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Ms. Marie-Claude Morin

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• (1100)

[Translation]

The Chair (Ms. Marie-Claude Morin (Saint-Hyacinthe—Bagot, NDP)): Good morning. Welcome to the 66th meeting of the Standing Committee on the Status of Women. Today, pursuant to Standing Order 108(2), we continue our study of sexual harassment in the federal workplace.

Joining us is Cindy Viau, Director's Advisor for the Quebec Help and Information Centre on Harassment in the Workplace. Welcome. Thank you very much for accepting our invitation.

Ms. Viau, you have 10 minutes for your testimony. I will let you know when you have one minute left and we will then move on to questions. You may start now. The floor is yours.

Madam Cindy Viau (Director's Advisor, The Quebec Help and Information Centre on Harassment in the Workplace): Madam Chair, members of the committee, good morning. Thank you for welcoming me today by videoconference. The members of the centre and I are happy to participate in your study on sexual harassment in the workplace.

I am aware that you received a document that provides a general overview of our organization, but I would still like to focus on a few points before we move on to the question period.

As the chair mentioned, my name is Cindy Viau and I am the Director's Advisor for the Quebec Help and Information Centre on Harassment in the Workplace. In broad terms, I work jointly with the managers of the organization, I run awareness sessions, I provide in-house training and I manage several special projects. That depends on which projects are in progress during the year.

I would first like to talk about what our centre does. The centre is a non-profit organization that assists victims of harassment in the workplace. Initially, we were a committee affiliated with another organization known as Rank and File, which still exists today. Our mandate was to help victims of sexual harassment in the workplace.

The organization was originally created by women for women. However, since 2004, when the Act respecting Labour Standards came into force, we have also been helping victims of psychological harassment in the workplace. Our mandate has expanded as a result of the growth in demand by the public. Our clientele has also slightly changed. In the beginning, women were the ones who came to meet with the workers at the centre. Today, we are also helping men. However, most of our clients are still women today.

To ensure that the organization runs smoothly, our team is made up of six people. So we have six permanent employees. We have a lawyer, a director, myself, a receptionist and case workers in our two departments. I will briefly tell you what they do.

We also get help from interns who come from various universities in Montreal, specializing in law, criminology, sexology and social work. We can count on the support and help of about seven or eight interns every year. Thanks to those young university women who donate their time, our centre is able to provide high-quality services.

To provide those services to our clients, the centre has put in place a number of services, the main one being the support and information department. I am going to take the time to explain a little about how this department works on a day-to-day basis.

Individuals who call the centre will be directed to the support and information department. A case worker specialized in criminology will take the calls. The worker will be an active listener and provide support and information to the person calling. They try to provide a lot of moral support as well as demystify some situations. When more technical support is needed, other case workers will also be available to help the person draw up their version of the story or to prepare a complaint.

There is a lot of variety and it all depends on the type of call. Some people call once and only have one question. The case worker will be available to answer the question. Sometimes, the files may stay active in this department for months. It depends on the psychological state of the person and whether the person needs long-term support.

The support and information department also organizes café-rencontres. Those are informal meetings for people who have experienced sexual or psychological harassment in the workplace. At the outset, in 1980, the centre was sort of a big café-rencontre between women. Women would get together to talk about what they were experiencing in their workplaces.

The department organizes those meetings three times a month and they are open to the public. People can come and talk about what is working and what is not working for them and what the status of their files is. Our mandate is to break the isolation and to empower women to confront their harassment situation at work.

•(1105)

We also have an internal newspaper called *Info-GAIHST*. It is an informational newspaper that is published on average four times a year and is distributed to our members, contacts and partners with a view to sharing the news of the organization. In addition, if an interesting ruling is made, we will publish it in our internal newspaper. The goal is always to keep people informed.

After someone calls the support and information department and the criminologist does the follow-up, if the person requires legal assistance, their file may be transferred to the legal services department of our organization. We have a lawyer and a criminologist available to help clients with their legal proceedings. I am talking about legal assistance. In addition, the case workers will provide information to ensure that the clients fully understand what is going on. It is our experience that a number of steps can be taken to deal with workplace harassment. Depending on the situation, it can be quite complicated to really understand all the obligations of an individual. So those workers are available to provide information. They also provide moral support and they can go with the clients to court. Depending on the file, they can provide legal representation. It can also mean negotiating with the employer, mediating between the employer and the client to find common ground in a harassment case. The scope is rather vast and it depends on each case. Some files are active for a few months whereas others are active for a few years, depending on the needs and all the factors that come into play in a particular case.

We also have a department that organizes awareness sessions. That is one of the organization's major objectives and we are trying to expand it, given how important it is to talk about harassment. We provide this service so that people know what harassment is and what they can do if they ever feel that they are victims of sexual or psychological harassment in the workplace. Those awareness sessions are between one hour and a half and three hours long. It all depends on the needs of the organization that makes the request.

For instance, we can go and talk to the employees of a company about the definition of harassment, how to recognize it and what to do if a person ever feels that they are a victim of harassment. We also visit women's groups and community centres where there is a real demand to clarify the basic concepts related to harassment.

We also offer in-house training sessions to employers, managers, human resources staff and union members to explain what harassment is, how to recognize it and how to handle a complaint if an employee wants to meet with a manager to talk about a harassment problem at work.

Generally, employers are the ones who call us to receive this type of training. So we adapt the content of the training to their needs. For instance, we determine whether there is a workplace harassment situation or whether they just want to make sure that everyone knows what the law says and what their obligations are, by also reminding them what the policies contain. That really depends on the needs of the company that requests our services. So we try to adapt our training.

•(1110)

The Chair: Ms. Viau, you have one minute left.

Madam Cindy Viau: Thank you.

The in-house training can take between three hours to a day and a half, depending on needs.

To conclude, I would like to briefly point out that what all our clients have in common is the vulnerable state they are in. They often suffer from depression, situational anxiety and are in a precarious financial situation. That is sort of the profile of our clients who come to see us when they need help.

The Chair: Thank you, Ms. Viau. That was very interesting. I must admit that I worked in the community setting for a number of years and I am particularly impressed to see that there is an organization that does not keep people waiting for more than 24 hours, has no waiting list and charges no fees for its services.

[English]

Mrs. Susan Truppe (London North Centre, CPC): There is no translation. It was there.

The Chair: The mike is probably the problem.

[Translation]

So I will repeat my comments for the benefit of my colleagues who did not hear the interpretation.

[English]

Is it okay? Do you have interpretation?

Okay. I will repeat.

[Translation]

I was saying that I am very impressed with a community organization whose wait time is no more than 24 hours, that has no waiting list and that charges nothing for its services. My hat is off to you.

We now move to the question-and-answer period.

Ms. Truppe, you have seven minutes.

[English]

Mrs. Susan Truppe: Thank you, Madam Chair, and thank you, Madame Viau, for attending today.

My understanding is that part of the work that your organization does is to assist individuals who are experiencing workplace harassment to better understand their rights in the workplace and to assist them to pursue a complaint of workplace harassment.

From what I hear, Quebec is in a unique situation because legislation exists dealing with workplace harassment. Is that correct?

[Translation]

Madam Cindy Viau: Yes, correct; in Quebec, we have the Act Respecting—

[English]

Mrs. Susan Truppe: Could you explain what legislation exists in Quebec for workplace harassment, if you're familiar with that?

[Translation]

Madam Cindy Viau: Yes. At the beginning of the presentation, I mentioned the provisions of the Act Respecting Labour Standards that deal with psychological harassment in the workplace. But victims of sexual harassment can also register complaints under that act. Complaints can be registered at the Commission des normes du travail.

[English]

Mrs. Susan Truppe: What sort of recourse does an individual have when making a complaint of sexual harassment in the workplace under this legislation? Is there a possibility of a financial settlement, or do they rearrange the work environment so it's better for the individual?

