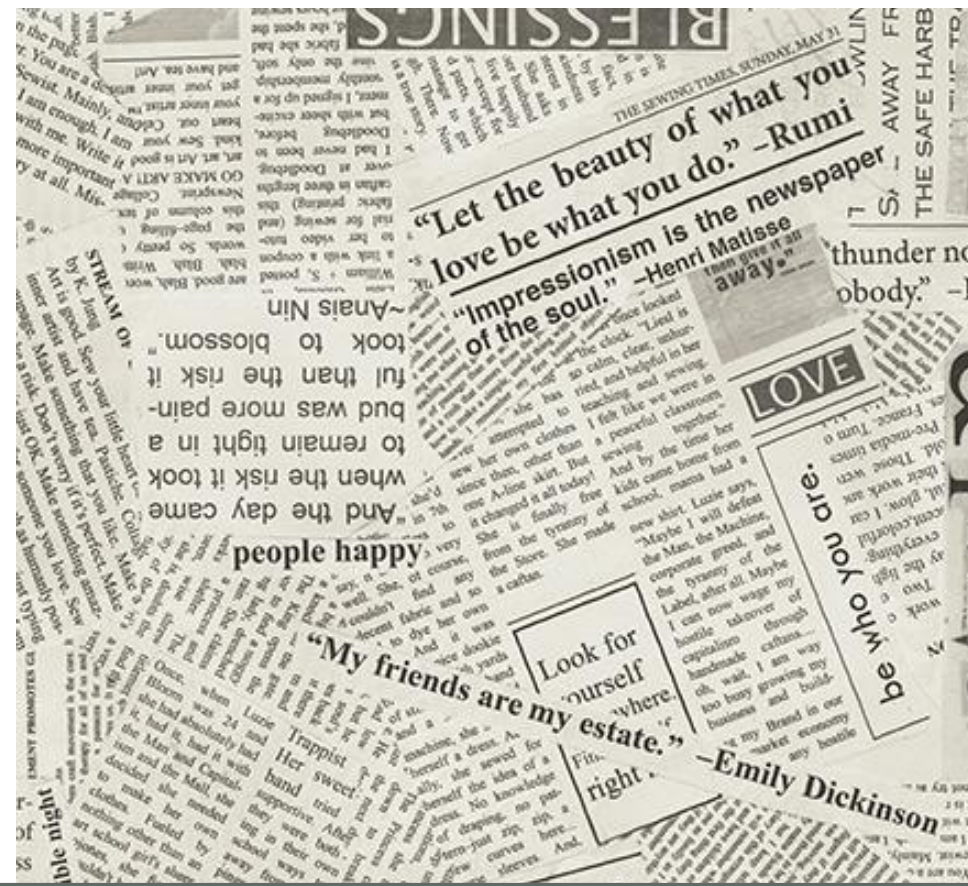


November 2023 Environmental Scan

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In the news

- CSIS whistleblowers alleging incidents of sexual assault
- Former Manitoba grand chief launches countersuit against employee



Nurses quickly respond to union call for details on violence, safety concerns on HSC grounds

Dozens of nurses have stepped forward with accounts of violence, theft and security concerns on the Health Sciences Centre campus, just a day after their union asked members to share their experiences as it prepares for grievance hearings with the provincial health authority.

“It is not a safe environment, and you can only talk so much about it until you finally say, ‘We are done talking, and we need to take action here,’” Darlene Jackson, president of the Manitoba Nurses Union said Thursday.

“We feel it’s time they take this seriously.”

The union has filed a grievance against Shared Health, citing safety concerns in parkades and surface parking lots surrounding HSC, and an arbitration hearing is slated for early December.

A second grievance concerning how the health authority reports on incidents of violence provincewide has also been filed. A date has not been announced yet for that arbitration hearing.

Workplace conflict not always a bad thing

Some might say conflict in the workplace is to be avoided at all costs, lest it causes irreparable harm.

However, interesting new research from the Myers-Briggs Company has shown that might not always be the case, and that some quarrels in the office might have a beneficial effect.

John Hackston, head of thought leadership at Myers-Briggs, recently sat down with Jeffrey Smith of Canadian HR Reporter in the latest edition of CHRR Talk to discuss workplace conflict.

In the podcast, Hackston said that, on average, employees today spend more than four hours per week dealing with conflict at work. This represents a doubling of time from an earlier study done in 2008.

“First of all, most people felt that they managed conflict well. Most people in the survey said they had a high levels of job satisfaction, and they felt included at work,” he says. However, for those who were involved in conflict for more than four hours per week, or even more, “they actually had lower job satisfaction. People who were really dissatisfied were spending an average of 16 hours per week on conflict. There was a wide range of time spent,” says Hackston.

