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RESPECT IN THE WORKPLACE

Report of the Standing Committee on Public Accounts

Kelly Block, Chair

FEBRUARY 2021
43rd PARLIAMENT, 2nd SESSION

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Chair**

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NOTICE TO READER

Reports from committee presented to the House of Commons

Presenting a report to the House is the way a committee makes public its findings and recommendations on a particular topic. Substantive reports on a subject-matter study usually contain a synopsis of the testimony heard, the recommendations made by the committee, as well as the reasons for those recommendations.

STANDING COMMITTEE ON PUBLIC ACCOUNTS

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THE STANDING COMMITTEE ON PUBLIC ACCOUNTS

has the honour to present its

TWELFTH REPORT

Pursuant to its mandate under Standing Order 108(3)(g), the committee has studied Report 1, Respect in the Workplace, of the 2019 Fall Report of the Auditor General of Canada and has agreed to report the following:



INTRODUCTION

ABOUT THIS COMMITTEE REPORT

On 18 February 2020, the Office of the Auditor General (OAG) tabled a report in the House of Commons entitled “Respect in the Workplace,” which was referred to the House of Commons Standing Committee on Public Accounts (the Committee) for study.¹ On 28 January 2021, the Committee met to discuss this report, with the following people in attendance:

- OAG – Martin Dompierre, Assistant Auditor General, and Susan Gomez, Principal;
- Canada Border Services Agency (CBSA) – John Ossowski, President, and Louise Youdale, Vice-President, Human Resources Branch; and
- Correctional Service of Canada (CSC) – Anne Kelly, Commissioner, and Nick Fabiano, Assistant Commissioner, Human Resource Management Sector.²

CONTEXT

Definitions

The following definitions apply throughout the report:

- Harassment – Improper conduct by an individual, that is directed at and offensive to another individual in the workplace, including at any event or any location related to work, and that the individual knew or ought reasonably to have known would cause offence or harm.
- Discrimination – An action or a decision that treats a person or a group badly for reasons such as their race, age or disability.

1 House of Commons, *Journals*, 18 February 2020.

2 House of Commons, Standing Committee on Public Accounts, *Minutes of Proceedings*, 2nd Session, 43rd Parliament, 28 January 2021, [Meeting No. 15](#).



- Workplace violence – Any action, conduct, threat or gesture of a person towards an employee in their workplace that can reasonably be expected to cause harm, injury or illness to that employee.³

Purpose of the Audit

The aim of the OAG’s audit was to determine whether the CBSA and CSC “promoted and maintained respectful workplaces free of harassment, discrimination, and violence by co-workers and supervisors.”⁴ The audit covered the period between 1 January 2016 and 30 November 2018, the period to which the audit conclusion applies. However, to gain a more complete understanding of the subject matter of the audit, the OAG also examined certain matters preceding that period.⁵

Roles and Responsibilities

CSC is responsible for “managing correctional institutions of various security levels and supervising offenders under conditional release in the community,”⁶ while the CBSA is responsible for “facilitating the free flow of legitimate persons and goods at Canada’s border points.”⁷ In addition, all federal employers “have the responsibility to provide their employees with respectful workplaces.”⁸

FINDINGS AND RECOMMENDATIONS

Actions to Identify and Address Risks

According to the OAG, prior to 2017–2018, CSC “had not formally stated in its corporate risk documents that it had serious issues of harassment, discrimination, and workplace violence among employees.”⁹ At the time of the audit, the CBSA had not included

3 Office of the Auditor General (OAG), [Respect in the Workplace](#), 2019 Fall Report of the Auditor General of Canada to the Parliament of Canada, Definitions.

4 Ibid., para. 1.8.

5 Ibid., [About the Audit](#).

6 Ibid., para. 1.6.

7 Ibid., para. 1.5.

8 Ibid., para. 1.7.

9 Ibid., para. 1.24.

“harassment, discrimination, and workplace violence among employees in its corporate risk documents.”¹⁰

Furthermore, the two organizations “had not defined overall strategic objectives, nor had they prioritized how to achieve them,”¹¹ and neither organization had a performance measurement framework to establish expectations, measure results or report on progress.