[Translation]

Madam Cindy Viau: The work environment can be rearranged, yes. At the centre, we sometimes see situations like that. It can be as simple as moving the person to another office. When possible, she can be transferred from one branch to another, for example. But there can still be internal ways of improving the situation of victims of workplace harassment. Of course, we always have to assess how feasible the possibility is for the company. For a small company, an interbranch transfer may be impossible, simply because there is no other branch.

There can be financial compensation. The caseworkers in our centre's legal department often try to mediate with employers in order to come to an agreement that works for both parties and prevents the situation from getting too legalized, if I may put it that way. By that, I mean lawsuits or complaints before the Commission des normes du travail. It is an alternative solution that may avoid the long delays encountered when processing complaints before a commission.

•(1115)

[English]

Mrs. Susan Truppe: Say that there is a really serious complaint and maybe they want the person fired or they certainly don't want to work in that environment. Could you walk me through the steps about what happens when someone actually comes to you? What happens to the individual and to the employer? What's the scenario?

[Translation]

Madam Cindy Viau: That depends on the circumstances. When people come to see us, they are certainly in a fragile state of mind. If we consider it necessary, we can advise them to take sick leave from work. That means they are no longer in the workplace and they can gather their strength again. Certainly, we encourage a meeting with the employer to discuss the situation and see if there is a way for anything to be done.

It may be rare, but it does happen that some people stop the harassment when the situation is addressed and they are told that their behaviour is not acceptable. If a person who has been complained about does not then stop the harassment, we try to determine the best solution for the victim, of course. I can tell you that, at that point, the person in many cases wants to leave that workplace. They no longer trust the company, or they feel uncomfortable with their colleagues, who often know what is going on.

We then make sure that it is really what they want. In fact, we always assess the needs of our clients. We never push them in one direction or the other. We really work according to their needs. We help them to leave the company without losing everything. We try to negotiate; for example, we try to get a letter of reference, a severance payment, the reimbursement of the costs of psychological care, if there have been any, or the costs of searching for a new job.

[English]

Mrs. Susan Truppe: What happens if the employer doesn't want to meet with you? You said that, obviously, if the woman is fragile, she may take sick leave or not be in the workplace. Then you meet with the employer. If it's a private company and the employer says, "I'm not going to meet with you; I didn't do anything wrong", what happens then?

[Translation]

Madam Cindy Viau: Actually, I imagine we could send a letter on the victim's behalf.

Sometimes, our tactic is to indicate that we get a copy of the letter so that the employer knows that we are involved in the case. If the employer really resists, the victim can tell him that, if he does not deal with the situation seriously in a reasonable time, she will register a complaint. So that is the next step, when the employer's mind is really closed, if you will.

[English]

Mrs. Susan Truppe: If they have resistance and she files a complaint, with whom is she filing that complaint?

[Translation]

Madam Cindy Viau: It could be the Commission des normes du travail, for example. A complaint could also go to the Commission des droits de la personne for discrimination on the basis of gender. But it will depend on the particular features of the case. The legal department will provide the proper advice so that people know where to go.

[English]

Mrs. Susan Truppe: Thank you.

[Translation]

The Chair: Thank you, Ms. Truppe.

We now move to Ms. Ashton, for seven minutes.

Ms. Niki Ashton (Churchill, NDP): Good morning, Madam Viau, and thank you very much for your presentation. I would also like to congratulate you for the essential work you are doing.

Could you tell us if there are centres like yours in other parts of Canada?

•(1120)

Madam Cindy Viau: Not to my knowledge. But I know that other centres do deal with the problem of workplace harassment. But, to my knowledge, which is mostly of Quebec, we are the only centre whose sole focus is on workplace harassment, though I may be completely wrong.

The centre I mentioned beforehand, Au bas de l'échelle, helps non-unionized workers with a number of problems. It deals with the problem of harassment in a small way. But a lot of centres call us to refer their clients who are victims of workplace harassment to us.

Ms. Niki Ashton: That is a pity because your services are clearly in demand in Quebec and, I am sure, across Canada too.

Are some workplaces better than others in terms of sexual harassment?

Madam Cindy Viau: No. I feel that all situations are at risk. When I talk about a secretary or someone who works in a bar being harassed, I am talking in stereotypes, it is true. But it can also happen in many other environments.

What makes the difference is the way in which employers deal with the cases; the fact that they do not close their eyes to situations. For example, if an employer is told about a situation that he sees as serious, he deals with the person about it and reacts to the situation.

That is what we feel makes the difference. But, in terms of workplaces, it is not a matter of some being bad and some being less bad. If we look at all our centre's cases, we see that some employers are more proactive and others are more reluctant, in the sense of being less willing to work with us.

Ms. Niki Ashton: Does culture, the workplace culture, play a role?

Madam Cindy Viau: There are certainly sectors where people have just arrived from elsewhere and where they are less familiar with their rights, or less informed about them. In situations like that, some people may decide to take advantage of them. We have seen cases like that, but it can also happen in many places where culture is not a factor. So it can play a role.

Ms. Niki Ashton: Do you work with federal employees?

Madam Cindy Viau: Among our clients, I have to say that it is quite rare. Most of our clients are provincial employees.

Ms. Niki Ashton: If you get federal employees, do you send them somewhere else? Is the process different?

Madam Cindy Viau: No, the process is the same. We would still offer moral support. We would try to inform them about their rights. We would encourage them to complain about the situation so that the employer has the opportunity to do something. But when it is an internal situation, it is more difficult for us to deal with it. Often, we try to establish a relationship with the appropriate manager or human resources department in order to steer the person towards those internal resources.

Ms. Niki Ashton: Do you have a recommendation? You said that it is sometimes more difficult to come together. Do you have a recommendation that would help with that situation?

Madam Cindy Viau: I am sorry, you say "come together", but with whom exactly? With the clients?

Ms. Niki Ashton: If an employee is being sexually harassed in a federal workplace and providing assistance for that employee is an obstacle for you, do you have a suggested recommendation that would provide that employee with better assistance?

Madam Cindy Viau: Yes. Actually, the broad thrust of our recommendations, for federal or provincial levels equally, is to really

listen to the people and to try, if possible, to make sure that they are safe and cared for, even before conducting an investigation, let's say. The fact that these people are talking to us, and telling us that something is going on in their workplace, means that they have to be taken seriously even if we discover later that, legally, it is not sexual harassment in the workplace.

You have to check with each person to see if they have ideas for remedying the situation. We have found that that is often the case. What most people want is to work in peace and not be subject to harassment at work.

In my opinion, we must always maintain close contact with the clients so that they do not feel abandoned or neglected. It takes a lot of courage to complain about a harassment situation. We see that every day at the centre. People are afraid of being labeled. Women especially are afraid of being labeled as "big troublemakers".

So telling people in that situation that they are right to come to talk to us, and that we are going to do what we can to help them, means a lot to them.

• (1125)

The Chair: Ms. Ashton, you have one minute left.

Ms. Niki Ashton: Do you have any figures for us on the percentages of employees who experience sexual harassment in the private sector versus the public sector, so that we can compare?

Madam Cindy Viau: We do not have figures that would allow a detailed comparison. However, in 2012, our centre's support and information department handled 337 files. Of those, 23 individual files were transferred to the legal department. You have to understand that, for each file, the caseworkers work with insurance companies and the Commission de la santé et de la sécurité du travail. The caseworkers can also be called upon to defend the case at the Commission des normes du travail and, less commonly, at the Commission des droits de la personne. So four sub-files can be associated with just one file. Those are our internal statistics. Each year, if I am not mistaken, about 6,000 people call us.

The Chair: Madam Viau, I am going to have to stop you there because Ms. Ashton's time is up. In terms of your statistics, we could perhaps ask our clerk to be in touch with you about them. It could be very interesting for our analysts to have those documents if you are willing to send them to us. Thank you.

We now move to Ms. O'Neill Gordon, for seven minutes.

[English]

Mrs. Tilly O'Neill Gordon (Miramichi, CPC): Thank you, Madam Chair, and thank you to the witness for participating in our session today. You certainly are providing a valuable service.

When you are assisting someone with a complaint of harassment in the workplace, what is your role? For example, do you provide information to the individual for legal assistance as well? What is your role?