This showed that experiencing an “extreme” amount of conflict is not good for people’s work satisfaction.

Deputy minister apologizes for harassment at Nunavut health centres

The Government of Nunavut's deputy minister of health offered an apology to her staff this week in response to allegations that Nunavut's health centres are toxic work environments.

“I want to take the time to acknowledge that recent publications in the media may be concerning to health staff both on a personal and professional level,” Megan Hunt wrote in a memo addressed to all Department of Health staff, dated Nov. 2.

“I want to assure you that we take these matters seriously. I also want to express my sincere apologies to those who have experienced or witnessed bullying or harassment in the workplace.”

The memo was obtained by Nunatsiaq News on Friday. Hunt was not immediately available for comment because she was in the legislature, said Health Department spokesperson Danarae Sommerville.

The apology follows the publication this week of a three-part series in Nunatsiaq News detailing the experiences of nurses who say they've been targeted, reprimanded, harassed or blacklisted after asking for support or identifying ways to improve their health centres. The series also explores the government's response to the issue.

UPEI says 9 harassment and discrimination NDAs cost university \$677K

The University of Prince Edward Island says it spent \$677,578 on nine different settlements that included non-disclosure agreements over the decade covered by this summer's Rubin Thomlinson report.

The nine NDAs all involved allegations of harassment, discrimination or sexual harassment. Three involved allegations against faculty members and cost a total of \$332,875, and six were complaints against the university or a specific university administrator adding up to \$344,703.

Interim UPEI president Greg Keefe divulged the details Friday in a statement published on the university's website.

"It's important to note that complainants often incur legal and other costs during their disputes with the university, which may have been paid from the settlement amount," Keefe noted.

The statement said 21 other non-disclosure agreements mentioned in the Rubin-Thomlinson report involved contract disputes, and no settlement costs were given for those.

Ontario to consult on banning NDAs in cases of workplace harassment, misconduct

Ontario is considering banning the use of non-disclosure agreements in cases of workplace sexual harassment, misconduct or violence.

Labour Minister David Piccini is set to announce consultations on the issue today, as he discusses his ministry's next piece of legislation in The Working for Workers Act.

Piccini says that non-disclosure agreements should never be used to silence victims or to sidestep accountability.

Ontario has previously banned the use of NDAs in sexual misconduct cases among post-secondary employees who are looking for work at a different institution.

Members of the Canadian Bar Association voted in favour of discouraging the use of non-disclosure agreements in cases of abuse and harassment.

Ontario Announces Proposed Changes to Employment Requirements, Including Disclosure of Salary Ranges in Job Postings

On November 6, 2023, the Ontario government announced it will introduce legislation to require Ontario employers to disclose salary ranges in job postings. The legislation would also require employers to disclose whether they used artificial intelligence during the hiring process.

Other proposed changes include:

clarifying that an employee's written agreement is necessary if they are to receive vacation pay in a format other than a lump sum prior to their vacation
amending the Digital Platform Workers' Rights Act, 2022 to "create a regulatory authority to provide greater flexibility on how pay based on minimum wage must be determined"
Further, the government announced that it will be conducting consultations on ending the use of non-disclosure agreements in the settlement of cases where there are allegations of "workplace sexual harassment, misconduct or violence."

We will be monitoring for the legislation referred to in this announcement and will provide further updates once they become available.

CSIS whistleblowers who allege rape and harassment hope Trudeau's vows are serious

VANCOUVER - Justin Trudeau said this week that allegations of rape and harassment at Canada's spy agency are "unacceptable," but the officers who say they were victimized hope the prime minister's words don't ring hollow.

One CSIS officer who says she was raped nine times by a senior colleague while on duty in British Columbia said it was "great" that the group had Trudeau's attention, after The Canadian Press published an investigation into the whistleblowers' claims on Thursday.

She pointed to a 2017 lawsuit by officers in Toronto who alleged discriminatory treatment and received a settlement by the government.

"'Deeds not words.' I think that this is especially appropriate for this situation," said the woman, who is identified as Jane Doe in her own legal action against the government.

"While I think it is great that this story has caught the attention of the prime minister, part of me wonders why it took so long?"

Jane Doe worked as a surveillance officer in the B.C. office of the Canadian Security Intelligence Service.

Former Manitoba grand chief launches countersuit against employee

His reputation has taken a beating since a former employee sued him for sexual assault, says a former top First Nations leader in Manitoba.

Arlen Dumas, in a statement of defence and counter claim filed Nov. 2, denies the allegations made by a woman suing him for workplace sexual harassment and sexual assault.

