



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Standing Committee on the Status of Women

FEWO



NUMBER 054



1st SESSION



41st PARLIAMENT

EVIDENCE

Thursday, December 6, 2012



Chair

Ms. Marie-Claude Morin

Standing Committee on the Status of Women

Thursday, December 6, 2012

•(0850)

[Translation]

The Chair (Ms. Marie-Claude Morin (Saint-Hyacinthe—Bagot, NDP)): With your permission, we will begin. Good morning, everyone. Welcome to the 54th meeting of the Standing Committee on the Status of Women.

Pursuant to Standing Order 108(2), we are continuing our study on sexual harassment in the federal workplace.

Our first witness today is Vicky Smallman, National Director of the Women's and Human Rights Department, Canadian Labour Congress.

Welcome, Ms. Smallman. Thank you for accepting our invitation.

Also joining us is Timothy Edwards, President of the Professional Association of Foreign Service Officers. Welcome.

Let me tell you about our procedure today. You will each have 10 minutes for your opening remarks. I will let you know when you have one minute left. I will do the same for the question period; I will let people know when they have one minute left. Sometimes, that distracts the witnesses; that is why I'd rather say it in advance.

Perhaps we can start with Ms. Smallman, if you don't mind.

You have 10 minutes.

Ms. Vicky Smallman (National Director, Women's and Human Rights Department, Canadian Labour Congress): Thank you very much

[English]

On behalf of the 3.3 million members of the Canadian Labour Congress, I'd like to thank you for affording me the opportunity to present our views.

The CLC brings together Canada's national and international unions, along with the provincial and territorial federations of labour and 130 district labour councils, whose members work in virtually all sectors of the Canadian economy, in all occupations, in all parts of Canada.

In preparing for these remarks, I was brought back to the beginnings of my career as an activist when I was a student representative on a university committee developing its first-ever sexual harassment policy. This was in 1987 or so, and the issue of sexual harassment on campuses and in workplaces was gaining prominence. Everybody knew it was a problem, but we struggled to break through the silence that surrounded the issue.

Despite the fact that our rights have been clarified in the courts, that policies at all levels of government have been developed, and that collective agreement language in workplaces across the country has been negotiated, it seems this silence still acts as an effective barrier to true equality and justice, especially in workplaces where the culture still reflects a power imbalance between women and men.

This is not to say that we have not made significant progress. Unions have worked hard to build support within our own membership for strong collective agreement language on workplace harassment, including sexual harassment. Unions have developed training for representatives and educational programs on human rights, women's equality, health and safety, and collective bargaining, which all reinforce the need to prevent harassment and address it quickly when it occurs.

One of the best tools for preventing harassment of any kind is a healthy, inclusive workplace with a commitment to gender equality. Job security, reasonable workloads, and good labour relations all offer a sense of stability and comfort in the workplace. But while it does not completely prevent individuals from harassing others, it might create a climate that allows women to feel safe about coming forward with a complaint.

Workplace culture is important. As you conduct this study, I hope you will consider looking at the culture of federal workplaces and any factors that may create an environment conducive to harassment or that may impede its prevention—that is, that may encourage women to keep silent.

Clear policies, including collective agreement language, are also vital, as is training and support for both employees and managers. Strong union representation is also key, as union representatives can help act as buffers for women and help them navigate the processes. In a healthy workplace, harassment is dealt with quickly, before a grievance is even necessary, and if one is necessary, then timelines and processes become important.

A lot comes down to leadership. There needs to be a swift response to complaints and a willingness to take action when necessary. When leaders make a clear effort to prevent harassment and deal with it when it occurs, women may be more likely to come forward when they feel they have been harassed. This means employers need to be sensitive to discrimination in all forms. Leaders need to see harassment and discrimination as organizational issues, not as isolated cases that have to do with conflicts between individuals. Conversely, if a leader is perceived to want to avoid conflict or is dismissive when problems of any kind arise, women are likely to remain silent.

Women may be silent for other reasons. When one sees some of the more prominent cases, where women have waited years for justice or have been pushed out of workplaces, labelled as troublemakers, refused promotion, or ostracized on the job, it becomes difficult to see the benefits of saying something.

Sandy Welsh, a professor at the University of Toronto, did a study of Canadian Human Rights Commission complaints between 1978 and 1995. I don't know if you've already heard about this study. She found that most women who filed complaints lost jobs, became ill, or were demoted. Only 28% of the women who filed complaints were still working for their employer. There is a cost to coming forward.

But there's a cost to remaining silent as well, and the costs hit both employers and workers. We know that harassment can lead to absenteeism and a lack of focus at work. It compounds other workplace stresses. It has an impact on performance and productivity. Women may withdraw from co-workers. They may become depressed or anxious, abuse drugs or alcohol, or end up on stress leave or sick leave. We know that some cases of harassment may escalate and become violent and even fatal.

By breaking the silence, women have made the gains they have. Within the union movement, we recognize that harassment is a serious problem that undermines basic union principles of solidarity and human rights. We also recognize that sexual harassment, as one aspect of violence against women, is a symptom of a much greater problem: the inequality between women and men in our society.

In 1993, the United Nations General Assembly adopted the Declaration on the Elimination of Violence Against Women, which states:

[Recognizing that] violence against women is a manifestation of historically unequal power relations between women and men, which have led to the domination over and the discrimination against women by men and to the prevention of the full advancement of women....

While this study examines the issue of sexual harassment in federal workplaces specifically, I think it's important to make the link between this issue and the broader need for the federal government to take action to end gender-based violence, especially today, which is the day we remember the lives of 14 young women who were brutally murdered at École Polytechnique in Montreal.

We remember, and we commit to taking action. This morning, the Canadian Labour Congress joins women's groups, service providers, and others in calling for action in three ways: a national action plan to end violence against women; a national inquiry into the deaths and disappearances of indigenous women in Canada; and leadership at the upcoming meetings of the United Nations Commission on the Status of Women, which this year focuses on the issue of violence.

I'd like to close with a couple of words on the first of these actions, which is a national action plan.

I think we can all agree that violence against women is a powerful barrier to women's equality and a violation of women's human rights. It is a complex, systemic problem that requires a comprehensive approach to developing solutions. The UN has called on all countries to have national action plans on violence against women by 2015. The national action plan is a blueprint for change, which needs to include action at every level of government—in workplaces,

schools, local and cultural communities, and even in individual relationships and behaviours.

Canada's federal government should initiate a process to develop a plan involving territorial, provincial, and aboriginal governments, as well as civil society, service providers, and survivors of gender-based violence. Canada's national action plan needs to include legislation, as well as specific resources and strategies for those most vulnerable to violence. Those are aboriginal women, immigrant women, lesbian, bisexual, and transgendered women, women with disabilities, and young women. Canada's plan must also provide sufficient resources for these strategies to be implemented, including support for research to measure progress.

It's this issue of research that pertains to what you're talking about in this study. The last source of decent data that we have on sexual harassment in the workplace is the 1993 "Violence Against Women Survey". We're coming up to the 20th anniversary of this survey, so perhaps it would be a good time to recommend that we launch a new survey. This survey could be part of the process of developing a national action plan—a real national action plan on violence against women.

Thank you.

• (0855)

[Translation]

The Chair: Thank you.

We will now go to Mr. Edwards.

You have 10 minutes.

Mr. Timothy Edwards (President, Professional Association of Foreign Service Officers): Thank you, Madam Chair.

My name is Tim Edwards. I am the President of the Professional Association of Foreign Service Officers.

[English]

The Professional Association of Foreign Services Officers, PAFSO, is the bargaining agent for Canada's non-executive diplomats, representing nearly 1,400 employees working mainly in Foreign Affairs and International Trade, Citizenship and Immigration Canada, and the Canada Border Services Agency. Of our membership, 53% are men and 47% women.

I will note at the outset that PAFSO does not have specific recommendations to suggest respecting the Treasury Board's policy on harassment prevention and resolution of October 2012, or on harassment complaint and reporting mechanisms within the public service. I do, however, have several points to make concerning sexual harassment in the federal workplace and related topics falling within this committee's mandate.

In the fall of 2012, PAFSO conducted a comprehensive survey to assess our members' demographic make-up, their conditions of work, and the personal impacts of life in the foreign service. More than half of our members completed the survey, providing a very reliable statistical baseline.

Almost one-third—32%—of all respondents indicated that they had been the target of verbal, physical, or sexual harassment or other abusive behaviour in the workplace, either at headquarters in Ottawa or while posted abroad. The percentage who said they had witnessed such behaviour stood at 45%.

While the survey structure does not allow for a breakdown by gender, established statistical trends in the public service workplace suggest that it is fair to assume that women responded in the affirmative at a significantly higher rate than men.

Despite statutory whistle-blower protections, it is often difficult for women to report such incidents, given concerns over the potential impact on one's career advancement or one's ability to secure a desirable assignment in the future. Unlike other public servants, members of the foreign service do not "own" their positions; rather, we are appointed to a level in the FS group and then assigned into positions temporarily, according to departmental needs, and we must compete for a new assignment every two to four years.