[Translation]

Madam Cindy Viau: Our role is really to provide direct assistance to the victim. We are there to provide information so that people are aware of the possibilities open to them. We do not always file an official complaint. As I was saying earlier, we can send a letter to the employer or we can provide people with moral support.

Generally speaking, when people come to see us, they know what they want. Some tell us that they are not interested in registering a complaint, but they want to talk about their situation with someone who understands them. The support and information department will look after that side of things.

The caseworkers actually have a big job, to put all the possibilities on the table and to provide people with sound information so they can make informed decisions.

[English]

Mrs. Tilly O'Neill Gordon: Do you intervene on behalf of the individual against the employer?

[Translation]

Madam Cindy Viau: No. The individuals do that, but we are there with them throughout the process.

[English]

Mrs. Tilly O'Neill Gordon: When it comes to restoring the workplace, what sort of actions do you encourage an individual to take? Do you encourage training? What kind of training? Can you elaborate on that a bit?

[Translation]

Madam Cindy Viau: Yes. Actually, training is always a good idea. At the centre, we feel that it is very important. We see a difference in workplaces when employers call us. We also encourage the establishment of clear policies that tell people to whom the complaint will go, who will deal with it, and the time that will be required. So the result is that people do not feel abandoned. Since it is their complaint, it is very important that victims of workplace harassment are aware of the details. It is unacceptable for an employer to call no one for two months after a complaint has been registered. People are beset by anxiety. They are not well. If they are not on sick leave as they wait for news from their employer, they can hardly do their work.

So training is necessary and it must go hand in hand with the policy. Training can be provided about what is in the policy and can keep dealing with the basics. For example, it can review what workplace harassment is. It can deal with what employees must do if they think that they are victims of harassment. Sometimes, it is quite simple. But we know that employees are aware of the policy and, at the same time, that the employer is acting on his obligation to provide a safe workplace.

• (1130)

[English]

Mrs. Tilly O'Neill Gordon: Do you ever advise them to obtain a lawyer, or do you encourage the use of mediation services at any time, or is it all done with your group?

[Translation]

Madam Cindy Viau: Actually, the centre frequently works with mediators. Quebec's Commission des normes du travail provides a mediation service, for example. So we go to represent the employee and the employer goes with his lawyer. When the cases are very complex or when there is a sexual assault or some criminal element, the file is referred to the police or to the appropriate authorities. Sometimes a specialist lawyer may be involved, depending on the situation.

[English]

Mrs. Tilly O'Neill Gordon: The other half of what you do is to work with employers to help them develop their workplace sexual harassment policies. This is a good idea as well. Do you actively seek organizations who need a policy update, or do they always come to you for assistance and information?

[Translation]

Madam Cindy Viau: Organizations come to us. So it really is by request. We help them to develop their policies. Sometimes, it is a question of revising them and submitting them to the manager. But employers always come to us to get that assistance.

[English]

Mrs. Tilly O'Neill Gordon: In the process, would you make recommendations relating to workplace training to encourage them to provide training? Is that part of your objective as well?

[Translation]

Madam Cindy Viau: Yes, that possibility is there. As soon as the policy has been developed, we offer the opportunity for training. Once again, it is at the employer's discretion. We have no authority to go into a workplace if people do not want us there. But we will certainly suggest training so that people can fully understand the policy.

[English]

The Chair: You have one minute.

Mrs. Tilly O'Neill Gordon: You mentioned that your organization hosts *café-rencontres*, which are informal gatherings designed to bring the harassment victims together. What benefits do you see in doing that?

[Translation]

Madam Cindy Viau: The benefits are that it gives the women courage. I say women, because it is principally women who come to the *café-rencontres*. It gives them a lot of courage because they can see other women who have gone through a whistle-blowing process, or who have filed a formal complaint, and have come through it. They are doing well now and they still decide to come to the *café-rencontres*. So it gives them courage and breaks the isolation.

Sometimes, it is difficult for them to leave their homes, but they find the time to come to the centre to meet the caseworkers and speak with people who have experience in matters like this. Sometimes, at home, things can get difficult. People do not want to bore their spouses any more by talking about their situations. They do not want to talk about it any more. They are at their wit's end. So the centre is the place where they can deal with things. They are always welcome. In fact, when women who find it difficult to leave their homes come to meet with us, they tell us that it has done them good not to be alone.

The Chair: Thank you, Madam Viau.

I now give the floor to Ms. Sgro, for seven minutes.

[English]

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

Thank you very much to our witness for being here today.

I have a couple of questions. You have been around since 1980, not you in particular, I suspect, but your organization was established in 1980 and has been growing ever since. It was started as a result of the concerns about the amount of sexual harassment in the workplace.

A lot has changed since the formation of the organization. In comparison to previous years you've been dealing with this issue, is there more awareness now? Do you have opportunities to do some proactive work?

• (1135)

[Translation]

Madam Cindy Viau: Yes, I think that people are more sensitive to it, and, in general, they are a little more aware of what sexual harassment is. They may not know precisely what it means legally, but they understand that certain actions are unacceptable in the workplace. In my opinion, people are blowing the whistle on their harassers more often, given that more resources are available.

In the past, all women could do was to quit their jobs or, if they wanted to keep them, to put up with the harassment. Today, that is no longer the case. In that respect, I find it very good, but the fact that people are still coming to the centre shows that there is still work to be done. To our centre, I mean. People call us almost every day to tell us about a situation of workplace harassment.

There have been some advances in awareness, but, obviously, our mandate is not over, given that we have so many files to deal with and that so many people are calling us to talk about situations that they are experiencing in their workplace.

[English]

Hon. Judy Sgro: Do most of the people calling you come from provincial and federal jurisdictions, non-unionized? Do you have any idea how many people seek help from your organization?

[Translation]

Madam Cindy Viau: I have no figures about that, but I know that, in general, we are talking about provincial administrations and companies all over Quebec. More and more unionized people are calling us for assistance, too. Clearly, in cases like that, our

involvement is different. We cannot bypass the unions and take over files in their place. Employees have to go through their unions. It is a requirement. They must follow the grievance process.

As a matter of fact, a lot of people call us to say that their situation has not been taken seriously and they do not understand why their union representatives do not seem concerned about their case. They call us, a little angry, and they tell us they are union members but that the union is doing nothing. They ask us to help them. But we cannot take their cases without working with the union.

[English]

Hon. Judy Sgro: A big part of our study on sexual harassment in the federal workplace has to do with the RCMP. I don't know if you've been following the case or any of the recommendations that have been made from the RCMP to try to resolve some of the issues facing sexual harassment in the RCMP. Would you be able to comment on any of the recommendations that have been talked about in the media or discussed elsewhere?

[Translation]

Madam Cindy Viau: Yes, I am somewhat familiar with the matter. Our director general met with the committee charged with reviewing the Royal Canadian Mounted Police Act in order to provide it with some recommendations. I would not be able to tell you about that as well as she could, but I believe it came down to awareness once again. We cannot ever repeat that enough. People must know what it is all about, the people involved at the RCMP must be aware, there must be mandatory training sessions, both for managers and employees, and problems must be taken seriously as soon as they are reported. That means that action must be taken quickly; people must not be neglected, or persuaded not to file a complaint. There must be clear policies that have zero tolerance for harassment in the workplace.

[English]

Hon. Judy Sgro: Thank you very much. That was very informative.

On average, in a month, how many people would seek out your services? Or, over the last year, how many people have sought out your organization for assistance?

• (1140)

[Translation]

Madam Cindy Viau: We dealt with 337 cases. Those are short-, medium- and long-term files. However, we received almost 6,000 calls. Those may have been people who called once to get a bit of information to determine whether what they are experiencing is workplace harassment. Those people will not call back.

So we get a lot of calls, but we have been working on 337 active cases.

[English]

Hon. Judy Sgro: What's your staffing complement of your organization?

[Translation]

Madam Cindy Viau: We have six employees in the organization.

[English]

Hon. Judy Sgro: I would suspect you must have a fair amount of volunteers.

