

Submission by the
Public Service Alliance of Canada
and the
Union of Postal Communications
Employees
for the
Canada Post
Respectful Workplaces Review
July 2018

Introduction

The Public Service Alliance of Canada represents over 170,000 members from coast to coast to coast. The largest union in the federal public sector, our Union has a diverse membership including workers employed by the three territorial governments, northern municipalities and hospitals.

The Union of Postal Communications Employees (UPCE), is a Component of the PSAC. Our Canada Post members perform administrative, technical, and clerical work, including customer support for businesses and consumers.

The views expressed in this submission are those of both PSAC and UPCE.

Mandate

We believe the mandate to be unclear at this time, but welcome any initiative to look into respectful workplaces at Canada Post, including harassment and bullying complaints. We believe that this meeting is needed and that it should serve as the beginning of continued joint discussions on issues such as harassment and bullying.

Any and all initiatives should be implemented and conducted within the context of a comprehensive equity lens. We strongly believe that Canada Post practices and policies do not apply equitably to all members and employees and that some members who are in more vulnerable positions, are disproportionately impacted by corporate practices and policies. For example, we believe that Canada Post is failing in hiring and properly accommodating our members with disabilities.

Canada Post needs to engage in better data collection and workplace assessments. Currently, information available may be limited to actual complaints. We believe that workplace issues such as harassment and bullying are often unreported and under-reported.

Investigators

The PSAC is currently undergoing a large review of competent investigators. We are not in the best position to officially recommend an investigator at this time. Our preference would be a bilingual woman who is impartial and apolitical with extensive experience in investigations; general and human rights harassment and who will be able to conduct the investigation through a comprehensive equity lens.

For the time being, we are providing names of investigators appended to this submission. These investigators are not necessarily recommendations. We are also prepared to review any recommendations within a reasonable period of time when accompanied with a CV and/or other relevant information.

Recommendations

General

- An adequate and fair process for all is as important as a competent investigator.
- The process and/or the way by which the investigations are conducted need to comply with the principles of bill C-65.
- The process must create a safe space where people can bring forward issues and be listened to without fear of reprimand.
- At minimum, there needs to be better communication and alignment between all parties (and departments) involved in the investigation process. We believe that Canada Post's current approach of operating in silos is counterproductive to the end goal.
- All investigations, recommendations, and remedies should be conducted with a comprehensive equity lens and comply with the Canada Labour Code and the Human Rights Act.
- If a Taskforce or committee is created for this review, protections provided to Health and Safety Policy Committees should be extended to this body.
- Canada Post needs to implement a greater accountability structure for its decision makers and process owners. The accountability structure should protect the complainants from reprimand or additional penalties from the process owners, decision makers, and other corporate stakeholders.
- The focus should be on the victim and the individuals involved. The process cannot re-victimize the employee.

Independent Body and Merging of Processes

- Canada Post should create an independent body directly accountable for all harassment complaints and/or workplace respect issues. And the independent body should be an objective third party that works directly with the Unions and corporate stakeholders.
- The independent body should include the Unions in its work and report directly to the CEO's office.
- The independent body should be involved in every step of the investigation process, regardless of the nature of the harassment.
- The current processes are dysfunctional and the separation of the current processes does not add any value. For example, investigations under human rights or otherwise should not be conducted by the department and/or function. Workplace relationships cause subjective decisions and bias and need to be taken out of the equation.
- The independent body needs the power to implement changes and remedies. The department or function should not have the right or option to refuse remedies imposed by the independent body.
- Currently, the function or department can refuse to implement a recommendation which only contributes to the dysfunction.
- Mediation would be more effective as an objective third-party process.
- The independent body would serve as an oversight body, but also to make recommendations for a complete policy and process review.
- Processes and policies should be merged into one comprehensive process.
- Health and Safety Committees and Human Rights Committees should be included in the policy and process review.

Data Collection

- Canada Post should immediately implement an employee engagement survey in order to gather actual data anonymously from its workplaces. The survey should be similar to the Public Service Employee Survey and have a number of questions on the state of the workplace, harassment, equity, and human rights.
- Canada Post should build and maintain a database or a central point of data for all harassment, bullying, and other complaints related to issues that impact the respect in the workplace. With privacy in mind, the data should be compiled and used as a workplace analysis tool. The anonymous aggregate data should be shared with the Unions and the corporate stakeholders.