Since these are assignments and not appointments in the traditional sense of the word, they are not subject to the usual transparency and fairness requirements of conventional staffing. As a result, one's nebulous so-called "corridor reputation" becomes a hugely important criterion for selection for each assignment. You can see in what way there would be significant structural disincentives to coming forward if you have been harassed.

Even if one decides to seek recourse, this can be challenging for foreign service officers posted abroad, as they are isolated from both their traditional support network of family and friends as well as those managing the complaint, with potentially fewer witnesses to corroborate their story. Such discomfort is heightened at small or mid-sized missions, where a smaller staff complement—as few as two or three, and all the way up to, say, fifteen or so—operates under very close working conditions in which one is not easily moved to another work unit or work location. And this is to say nothing of when one's supervisor is the assailant.

Beyond harassment, service abroad carries additional unique challenges. The demands of the job often put female foreign service officers in harm's way. Among respondents who had served overseas, almost 50% had experienced a terrorist attack in the city or region where they were based; 48% had experienced a natural disaster; 64% had been exposed to civil disobedience; 41% to armed conflict; and 35% to an epidemic or a pandemic.

Assessing the impact of recent federal budget cuts, 36% of respondents reported a decrease in their family's quality of life abroad, and 52% reported an increase in family stress levels at post. Given the continuing preponderance of women as the lead caregivers in family relationships, including within Canada's diplomatic corps, it is safe to say that these impacts are disproportionately felt and absorbed by female officers. Indeed, anecdotal comments that accompanied our survey responses specifically flagged the quality and cost overseas of housing, educational facilities, child care, and medical treatment.

• (0900)

Women often face different challenges from their male counterparts during posting. This is especially true in societies where

religious or cultural values are not compatible with Canadian norms of gender equality, such as in strict Buddhist or Islamic countries. One female officer put it this way:

Being a female diplomat in the Middle East often exposes me to situations where I am the only woman in a given environment. It can be difficult being the object of constant scrutiny, curiosity, and sometimes overt harassment, especially as there is no escape from it. I have required a male companion in many situations that were too uncomfortable, and possibly dangerous, without one. In practical terms, my workplace is fundamentally different than it would be [for any other federal public servant] and I have accepted those risks and inconveniences. However, over the course of years, the reality of the scrutiny and the constant spectre of harassment can contribute to professional and personal burnout.

Another female officer had this to say:

In Sri Lanka, Buddhist monks are active in politics and national [life]. During the peace process, this required interaction with religious leaders in promoting Canada's values and priorities. But their strict rules of no contact with women—they will not even shake hands or accept a business card if there is a risk of touching—meant that I was at a disadvantage as a female diplomat in that I was often seated further away than my male counterparts. For example, a male Australian officer was seated next to the host of an important event while I was seated among lower-level staff despite my equal diplomatic rank. It limited my ability to interact with key players.

Female officers also experience unwanted physical attention and harassment in certain countries where machismo is valued more than sensitivity. This is particularly infuriating where the sources of harassment are local work contacts outside the mission, for example, your counterparts in local government ministries in the countries where we are assigned, or fellow diplomats from partner countries. Yet short of being recalled at great expense in the middle of your assignment, your position demands that you continue working with them week in, week out, without any option for recourse, redress, or resolution. The fact that alcohol is usually served at functions where Canadian diplomats conduct advocacy and networking activities on behalf of the government does not help matters.

Ladies and gentlemen, I have attempted to provide a snapshot of challenges faced by members of the foreign service that are unique within the federal public service as they relate to sexual harassment and, more generally, our conditions of work abroad in the service of Canada and Canadians.

I would be pleased to answer any questions or help the committee obtain any additional information you may require.

[Translation]

Thank you.

• (0905)

The Chair: Thank you very much.

We will now proceed to the first round of questions.

Ms. Truppe, you have seven minutes.

[English]

Mrs. Susan Truppe (London North Centre, CPC): Thank you, Madam Chair, and my thanks to our guests for coming today.

Tim, I need a bit more information on what your role is. I guess I'm not clear. What is your role if someone is sexually harassed? What is the series of steps that occurs? What do you do? How do you help them?

Mr. Timothy Edwards: The union, PAFSO, would get involved only if it resulted in legal action, if there were a very significant grievance filed. You're probably aware that in the federal public service, for years now, there has been this so-called informal conflict management system. Many harassment complaints, as I understand it, are first attempted to be dealt with through that mechanism before they get to the point of a formal grievance.

PAFSO provides a largely supportive role. We ensure that our members, should they decide to pursue legal recourse, have access to legal counsel. But the mechanisms that are in place allow unions to simply have an advisory or supportive capacity. We are not the ones who lead any action or pursuit of redress.

Mrs. Susan Truppe: You don't negotiate with the employer on behalf of the employees or get involved in that way.

Mr. Timothy Edwards: Not in individual harassment cases, but on salaries, conditions of work, hours worked overtime, and all the rest of it, yes, we do negotiate.

Mrs. Susan Truppe: But when it comes to harassment, you don't do any of that. You would provide legal assistance or perhaps advice on what route a person might take.

Mr. Timothy Edwards: That's correct.

Mrs. Susan Truppe: Vicky, I have the same question. What do you do to assist a member of your union if there is a sexual harassment grievance? At what point are you involved?

Ms. Vicky Smallman: The CLC doesn't represent individual members. We're a federation of unions. Each union, and each local in each union, may have a different approach, depending on the workplace, the language that has been negotiated, and so on.

I think, though, on the whole, the desire is, in any workplace conflict, to try to resolve it first informally. If that's not possible, you go to a formal grievance procedure, according to whatever is negotiated in your collective agreement. There may be additional policies at the workplace that need to be followed as well.

The union can have a couple of different roles. Sometimes we have member-to-member conflicts, in which case we have the dual duty of making sure that one member who is the complainant has access to justice and is feeling safe in the workplace, and so on. For the other member, the process ensures that due diligence is followed. We have a duty to have fair representation for all of our members, and our commitment is to make sure that the processes are followed accordingly.

Mrs. Susan Truppe: How do you balance the conflicting responsibility when they're on an equal level?

Ms. Vicky Smallman: That's a question I think you might want to ask witnesses who have a more direct.... I cannot speak for individual unions and how they operate.

Mrs. Susan Truppe: The unions all do their own thing.

Ms. Vicky Smallman: Yes. The CLC handles things on a policy level. Each union has its own culture, for example, and its own processes, and so on. There may be different shop stewards who might work with different members and so on. It really depends. It's up to the local leadership to determine what to do in a specific situation.

Mrs. Susan Truppe: That's interesting. The CLC develops policy, but not for all the unions. You develop policy for other things, but the unions are able to develop their own policies as to what best suits their area or their members.

Ms. Vicky Smallman: The labour movement is a democratic movement. It's sort of a bottom-up type of thing. We don't develop policies in isolation. We develop them with our membership, our affiliates. They, in turn, develop their own policies with their own membership through democratic processes that exist within the unions. It's a very decentralized structure.

● (0910)

Mrs. Susan Truppe: Okay.

The retention and disposal standard for documents governed by the Privacy Act and prescribed by the Treasury Board states that in matters dealing with complaints of personal harassment, where there has not been a secondary incident within the space of two years, all documents relating to the incident, including any letters outlining disciplinary action, are shredded. Essentially, if there are no other complaints against you after two years, the documents relating to harassment are shredded. It doesn't follow you from area to area. So if you move from one area to another area three years later, no one knows that you were maybe investigated or charged with sexual harassment.

Do you think two years is an appropriate amount of time to keep on file information related to an employee's offence? I'd like to ask both of you for your opinion. Do you think it should be more? Do you think it should ever be shredded?

I can start with you, Vicky.

Ms. Vicky Smallman: I don't know if I can really answer that. I'd really have to look at the whole policy and see.

I think, ultimately, resolving sexual harassment as a problem in the workplace is not really about crime and punishment. It's about trying to create healthy workplaces, where justice and equality are values. I don't know if labelling somebody a harasser is necessarily going to help resolve the broader issue. I would say that I can't really comment on the specific policy.

Mrs. Susan Truppe: Thank you.

Tim, do you have a comment on that one?

Mr. Timothy Edwards: Yes. My only comment on this would be that in a rotational workplace, like the one foreign service officers experience, there would probably be merit in extending that period a little bit longer. Institutional memory does tend to die fairly quickly and fairly hard, unfortunately, within our departments, especially for positions that are filled by rotational officers. So extending that period would, I suppose, enable that record to be on file a little bit longer so that the memory isn't lost.

However, I spoke earlier about corridor reputation, and of course that swings both ways. In my discussions with some of my female colleagues, they have confirmed to me that there is always an informal, unwritten list of individuals circulating. I'm sure it's the same in any workplace, but it's particularly important in the foreign service, where you're changing jobs every two to three years. You may suddenly end up in a position and you were not warned or did not have information on the manager, the colleague, the co-worker, or the subordinate that would have helped you make a more informed decision so that you weren't putting yourself in an uncomfortable situation.

[Translation]

The Chair: Mr. Edwards, I will unfortunately have to stop you there.