[Translation]

Madam Cindy Viau: Actually, we do not have a lot of volunteers. The interns are really the ones who come and help us, sometimes once a week, sometimes three times a week. The clients get involved in various projects and help us out. But we do not currently have active volunteers who come in every week.

[English]

Hon. Judy Sgro: Thank you very much.

[Translation]

The Chair: Thank you.

We now move to Ms. James, for five minutes.

[English]

Ms. Roxanne James (Scarborough Centre, CPC): Thank you, Madam Chair, and welcome to our witness.

Continuing on the line of questions from Ms. Sgro, you were talking about your organization having only six employees. I believe you mentioned earlier in your opening remarks that your organization is open 24 hours a day, and I'm guessing that's seven days a week. I'm guessing the employees are paid, but you said the services are free. I'm wondering where you get the funding for this particular organization.

[Translation]

Madam Cindy Viau: We are funded by the Agence de la santé et des services sociaux de Montréal. So we receive government grants.

Let me clarify that our centre is not open around the clock, but we guarantee a call back within 24 hours. The centre is actually open Monday to Friday, from 9 a.m. to 5 p.m.

The salary grants come from the government. We are paid to provide free services to the public. There is no way we can charge the clients who request our services, whether for answering a question or for representing an individual in court.

[English]

Ms. Roxanne James: You've said that you will intervene on behalf of the victim and you've said that there have been 337 actual cases. I'm trying to figure out how you determine who the victim is. You must come across cases where someone will come in, make a phone call, come in to see you, and it's deemed not necessarily to be an incident of sexual harassment in the general, widely accepted perspective.

You say you intervene. How do you make that determination whether someone is actually a legitimate victim or someone is just complaining for the sake of complaining?

[Translation]

Madam Cindy Viau: That is the responsibility of the support and information department. One way to assess the situation is to ask the person to write down their version of the facts. It is a kind of diary where they write down the where, when, what and how. A document like that gives us a good idea of what happened.

Of course, we will have to meet with the person a number of times to listen to them and to ask them questions. We will read all the documents related to the case before we determine whether we are dealing with workplace harassment or not.

People call us sometimes to tell us that they are experiencing frustration at work, but that is not harassment.

[English]

Ms. Roxanne James: You've said that you speak with them several times and present somewhat of a journal. Do you actually contact the individual that they're making the accusations against to see what their side of the situation may be?

Again, I'm wondering if you're looking at both sides or whether you're taking an individual who comes in and provides a journal as everything that they're stating is factual. I'm wondering if you look at the other side as well before you intervene and represent that person.

• (1145)

[Translation]

Madam Cindy Viau: Yes, we always look at it, but the centre does not directly communicate with the alleged harasser. We rely on the definition of harassment and the credibility of the person filing the complaint. If we at the centre believe that it is a case of harassment or that it may be a case of harassment, the complaint is submitted to the employer. Of course, the clients must agree to that. It is up to the employer to check the alleged harasser's version of the facts.

[English]

The Chair: You have one minute.

Ms. Roxanne James: Thank you.

Now, in an earlier question by my colleague, it was asked what sorts of action you encourage an individual to take. I didn't hear anything with regard to dealing with the situation at the lowest level possible. We've heard from previous witnesses that if you can nip it in the bud, deal with it at the lowest level as opposed to having to file a formal complaint, and so on....

When someone calls you, is that the first thing you do? Do you ask them whether they've tried to deal with it at the very lowest level within their own organization first? Is that something that you would promote?

[Translation]

Madam Cindy Viau: The answer is yes. At the centre, we see the advantages of solving a problem internally. It is much faster and, generally, the person comes out of it less overwhelmed or hurt. If the person reported the harassment internally and if there was no response, that is almost inevitable because perhaps the person needs to try something else. If the person did not report it, it may still be a good idea to inform the employer of the situation so that they can take action.

The Chair: Thank you, Madam Viau.

We now move to Ms. Ashton.

You have five minutes.

Ms. Niki Ashton: Madam Viau, your organization has been in existence since 1980. Do you know if you have ever received federal government funding?

Madam Cindy Viau: No, not to my knowledge.

Ms. Niki Ashton: Your funding is 100% provincial?

Madam Cindy Viau: We also receive private donations, mostly from people who like the centre's mission or who know someone who has used our services. However, that does not make up the major part of our funding. That essentially comes from the Agence de la santé et des services sociaux de Montréal, which is a provincial body.

Ms. Niki Ashton: Okay.

Can you tell us what the proportion of provincial funding is in relation to the private donations?

Madam Cindy Viau: You mean our grant?

Ms. Niki Ashton: Yes.

Madam Cindy Viau: I do not have the exact figures, but without that funding, we would not be able to operate. I do not know exactly, but it is probably about 90% of our funding.

Ms. Niki Ashton: Okay.

It is not that we want to find out how much your budget is. It is just that it would be useful for us to know what percentage of your grants comes from provincial sources.

Madam Viau, has your organization received complaints from women in police forces?

Madam Cindy Viau: It is quite rare, but it has happened. I can think of one particular case. That client decided to come to our café-rencontres.

Ms. Niki Ashton: Of course, we have met representatives from the RCMP. In the next hour, we are going to meet with someone from the Toronto police service. In this committee, we talk a lot about the culture of different environments.

Do you know why there is sexual harassment in some environments and why we do not hear a lot from the women who work in them?

Madam Cindy Viau: We receive complaints from people working in non-traditional environments. Women are afraid to report situations. They already have the impression that they have to make a place for themselves in the environment. So, if they have to talk about sexual harassment as well, it becomes a little problematic.

We can see that concretely. In fact, we offer awareness sessions specifically with a women's centre that has a program for women working in non-traditional occupations. These are obstacles they face and that they reveal to us.

It is difficult to make a complaint, even in an environment where there are women. Actually, it is difficult in all environments. However, it is even more difficult for women in non-traditional environments when no one is listening.

• (1150)

Ms. Niki Ashton: Okay, thank you.

My time for questions is coming to an end. So, Madam Viau, I would like to ask you if you have recommendations or suggestions for our committee. We are trying to give Status of Women Canada some direction in order to put an end to sexual harassment. From your provincial perspective, would you have recommendations for the federal level?

Madam Cindy Viau: Yes. I think it would be a very good start if the federal level had a policy in which things were clearly defined, a policy that would include the definition of what sexual harassment is, as well as the time required. In fact, the policy must contain as much information as possible. Then, employees must be trained.

Certainly, it may well be that harassment does not stop in spite of all the efforts we have devoted to it, but at least we will have done our duty. We sincerely believe in education and awareness. The more it is talked about, the more people will think before they commit an act. Above all, if they see that their employers take it seriously, they will think twice before they do so.

The Chair: Thank you.

Thank you, Madam Viau.

We will now go to Ms. Ambler, who will have the last five minutes.

[*English*]

Mrs. Stella Ambler (Mississauga South, CPC): Thank you, Madam Chair.

Thank you, Madam Viau, for coming to speak to us today.

I understand you've been working on this since 1980, so I congratulate you for really being on the leading edge of this problem and helping women and men who are victims of sexual harassment.

I also noted that in 2004 you expanded the definition based on demand and what you saw as a need to expand it to psychological harassment. This study is really about sexual harassment. I know it was almost 10 years ago now.

Could you give us some examples of psychological harassment versus sexual harassment? Can you tell us roughly, at this time, in 2013, the number of complaints, cases, or files, that you deal with? How many are now sexual harassment and how many are now psychological harassment?

[*Translation*]

Madam Cindy Viau: I would say that sexual harassment still exists, but since the legislation went into effect in 2004, psychological harassment complaints have become something of an epidemic. Today, our group receives more psychological than sexual harassment complaints. I don't have the exact figures, but I would be happy to send them to the clerk. Psychological harassment complaints account for about 60% of all complaints, and sexual harassment complaints account for 40%.

