about 70 per cent of those who took part in the virtual meeting.

Archibald said in a video posted online Monday that she wants to be reinstated, calling her ouster a "violent" attack on "an Indigenous, First Nation woman leader."

Vernon woman sues counsellors association alleging workplace bullying

A Vernon resident is accusing the Canadian Professional Counsellors Association of bullying and harassment and trying to get her to sign away her employment rights after she went off sick.

According to a Notice of Claim filed at the Vernon courthouse June 26, former counsellors association employee Tammy Frater accused the not-for-profit organization of "high-handed callous conduct" in firing her after six years with the organization.

Frater, who worked there from 2016 to 2022, is suing for an undisclosed amount for wrongful dismissal and loss of benefits, along with aggravated and bad faith damages.

"The conduct of the Canadian Professional Counsellors Association toward Ms. Frater in the course and aftermath of (her) dismissal was harsh, vindictive, reprehensible and malicious conduct of an extreme nature worthy of punishment," the court documents said.

The court documents said Frater worked for the Vernon-based organization, that regulators counsellors registered with it, as a clerk generally working 35 hours a week.

She claimed she was subjected to bullying and harassment in the workplace and complained about her treatment to the organization in January 2022.

Internal report details sexual harassment, bullying at B.C. ambulance service

Sexual harassment, racism, bullying and dysfunctional management at B.C. Emergency Health Services have contributed to workplace stress and crumbling morale, according to an internal report released Friday.

“The breadth of the sexual harassment activity reported ... requires urgent attention and a sustained focus to reduce,” wrote the report’s author, Cathe Gaskell, a specialist in workplace harassment and conflict resolution in health care settings.

Several BCEHS staff told Gaskell that complaints about sexual harassment were “not acted upon or taken seriously” and that a “boys club” existed in management that “protected predators.”

Others reported direct or indirect reprisals when reporting harassment and that the union had “supported alleged perpetrators” or protected them through “minimal” punishments.

In an email, Troy Clifford, president of Ambulance and Paramedics of B.C., called the findings on union representation “deeply concerning” and “not consistent with our practices.” He said the union had “not been made aware of them prior to the report being released.”

Province has power to change NDA restrictions

The author of PEI's first of its kind legislation, which reverses the power of non-disclosure agreements to muzzle complainants, says the King government can allow transparency into allegations of harassment against UPEI's former president with a stroke of a pen.

“The minister has the power to do this any Tuesday when executive council meets,” says former Green MLA Lynne Lund.

Ms Lund was the driving force behind PEI's Non-disclosure Agreements (NDA) Act which passed unanimously into legislation in 2021. It is the first legislation in Canada to allow harassment or discrimination complainants to decide if they wish to share their story to legal or investigative processes. The law does not apply to NDAs signed for other causes, such as keeping business information confidential.

Before the law was passed, individuals who had signed an NDA in a harassment and discrimination case were legally bound to complete silence.

Dream jobs turn into nightmares as abuse, sexualized violence and harassment permeates AFN

Just the other day, said a young woman from the Peepeekisis Cree Nation in Saskatchewan, she was assaulted while attending the Assembly of First Nations' annual general assembly in Halifax.

The statement was made before the assembly July 12, the second day of the three-day meeting and after a committee presented its findings on the sexualized violence and harassment that operates at all levels of the AFN.

The findings were stark: Harassment and discrimination exist and the committee heard many, many stories.

Bad behaviour has been normalized. There is abuse of power, position, authority and technology. Personal boundaries are pushed with unwanted touching and suggestive behaviour. There is lateral violence, bullying and verbal harassment.

The report is the result of work undertaken by a three-woman panel mandated by a resolution passed in 2020 entitled "Becoming a role model in ending sexual orientation and gender-based discrimination within the Assembly of First Nations."

Rail revenue protection staff vote to strike amid bullying claims

Railway revenue protection officers have voted to strike in a dispute over issues including claims of bullying.

Members of the Rail, Maritime and Transport union (RMT) on Arriva Rail London backed industrial action by 82% in a ballot.

The union said workers have become frustrated that a collective grievance into bullying has not been adequately dealt with.

RMT general secretary Mick Lynch said: “This is a fantastic result, and our members feel strongly that justice has not been done in their workplace.

“It is clear that Arriva Rail London management has failed to follow the right workplace procedures and they should now heed the strong feelings of their staff.

“However, if they fail to listen, then it is inevitable that revenue protection staff will take strike action on Arriva Rail London until there is a satisfactory resolution.”

Workplace sexual harassment and access to justice is a priority for the Government of Canada

All individuals have the right to a safe workplace. Sexual harassment impacts the health and well-being of those involved, as well as their capacity to do their best at their jobs. Creating and maintaining workplaces where everyone – no matter their gender identity or expression – can feel safe and respected is a priority for the Government of Canada.