The OAG found that both organizations “did not take enough action to address the risks that they could not maintain workplaces free from harassment, discrimination, and workplace violence.”¹²

As regards actions to identify and address risks, the OAG therefore made the following recommendation:

The Canada Border Services Agency and Correctional Service Canada should develop and implement comprehensive strategies to address harassment, discrimination, and workplace violence. Each strategy should be based on risks and be supported by action plans with clear accountabilities and performance monitoring for continual improvement.¹³

According to John Ossowski, CBSA President, several “initiatives have been undertaken to understand and further explore root causes of harassment, and to identify the concrete actions needed to create a healthier workplace culture, provide protection to employees and address their concerns.”¹⁴

According to its detailed action plan, the CBSA has “developed a comprehensive risk-based strategy to ensure a respectful workplace free of harassment, discrimination and violence.”¹⁵ This strategy, completed in December 2020, includes creating the “National Integrity [Centre] of Expertise to provide a centralized and integrated approach to addressing harassment and discrimination complaints”¹⁶ and introducing “improved performance monitoring for executives to ensure the strategy will be executed

10 Ibid.

11 Ibid., para. 1.25.

12 Ibid., para. 1.23.

13 Ibid., para. 1.28.

14 House of Commons Standing Committee on Public Accounts, *Evidence*, 2nd Session, 43rd Parliament, 28 January 2021, [Meeting No. 15](#), 1105.

15 Canada Border Services Agency (CBSA), [Detailed Action Plan](#), p. 1.

16 Ibid.



effectively at all levels.”¹⁷ Using performance indicators, the CBSA “will begin providing regular progress updates on the attainment of key milestones and achievement of results within six months.”¹⁸

To ensure satisfactory results, the Committee recommends:

Recommendation 1 – On strategies to ensure respect in the workplace (CBSA)

That, by 30 September 2021, the Canada Border Services Agency provide the House of Commons Standing Committee on Public Accounts with a progress report that outlines the results of its comprehensive strategy to address harassment, discrimination and violence in the workplace, including performance indicators. A second progress report should be provided by 31 March 2022, and a final report by 30 September 2022.

For its part, CSC developed “a national Comprehensive Strategy on Workplace Wellness & Employee Well-Being. This strategy will address harassment, discrimination and workplace violence in a holistic manner, based on risks, and supported by action plans with clear accountabilities and performance monitoring.”¹⁹ CSC also created “a tip line to provide employees with additional avenues to report misconduct”²⁰ and “is currently assessing the creation of a separate and independent office, such as an Ombuds-type function,” which would “manage allegations from the tip line and email account and provide employees with a trusted, safe space to discuss allegations without fear of reprisal and to help navigate existing systems.”²¹ The strategy also includes preparing an annual report on workplace climate and employee well-being. THE FIRST REPORT, COVERING 2018-2019, “WAS SHARED WITH THE MINISTER’S OFFICE AND WITH ALL CSC STAFF,”²² BUT WAS NOT MADE AVAILABLE TO THE PUBLIC. THE SECOND REPORT (2019–2020) SHOULD BE COMPLETED BY 31 MARCH 2021.²³

Therefore, the Committee recommends:

17 Ibid.

18 Ibid., p. 3.

19 Correctional Service of Canada (CSC), [Action Plan to address the recommendations of the OAG’s Performance Audit of Respect in the Workplace](#), p. 1.

20 Ibid., p. 4.

21 Ibid.

22 CSC, [2019–20 Departmental Results Report](#), p. 26.

23 CSC, [Action Plan to address the recommendations of the OAG’s Performance Audit of Respect in the Workplace](#), p. 2.

Recommendation 2 – On strategies to ensure respect in the workplace (CSC)

That, by 30 May 2021, the Correctional Service of Canada provide the House of Commons Standing Committee on Public Accounts with its 2018–2019 and 2019–2020 annual reports on workplace climate and employee well-being, as well as with a progress report on its assessment of the creation of a separate and independent office on workplace harassment, discrimination and violence.

Employee Concerns About Respect in the Workplace

According to a survey conducted by the OAG, 35% of CBSA employees and 46% of CSC employees “feared reprisal if they made complaints of harassment, discrimination, or workplace violence.”²⁴ Furthermore, 55% of CBSA employees and 60% of CSC employees said “civility and respect are serious or significant concerns.”²⁵ Lastly, two-thirds of respondents from both organizations said “organizational culture is a serious or significant concern.”²⁶ John Ossowski, CBSA President, said the following:

The culture of the organization has been to sweep things under the carpet, and that’s the part that we’re changing. It’s about speaking up and doing something about it with proper processes and training, and choosing the right people so that they can actually act appropriately and stop these things from festering to the point where they blow up into a giant problem that makes it much harder for everybody to deal with.²⁷

Anne Kelly, CSC Commissioner, stated the following:

[W]e have also begun planning an audit of CSC’s culture. The goal of the audit is to identify ways to make CSC a safer, healthier, more respectful and violence-free environment for all employees and offenders.²⁸

The OAG did not make any recommendations regarding employee concerns about respect in the workplace.