We will now go to the other side.

Ms. Freeman, you have seven minutes.

[English]

Ms. Mylène Freeman (Argenteuil—Papineau—Mirabel, NDP): Thank you very much. I'm glad to be here again.

I'm going to start with Vicky. What amount of resources does the CLC dedicate to combatting harassment, and particularly sexual harassment in the workplace? What types of resources do you provide?

Ms. Vicky Smallman: A lot of it really exists on a policy level, and a lot of this work was done a number of years ago in helping unions create policy. We have policies and procedures for our own events, making sure they are harassment-free events. There are policies for conventions and for educational schools, and so on, because harassment can occur in any place where people gather to do work together. We have to protect our own members in-house.

We also assist with creating educational programs and training for union representatives, for example. Training we create for shop stewards or for women in leadership might also include components around creating a harassment-free workplace, dealing with conflict in the workplace. For example, a "women in leadership" course I am creating right now has a component around dealing with conflict and aggressive behaviour at the workplace, so when you do have to resolve a situation or you find yourself encountering harassment, you have the skills to be able to deal with that.

Those are the types of resources. Policy development, education, and training are the main things.

Ms. Mylène Freeman: Great.

This committee has heard that the culture is key to creating a sexual harassment and harassment-free workplace.

Do you agree, and could you elaborate?

Ms. Vicky Smallman: I certainly do. I think the comments that were made by my colleague here about the impact of the cuts on stress and quality of life are something that should be paid close attention to.

When the stress in a workplace is heightened, people are more likely to be put at risk. It may be that harassing behaviour comes out of a place of anxiety and insecurity at work. It may be, though, that

harassment has been occurring all along, and this extra layer of pressure makes it even more difficult to actually come forward and lay a complaint.

The main thing, really, is around the behaviour of managers in being responsive to addressing problems, resolving conflicts, and so much needs to happen at the informal level before it even gets to the formal processes. If you don't have a manager you can go to with a problem, you're not going to come forward. If you think you're going to be labelled, if you're putting yourself at risk for the kinds of things people are going to say about you...you do a cost-benefit analysis when you're being harassed. For many women, at least in the short term, it seems easier just to lay low or to leave. If you have people leaving all the time because it is an unhealthy workplace culture, that's not going to help productivity either.

• (0915)

Ms. Mylène Freeman: Do you have any suggestions to address that problem?

Ms. Vicky Smallman: Well, I think investing in your public servants, for example, at the federal workplace is one suggestion. Good, healthy labour relations are also important.

I do think that training for managers is really important. Really, you can go to all the workshops you want, but if you don't actually implement the policies or the guidelines, if you don't change your behaviour, it's not going to make a difference.

There need to be some incentives for keeping people happy at work.

Ms. Mylène Freeman: Do you think that workplace inequality overall, as in pay inequality, has an effect?

Ms. Vicky Smallman: Definitely. Any symptom of inequality between women and men that manifests at the workplace is going to compound the problem of harassment. It's all interrelated. If there are unequal power relations, it reinforces the kinds of behaviours that we see being acted upon when people harass others. It certainly leaves women vulnerable. Pay inequity is a really big one.

Ms. Mylène Freeman: I have to ask you a bit about ADR, alternative dispute resolution.

Many employers encourage employees to go through the ADR process before filing a grievance through a union. In situations of harassment, specifically sexual harassment, does your organization and do your affiliates support the ADR process?

Ms. Vicky Smallman: I think it really depends on how it's manifested at a particular workplace. It's hard for me to comment. It's something that you need to ask the specific affiliates as they come forward, as your study continues.

In principle, when you first become a shop steward, you're encouraged to try to resolve problems informally without having to go as far as a grievance. But sometimes that's just not possible. If people aren't meaningfully going through an alternative dispute resolution, then sometimes you need to have formal processes. Sometimes the situation is so extreme that you can't; you just have to take formal steps.

Ms. Mylène Freeman: I'm going to go to Mr. Edwards.

You represent foreign service officers. They're stationed at different places at different times, so the number of incidents that occur...are they more frequent in Canada or internationally? Or do you have that kind of—

Mr. Timothy Edwards: I would say internationally, far and away.

Ms. Mylène Freeman: Did you have to defend your employees in harassment cases, particularly sexual harassment, in the context where different cultures are involved?

Mr. Timothy Edwards: I should note at the outset that certainly in recent years—as long as I've been on the executive, which is now five years—our union has never been brought in on a sexual harassment grievance by our members. As for those abroad, as I indicated, usually the assailant is not actually a Government of Canada employee, so one's recourse is limited. In those cases, no, you do not have any channels through which to pursue....

Ms. Mylène Freeman: Right. So it's a question of being in a culture that's not a Canadian culture.

• (0920)

Mr. Timothy Edwards: That's right.

Ms. Mylène Freeman: Does the association pay any attention to exposing the problems with that?

Mr. Timothy Edwards: No.

[Translation]

The Chair: I am sorry, but I have to stop you there.

I will now give the floor to Ms. O'Neill Gordon for seven minutes.

[English]

Mrs. Tilly O'Neill Gordon (Miramichi, CPC): Thank you, Madam Chair, and thank you, witnesses, for being with us today.

We've heard from other departments, as well as yourself, that they are trying to work more and more towards no tolerance of sexual harassment, or any harassment, really. I'm happy that you people are also working hard to obtain that objective, that goal.

I understand that the unions were consulted during the development of the new Treasury Board Secretariat policy on values and ethics. What was your participation in the development of this policy?

Mr. Timothy Edwards: Our involvement is generally through the National Joint Council, as one of the 18 federal bargaining agents.

The area of the values and ethics code that concerned us the most, our association, was the post-employment section, given that a lot of our members do end up moving into fairly prominent, high-profile, or sensitive jobs should they leave the public service. I'm talking about senior positions in the private sector or in civil society. That was really the area where we involved ourselves. We did not have any complaint with the harassment portion of that code.

Mrs. Tilly O'Neill Gordon: Do you have anything to add, Ms. Smallman?

Ms. Vicky Smallman: No, because we don't represent federal workers directly. That would be our affiliates.

Mrs. Tilly O'Neill Gordon: Were you satisfied with the result of the final policy?

Mr. Timothy Edwards: Yes.

Mrs. Tilly O'Neill Gordon: Do you provide any training to your employees? I know you mentioned that each union is doing their own thing, but do you have a general training policy that you provide to everybody? When is it that they go into this training and how often? Can you give us a little outlook on how that is done?

Ms. Vicky Smallman: Each union has their own educational programs. At the moment, we don't have any specific workshops that we provide on sexual harassment prevention, but it's kind of incorporated into other types of educational programs. I can't speak for what happened 10 or 15 years ago, when we really started to ramp up the work, so I don't have a good answer for that one.

Mr. Timothy Edwards: Our office is relatively small. As a union of only 1,400 members, we have an office staff of seven. It's not very large: two men, five women. The head of our office is a male, and most have been working for years, if not decades, for the association.

So the short answer is no, there is no training in place on harassment topics. In the view of the executive of the association, there's no need for it. Coded into our terms and conditions of employment is a very strict "no tolerance for harassment" policy, so it's there already.

If I can speak to the departments where we work, they do have harassment and gender-sensitivity training available. It is mandatory. I took it years ago when I first joined the department, and I do have to say that I think, along with a more general culture change, it is having an impact. The fact that I'm here not trumpeting a whole slew of sexual harassment cases in which our members have been victimized by fellow Government of Canada employees is probably indicative of a positive trend.

To answer your question specifically, there is training in place within the workplace, within the departments where our members serve.

Ms. Vicky Smallman: If I could elaborate on that, it exists like that because ensuring a harassment-free workplace is the employer's responsibility, so we want to make sure that employers have that training in place, have those supports in place. That's our job as unions. When we train our members, it's to help them represent members effectively. That's the distinction, although we also have a lot of other programs around human rights training and anti-discrimination generally. But the specific role of preventing harassment in the workplace is the responsibility of the employer.

• (0925)

Mrs. Tilly O'Neill Gordon: I understand that managers do take some of this training before they go into a position as a manager. Do you know how much one of those courses cost, and who would pay for that? Is there a cost for the training of a manager?

Mr. Timothy Edwards: Certainly, there is a cost. There's no such thing as a free lunch. But because it's provided internally by the departments, the only cost you ever see is if you cancel, in which case our training department will then dock you I think \$350 for a half-day course and \$700 for a full-day course. I don't think that reflects the actual cost of offering the training, so I'm sorry, I don't have an answer on that. The departments would, though.

Mrs. Tilly O'Neill Gordon: Ms. Smallman.

Ms. Vicky Smallman: No, because we don't conduct training for managers.

Mrs. Tilly O'Neill Gordon: The Canadian Industrial Relations Board appeared before us earlier in this study, and they mentioned they are the ones responsible for ensuring that unions fairly represent all the employees. This includes complaints from employees who are identified as harassers in sexual harassment grievances, and they got back to us with the statistics since 1999. There were 16 employees accused of sexual harassment who filed complaints with the board alleging that their union had failed to fairly represent them. They also indicated that this number does not include cases where the complaint against the union was successfully mediated by CIRB staff.

