



**BILL C -65**

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Labour Program

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**KRISTA CARLE**  
LAW ENFORCEMENT OFFICER, 33

**MOUNTIE BLEW WHISTLE ON RCMP SEXUAL MISCONDUCT**

Former RCMP member Krista Carle was described by friends as a go-to person who listened and advised and helped dozens of her peers cope with sexual violence. Her faith kept a stubbornly true lawyer who reported that RCMP the most recent being a claim against more than 2,000 officers and a \$200-million settlement from the federal government.

Her work in raising awareness helped bring about a landmark \$100-million settlement to benefit victims, and a promise of change.

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**HARASSMENT AND VIOLENCE – What the data is telling us**

**THE LABOUR PROGRAM ONLINE SURVEY IN EARLY 2017**

**60%** reported having experienced harassment;  
30% said they had experienced sexual harassment;  
21% reported experiencing violence; and  
3% said they had experienced sexual violence.

**41%** of survey respondents stated that no attempt was made to resolve an incident they reported.

**2017 INSIGHTS WEST POLL OF 451 WORKING WOMEN IN CANADA**

**50%** reported experiencing sexual harassment, based on the current definition in the Code.

- 34% were concerned that they would be perceived as trouble makers
- 30% thought their employer would not do anything about what happened
- 27% feared retaliation from the harasser

**2013 WESTERN UNIVERSITY AND CANADIAN LABOUR CONGRESS NATIONAL SURVEY ON DOMESTIC VIOLENCE IN THE WORKPLACE**

**33.6 %** reported having experienced domestic violence (DV); of which:  
53.5% said DV continued at work;  
18.2% reported the abuser physically came to the workplace; and  
14.5% said the abuser contacted co-workers/employer.

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### DRIVING CULTURE CHANGE

The Government of Canada's Strategy to address workplace harassment and violence are built on three pillars:

**PREVENTING**  
incidents of harassment and violence from occurring through education and awareness.  
In fact, legislation requires **mandatory training** for staff, especially managers;

**RESPONDING**  
to incidents effectively through a robust investigation process, which I will delve into shortly, and,

**SUPPORTING**  
affected employees and employers throughout the resolution process. To this end, each employer has to have a **policy** which tells complainants where to obtain support, e.g. through an Employee Assistance Plan.  
  
The federal government has created a **1 800 number** and online information hub. Steady flow of calls even though legislation not in force for about 3.5 years. As well, Canada will fund pilots such as the GAW women's office to provide guidance.

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### BILL C-65 – What Makes it Unique?

**BILL C-65**  
Builds on best practices to provide a unique single comprehensive

- COVER A CONTINUUM OF BEHAVIOURS:** Bullying, sexual harassment, violence
- TRAINING:** Mandatory training for employers and employees
- REPORTING REQUIREMENT:** Requirements: Employers to report all occurrences of H&V annually to Labour Program
- PERIODIC REVIEW:** Five year review of provisions relating to harassment and violence
- SUPPORT:** Workplace policies to speak to employee support; Labour Program Outreach hub
- PRIVACY PROVISIONS:** Workplace Committee will not undertake H&V investigations
- EXTENDED COVERAGE:** Parliament Hill employees; former employees
- SINGLE REGIME:** H&V both dealt with under Part II of the Canada Labour Code

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### BILL C-65 – Key elements of the proposed regulations

<b>Timelines for the resolution process</b>	<ul style="list-style-type: none"> <li>Employers must respond to a notification of an incident of harassment and violence as soon as possible or within 5 calendar days</li> <li>The resolution process must be completed within six months from the time the employer was made aware of an incident</li> <li>Employers must implement the competent person's (CP) recommendations within six months</li> </ul>
<b>Competent Person</b>	<ul style="list-style-type: none"> <li>Must be mutually agreed upon by the complainant and respondent</li> <li>CP must have experience in conducting investigations and knowledge of <i>Canada Labour Code</i> and the <i>Canadian Human Rights Act</i></li> <li>In the event that parties cannot agree on a CP, employer can come to the Labour Program and one will be identified</li> </ul>
<b>Harassment and Violence Prevention Policy</b>	<ul style="list-style-type: none"> <li>Must be co-developed with the Policy Committee/Workplace Committee</li> <li>Must detail: how to submit a complaint, the mandatory training, what is unacceptable behaviour, outline disciplinary measure that will be taken.</li> </ul>
<b>Former Employee and Family Violence</b>	<ul style="list-style-type: none"> <li>Former employee, within three months after leaving the organization, will have the right to notify employers of an incident</li> <li>Employers will have to stipulate in their policy, what steps they will take in the event that there are concerns that a situation of family violence may make its way into the workplace.</li> </ul>

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