The woman worked for Dumas at the Assembly of Manitoba Chiefs [AMC] office in Winnipeg.

Dumas says her allegations are “false, inaccurate and misleading.” He alleges they have defamed him.

Dumas says their sexual contact was “fully informed and consensual” and her lawsuit should be dismissed.

In his counter claim, he seeks unspecified financial damages.

Calls for investigation after 60 women at MoD allege 'toxic' culture

The Ministry of Defence has been urged to investigate following reports that 60 senior women at the department have complained of a “hostile” and “toxic” environment amid allegations of sexual assault and harassment.

The Guardian has reported that the senior civil servants have written to the Ministry of Defence's permanent secretary detailing claims that the women have been “propositioned”, “groped” and “touched repeatedly” by men working in the department.

The paper reported that the letter saw officials claim their “day-to-day professional lives are made difficult thanks to behaviours that would be considered toxic and inappropriate in public life, but that are tolerated at the MoD”.

They also said that the workplace was “hostile to women as equal and respected partners”.

An MoD spokesperson said: “We are taking action to tackle the deeply concerning issues raised. No woman should be made to feel unsafe in defence and this behaviour will not be tolerated.

FDIC directors have called on the banking agency chief to recuse himself from the investigation

Republican directors of the Federal Deposit Insurance Corp. have called on the agency's chair to recuse himself from an investigation into allegations of widespread sexual harassment and discrimination at the U.S. banking regulator.

FDIC Chairman Martin Grunberg this week hired the law firm BakerHostetler to conduct an independent "top-to-bottom" assessment of its workplace, following allegations that employees there have been subjected to years of harassment and misogyny.

FDIC Vice Chairman Travis Hill and Director Jonathan McKernan said Thursday the investigation should be handled by the agency's board, not management.

"All parts of the organization, including the president and general counsel, must be reviewed for all conduct described in recent news reports, and they must fully recuse themselves. [themselves] from the process," Hill and McKernan wrote in a joint report.

An FDIC spokeswoman did not immediately respond to Grunberg's request for comment.

B.C. improving workplace safety for health-care workers

British Columbia has delivered on its commitment to make the workplace safer for health-care workers.

The provincial government has fulfilled its commitment to recruit 320 new relational security officers throughout B.C. to better protect health-care workers.

“The COVID-19 pandemic and the ongoing toxic-drug crisis have exacerbated challenges in the health-care system, and compromised the safety of the workplace for some health-care employees and quality care of patients,” says Adrian Dix, minister of health. “That’s why a year ago, we made a commitment to hire 320 new relational security officers by fall 2023 to rectify the situation.

“Today, I am pleased to report that 320 workers have been hired within the health authorities for all 26 sites that were identified. This commitment will significantly improve the safety of our health-care facilities and help us better retain and recruit health workers, as well as care for our patients.”

There were alarming reports of violence towards frontline workers, especially when the pandemic started.

‘Gone are the days of failing to investigate’: family eatery allowed unchecked sexual harassment

Management of a Smitty’s Family Restaurant in Charlottetown, PEI was found guilty of creating a toxic work environment for one employee who was subject to a range of sexual harassment offences from multiple male co-workers including management. Management of the restaurant claimed they were unaware of the harassment, a claim which the Human Rights Commission of Prince Edward Island (HRCPE) decided was not a valid defence.

The case, *Milligan v, Maczak Holdings Ltd.*, outlines the consequences for employers who do not have sexual harassment policies in place, said Flora Vineberg, lawyer and workplace investigator with Rubin Thomlinson LLP.

“Gone are the days of failing to investigate serious allegations of sexual harassment or assault. And especially gone are the days of an employer pleading ignorance towards this kind of misconduct when there's proof or documentation or testimony that it's been reported,” Vineberg told HRD.

“This case illustrated the very serious issues that can occur and the very real cost consequences that can occur when an employer not only fails to investigate these types of serious allegations of sexual harm, but also when they lack a coherent and legally compliant harassment policy.”

Former TMSU employee publicly alleges workplace misconduct

Former Toronto Metropolitan Students' Union (TMSU) communications director David Jardine posted a video to their social media on Sunday alleging “sexual violence” in the students' union's workplace.

The nine-minute TikTok video, which has now garnered over 3,100 likes and over 69,500 views, shows Jardine speaking to the camera regarding alleged concerns with summer interim Board of Directors (BoD) vice president operations and current presidential candidate Nathan Sugunalan.

Jardine was responsible for all communications with the TMSU until Aug. 31, according to a membership advisory on the students' union's website.

Jardine posted the video the night before the fall byelection's voting period began on Nov. 20. The voting period is taking place until Nov. 22.