Can you tell us if you maintain statistics for your organization with relation to the number of respondents whose cases escalate to the CIRB?

Ms. Vicky Smallman: I don't think I have any statistics on duty of fair representation complaints. Perhaps the individual affiliates might. But if they're kept at the CIRB.... It happens very rarely, but in cases where you have a member-to-member conflict...that's why we have processes to hold unions accountable for their duty of fair representation.

[Translation]

The Chair: I will have to stop you there, Ms. Smallman. Thank you.

[English]

Mr. Timothy Edwards: I can get that information for you if you want, but I don't have the numbers now.

[Translation]

The Chair: That is a good idea.

The floor now goes to Ms. Sgro for seven minutes.

[English]

Hon. Judy Sgro (York West, Lib.): Thank you very much, Madam Chair.

Ms. Smallman, I have to initially acknowledge the work of the Canadian Labour Congress, and the work that you do especially on behalf of women, in particular the missing aboriginal women. The leadership you've shown with the Native Women's Association of Canada is very much appreciated by many people.

You referenced a survey that was done in 1993. Could you elaborate? Was that a general survey of Canadians?

Ms. Vicky Smallman: Yes, it was a Statistics Canada survey, and my understanding is that it was a survey of individual women. I think they had aimed to contact a significant number of women.

You'd have to look at the study to see how many they did contact. It asked them a range of questions around their experience of violence, and some of the questions did have to do with the violence and harassment they encountered in the workplace.

In trying to prepare for this, I looked at other violence against women reports from Statistics Canada. It doesn't really touch on the issue of workplace harassment unless it has escalated to criminal harassment, and then you get the questions from the surveys on victimization. This was more of a general question on whether they had experienced harassment or other forms of violence. It was a fairly comprehensive survey, and it had some really interesting results that would be interesting to replicate now, 20 years later.

Hon. Judy Sgro: That would be, but I think Stats Canada is quite limited in its ability to do a lot of things.

Ms. Vicky Smallman: Indeed it is, yes.

Hon. Judy Sgro: Maybe we're going to have to rely on the Labour Congress to do that.

Mr. Edwards, because of your comments, it strikes me that there are huge opportunities for problems. When you've got one-third responding that they have witnessed...or whatever. I don't think we ever hear enough about the foreign service aspect of it and what goes on there. Do you have some examples that you might want to share with us of some of the individual cases you're aware of, or the kinds of complaints you have? It just strikes me in your comments that we might be able to improve on an awful lot of areas and better protect the foreign service members.

● (0930)

Mr. Timothy Edwards: Unfortunately, the short answer is no, we don't have a catalogue of anecdotal cases. We could mine the data in greater detail that we collected recently from our survey, especially the anecdotal comments on harassment, and get back to you.

I think that for better or for worse, and probably for worse, a lot of these incidents abroad go unreported. I think they're seen as an occupational hazard. When you sign up to be a foreign service officer, whether you're male or female, you go abroad and you know that you're going to encounter a number of different risks, whether they be risks to health and personal safety or of political violence. Harassment, sadly, is one of them, and there is a higher systemic chance of your encountering that if you are posted to certain countries rather than others.

So because it's underreported, or unreported, we don't have a compilation of statistics or specific examples. However, we would be pleased to solicit some feedback from our members on this subject should this committee wish to have access to perhaps a greater range of anecdotal cases.

Hon. Judy Sgro: I think it would be very helpful for us, because my sense, from your comments, is that among your 1,400 members...and again, we're talking about females primarily, but the reality today is that we're dealing with.... There could be sexual harassment of a variety of different people in different ways. But I can't help but sense the vulnerability of people who do take on the job of foreign service workers and have that kind of a rotation.

You've indicated that you have to apply for various postings, and I would also imagine that the women, in particular, looking at some of those postings, even though they're very desirable of the experience, would be quite concerned with some of the issues you reiterated earlier. They're there and very vulnerable. They're not in a huge organization that has a lot of backup for them.

There must be ways that we can somehow strengthen the foreign service to be able to attract the right people into that particular job and give them the protection they need.

Mr. Timothy Edwards: Yes. I couldn't agree more.

For political reasons, some of our like-minded countries, the Nordics in particular, make a point of assigning female ambassadors to places like Saudi Arabia, for instance. We don't have a policy like that, but obviously should a female candidate be determined to be the most meritorious, then yes, they would be assigned as head of mission.

The fact that I don't have a long laundry list shows this is not a topic that our members have said needs to be a high priority for the association. This is perhaps indicative that at least when you're interacting with Government of Canada employees, while there are isolated cases, I'm sure, on the whole we're doing relatively well within our departments.

But I appreciate the sentiment on the environment abroad and the vulnerabilities, and we can certainly try to gather some more anecdotal information. I'd be pleased to.

Hon. Judy Sgro: I think that would be helpful. The kinds of recommendations we might make as a committee, that would strengthen those areas, are important, so I appreciate that.

Ms. Smallman, in the recommendations we're looking for, to strengthen our policies for a healthy workplace as we move forward, the big issue is the retribution that happens to the so-called troublemaker who has the courage to lodge a complaint. Empowering those individuals is a real challenge. I don't believe that people make these complaints lightly against someone.

Ms. Vicky Smallman: No, they certainly don't. Think about what a woman has to go through to even consider talking to somebody. Many women don't; they will just put their head down and work and hope that it changes, they will try to avoid the situation, or they'll just leave.

When you see a department with a high turnover, you should probably think about that.

[*Translation*]

The Chair: I will unfortunately have to stop you there, because Ms. Sgro's time is up. Thank you.

We will now proceed to the second round of questions.

Ms. Ambler, you have five minutes.

[*English*]

Mrs. Stella Ambler (Mississauga South, CPC): Thank you, Madam Chair, and thank you both for being here today.

Mr. Edwards, on the survey you referred to, you mentioned that there are 1,400 employees in the foreign service. One third of those

surveyed indicated they had experienced some form of harassment and 45% had witnessed some form of harassment.

How many employees filled out the survey?

• (0935)

Mr. Timothy Edwards: As I said, it was 56% of our total membership, so somewhere in the neighbourhood of 750 individuals.

Mrs. Stella Ambler: Okay. When was it taken?

Mr. Timothy Edwards: It was done about one month ago.

Mrs. Stella Ambler: Oh, really?

Mr. Timothy Edwards: We're still sifting through the data. We had to scramble a little bit to assemble some statistics for this presentation.

Mrs. Stella Ambler: So it's very recent. Do you do this annually?

Mr. Timothy Edwards: No. We haven't done it in many years, actually. It's long overdue.

Mrs. Stella Ambler: That leads to a follow-up. Ms. O'Neill Gordon mentioned the zero-tolerance policy that we hear about that exists in most organizations, especially federal workplaces. In the foreign service, is it the case that you really can't follow a zero-tolerance policy because you have to take into account all of the different cultural environments in which your employees serve?

Mr. Timothy Edwards: Yes. I think you can have a zero-tolerance policy when it comes to other Government of Canada employees—your co-workers, your supervisors, and so on. I believe that policy is in place and is followed.

Mrs. Stella Ambler: Good.

Mr. Timothy Edwards: But you're quite right. As I said earlier, it is, sadly, an occupational risk of life in the foreign service that you encounter in these situations abroad, both professionally and personally, when you're off the clock.

Mrs. Stella Ambler: So as an occupational hazard, is there anything that we could do as a government, that you could do as an association, to mitigate the damage—mental, psychological, or otherwise—to people who work for us abroad?

Mr. Timothy Edwards: There is an employee support program in place at the Department of Foreign Affairs. It's based in Ottawa. They don't travel to each country where a complaint is lodged or concerns are raised, but they are available to consult by phone or e-mail.

As well, if they're aware that an employee is being treated in this fashion by one of their professional contacts outside the mission, one would expect that our managers in the field would take steps to mitigate that discomfort, mitigate that behaviour, either by changing that officer's job package or by intervening with that person's superiors in, say, the local foreign ministry or in the partner embassy. There are ways of mitigating it, but certainly the zero-tolerance blanket solution, which does exist and is within the purview of government when you're in Ottawa, is not available abroad.

Mrs. Stella Ambler: Right. That's what I thought. Thank you.

It would be a shame, really, for us not to appoint the best qualified female candidate to a posting in one of the countries you talked about simply because you know the risks of that woman being harassed or treated poorly by the locals is high, whether that's in various Buddhist or Muslim countries, as you mentioned, or in other countries, where machismo is the issue. That's a slightly different problem, but it ends up the same as a result. That concerns me a bit.

You also mentioned structural impediments to making a complaint. One example would be living abroad; it's physically difficult to make a complaint, other than by e-mail or something like that.

What are some of the other structural impediments, and how do you deal with them?

• (0940)

Mr. Timothy Edwards: Vicky spoke to these issues, too—

The Chair: Very quickly.