You asked me to provide some examples to illustrate the difference between the two types of harassment. Sexual harassment involves sexual behaviour—be it sexist jokes, disturbing stares, comments or displayed pornographic material. Psychological harassment cases do not involve that sexual aspect. More specifically, you may have an employee being ignored by their employer, who moves on to someone else as soon as the person wants to share an idea in a team meeting. The employer may throw papers at them. The employer may not even say hello to them or may isolate them from their colleagues. In those cases, the sexual aspect is definitely absent, but there are still long-term consequences for the individual. The harasser uses their power over a person to humiliate and belittle them, and that behaviour can take a variety of forms. Harassment even occurs among colleagues, and I can tell you that they can be pretty creative in their attacks.

• (1155)

[English]

Mrs. Stella Ambler: It seems to me, in principle, that there shouldn't be any more psychological harassment against women than against men. I also suspect you're going to tell me that more women experience and/or report psychological harassment. What is the reason that not as many men experience or report psychological harassment?

[Translation]

Madam Cindy Viau: That actually depends on the environment. Today, I can tell you about our group's reality. We do not deal with all the cases, but most of them involve women—regardless of whether we are talking about sexual or psychological harassment.

Why would women be victims of harassment more than men? I think that depends on the environment in the case of psychological harassment. Women are not necessarily subjected to psychological harassment more. That depends on factors such as their economic status, their financial dependence or independence and the team they work with, in situations where the woman is very competitive, for instance.

It also depends on the individual. Harassment has to do with the harasser and not the victim. Many factors can contribute to harassment. I could not tell you why exactly that's the case, but that is what our group has noted.

[English]

Mrs. Stella Ambler: Thank you.

The Chair: You have 20 seconds.

Mrs. Stella Ambler: I have one quick question with regard to something you mentioned earlier about advising clients to respect the internal processes. For example, if their union has a process, would you give that same client the advice if it were a non-unionized environment? Would you say, for example, that first you have to respect the processes that are in place at your company?

[Translation]

The Chair: Madam Viau, I am sorry—

Madam Cindy Viau: That's our first step, before we resort to external measures.

The Chair: Thank you.

This concludes the first part of our meeting.

Thank you, Madam Viau. It has been very interesting. If I may, since I am very familiar with the community environment, I will explain to my colleagues what makes Quebec different from the rest of Canada in this area. My explanation will be informal.

I will suspend the meeting for a few minutes, so that we can move on to the second videoconference and get something to eat.

• (1155)

(Pause)

• (1210)

The Chair: Good afternoon.

In the second part of the meeting, we are welcoming Michael Federico, Deputy Chief of the Toronto Police Service.

Welcome, Mr. Federico. We apologize for the minor technical problems.

You will have 10 minutes to make your presentation. We will then have a question and answer period. I will let you know when you have one minute left.

Without further ado, I yield the floor to you, Mr. Federico.

[English]

Deputy Chief Michael Federico (Deputy Chief, Toronto Police Service): Bonjour. Thank you very much for the opportunity to share some insight from the Toronto Police Service.

The Toronto Police Service is committed to the protection of its members from inappropriate conduct such as sexual harassment. We have rules in place that prohibit members from engaging in harassment of any sort in the workplace.

In June 2010 we created additional procedures as required by Bill 168, a provincial bill that amended the Occupational Health and Safety Act of Ontario. It was specifically designed to address harassment and violence in the workplace.

We recognize that a victim of any sort of harassment may for many reasons feel uncomfortable reporting or confronting her harasser so the service has created a whistle-blower telephone line whereby a member can anonymously report the misconduct of another member. We also have rules in place protecting a reporting member from reprisal of any sort.

The service has developed support options for members who need assistance or advice, including those who may have been harassed in the workplace. We have an employee and family assistance program that offers our members a range of family and individual support. It is a cost-free assistance program for any person working for the service.

In 2006 we created our diversity management unit whose mandate is to coordinate human rights issues and activities across the service, and address barriers and gaps to create a more inclusive workplace.

In 2007 we partnered with our Toronto Police Services Board and the Ontario Human Rights Commission in what is now known as the project charter to develop strategies that help the service address human rights concerns that would include sexual harassment.

In 2008 we approved the formation of internal support networks. These are peer support networks designed to assist our members and ensure that we have an inclusive and welcoming workplace. These networks can be based on gender, sexual orientation, race, culture, and faith, and allow a member to seek advice and support from other members with whom they feel comfortable.

The Toronto Police Service has also developed psychological services dedicated to the well-being of our members in maintaining a healthy workplace as these contribute to a satisfied and professional employee. These efforts have been recognized by the Ontario and the American psychological associations.

As an employer we are dedicated to developing diverse and inclusive training for our members, and we continue to develop training regarding sexual harassment in the workplace. This training provides supervisors with effective tools addressing sexual harassment in the workplace and provides our front-line members with an increased awareness of the issues.

We have also partnered with a law firm to provide specialized training to our complaint investigators so that human rights concerns are identified early in conduct reviews.

These steps have the potential of reducing risks and costs to the service through the reduction of human rights complaints, civil actions, and grievances. Awareness of workplace harassment prohibitions can also reduce Police Services Act charges, which is our internal discipline process, and other service-imposed discipline. Depending on the circumstances, it may also preclude possible criminal charges.

A workplace free of harassment can also help reduce staff turnover and lower rates of absenteeism.

All these steps are in place to help ensure our members work in an environment where they feel appreciated and safe, both of which contribute to job satisfaction, morale, and productivity.

Those conclude my comments. I would be happy to answer any questions.

•(1215)

[Translation]

The Chair: Thank you, Mr. Federico.

I will now yield the floor to Ms. Crockatt, for seven minutes.

[English]

Ms. Joan Crockatt (Calgary Centre, CPC): Thank you very much for coming.

That's fascinating. We're certainly building a good view here of some of the successful things that have been done to deal with sexual harassment, which we take very seriously, of course. So thanks for coming.

I'm really interested in your last comments about how dealing appropriately with sexual harassment can actually save costs. I think one of the things we've heard is that it's great for employers to be proactive, and this may help us build a moral case for this with employers. I wonder if you could elaborate on that a little more.

I realize this isn't a primary objective in putting these forward; it's more of a happy consequence, but how can you save costs? Can you let us know the reason employers might want to look at doing this, other than just for its moral correctness?

D/Chief Michael Federico: Well, it can help avoid the costs that are associated with complaints that get filed against the employer, costs that may involve settlements as a result of a grievance registered against the employer. So there are those direct costs.

There are also direct costs in the form of productivity. Workers are absent from work because they're feeling stressed or uncomfortable being in the workplace because of either harassment or discrimination, so we lose that worker's productivity. It can also have a radiating effect. It can affect other workers who aren't directly involved because of their association with what we call a poisoned work environment, so we're not getting the job done through the people we have available. That has a direct cost implication. It certainly does for agencies that are dependent upon public support, taxpayer support.

The costs associated with settling some of the claims that employers have faced, claims that have resulted in awards to the complainant, represent a cost right off your bottom line.

When we talk about the cost of maintaining a healthy and safe work environment, I'd classify those two costs. Employee morale and job satisfaction have a big impact on productivity, and of course, there are those direct payouts if an award goes against the employer.

•(1220)

Ms. Joan Crockatt: Litigation, then, would be probably one of the expensive ones. The staff turnover you mentioned, when we have a skills shortage right now, may be something that employers want to take quite seriously.

D/Chief Michael Federico: Yes, especially when you consider the investment that an employer will make in training people, in recruiting, selecting, training them. When that person leaves because the workplace is not a healthy one, you have to start all over again. For the period of time that you're without that employee, it can have a dramatic impact on your productivity again.

Ms. Joan Crockatt: Do you have an actual number of cases that you've dealt with in the Toronto Police Service?

D/Chief Michael Federico: I don't have numbers, but the Toronto police report annually on the number of investigations that we conduct internally. That's available online. We report to our police services boards. The efforts, I'm happy to say, mean that we have few instances of complaints of harassment in the workplace, but even one case can represent a big impact in the workplace. Even if it's located in a particular unit, there's a radiating effect, the reputation and the rumour surrounding people. The rumours of the event can affect morale right across the service.