24 OAG, [Respect in the Workplace](#), 2019 Fall Report of the Auditor General of Canada to the Parliament of Canada, para. 1.29.

25 Ibid., para. 1.30.

26 Ibid., para. 1.31.

27 House of Commons Standing Committee on Public Accounts, *Evidence*, 2nd Session, 43rd Parliament, 28 January 2021, [Meeting No. 15](#), 1135.

28 Ibid., 1110.



Informal Mechanisms for Resolving Complaints

As part of its file review of harassment and workplace violence complaints, the OAG examined whether the two organizations “told employees about informal mechanisms for resolving their complaints,” which federal employers are encouraged to do.²⁹ Yet, in 25% of cases at the CBSA and 14% of cases at CSC, that was not the case.³⁰

Martin Dompierre, Assistant Auditor General, said that “federal employers are encouraged to offer informal mechanisms such as meetings between individual employees and mediation for resolving complaints to help restore working relationships more quickly. [The OAG] found that in the harassment and workplace violence complaints ... reviewed, both organizations did not always tell employees that they could use informal processes.”³¹

With regard to informal complaint resolution mechanisms, the OAG thus made the following recommendation:

The Canada Border Services Agency and Correctional Service Canada should always inform employees of informal processes available for resolving complaints of harassment and workplace violence.³²

In its detailed action plan, the CBSA indicated that it had changed its approach in April 2019 to “inform employees of their options to access informal conflict resolution processes.”³³ For all harassment complaint files, “both the respondent and the complainant are contacted directly by a trained [Informal Conflict Management Systems] practitioner who offers both parties the services available to resolve the complaint informally.”³⁴ Furthermore, the “acknowledgement letters for violence in the workplace complaints have been amended to ensure complainants are aware that informal resolution remains an option at all times.”³⁵

Therefore, the Committee recommends:

29 OAG, [Respect in the Workplace](#), 2019 Fall Report of the Auditor General of Canada to the Parliament of Canada, para. 1.32.

30 Ibid., Exhibit 1.2.

31 House of Commons Standing Committee on Public Accounts, *Evidence*, 2nd Session, 43rd Parliament, 28 January 2021, [Meeting No. 15](#), 1100.

32 OAG, [Respect in the Workplace](#), 2019 Fall Report of the Auditor General of Canada to the Parliament of Canada, para. 1.34.

33 CBSA, [Detailed Action Plan](#), p. 4.

34 Ibid.

35 Ibid.

Recommendation 3 – On informal mechanisms for resolving complaints of workplace violence and harassment (CBSA)

That the Canada Border Services Agency provide the House of Commons Standing Committee on Public Accounts with a report outlining statistics on the number of workplace violence and harassment complaints, the number of cases where informal complaint resolution mechanisms were offered and the number of times these complaints were resolved informally, for 2018–2019, 2019–2020 and 2020–2021, by 30 September 2021.

CSC developed “Guidelines on Violence Prevention in the Workplace that promote informal conflict resolution. CSC posted the Guidelines online. Managers and employees who avail themselves of the workplace violence complaint process use them.”³⁶

Therefore, the Committee recommends:

Recommendation 4 – On informal mechanisms for resolving complaints of workplace violence and harassment (CSC)

That the Correctional Service of Canada provide the House of Commons Standing Committee on Public Accounts with a report outlining statistics on the number of workplace violence and harassment complaints, the number of cases where informal complaint resolution mechanisms were offered and the number of times these complaints were resolved informally, for 2018–2019, 2019–2020 and 2020–2021, by 30 September 2021.

Initial Assessments of Complaints

According to the OAG, when a formal complaint of harassment, discrimination or workplace violence is made, organizational officials must assess whether the complaint is admissible for further investigation and must “document decisions to enable accountability and transparency.”³⁷

The OAG found that both organizations “did not always do an initial assessment before deciding whether to accept or dismiss a complaint,”³⁸ which may have (1) “lead to

36 CSC, [Action Plan to address the recommendations of the OAG’s Performance Audit of Respect in the Workplace](#), pp. 6–7.

37 OAG, [Respect in the Workplace](#), 2019 Fall Report of the Auditor General of Canada to the Parliament of Canada, para. 1.35.