Mr. Timothy Edwards: There's the idea that you may not get an assignment, that your career prospects may be harmed if you come forward. Again, corridor reputation is so important. It's even more important within the foreign service than most public service workplaces. I think that provides a disincentive for people to come forward, except in the most extreme cases.

Mrs. Stella Ambler: Thank you.

[Translation]

The Chair: Thank you.

We will now go to the other side.

Mrs. Day, you have five minutes.

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Thank you.

Congratulations on being here. All your comments were very interesting.

My questions are mainly for you, Mr. Edwards. I see that you are wearing the white ribbon, so you are probably one of those men who have joined the campaign to put an end to violence. So congratulations again.

Mr. Edwards, do you have an idea of the number of women who have resigned or who have asked to be transferred for safety reasons or because of harassment?

Mr. Timothy Edwards: No.

Mrs. Anne-Marie Day: You don't have any idea? You don't keep any statistics on that?

Mr. Timothy Edwards: No, we don't keep any statistics.

Mrs. Anne-Marie Day: Not even a survey?

Mr. Timothy Edwards: No. The members have to come to us first before we get involved. In most cases, members use the mechanisms available within their departments and do not ask their association to get involved.

Mrs. Anne-Marie Day: Okay.

How are staff members prepared before they leave? Is there any special training before they leave?

Mr. Timothy Edwards: Yes. We provide people with familiarization training on the culture of the country where they will be posted. We also hire Canadians from that country who have worked there. They have one day or so of training to become familiar with local practices, cultural, business and so on.

Generally, there is also the training on harassment, on values and ethics, about which I talked earlier. People do not necessarily do that training before they are sent abroad; they can do it at any point in their careers. Usually, they are required to take the course during the first or second year of working for the department.

Mrs. Anne-Marie Day: Thank you.

Ms. Gordon asked a question earlier about the cost of training, and you answered it brilliantly. In your view, what is the cost per person when harassment results in illness, absenteeism, burnout, even resignation? What could those costs be for an organization like yours, compared to the costs of training?

Mr. Timothy Edwards: I am hesitant to answer, because we do not have specific data. But we could certainly ask our members the question and forward the estimated costs to you at a later time.

Still, I would say that, when the person is posted abroad, there are multiple costs, compared to those for a person working in Ottawa. Obviously, you have to pay for living expenses abroad, as well as the foreign service directives, meaning the compensation paid to make up for the high costs abroad and risks taken when you are living abroad. We estimate the cost per officer abroad at about \$400,000 per year. That includes their salary and all associated costs. So I would say that the costs for lost hours of work are much higher for someone abroad than for someone here in Ottawa.

Mrs. Anne-Marie Day: You said that you did not have the figures on situations where staff members were subject to harassment in the community, not in the workplace, where employees do not have protection and you do not provide them with the service. However, those cases still occur.

Mr. Timothy Edwards: Yes, but I have to say that it's very rare. I have of course consulted with our office, and they said that, quite frankly, they were not aware of any cases where the association was involved, over the past three or four years. That is a good sign.

At any rate, we could do a bit more research on the data for the past 10 to 20 years to get more detailed information.

Mrs. Anne-Marie Day: I would imagine that you would still offer support to women in those cases.

Mr. Timothy Edwards: Absolutely, there is no doubt about that.

Mrs. Anne-Marie Day: Okay.

I still have so many questions, but I only have one minute left.

You talked about a culture that was encouraging women to keep quiet. Most women who filed complaints have become ill or quit; one way or another, they disappear from the structure. That means that they are withdrawing by themselves rather than putting up a fight.

• (0945)

Mr. Timothy Edwards: Yes.

Mrs. Anne-Marie Day: That is one third of the staff. Are they situations where men are in charge, or are we talking about both men and women?

Mr. Timothy Edwards: In our survey, the question was rather broad. We were not talking only about sexual harassment, but also abuse of power, such as constantly yelling at the employees or any other type of abusive behaviour. We could look into this further to determine exactly the type of behaviour and the percentage that goes with each category—harassment, abusive behaviour, and so on.

The Chair: Unfortunately, I have to stop you there, Mr. Edwards.

That concludes our discussion with our first panel of witnesses. I think we could have spent three hours together this morning and we would have still not had too much information. It has been very interesting. Thank you very much for agreeing to appear before our committee.

I think that some people have asked for information in writing. Our clerk is going to be in touch with you.

Thank you very much and enjoy the rest of your day.

Mr. Timothy Edwards: It was a pleasure.

The Chair: I am now going to suspend the proceedings for a few minutes so that the next panel of witnesses can take their places.

Thank you.

• (0945) _____ (Pause) _____

• (0950)

The Chair: With your permission, we will resume the proceedings right away.

Good morning. Thank you for accepting our invitation once again. On Tuesday, our meeting was cut short. That should not happen today.

Today, we are going to focus on the questions, since you already made your presentation. We have until 10:30 a.m to ask questions.

Let us start the first round of questions.

Ms. James, you have seven minutes.

[English]

Ms. Roxanne James (Scarborough Centre, CPC): Thank you, Madam Chair, and welcome back to both of our guests today.

In the last visit, you talked about the different orientation training that you offer, and you indicated that approximately 4,200 people have attended that orientation training, and 57,000 have attended the “Essentials of Authority Delegation” training for managers.

The three courses that specifically deal with sexual harassment in the workplace are more geared toward that direction: Creating a Respectful Workplace, Investigating Harassment Complaints, and Managing Harassment Complaints.

I am wondering if you could indicate how many individuals so far have attended each of those three courses, which are really more geared toward this particular topic in our committee.

The first one was Creating a Respectful Workplace.

Mr. Jean-François Fleury (Acting Vice-President, Learning Programs, Canada School of Public Service): Sure. Just as a point of clarification, in the orientation program it was 42,000.

Ms. Roxanne James: Yes, I'm sorry. I have 42,000; I just misread it.

Thank you. I even have my glasses on.

Mr. Jean-François Fleury: That's fine.

As I mentioned last time, and as the opening remarks outlined, the number of learners who go through the school has sort of a pyramid effect. The wider, the more foundational the learning part of it is, the more users we have at the school. The more precise we go, the smaller the target audiences are for those products.

For Creating a Respectful Workplace, since 2010, over 3,000 employees have taken that course.

For the more specific courses geared to the labour relations specialists and those who work in the field, that number goes down significantly because it is proportionate to the number of potential learners who can take the course. We are dealing with 142 for Investigating and 243 for Managing Harassment Complaints.

Ms. Roxanne James: Is that since 2010?

Mr. Jean-François Fleury: Yes, 2010.

Ms. Roxanne James: Are any of these courses mandatory? Are the ones that I am more interested in mandatory?

Mr. Jean-François Fleury: They are not mandatory.

Ms. Roxanne James: They're not mandatory.

So what percentage of people actually take these courses, or do you think should be taking these courses?

Mr. Jean-François Fleury: Creating a Respectful Workplace, in itself, is a very valuable product, but the concepts of Creating a Respectful Workplace are included in many other products that aren't listed here. We did not want to go through the whole school curriculum.

In terms of the more precise courses, we don't have here the statistics of the whole community, so it is hard to tell the exact proportion that we are hitting. I would argue that the numbers we have there, proportionate to the number of labour relations specialists in a department, reflect an important segment, but I don't have the exact percentage.

Ms. Roxanne James: I had information on the costs from the last meeting. Creating a Respectful Workplace is \$275. Is that correct?

Mr. Jean-François Fleury: It is.

Ms. Roxanne James: Investigating Harassment Complaints is \$1,375, and Managing Harassment Complaints is \$300. Is that correct?

Mr. Jean-François Fleury: It is.

Ms. Roxanne James: Could you explain why there is such a great variance in the costs associated with each of those courses? Is one a half-day versus a two-day course?

Mr. Jean-François Fleury: Exactly. The duration of the course is the big driver for the total cost. Investigating Harassment Complaints is a five-day course. Essentially, when we cost our products, we look at all the direct and indirect program costs and we amortize that by the number of learners we anticipate to have, as well as the length of the course.

It's based on a per day...and then it is essentially prorated to the number of days of the course.

Ms. Roxanne James: How long are the other two courses that are only \$275 and \$300?

Ms. Felicity Mulgan (Acting Director General, Functional Communities, Authority Delegation and Orientation, Canada School of Public Service): They are one day.

• (0955)

Ms. Roxanne James: Could I just interrupt one moment? I'm having trouble with the sound. It is cutting in and out.

[Technical difficulty—Editor]

Ms. Roxanne James: Secondary to those types of questions, how often are these courses offered? Obviously, the five-day one.... Is it offered as frequently as the others?

Mr. Jean-François Fleury: The school's offering strategy depends on demands. We essentially offer those courses on our website. As soon as we get a demand that is significant enough and worth an actual offering, then we do those offerings.

In these particular cases, they are not offered that often, because the school is responsive to the actual demand. For example, we try to have a minimum number of participants in order to deliver the course. If we only have two or three people who are interested in the course, we wait until that number goes up and then we do an offering to meet the demand.