I don't have a specific number to share with you at this point, but I would caution that one complaint can represent a very serious drain on the employer's resources.

Ms. Joan Crockatt: This is what we've been hearing from many witnesses, that they may have no cases, or one, two, or three cases across large organizations. That doesn't mean we want to minimize the problem.

Is there a bit of a concern that if we acknowledge that there may only be one, two, or three cases people will stop putting the correct emphasis on it, and then we will lose the training and awareness that seems to have helped us to control the problem?

D/Chief Michael Federico: That's a good question. The number of instances ought not to be considered the test or the determinant for whether an employer should have good processes and policies in place, because as I said, the impact on the workplace radiates far beyond the individuals involved. Plus, all of us want to be employers of choice, excellent employers, so a safe work environment can be the product of these declarations of principles, even if we don't have to evoke them as frequently.

I think most employers are proud of their reputation for having a safe and inclusive work environment. The Toronto police certainly is. But that doesn't mean we shouldn't be investing the time and the effort to continue to maintain that safety and security.

Ms. Joan Crockatt: Okay.

Now, Deputy Chief, since 2006 and probably earlier, you've been sort of moving ahead in areas like this. Have you noticed a decrease in the numbers of cases, inquiries, questions, and actual files that you've had to open since then, as the police service has become more attuned to these issues?

D/Chief Michael Federico: Yes, we have. Again, without having at my hand the specific numbers, we did report recently to our police services board that we have experienced a decline in grievances filed by our members—

The Chair: One minute.

D/Chief Michael Federico: —and a decline in human rights complaints against the employer by employees.

Ms. Joan Crockatt: So we're right in concluding now that they are very low, sort of in that one to three range of the actual cases, but have a large spinoff impact?

D/Chief Michael Federico: Very low numbers, that's right.

A properly handled case can have a positive radiating impact, but it does require the employer to invest in the processes and the practices and the training so that even if you do get a complaint, the ability to respond appropriately and maintain the good reputation of your employer is important, even if the numbers are low.

•(1225)

Ms. Joan Crockatt: Excellent.

Just quickly, are you dealing with other minority groups besides women in your look at sexual harassment?

D/Chief Michael Federico: Well, of course, sexual harassment isn't gender specific. It could be male or female; it could be somebody who has declared a certain sexual orientation, and it could be on gender. It runs the spectrum, as long as there's the component of sexuality as part of that—

[Translation]

The Chair: I have to stop you there, Mr. Federico, as Ms. Crockatt's time is up.

We will continue with Ms. Day, for seven minutes.

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Good afternoon, Mr. Federico. Thank you for participating in our committee meeting.

[English]

D/Chief Michael Federico: My pleasure.

[Translation]

Mrs. Anne-Marie Day: I will ask you a few questions that may seem a bit strange to you, but I would like to see where you stand compared with other witnesses.

Is the Toronto Police Service funded only by the municipality?

[English]

D/Chief Michael Federico: Almost entirely, yes, by the municipality.

[Translation]

Mrs. Anne-Marie Day: What are the other sources of revenue?

[English]

D/Chief Michael Federico: We do get some assistance from the provincial and federal governments, usually in the form of grants, but municipal police services in Ontario are funded by the municipal resources, primarily property taxes.

[Translation]

Mrs. Anne-Marie Day: Thank you.

According to the figures before me—which are probably accurate—in 2011, you had 8,000 employees, 5,500 of whom were uniformed police officers. Of that total, 29% were women. That is a 36% increase over the past 10 years. If I do the math, the percentage of women was about 18% at some point, and an effort was being made to bring that figure up to 29%.

Could you tell me what measures have been implemented to increase that number? Why hasn't a higher percentage been achieved?

[English]

D/Chief Michael Federico: Our efforts to increase the diversity of our workplace have included directed recruiting, targeting specific communities to encourage candidates to seek employment with us. It also involves, as I mentioned earlier, structures. For example, our peer support networks help build relationships within the organization, where people can be mentored and seek career advancement opportunities. Our promotion processes for advancement in the organization have a large diversity and inclusiveness component.

We're always looking to reflect the community we police across the broad spectrum of diversity that's reflected in Toronto. So our efforts to recruit people, position them in the organization, and give them career advancement opportunities and staff development opportunities are focused on being as inclusive and valuing the diversity that reflects our employment.

Those efforts have paid off in a steady increase in the diversity of our recruit classes year after year.

[Translation]

Mrs. Anne-Marie Day: Thank you.

This morning, we heard the testimony of an independent Quebec group that receives about 6,000 harassment-related calls annually. The organization has dealt with 327 cases, 23 of which have resulted in legal proceedings.

Does Ontario have any similar groups that are independent from police structures? How many sexual harassment complaints do you receive annually? How are those complaints handled?

[English]

D/Chief Michael Federico: Complaints by employees against the Toronto Police Service are handled through our internal complaints processes. I talked a bit about that. We have a variety of ways that members can register their concerns with their employer. The first and obvious one is through their supervisor. They can report concerns anonymously. We have a dedicated phone line which provides for anonymous reporting. A member of the public can file complaints against the service if it's on the basis of discrimination or a violation of the Human Rights Code. Those are members of the public who are provided service by the Toronto police service.

However, if we're talking about employee security with the Toronto Police Service, they can register their complaints through, for example, their supervisor, their unit commander. We have a dedicated investigative unit called the professional standards unit, and we have a series of processes that will be followed by the employer to properly investigate and help resolve.

Not every investigation may end up with a discipline sanction being applied, but every investigation will seek to find some satisfactory resolution for the complainant.

• (1230)

[Translation]

Mrs. Anne-Marie Day: If I have understood correctly, at the outset, the person against whom the complaint is made is not informed of the process. I would like to know exactly how many calls you receive from people making a complaint. Since this is the objective of the study, I would also like to know how many of those complaints are related to sexual harassment. You could perhaps send us those figures.

In 2009-2010, more than half of the hired officers were either members of a visible minority or women. What proportion of that 50% did women account for?

[English]

D/Chief Michael Federico: I believe that almost 30% of our uniformed workforce who are police officers are women. A specific recruit class will always include a rich diversity, but the last classes were composed of about a 60% diverse work group, including women. I don't have a specific number before me about the actual number of women in any particular class, but that material is available publicly because we report on that to our police services board.

We do make deliberate efforts to make sure that our recruit classes reflect the diversity of the community, and of course, the presence of women in the organization is an important focus.

[Translation]

The Chair: Ms. Day, you have one minute left.

Mrs. Anne-Marie Day: What do you think should be done to improve your service's organizational structure?

[English]

D/Chief Michael Federico: There needs to be a clear statement of support for diversity and inclusiveness from the top of the organization. That statement must be clear and it must be reflected in all of the activities that the organization engages in. For example, it should be part of the training. It should be part of the selection and the promotion system. It should be part of our community outreach.

There should be a clear declaration that the service values diversity and seeks inclusiveness. An employer who is hoping to encourage people to consider them as an employer of choice needs to be able to make clear that they value diversity, that it is a safe and inclusive workplace, that it's a disciplined organization that respects human rights, and that they will take immediate action if they're made aware of any contravention.

[Translation]

The Chair: Thank you, Mr. Federico.

We now go to Mr. Leung.

You have seven minutes.

[English]

Mr. Chungsen Leung (Willowdale, CPC): Thank you Madam Chair.

Deputy Chief Federico, Toronto is recognized, perhaps internationally, as one of the most diverse cities in the world; we certainly welcome people from all over the world to Toronto.

In working with harassment or discrimination cases, often your victim or complainant may be from a minority group, an immigrant of colour, and may also be handicapped. They may be handicapped by the fact that their linguistic ability in one of our official languages, English or French, is not fluent, or perhaps their skills, or the appearance of an age factor.

Perhaps you could walk us through how you handle when you receive a complaint like this. How do you determine which avenue to go down in terms of dealing with it as sexual harassment, racial discrimination, or as a faith discrimination? How do you dissect a case to give you the best outcome, the best knowledge of how to deal with it? Are there policies that guide you through that?