38 *Ibid.*, para. 1.36.



inconsistencies in the decision-making process and in the treatment of complaints;”³⁹ and (2) may have resulted “in employee perception of bias and a loss of confidence in the process.”⁴⁰

For example, at the CBSA, an initial assessment was not done in 88% of workplace violence complaints (21 of 24 cases). In 14 of these 21 cases, the complaint was dismissed. At CSC, an initial assessment was not done in 90% of workplace violence complaints (28 of 31 cases). In 16 of these 28 cases, the complaint was dismissed.⁴¹

Consequently, the OAG made the following recommendation regarding initial assessments:

The Canada Border Services Agency and Correctional Service Canada should complete and document the results of their analyses to support decisions when handling harassment, discrimination, and workplace violence complaints.⁴²

In its detailed action plan, the CBSA indicated that its National Integrity Centre of Expertise would ensure “that all complaints are processed in a standard manner. For example, complaints received by the central unit are processed against a checklist to ensure that all of the documents and key steps required are documented, including a detailed analysis of each allegation.”⁴³

Therefore, the Committee recommends:

Recommendation 5 – On initial assessments of complaints (CBSA)

That the Canada Border Services Agency present the House of Commons Standing Committee on Public Accounts with a report identifying the number of official harassment, discrimination and workplace violence complaints filed in 2018–2019, 2019–2020 and 2020–2021, and in how many cases an initial assessment was documented, by 30 September 2021.

39 Ibid.

40 Ibid.

41 Ibid., Exhibit 1.3.

42 OAG, [Respect in the Workplace](#), 2019 Fall Report of the Auditor General of Canada to the Parliament of Canada, para. 1.40.

43 CBSA, [Detailed Action Plan](#), p. 5.

CSC developed assessment forms to be used by managers for assessing harassment and workplace violence complaints. However, it does not appear to have developed a form for discrimination complaints.⁴⁴

Therefore, the Committee recommends:

Recommendation 6 – On initial assessments of complaints (CSC)

That the Correctional Service of Canada present the House of Commons Standing Committee on Public Accounts with a report identifying the number of official harassment, discrimination and workplace violence complaints filed in 2018–2019, 2019–2020 and 2020–2021, and the number of cases for which an initial assessment was documented, by 30 September 2021.

Recommendation 7 – On initial assessments of discrimination complaints

That the Correctional Service of Canada present the House of Commons Standing Committee on Public Accounts with a report explaining what processes will be put in place to ensure that a documented initial assessment is done for discrimination complaints, by 30 June 2021.

Actions to Re-establish Working Relationships After a Complaint

A Treasury Board Secretariat directive requires organizations to take measures “restoring the well-being of the workplace” when an investigation to resolve a harassment complaint is completed.⁴⁵ According to the OAG, these measures should be aimed at the entire workplace, “because the process is often stressful for all involved employees.”⁴⁶ The OAG reviewed whether the two organizations being audited had ordered actions to restore the workplace following a harassment complaint and found they had done so only rarely. However, the OAG did not make any recommendations in this area.

GENDER-BASED ANALYSIS PLUS

According to Status of Women Canada, Gender-based Analysis Plus (GBA+) “is an analytical process used to assess how diverse groups of women, men, and gender

44 CSC, [Action Plan to address the recommendations of the OAG’s Performance Audit of Respect in the Workplace](#), pp. 8–9.

45 OAG, [Respect in the Workplace](#), 2019 Fall Report of the Auditor General of Canada to the Parliament of Canada, para. 1.41.

46 *Ibid.*, para. 1.43.



diverse people may experience policies, programs and initiatives. The 'plus' in GBA+ is not just about differences between biological (sexes) and socio-cultural (genders). [...] GBA+ considers many other identity factors such as race, ethnicity, religion, age, and mental or physical disability and how the interaction between these factors influences the way we might experience government policies and initiatives."⁴⁷

The OAG's 2020–2021 Departmental Plan states the following:

Many of our performance audits examine government programs and activities that affect different demographic groups and involve GBA+ considerations. Some of the resulting performance audit reports directly or indirectly support GBA+ objectives by informing the discussions and analysis of intersecting identity factors conducted by government departments and agencies, parliamentarians, and Canadians.⁴⁸

During the Committee's study of the OAG's report on respect in the workplace, Martin Dompierre, Assistant Auditor General, explained that GBA+ was not applied to this audit:

We got the information only as it was presented in the report. We did not specifically analyze that information—male-female, for example, or in other ways.⁴⁹

The Committee understands that the data provided can affect whether GBA+ can be employed. However, it believes that the OAG should make every effort to obtain data allowing for GBA+, particularly for topics involving discrimination or violence. On this topic, Martin Dompierre committed to doing more:

This is even something that we will be pursuing more in the future and adding as part of any audits that we have under way to apply that specific lens.⁵⁰

Therefore, the Committee recommends:

Recommendation 8 – on the use of Gender-based Analysis Plus (GBA+)

That the Office of the Auditor General of Canada use Gender-based Analysis plus, which includes identity factors such as race, ethnicity, religion, age, and mental or physical disability, in its performance audits.