Ms. Roxanne James: How many people would be considered a "demand" for each of those courses? Obviously, for the first one, if there are 3,000 people who have participated in it, it's held more frequently because there is a higher demand. What would you consider a required number?

A secondary question is this. How often have you offered these in the last couple of years, if there is not a huge demand and there are only two or three people who are requesting it?

Those are my questions. What is the demand, and how often have you actually held these sessions?

Ms. Felicity Mulgan: For Creating a Respectful Workplace, I do have some statistics here. It's one of our most popular courses. We had 64 offerings in 2009-10; 24 in 2010-11; and 16 in 2011-12. The other courses, as you point out, are offered less frequently. Sometimes we do them by MOU with departments.

Typically, we have at least one offering per year in each of the official languages.

Ms. Roxanne James: Where are those actually held? Do you have to actually be physically on site or can you do things online?

Ms. Felicity Mulgan: These courses are offered at the school's premises, in our classrooms.

Ms. Roxanne James: We use technology here, so if someone doesn't physically have to be here, we can see and talk to them. Do you use that same technology as well, or does someone physically have to hop on a plane and come all the way to one particular location?

Ms. Felicity Mulgan: The school has regional offices across the country. We take care of regional needs. We have 10 different points of service, I believe.

Is it 13?

Mr. Jean-François Fleury: It's 13.

Ms. Felicity Mulgan: We have 13 points of service. We are also starting to adopt distance learning technology, but these specific courses are offered in the classroom.

Ms. Roxanne James: You say 10 different points of service. Are each of those courses held at each of those 10 different points of service, or is there one physical location for the classroom?

Mr. Jean-François Fleury: Again, if there's enough demand in a particular region, it would be offered in that region. If the demand is not there.... It's offered where the demand is, at those 13 points of service.

Ms. Roxanne James: For the most expensive course—

[Translation]

The Chair: Ms. James, I will have to stop you there, since you have run out of time. Thank you.

We will now go to Ms. Ashton for seven minutes.

Ms. Niki Ashton (Churchill, NDP): Thank you very much.

[English]

In the recent testimony by Martine Glandon, who is the manager of value and ethics at Treasury Board, we learned it is the responsibility of each ministry to decide whether courses on harassment offered by the Canada School of Public Service would be mandatory. I am wondering if you know if there are some ministries whose employees are more involved than others in taking these courses.

Mr. Jean-François Fleury: The statistics we have are public service-wide. We mentioned MOUs with departments; these are relationships we build organization to organization to meet their learning needs. We have a strong relationship with Environment Canada for Creating a Respectful Workplace. But I do not have the breakdown for each department.

Ms. Niki Ashton: Is the breakdown available? Could we see that breakdown?

Mr. Jean-François Fleury: The school could provide statistics on that breakdown. I would just caution that the school is one provider that a department can use. We feel that departments always have a more comprehensive picture of how they choose to meet their learning strategies and who they choose to use as the supplier. For example, there is the joint learning program—I believe it was discussed earlier with the TBS and PSAC—that offers very relevant training on this subject matter as well. This school is sort of one piece of the picture.

•(1000)

Ms. Niki Ashton: Sure. The data we would be interested in is specifically around the programming that includes anti-sexual harassment training. Could you provide us with the breakdown of which departments have accessed, obviously, the training you offer? Your point is well taken in terms of other training they may be using.

That would be very helpful. Thank you very much.

I am also wondering if, through your work, you are aware of a correlation between departments whose employees take the training and a lower or higher level of sexual harassment complaints that come out?

Mr. Jean-François Fleury: From the school's perspective, we focus on offering the best possible and most relevant learning. We don't extend into correlations or analysis of departmental behaviours. The departments would definitely be in a better position to do the correlations between training and their harassment levels.

Ms. Niki Ashton: Unfortunately, the incidences of sexual harassment are delicate, obviously, for many people to come forward with them, and the data is often challenging to come by, but one thing we've heard from many witnesses is that in workplaces where there is greater awareness and training, not only might there be a likelihood of there being less harassment, but people also feel more comfortable to come forward.

One of the things we've noted is that in the area of sexual harassment, it would be important to have maybe even Status of Women, which obviously has a vested interest in seeing women in the federal service be better off, take that kind of leadership in coming up with that kind of data. As you point out, in terms of the data and the ability to mark the correlations, and to take action accordingly, that capacity is just simply not there, unfortunately.

Does the Canada School of Public Service have certain mechanisms put in place to measure the effectiveness of your training with respect to harassment?

Mr. Jean-François Fleury: We have a very rigorous system in place to measure the effectiveness of our products. Evaluations are done after each offering to ensure that the objectives were met, that the instructor was effective, that the content was right. Every time a course is delivered, if there is something from that particular course that didn't resonate well with those who took it, we take corrective action.

In addition to that, we review our curriculum annually to look at the high-performing courses and the lower-performing courses in order to adjust and in order to identify gaps in the curriculum where there could be new products. It's a very organic curriculum. Although most of the products have been in the curriculum for a long time, a certain percentage will always fluctuate, pending priorities.

In addition to that, we always work with the Treasury Board Secretariat policy leads and the communities as a whole. The HR community is a very active community. We're part of that community and consult them regularly to ensure that the suite of offerings we have meet the needs of essentially the departments and the department heads.

Ms. Niki Ashton: The Treasury Board came up with a new policy just recently around sexual harassment. I'm wondering if you were involved in shaping that policy.

Mr. Jean-François Fleury: From a learning perspective, every time there's a new policy we're involved, but we're involved especially to be aware of it so that we can ensure our instructors are aware of it and our materials are up to date as soon as the policy is put in place.

We don't set policy—that's the Treasury Board—but we are part of the process. Early awareness of policy changes is key for the school in order to prepare and deliver the best possible training in a timely way.

Ms. Niki Ashton: You're obviously party to a great deal of feedback based on the training you have. One would think that feedback would be useful in shaping effective policy. Do you share with Treasury Board the feedback you get from the employees you train, or did you in the case of shaping this policy?

•(1005)

Mr. Jean-François Fleury: The feedback we get and the evaluations we get definitely are part of the school's interventions in these conversations. For example, if we feel that a particular course is not resonating well, the community will know of this particular issue. We'll try to make sure that the future offerings meet those needs.

Ms. Niki Ashton: So you don't have that conversation with Treasury Board in terms of maybe an area that...not just in terms of the effectiveness of the course, because obviously that's your prerogative. But if your school sees an emerging concern around harassment, for example, does that information get back to Treasury Board?

Mr. Jean-François Fleury: It does in an informal way, because we have discussions with them regularly. It's not an isolated one-year conversation. We're active in the HR community.

As I said, our feedback would be one of many from departments, the community, and the labour relations specialists within departments.

[Translation]

The Chair: Unfortunately, I will have to stop you there. Thank you.

We will continue this round of questions with Ms. Bateman.

You have seven minutes.

Ms. Joyce Bateman (Winnipeg South Centre, CPC): Thank you, Madam Chair.

Thank you for joining us once again. Your work is really very important for the public service and for our study.

[English]

I have so many questions. What you're doing is huge. It is so important. As a former manager in the public service of Canada, I understood the importance. It was my job to ensure that I had a respectful workplace, that I contributed to that, both up and down, which I think we've heard numerous times.

I'm also a chartered accountant, and I'm looking at your market. You have a ballpark number of 250,000 public servants. You have a culture at the top that says you value a respectful workplace, and you're certainly contributing to that. Yet you're saying—correct me if I'm wrong—3,000 public servants have attended the Creating a Respectful Workplace course. That's your highest participation for the anti-harassment course.

Mr. Jean-François Fleury: Yes. For promoting a respectful workplace, in the more general products that we have for managers, that is our most popular product.

Ms. Joyce Bateman: Okay. So there were 3,000. There are 142 specialists who investigate, so that's understandably somewhat lower, and then 243 for Managing Harassment Complaints.

I'm just curious. If I were sitting in your spot, I'd sit back and say, here's my potential market—250,000—and here's my achieved market—300,000—so how do I grow my market? You can only offer this if you offer it on a cost-effective basis, if you're giving the managers what they need and if you're giving the employees what they need. I'm really curious about how you do that.

Mr. Jean-François Fleury: These courses here are the courses that are the most precisely linked to this study. Most of our leadership and professional development courses include values and ethics, values-based leadership, and creating a respectful workplace. We feel, as a school, that this number is not as high as it could be, but the notion of a respectful workplace and values-based leadership is a key driver in the way we develop most or all of our other offerings as well.

Ms. Joyce Bateman: Do you use the findings in the public service? Do you regularly refresh the documentation you're providing and the experts you use to hone the courses?

Mr. Jean-François Fleury: Yes, we do.

Ms. Joyce Bateman: So you're constantly refreshing?

Mr. Jean-François Fleury: Every year we go through an exercise in which we look at the curriculum and have an evergreening process to ensure that it's up to date and that it meets the needs now.

Ms. Joyce Bateman: So let's say I'm a manager in Winnipeg, Manitoba, I've worked with some colleagues, and we can get 24 people in the classroom: how do you figure out...? I mean, obviously the cost of developing the module is a sunk cost, but you're going to spread that over your total recapture. How do you develop your costs?