D/Chief Michael Federico: The Toronto Police Service has policies as well as procedures that animate the policies. Policies are declarations of principles that we want the service members to follow. Procedures lay out the actual steps that will be taken to achieve the policy goal.

In the case of having a harassment-free workplace, the procedures will establish how a complaint can be filed. Again, I make reference to the fact that one of the ways is the complainant can anonymously report the complaint. The procedure then directs the service on how that will be investigated. As in many investigations, the first step is to gather all the facts, then focus on the behaviours involved and determine whether the behaviours reflect incompetence or ignorance, which might benefit from training or education. If they constituted acts of inadvertence or oversight, then they're mistakes, and mistakes can be corrected through a combination perhaps of discipline or training. If they're outright wilful, they will result in a disciplinary sanction.

Policing in Ontario is governed by provincial legislation, which has a scheme of internal discipline that police services must follow. That discipline can result in the actual termination or dismissal of a police officer from the service if the offence is proven and the offence is egregious enough.

One of the overriding goals of responding to a complaint, though, is to seek a resolution. It isn't always inevitable that the complaint will result in some discipline. There may be an attempt to accommodate or reconcile the parties if it's appropriate. The complainant in a case does have a measure of choice and a role of decision to help guide the investigation. We're always trying to be sensitive that the complainant has a stake in the outcome as does the offender.

I hope that answers the question.

•(1235)

Mr. Chungsen Leung: Yes, that's very good.

Moving on to the next question, when a complainant makes a complaint, there's always this fear of losing one's job. What mechanism do you have of reporting a complaint, either through an ombudsman or an anonymous method? Also, how do you shelter the victim from having to go to a third source witness to perhaps verify that the complaint is legitimate? How do you protect the victim from, one, the fear of job loss, and two, from being victimized again?

D/Chief Michael Federico: Reprisal is an offence against provincial legislation under the Human Rights Code. If a member of the police service alleges that they have been the victim of discrimination or harassment, the filing of the complaint is protected from reprisal. The individual is being protected from the apprehension that simply filing the complaint and providing the information will result in a reprisal. It's an obligation by the employer to make sure that there is no reprisal as a result of filing a complaint. That reprisal can take the form of ostracism, maybe a degradation in the workplace for the employee, or a transfer. The employer has to be very cautious. We take that seriously, that our reaction to the filing of a complaint is not understood by the complainant to constitute reprisal. If the complainant feels that because they've filed a complaint they are the subject of reprisal, that as well forms another allegation that the employer has to address.

The Chair: You have one minute.

Mr. Chungsen Leung: I have a final question. With the steps the Toronto Police Service has taken to be the leader in this area of handling harassment, are you aware of whether we are a leader with

respect to the police forces around the world, say for example, other countries like the United States, U.K., or Australia?

D/Chief Michael Federico: I'm very proud to say that the Toronto police are sought out by policing agencies particularly, literally across the world. Last year, in 2012, we had 11 visits from police services across the world. That included Asia, the Middle East, Europe, and the United States. They were all interested in the Toronto police and the City of Toronto's management of diversity. They were particularly keen on how Toronto police have managed the challenges associated with maintaining a diverse and inclusive workplace. Even today delegates from Sweden are in Toronto examining how the City of Toronto and its agencies address issues of inclusiveness and diversity.

•(1240)

[*Translation*]

The Chair: Thank you, Mr. Federico.

We will now go to Ms. Sgro.

You have seven minutes.

[*English*]

Hon. Judy Sgro: Thank you very much, Madam Chair.

Deputy Chief Federico, it's nice to see you again. I'm amazed to see that you're still pursuing these very issues that you and I talked about when I was on the Toronto Police Services Board. Clearly you are having some success.

I think one of the concerns continues to be the issue of under-reporting. I am of the belief, and I think probably most share it, that people don't look to find themselves in these situations.

Are you able to do much within the service to encourage people to verbalize directly back to whoever the person is who's causing them the problem? If you just cut to the chase of it, if the individuals, male or female, who are feeling that they.... And again, this is more on sexual harassment because that's been the focus of our study, but can they just do the pushback right up front, flat out, and so on? Then you can go into all of the other areas. Is there much done to encourage people to verbalize directly back at the person who's causing it, especially within the police service? Whether it's the RCMP or our police service, you would expect people to have the ability and the courage to be able to push back in those situations.

D/Chief Michael Federico: Yes, indeed. We do encourage reporting by assuring our members that we will, first of all, take them seriously, and give them a measure of control on the course of the events. In our procedures we make it very clear that a member always has the opportunity to address the offender. They can deal directly with the offender. After having done that, they don't require us to make the complaint official or formalize it.

As I said earlier, one of the goals is to help resolve. If the offender and the complainant can come to a resolution that's mutually satisfactory, we'll encourage that and allow for that. However, if the complainant is not satisfied with the outcome, then the complainant can always come and seek further assistance from the service.

We've made sure that our members are fully aware of the options they have. As I said, we produce these procedures, which are our statements about how a complaint will be managed. They're available. In fact, they're required reading for every member of the service. In there members will see where they can exercise some rights and some options in order to help resolve the issue. We recognize and take very seriously that the complainant has an opportunity to control the outcome of the course of the event. One of the ways is to deal directly with the offender. It's always an option.

Hon. Judy Sgro: Exactly.

I'm quite interested in the peer support networks that you mentioned earlier. Could you elaborate a bit more on that?

D/Chief Michael Federico: They are associations of members who have shared some characteristic or some perspective. It's an opportunity for them to share their experiences. A sharing of experience might help them come to grips with or cope with the stresses of the job. It might also offer them some insight and job enrichment or job enhancement opportunities, promotions, special assignments.

It's also an opportunity, though, to just socialize, build those kinds of informal networks that we all know help an organization run smoothly. During those conversations and those activities, there may be opportunities for members of the service to express concerns about how they're dealing with co-workers or their supervisors. They're another forum where members can seek some support from people who share characteristics or perspectives, give them a little safe and secure place to have a conversation without necessarily formalizing a complaint or elevating it in some official way.

As you know, Ms. Sgro, the service does expect members to report misconduct, and so it's not a forum where people can avoid taking direct responsibility or action, but it is an opportunity for members to engage in those informal support kinds of conversations that might help them make decisions about how they want to proceed if they have a concern about harassment in the workplace. It's another safe environment.

•(1245)

Hon. Judy Sgro: One of the things that continues to be of concern is the fact that what was okay 20 years ago is not okay today. How often are you reminding many of the members about what is acceptable and what isn't, as a reminder of mutual respect in the workplace?

D/Chief Michael Federico: I dare say it's literally a daily conversation. There are reminders throughout the service about how we care for our members. There are, for example, in every public area of the building—by that I mean places where employees resort to—reminders about our commitment to occupational health and safety, our commitment to human rights. The project charter is infused throughout virtually all of our operations, and we expect members to be talking about service excellence and how they can support each other. Plus, there's a high expectation on supervisors to make sure that the workplace is safe and disciplined, free of bigotry and discrimination. We hold our supervisors to account if an event is revealed where they didn't take action when they were supposed to. Plus, every time there's a promotion, the person being promoted takes the requisite courses, and those courses include references to

reducing workplace harassment and harm in the workplace. It's a daily conversation, I'm proud to say.

Hon. Judy Sgro: A lot of work has been done certainly over the past period of time.

The Chair: You have one minute.

Hon. Judy Sgro: Can you supply the committee with the most recent report you would have published for the Toronto Police Services Board as to the actual complaints that you had received in the last 24 months and the status of those complaints?

D/Chief Michael Federico: I can. I invite the members of the panel to visit the Toronto police website, and you can download the professional standards report, which includes much of what I have discussed. It's available online at the Toronto police website, but if the committee wants a hard copy of the report, I'd be more than happy to provide it.

Hon. Judy Sgro: The clerk will take care of that. Thank you very much, Chief.

[*Translation*]

The Chair: Thank you.