Today, the Honourable David Lametti, Minister of Justice and Attorney General of Canada, and the Honourable Ahmed Hussen, Minister of Housing and Diversity and Inclusion, and Member of Parliament for York South–Weston, announced the Government of Canada's support to the Woman Abuse Council of Toronto for their project, Supporting Safe STEM Workplaces.

The Supporting Safe STEM Workplaces project is working to improve access to legal supports and resources for victims of sexual harassment in science, technology, engineering and math (STEM) industry workplaces across Canada. In response to the high rates of sexual harassment in STEM workplaces, project representatives are working directly with STEM industry partners to better understand how to respond to and prevent sexual harassment in the workplace. The project will provide tailored support and training to help workplaces prevent sexual harassment, develop comprehensive policies, establish trauma-informed methods of reporting and develop solutions to ensure safe workplace policy, practice and culture.

Measures to tackle workplace harassment to be watered down after compromise

Plans to toughen up laws on sexual harassment in the workplace will be watered down after a compromise was reached between the Government and Conservative peers.

The Worker Protection (Amendment of Equality Act 2010) Bill will no longer make employers liable for harassment of their employees by third parties and the duty on employers to prevent sexual harassment will also be weakened.

The changes come after Conservative peers had raised concerns about free speech and employers becoming at risk of costly lawsuits, threatening to choke the Bill's progress through Parliament.

During committee stage in the House of Lords, the Government accepted the need for compromise in order to ensure the Bill's passage and indicated the two amendments tabled by Tory peers would be added into the final version.

Communities minister Baroness Scott of Bybrook said: "We hear the level of concern that has been raised around the reintroduction of third party harassment.

Mounties in crisis: The systemic failure to address sexual abuse within the RCMP

The RCMP has a problem when it comes to sexual abuse within the ranks — and it apparently lacks the ability to deal with it.

The Independent Centre for Harassment Resolution (ICHR) was established in 2021 following a landmark class-action lawsuit that resulted in the government paying more than \$125 million to 2,304 female RCMP members who experienced sexual assault and harassment in the line of duty.

As an ostensibly arms-length body within the RCMP's chain of command, its mission is to investigate workplace violence and related misconduct in the RCMP — although it so far seems to be failing to do so.

Since its inception, the ICHR has received more than 900 complaints from RCMP officers. Only 325 cases have been resolved, indicating serious process issues within the ICHR.

22% of U.S. employees say they've experienced harm to mental health at work: survey

Nearly a quarter (22 per cent) of U.S. employees say they've experienced harm to their mental health or experienced harassment at work in the past 12 months, compared to 14 per cent in 2022, according to a new survey by the American Psychological Association.

The survey, which polled more than 2,500 employees, found 19 per cent said their workplace is very or somewhat toxic. Employees who reported working in a toxic workplace (52 per cent) were more than three-times as likely to have experienced harm to their mental health at work than those who reported a healthy workplace (15 per cent).

Employees who worked in customer and patient service jobs were more likely (31 per cent) than manual labourers (23 per cent) and office workers (22 per cent) to report experiencing verbal abuse at work.

Roughly 12 per cent of manual labourers reported someone within their organization displayed physical violence towards them, while a fifth of office workers (five per cent) and customer and patient service workers (six per cent) reported the same.

Former principal who sued TDSB over alleged bullying during anti-racism training dies by suicide

A former principal who sued the Toronto District School Board after he said he suffered workplace harassment during an anti-racism training session has died by suicide.

Richard Bilkszto, 60, worked for the TDSB for 24 years, primarily in adult education. He retired in 2019, but continued to serve as a fill-in principal on contract, most recently at Burnhamthorpe Collegiate Institute in Etobicoke.

Earlier this year, Bilkszto sued the school board, alleging that his reputation was “systematically demolished” during two anti-Black racism training sessions in the spring of 2021 when, after he challenged some of the speaker’s comments, he was singled out and accused of supporting white supremacy.

Bilkszto allegedly suffered “severe emotional distress” and had to take a stress leave as a result. He filed a “mental stress injury” claim to the Workplace Safety and Insurance Board, which allowed the claim and provided compensation for two months of lost earnings.

Hamilton education assistants describe shocking daily workplace violence in schools

Jennifer Timmins says she often comes home from work with bruises, cuts or scratches that are hard to explain to her three children.

Timmins works as an educational assistant (EA) at a public school in inner-city Hamilton, a job that goes beyond helping students with their work. She says she often finds herself breaking up fights and managing students with aggressive behaviour, subjecting herself to violence that nearly any other worker would find unconscionable – and she wants it to stop.

"Every day I go in thinking, 'What is my student going to do today? Are they going to give me a concussion or leave bruises all over?' says Timmins, who says she is hit, slapped, bit, head-butted and kicked routinely. She says one student "loves to kick you right in your stomach, your private area, wherever he can manage to get hands on... Holding your hair, ripping your glasses off."

She has worked as an EA since 2015, and says the situation in schools has become much worse in the last four years, and says many of her colleagues are trying to get out. She wears Kevlar protective clothing to work, as do all the other EAs at her school.