Mr. Jean-François Fleury: In this particular case, the cost is already set because we have an idea of how many people we expect to take a course, and we amortize that. In this particular case, the regional point of service would meet with the manager in Winnipeg and organize a particular offering for this product in a location in Winnipeg.

• (1010)

Ms. Joyce Bateman: You clearly have competition in this business, I know, as a public servant. Clearly, you're not capturing the market. We're hearing from Treasury Board that there's an expectation that everybody get some training as soon as they're hired. We have 250,000 people, ballpark, and you have 3,000 who have taken your course.

As a public servant myself, I worked in a department where every year we had a session on creating a respectful workplace. It wasn't optional. We had it every year and the whole department had to be in there. If you were away on business, you had to figure out another time. It wasn't the public service school that provided that training, I don't believe, and it was pretty cost-effective, I think, because they came right to the department. It was a relatively small department.

How are you dealing with the competition? Everybody has to deal with the competition.

Mr. Jean-François Fleury: That is a very accurate statement.

This particular curriculum is one facet of it. In other particular areas, the school is used more predominantly. As mentioned earlier, some departments can choose to develop in-house methodologies to do a culture change and a behaviour change within their organization and/or use the school.

We do have the flexibility of offering tailored learning to a particular department and to come into a department and offer those services as well. Often when we do that, it's less on one particular theme or one particular product, but it's more an organization that identifies various different themes.... We package a slate of courses that we can come in with and tailor to the department's needs.

Ms. Joyce Bateman: We just had two individuals present to us who were representing more of a union framework. The lady representing the Canadian Labour Congress indicated that they do not train managers. Now, obviously, all managers still pay union dues, so how do we as a public service support those managers with the right tools? Their union, which they're paying the dues to clearly.... I mean, the lady said they do not train them.

The moment a person becomes a manager...how do you work with public service management or directors to ensure those managers have the tools they need to ensure a respectful workplace?

Mr. Jean-François Fleury: From that perspective, we get back to the foundational learning and the authority delegation training. Departments have the role to identify those people—

Ms. Joyce Bateman: Okay, so there's nothing incremental, other than the authority delegation training?

Mr. Jean-François Fleury: It starts there, and it has a pretty important people management component.

Ms. Joyce Bateman: So would it be about a day?

Ms. Felicity Mulgan: Yes. People management and code of values and ethics would amount to that.

Ms. Joyce Bateman: Okay, so you target it.

I would suggest that your statistics probably...well, you had said before there were—

[Translation]

The Chair: Ms. Bateman, I will have to stop you there.

Ms. Joyce Bateman: Oh, what a shame, Madam Chair.

Thank you. It was very interesting.

The Chair: I am sorry. Seven minutes go by fast.

Ms. Sgro, it is your turn for seven minutes.

[English]

Hon. Judy Sgro: Thank you very much.

Thank you for coming back.

Do your offerings go to other than the public service?

Mr. Jean-François Fleury: We include some provincial public servants into regional offerings, and this enables us to meet the required target. We try to reach as many public servants as possible, but generally speaking, the focus of the school is the public service.

Hon. Judy Sgro: Okay. So you don't go out there and enter into the private marketplace. Your focus is pretty much provincial and federal.

Mr. Jean-François Fleury: It's mostly federal. I was using the provincial example as an area where people outside the federal public service take our courses.

Hon. Judy Sgro: Okay. What would the overall budget be of your school, if I can ask that question?

Mr. Jean-François Fleury: The school's overall budget is roughly—and I don't have my CFO with me—\$100 million, of which 55% is based on revenue.

Hon. Judy Sgro: So you get that much back—55%—on covering the program?

Mr. Jean-François Fleury: Exactly.

Hon. Judy Sgro: What about the other 45%?

Mr. Jean-François Fleury: It's centrally funded, A-base. It's money to do the orientation program, the foundational learning, the authority delegation training, as well as other topics. I don't have that total breakdown, but those are the rough numbers.

•(1015)

Hon. Judy Sgro: Has there been an increase in requests for courses—that is, the harassment side, specifically the issues of sexual harassment in the workplace? Has there been any interest placed in the last couple of months? I'm gathering the fact that we were doing this study.... Has there been a renewed interest from any of our departments federally?

Mr. Jean-François Fleury: We have had some conversation. It is definitely creating an impact. We can't measure that impact yet. We haven't seen the fluctuation in the statistics or the number of offerings we need to create. The reason I'm saying that is that I'd say about 65% of our business volume—we're a school, and we sort of operate like a school—has always been between September and October. We have a lot of fluctuation happening right now, because that's when most of the training at the school is delivered. To try to pinpoint a particular impact would be difficult to do at this time.

Hon. Judy Sgro: If a manager is found to be harassing an employee, and part of the retribution is having to go to a three- or four-day program specific to these issues of sexual harassment, how long, generally, would it take before the individual—the manager or supervisor or whoever—would be able to get into a program? Would it be a year, six months, three months, or is there a fairly quick turnaround?

Mr. Jean-François Fleury: Our calendar offerings are open enrollment, which means that if particular managers have been identified by a department to take a particular course, they would

register to the next available offering. These offerings, as I mentioned earlier, are based on demand. But in particular—for Creating a Respectful Workplace, for example—the bulk of the offerings are given between September and April just because of the learning patterns in government.

Hon. Judy Sgro: How many people, by and large, do you need in order to be able to put a course on?

Mr. Jean-François Fleury: Generally speaking, as a golden rule, it's around 15 to 20 learners. These numbers differ when we have an organization-to-organization conversation, because often it's packaged in a way that we have more flexibility because it's an organizationally led demand.

Ms. Felicity Mulgan: We design our courses typically for up to 24 participants, and then we calculate that we'll go ahead and offer it when we are around two-thirds full. But as my colleague said, when we're working directly with departments, there is some more flexibility.

Hon. Judy Sgro: Again, you've been able to offer this to 3,000 out of the 250,000 who work for the public service. Not everybody, and not every department, is necessarily taking advantage of the opportunity to attend the school and take various programs.

Mr. Jean-François Fleury: I can't comment on the departments' decisions. Our job is to make sure that the offerings are in the window and that they're available for them to take. That's sort of our role as a school, to make sure it's there for the taking, but we can't enforce the demand or force a department to absolutely use this course. It's up to them to decide.

Hon. Judy Sgro: How many other schools, let's say in the Ottawa area, offer programs similar to yours?

Mr. Jean-François Fleury: In terms of schools per se, I don't know of any private schools, but there may be private suppliers that can tailor their learning skills and package information to departments. We don't track what departments hire a particular private sector company to deliver their learning. It's impossible for me to pinpoint exactly how many schools or institutions there are. But the private sector does and can adapt learning strategies to do this.

Hon. Judy Sgro: How much of the work you do in your offerings refers to the culture or attitude of the respectful workplace?

Mr. Jean-François Fleury: I don't have an exact percentage, but I would say as a ballpark that at the core of their mandate, most of our leadership and professional development courses have the craft of government. That includes creating a respectful workplace as well as promoting the code of values and ethics.

•(1020)

Hon. Judy Sgro: That's fine. Thank you.

[Translation]

The Chair: We are now going to go to the other side of the table to start our second round of questions.

Ms. Young, you have five minutes.

[English]

Ms. Wai Young (Vancouver South, CPC): Thank you.

I'm sharing my minutes with my colleague, Roxanne. She'll go first.

Ms. Roxanne James: I'm not sure whether I heard this correctly. Did you say that your school or your organization operates somewhat like a regular school, whereby you don't offer courses or whatever during the summer? Did I hear something to that effect? I just want to clarify that.

Mr. Jean-François Fleury: No, the offerings are there year-round.

Ms. Roxanne James: What exactly did you say? Because I caught....

Mr. Jean-François Fleury: The bulk of school use is between late August and the end of fiscal year. The school operates 12 months and does have offerings year-round.

Ms. Roxanne James: Why does it tend to be late August to the end of the fiscal year? I'm just curious—and then I'll pass the time remaining to my colleague.

Mr. Jean-François Fleury: We don't control the patterns and the departments' spending, but often it more or less follows the flow of having learning plans in place in departments and having their budget allocations to deal with their learning strategies. As well, the summer months are affected by vacations and what not. The pattern in the past has been that the bulk of the volume is during that period.

Ms. Roxanne James: Do you feel there would be any cost savings if you offered courses during only part of the year? It seems to be more bulked into one particular part of the fiscal period. Do you feel there would be some cost savings if the school operated within a certain timeframe and perhaps didn't operate for the rest...? Things are being offered on demand and so forth. I'm just wondering if there are some cost savings to be had here.

Mr. Jean-François Fleury: There is demand during the summer, and the way we operate is that most of the instructors are paid per use, so that we don't have the full capacity at the school year-round. We actually get more instructors and more resources available at the school during the busy time, so we adapt to that.

Ms. Roxanne James: Okay. Thank you very much. I'll just pass the remaining time back to my colleague.

Thank you, Wai.