47 Status of Women Canada, [What is GBA+?](#)

48 OAG, *2020–21 Departmental Plan*, [Supplementary information table](#).

49 House of Commons Standing Committee on Public Accounts, *Evidence*, 2nd Session, 43rd Parliament, 28 January 2021, [Meeting No. 15](#), 1155.

50 Ibid.

CONCLUSION

The Committee concludes that the Canada Border Services Agency and the Correctional Service of Canada have not done enough to promote and maintain respectful workplaces, free from harassment, discrimination and violence. In this report, the Committee makes three recommendations for the Canada Border Services Agency and four for the Correctional Service of Canada to ensure that these organizations do more to achieve this objective. It also makes a recommendation to the Office of the Auditor General of Canada to ensure that it uses Gender-based Analysis Plus (GBA+) in its performance audits.



SUMMARY OF RECOMMENDED ACTIONS AND ASSOCIATED DEADLINES

Table 1 – Summary of Recommendations and Deadlines

Recommendation	Recommended action	Deadline
Recommendation 1	The Canadian Border Services Agency (CBSA) should provide the House of Commons Standing Committee on Public Accounts (the Committee) with a report that outlines the results of its comprehensive strategy to address harassment, discrimination and violence in the workplace, including performance indicators. A second progress report and a final report should also be provided.	30 September 2021, 31 March 2022 and 30 September 2022
Recommendation 2	Correctional Services Canada (CSC) should provide the Committee with its 2018–2019 and 2019–2020 annual reports on workplace climate and employee well-being, as well as with a progress report on its assessment of the creation of a separate and independent office on workplace harassment, discrimination and violence.	31 May 2021
Recommendation 3	CBSA should provide the Committee with a report outlining statistics on the number of workplace violence and harassment complaints, the number of cases where informal complaint resolution mechanisms were offered and the number of times these complaints were resolved informally, for 2018–2019, 2019–2020 and 2020–2021.	30 September 2021
Recommendation 4	CSC should provide the Committee with a report outlining statistics on the number of workplace violence and harassment complaints, the number of cases where informal complaint resolution mechanisms	30 September 2021

Recommendation	Recommended action	Deadline
	were offered and the number of times these complaints were resolved informally, for 2018–2019, 2019–2020 and 2020–2021.	
Recommendation 5	CBSA should provide the Committee with a report identifying the number of official harassment, discrimination and workplace violence complaints filed in 2018–2019, 2019–2020 and 2020–2021, and in how many cases an initial assessment was documented.	30 September 2021
Recommendation 6	CSC should provide the Committee with a report identifying the number of official harassment, discrimination and workplace violence complaints filed in 2018–2019, 2019–2020 and 2020–2021, and in how many cases an initial assessment was documented.	30 September 2021
Recommendation 7	CSC should provide the Committee with a report explaining what processes will be put in place to ensure that a documented initial assessment is done for discrimination complaints.	30 June 2021
Recommendation 8	The Office of the Auditor General of Canada should conduct Gender-based Analysis Plus (GBA+) in its performance audits.	No deadline

APPENDIX A LIST OF WITNESSES

The following table lists the witnesses who appeared before the committee at its meetings related to this report. Transcripts of all public meetings related to this report are available on the committee's [webpage for this study](#).

Organizations and Individuals	Date	Meeting
Canada Border Services Agency John Ossowski, President Louise Youdale, Vice-President, Human Resources Branch	2021/01/28	15
Correctional Service of Canada Anne Kelly, Commissioner Nick Fabiano, Assistant Commissioner, Human Resource Management Sector	2021/01/28	15
Office of the Auditor General Martin Dompierre, Assistant Auditor General Susan Gomez, Principal	2021/01/28	15

REQUEST FOR GOVERNMENT RESPONSE

Pursuant to Standing Order 109, the committee requests that the government table a comprehensive response to this Report.

A copy of the relevant *Minutes of Proceedings* ([Meetings Nos. 15 and 19](#)) is tabled.

Respectfully submitted,

Kelly Block, M.P.
Chair