The fall byelection has been ongoing since Oct. 30. It comes after the spring election was deemed “invalid,” largely due to Elections Procedures Code violations and a misconduct investigation, as previously reported by The Eyeopener.

Female officers suing B.C. municipal police forces for harassment say they are 'tip of the iceberg'

Five women named as plaintiffs in a proposed class action lawsuit against B.C.'s municipal police forces met with politicians at the B.C. Legislature Tuesday to advocate for changes to the way complaints between officers are handled in B.C.

Members of the group say the process for investigating allegations between officers, laid out in B.C.'s Police Act, is contributing to what they allege is widespread gender and sexual orientation-based harassment, discrimination, and bullying across B.C.'s 13 municipal police forces.

"The Police Act does not protect women in the workplace. It basically subjects us to further harassment, further gender-based discrimination," said Lauren Phillips, plaintiff and former officer with the New Westminster Police Department.

Allegations of harassment within police forces in Canada are not new. The RCMP has settled two class-action lawsuits regarding sexual harassment and discrimination against women — one in 2016 for female officers, and another in 2019 for women employed in non-policing roles. Both were settled for \$100 million each.

ILO calls on member states to eliminate violence, harassment at work

The International Labour Organisation (ILO) is calling on its member states to ratify Convention 190 in a bid to stamp out violence and harassment in workplaces.

ILO Director-General Gilbert Houngbo made the call ahead of the 16 Days of Activism against Gender-Based Violence, which is set to kick off on November 25.

"As I join the 16 Days of Activism for the elimination of violence against women and girls, I call upon all Member States to ratify Convention 190," said Houngbo in a video message.

"Together, we can create a more inclusive world of work and ensure social justice for all. Let us unite to stop this violence before it begins." Houngbo said the ILO Convention No. 190 "grants everyone the right to a violence-free work environment."

The Convention 190, or the Violence and Harassment Convention, aims to protect workers and other persons in the world of work, including interns, apprentices, volunteers, jobseekers, job applicants, among others, according to the ILO.

Violence and harassment should never be “just part of the job”

Canada’s unions are calling on the federal government to urgently address third-party violence and harassment at work by implementing ILO Convention 190 (C-190). November 25 marks the International Day for the Elimination of Violence against Women and the beginning of 16 Days of Activism to End Gender-Based Violence.

For too many workers – especially women and gender-diverse workers – the risk of harassment and violence has become a daily reality. Seven in ten workers have experienced harassment and violence at work, often at the hands of third parties such as customers, patients, and members of the public. The risk is particularly high for those in public-facing jobs, like retail, journalism, health care, education, transportation and hospitality, sectors dominated by women and gender-diverse workers.

Following Canada’s ratification of ILO C-190 earlier this year, the government must implement a comprehensive strategy to enhance safety for all workers. Convention 190 is a global treaty aimed at eradicating violence and harassment in the world of work, and is the product of tripartite collaboration between unions, employer groups and governments.

Sexual violence in schools: Youth call on Quebec to move forward with legal framework

Quebec's youth are calling on Education Minister Bernard Drainville to move forward quickly with a framework law on sexual violence in schools.

Members of the collective La voix des jeunes compte (youth voices count) say they're tired of waiting. On Sunday, they told the media that current measures to prevent sexual violence in schools are not enough.

According to them, the only way to bring about a drastic change in the school network would be to pass a law dedicated to this issue, similar to the one passed in 2017 for college and university environments.

"Mr. Minister, with the labour shortage, this situation isn't going to get any better," said Theryanne, member of La voix des jeunes compte.

"The case of sexual violence is once again brushed aside by the lack of resources, and we notice that the safety of young people is not the government's 'number one' priority," she added at the press briefing held in Montreal.

Advice on dealing with 'quiet hiring' in the workplace

Is your employer quietly hiring talent from within?

Last year, 'quiet quitting' became a hot-button subject. The term was used to describe burnt-out employees who clocked in and out as usual but put in minimal effort at work, ignored after-hours emails, and used any excuse to call in sick. And eventually, these so-called quiet quitters might stop showing up to work altogether.

The information you need to know, sent directly to you: Download the CTV News App
Now, 'quiet hiring' is another term that has arisen in today's ever-so-quiet workplace. It's a term that often seems to be characterized by indirect communication from both employers and employees. Below, I'll outline some of the benefits and drawbacks of quiet hiring and offer some tips for employees to take advantage of it to help further their careers.

What is quiet hiring?

Traditionally, new hires may have been eagerly introduced to their co-workers and in-house staff who received promotions were applauded, given a raise, and recognized by their peers.

Today, an increasing number of businesses are engaging in a practice called 'quiet hiring.'