Ms. Wai Young: I'm just checking. Since we have votes, how much time do we have left, Madam Chair?

The Chair: You have three minutes.

[*Translation*]

There are no votes right now.

[*English*]

Ms. Wai Young: That's good. Thank you.

I'm very curious. We've had many different witnesses in front of us for this study. Some of them have been from smaller departments, as you know, and some of them from larger departments. There seems to be a sense from the people representing some of the smaller departments that they're kind of all alone, and that they only have these very small one-person or seven-person units looking after sexual harassment. There is a lack of awareness of the courses or

training or supports that the federal government has for them as a department.

Can you tell me about your marketing or your outreach strategies, and how you market yourself to other departments, particularly the smaller ones, to let them know that you are there to support them?

Mr. Jean-François Fleury: The school is definitely there to support departments, small or big. Our marketing approaches are often tailored to the needs that we hear from the community. I don't think we marginalize the smaller departments. They're definitely welcome to use the school.

The marketing approach does not differentiate its efforts based on size. There are bigger departments that have a mass of employees, and naturally—we don't measure if it's a byproduct of marketing or not—the bigger departments are marginally bigger users of the school just because of the numbers.

Ms. Wai Young: Obviously that makes common sense. I guess what I'm trying to say is if we were to do an analysis, for example, on where sexual harassment complaints are, and compare that with the size of the department and the various courses they have or have not requested their people to attend, might we find a correlation between whether attendance is encouraged and/or even mandatory for those smaller departments and/or incidence of harassment complaints?

Mr. Jean-François Fleury: Well, I can't talk to what a department.... From the school's perspective, our job would be to make sure to be there to complement and to respond to the demand, following the analysis of a department. If a particular department felt there was a particular need within the department, we would then sit with them to see, organization to organization, how the school could best support their learning needs.

• (1025)

Ms. Wai Young: Would it therefore be possible for us to get some information or statistics—

[*Translation*]

The Chair: I am going to have to stop you there, Ms. Young. I am sorry, but your time is up. Thank you.

We will now go to Ms. Ashton for five minutes.

Ms. Niki Ashton: Thank you very much.

I am going to share my time with my colleague.

[*English*]

First of all, do you feel the private sector could learn something from your school and the work you do when it comes to training around sexual harassment?

Mr. Jean-François Fleury: From the school's perspective, we don't analyze the curricula or strategies from the private sector. I think what we have at the school is very internal knowledge of the craft of government and how that works, and a very sound understanding of the communities. Our instructors in most cases, when you get into very specialized subject matter in courses, are trained current public servants.

Ms. Niki Ashton: The reason I ask is that it's known that women are far more equitably represented in positions of power and decision-making in the public service as compared with the private sector. Obviously that connects very strongly with a culture... whether it condones or certainly supports, I guess, incidents of harassment, and sexual harassment in particular.

It would seem to me that the training you offer, which caters to and is based on a system that is perhaps more equitable and better for women to work in, might be something the private sector could learn from.

I also want to just put on the record my concern. I know last week it became an issue not to put words in the mouths of other witnesses. My colleague Ms. Bateman made reference to a comment around managers and unions not getting training.

I would caution around judgments being made about managers. Obviously there are different levels of managerial positions, and I think misinterpreting words that may or may not have been said with regard to training, and making general statements with regard to training that may or may not take place, is problematic. I'm not sure what it has to do with actually coming up with proper recommendations in this study.

[Translation]

The Chair: Ms. Bateman, is that a point of order?

[English]

Ms. Joyce Bateman: I very much appreciate Madam Ashton's comment.

Could we ask the analyst to specifically extract the comments made by the lady who was here from the Canadian Labour Congress and analyze the point that I made reference to?

In her remarks, she said very clearly that they do not offer manager training. I was just seeking to find a point so that those managers could be trained, because if we don't train our managers, we have a problem. We're all here to work together to make sure we create a respectful workplace.

Could we make sure that the analyst pulls that, and that we, as a committee, get to look at that specific comment? This was not ill-intended; this was intended to make sure that we work together. We have a School of Public Service that could fill that need. I just want to clarify that.

[Translation]

The Chair: I don't think that we can get the information that you are requesting in writing today, since the testimony was given an hour ago. But we will be able to do so later.

Ms. Joyce Bateman: I am asking that our analyst provide all the committee members with an analysis of Ms. Ashton's comments. I have counted three occurrences where she said that Vicky Smallman, National Director of the Women's and Human Rights Department from the Canadian Labour Congress, said this or that. That was the point I wanted to raise. I quoted Ms. Smallman's comment in my question to the witnesses who are here before us. Perhaps this would be an opportunity for our witnesses here to better serve the managers market in public service.

That is the reason behind my comment; I have no ill intentions.

•(1030)

The Chair: Why is this a point of order?

Ms. Joyce Bateman: Perhaps because it is a very important point for our committee.

The Chair: Ms. Ashton, you have the floor.

Ms. Niki Ashton: I would simply like to say this.

[English]

It's not about the intention; it's about having the right facts, and we're asking all our witnesses to provide background facts. Maybe it would be interesting—and this has nothing to do with the Canadian Labour Congress or anything else—to find out what level of managers receive the kind of training the school offers, or other kinds of training. Maybe the higher up you go, they receive training from outside actors.

I do think the statement that was made earlier really doesn't add to the kind of recommendation we should be making, but I agree with Ms. Bateman that we need the right kind of information, and I think the analyst could provide the right kind of information, based on doing broader research with regard to training managers in the public service.

[Translation]

The Chair: Ms. Sgro, you have put your hand up. Do you have something to add?

[English]

Hon. Judy Sgro: I don't want to get into this. I'm not sure where it's all going, but now you've raised an issue. I don't want to give work to the analyst—

[Translation]

The Chair: Neither do I, honestly.

[English]

Hon. Judy Sgro: —and we still have our previous witness here.

My understanding from the Canadian Labour Congress is that their managers do policy; they don't offer training. The training of their managers happens within the individual unions. It does not happen through the Canadian Labour Congress itself because they are a policy development organization.

I don't think we need the analyst to spend 15 hours trying to clarify when we still have a witness here who could probably clarify what she meant when she made that comment.

But it is 10:30—

[Translation]

The Chair: I am sorry, but I am not sure where this debate is going and it has made us lose the last few minutes with our representatives from the School of Public Service, because now we have to discuss the future business of the committee.

I am not really sure what you are getting at, Ms. Bateman. I am sorry.

Ms. Joyce Bateman: No, no. Actually, it is so that our committee runs smoothly.

The Chair: Okay.

Ms. Joyce Bateman: That is why I said what I said.

The Chair: Okay. So you would like an analysis of...

Ms. Joyce Bateman: We need to know exactly what our witness from the Canadian Labour Congress said, since I quoted her.

The Chair: Of course, we are going to get that information. It is still...

Ms. Joyce Bateman: Yes. We also need to see the part I quoted, because I think that Ms. Ashton misunderstood my comment.

The Chair: That's fine, Ms. Bateman, but next time you want information in writing, please don't call a point of order. This is not a point of order. It would be better if you waited until after the proceedings.

Ms. Joyce Bateman: Okay.

The Chair: Also, next time, please don't interrupt the people asking questions. That would be really appreciated. Unfortunately, Ms. Ashton now lost the time she had left. It is a bit...

Ms. Joyce Bateman: Yes. Thank you.

The Chair: Thank you, Ms. Bateman.

I am sorry, but that concludes our discussion with our second panel of witnesses today.

Thank you very much for accepting to appear before our committee again. It was very interesting.

I am now going to suspend the proceedings for one minute to move in camera for committee business. Thank you.

[Proceedings continue in camera]

MAIL  POSTE

Canada Post Corporation / Société canadienne des postes

Postage paid

Port payé

Lettermail

Poste-lettre

**1782711
Ottawa**

If undelivered, return COVER ONLY to:
Publishing and Depository Services
Public Works and Government Services Canada
Ottawa, Ontario K1A 0S5

*En cas de non-livraison,
retourner cette COUVERTURE SEULEMENT à :*
Les Éditions et Services de dépôt
Travaux publics et Services gouvernementaux Canada
Ottawa (Ontario) K1A 0S5

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Additional copies may be obtained from: Publishing and
Depository Services
Public Works and Government Services Canada
Ottawa, Ontario K1A 0S5
Telephone: 613-941-5995 or 1-800-635-7943
Fax: 613-954-5779 or 1-800-565-7757
publications@tpsgc-pwgsc.gc.ca
http://publications.gc.ca

Also available on the Parliament of Canada Web Site at the
following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

On peut obtenir des copies supplémentaires en écrivant à : Les
Éditions et Services de dépôt
Travaux publics et Services gouvernementaux Canada
Ottawa (Ontario) K1A 0S5
Téléphone : 613-941-5995 ou 1-800-635-7943
Télécopieur : 613-954-5779 ou 1-800-565-7757
publications@tpsgc-pwgsc.gc.ca
http://publications.gc.ca

Aussi disponible sur le site Web du Parlement du Canada à
l'adresse suivante : <http://www.parl.gc.ca>