The clerk just confirmed that we will send the link to all the members of the committee.

I now yield the floor to Ms. Truppe for five minutes.

[*English*]

Mrs. Susan Truppe: Thank you, Deputy Chief, for coming today.

Some of the other witnesses that we had in here have a specific person who looks after harassment. They are called harassment coordinators. You had mentioned something about the professional standards unit. Is this something similar? Is there an individual within that unit that you were talking about who would be similar to the harassment coordinator, who some of our other witnesses were talking about, and that's all they do? Specifically, they are there if anyone feels harassed sexually or in any other way in the workplace.

D/Chief Michael Federico: Because of the size of our organization, we actually have several people who share the responsibility. The professional standards unit has an inspector, a very senior officer in rank, dedicated to reviewing all cases of harassment and workplace violence. They will screen the report to determine what appropriate action is required. We also have, as I mentioned earlier, a manager of the diversity management unit. That person's job is to monitor and maintain our compliance with the Human Rights Code and to promote diversity and inclusiveness in the organization. That person will always be consulted on cases of discrimination or harassment or violence in the workplace.

Then, of course, it's the responsibility of literally every supervisor and unit commander to monitor their workplace and it's the responsibility of every member. This is encoded in law, so it's not just the Toronto police expectation, it's the expectation of every member of a police service to report misconduct if they see it. The professional standards unit and the diversity management unit are more or less the experts, or the subject matter experts, in the issues surrounding workplace harassment and human rights, but it is the responsibility of every member of the service to be alert to harmful or risky activity in the workplace, and that includes harassment.

• (1250)

Mrs. Susan Truppe: Thank you. You had mentioned something about training and about daily reminders, but unless I've missed it, I didn't actually hear what training is in place. What is the training that you referred to when you talked about training? If someone is new or someone has been here for 10 years, what training is in place for sexual harassment?

D/Chief Michael Federico: We're trained on the law, what is permitted and what is not permitted and what to look for, to make sure we identify instances where there might be some risk of harm or harassment, but we're also trained in the practice and the techniques of investigation. Our investigators get training on investigative techniques that include interviewing, evidence collection, evidence analysis and assessment, and the prosecution of cases, because as I mentioned earlier, police services in Ontario are subject to specific legislation which has a scheme of discipline.

The training includes this broad spectrum of what an investigator would need to know in order to properly investigate and prepare a case, but every member receives broader training on how to maintain a respectful and safe work environment. This includes training on what the law is and what's prohibited, on how to recognize misconduct, and on how to make referrals to the support benefits that I discussed: employee and family assistance, the diversity management unit, the peer support groups. These are all part of the training package.

Members receive their training formally in class. We do have the Toronto Police College. Quite a bit of its attention is devoted to what I will call compliance issues, to making sure that we respect and comply with the various laws.

Mrs. Susan Truppe: Thank you.

I have only about 50 seconds left. When you said they are trained on recognizing misconduct and trained in investigative procedures, are they trained on what is right and what is wrong in terms of sexual harassment? Is there something different for someone who's been here 10 years and for someone who's just arrived?

D/Chief Michael Federico: Every recruit will receive training. Every new hire, whether they're a police officer or civilian member, receives training on what is proper behaviour and what is improper behaviour in the workplace. It doesn't matter how long you've been on the job, that training will continue to be provided.

We always introduce members to the workplace with that kind of training, but then throughout their career there are numerous—too numerous to recount in 50 seconds—training forums and training opportunities that we provide our members.

As I said, every time somebody is promoted, they have to go through a training course on compliance with human rights and the Ontario Occupational Health and Safety Act and the Police Services Act. Those are all part of the training.

Mrs. Susan Truppe: Thank you.

[*Translation*]

The Chair: Thank you, Mr. Federico.

I now yield the floor to Ms. Ashton for five minutes. She will probably be the last person to speak.

Ms. Ashton, go ahead.

[*English*]

Ms. Niki Ashton: Thank you very much for joining us, Mr. Federico. It's a real pleasure to hear about the good work that the Toronto Police Service is doing around sexual harassment.

Just going back to the question of how many women are in the force, do you have numbers on how many women exist in senior positions?

D/Chief Michael Federico: You'll have to give me a second. I wasn't prepared for that type of question.

We have women in every rank except the chief's office, because there's only one chief. We recently had a woman deputy chief retire. There is a woman in every one of the highest ranks in the organization, if you'll just permit me to rhyme them off—chief of police, deputy chief, staff superintendent, and then on down to inspectors—with the exception of deputy chief and chief of police.

We just had a woman retire from the deputy chief's office, and we have reduced the number of deputy chiefs. There are currently three men in deputy chief positions. Two are visible minority members, African Canadians, and then there's me and our CAO; but in every other rank in this organization, women are represented. All leadership positions reflect women in the organization. I'd be happy to provide the exact numbers. I wasn't prepared for a specific statistic.

• (1255)

Ms. Niki Ashton: We'd appreciate those exact numbers.

Does the Toronto Police Service believe that it makes a difference to have women in senior positions in the organization?

D/Chief Michael Federico: We characterize it as an organizational need. It's a high priority for us. We believe we need to reflect our community and the community's diversity, and that includes gender. We make deliberate efforts to recruit, promote, and showcase in advance the diversity of the membership of the organization, particularly women.

Ms. Niki Ashton: We are aware that in 2011, the Ontario Human Rights Commission published a guide entitled “Human rights and policing: Creating and sustaining organizational change”. In that document they often refer to the Toronto Police Service as a positive example. Clearly in the Ontario context your work is known, and certainly the best practices. I'm wondering if there's an opportunity to work with other police services across the country, including the RCMP, to share such best practices.

D/Chief Michael Federico: Absolutely. We'd welcome such opportunity. As a result of the work done by the Ontario Human Rights Commission, the Toronto Police Service, and the board, the Ontario Human Rights Commission has been invited to participate in similar developments across the country, as too has the Toronto Police Service.

We're always willing, obviously, to advance the science and the art of policing. We'd welcome an opportunity like that.

Thank you.

Ms. Niki Ashton: Has the RCMP contacted you to look specifically at the work you've done around sexual harassment?

D/Chief Michael Federico: We have regular contact with the RCMP. Our chief and the commissioner talk regularly, weekly, and I know that the development of safety and security in the workplace is always a topic between them. I'm not part of a formal program with the RCMP, but I can speak confidently that the RCMP and Toronto do work closely together on all areas of policing, from combatting crime to improving workplace safety.

Ms. Niki Ashton: Yes. One of the things that we've struggled with, however, including in recent legislation like Bill C-42 is that in the general references to workplace safety, when there is no direct reference to sexual harassment, it gets lost in the mix. We believe there should be specific discussions around how organizations like your own, with very similar realities, work to put an end to sexual harassment, which is obviously a concern in the RCMP as well.

Just to go back on the question of training, Deputy Chief, obviously there's the recruitment process, but do you do training every so often to bring people up to speed in today's world around sexual harassment?

D/Chief Michael Federico: Every 12 months every police officer has to take mandatory training. Included in that training is workplace safety, which includes issues around harassment and workplace violence. That happens every year, once a year, for every police officer. For the civilian members, it often is part of regular staff development.

I can safely say that virtually every year, every member of the service receives some further reinforcement, training, or refinement in the knowledge that they have, particularly around workplace safety and violence.

Ms. Niki Ashton: Just quickly, is that done in person or online?

D/Chief Michael Federico: For every police officer, it's done in person. They have to physically attend the police college. It's part of their annual re-qualification. They get it directly, person to person, but we do have distance learning. We take advantage of what we call e-learning for the sharing of knowledge as a supplement to the direct training.

[*Translation*]

The Chair: Thank you, Ms. Ashton.

This concludes today's meeting.

Thank you, Mr. Federico. It was very interesting. Thank you for accepting our invitation to appear.

I would like to use this opportunity to wish my colleagues two good weeks in their respective ridings. Since there will be no meeting next Thursday, we will meet again on April 16.

Thank you and have a nice day.

The meeting is adjourned.

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