

Non-represented Employee Advisors Program

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TBS Policy and Departmental Policies and Guidelines

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PURPOSE

This Program supplements the Treasury Board's *Policy on the Prevention and Resolution of Harassment in the Workplace*. It is intended to provide a framework within which participating departments will extend an advisory service in cases of formal harassment complaints to provide objective advice and assistance to unrepresented and excluded employees.¹

Note: This advice and assistance does not include the formulation of harassment complaints. Furthermore, this program does not replace the Employee Assistance Program or other such programs through which employees may receive assistance.

OBJECTIVE

The objective of the Program is to provide participating departments, at the regional and national levels, with quality, cost-effective advice and support for unrepresented and excluded employees involved in harassment complaints. The Program provides an inventory of qualified departmental advisors that have volunteered their services, thus facilitating an exchange with individuals that are at arm's length from the issue and the parties as they are not part of the department in which the complaint was filed.

Those departments that do not have any advisors in the inventory will still have full access to the Program, but they may be asked to contribute in other capacities (e.g., program evaluation).

SCOPE

This Program applies to harassment complaints, in accordance with the *Policy on the Prevention and Resolution of Harassment in the Workplace*.

APPLICATION

The services available through this Program extend to all employees in the Executive Group, all employees who are unrepresented by bargaining agents, and all employees excluded from bargaining units who may not have access to a service normally available to represented employees. For the purposes of the Program, these persons are referred to as "clients."

¹ The term *departments* in this text includes all organizations subject to the Treasury Board's *Policy on the Prevention and Resolution of Harassment in the Workplace*.

ROLES AND RESPONSIBILITIES

Treasury Board of Canada Secretariat

For the first year of operation, the Treasury Board of Canada Secretariat (TBS) will provide support for the centralized maintenance of the inventory of advisors. At the end of this period, TBS will evaluate the Program and determine if any changes are needed to ensure its continued viability. The permanent location for this inventory will be determined at that time.

Departments

Each department participating in this Program is responsible for establishing and maintaining a list of employees who wish to act as advisors. To perform the role of advisor, the employee must first obtain his/her supervisor's approval. Participating departments are also responsible for ensuring that advisors included in the Program have been selected using the established advisor competency profile and are available to support unrepresented and excluded employees involved in harassment complaints. (See Appendix B)

Program Administrators

Each participating department will also establish a single point of contact, someone to act as the administrator of this Program. This individual's responsibilities will include

- providing the list of advisors and their profiles from the administrator's organization to TBS and updating this list as required;
- informing each advisor in writing of his or her role and responsibilities (see Appendix D);
- providing the inventory of advisors to clients who need the services of an advisor during the resolution of a harassment complaint;
- responding to queries about the program and its administration;
- dealing with administrative issues arising from the implementation and operation of the Program;
- providing the clients with an evaluation form (see Appendix E); and
- completing the administrator evaluation form (see Appendix G).

Advisors

First and foremost, the role of advisors is to provide assistance to **unrepresented or excluded employees** (outside the advisor's own department) who request their services in the resolution process of harassment complaints. Those assisted may be complainants or respondents. It is

important to note that the advisor will not represent these employees at meetings and interviews, but rather will accompany and advise them. The advisor's responsibilities include the following:

- providing advice and guidance related to policies concerning harassment, conflict resolution mechanisms and the rights and responsibilities of clients;
- providing assistance and advice during the complaint resolution process, including mediation;
- where appropriate, attending meetings and interviews; and
- maintaining the confidentiality of the information they are privy to and respecting principles of access to information and privacy during and after the resolution of the harassment complaint.

Clients

Clients are responsible for the following:

- making their need for advice and guidance known to their delegated manager or the program administrator in their department;
- reviewing the names and profiles of the advisors, and contacting directly the person they choose to deal with;
- ensuring that, if there are travel expenses associated with the use of the services of a particular advisor, they obtain prior written authorization for these expenses from their delegated manager or the manager's representative (in instances where the user does not have the required authority to do so); and
- completing an evaluation form on their use of the Program (see Appendix E).

TERMS AND CONDITIONS

There will be no fee to clients for advisory services offered through this Program.

Where travel expenses are involved, approval and payment of such fees are payable by the department receiving the service.

An advisor may occasionally have minor expenses, such as those associated with taxi or parking fees. Any such expenses will be reimbursed by the client department upon presentation of appropriate receipts.

Expenses in excess of fifty dollars (\$50) must receive the prior written approval of the delegated manager or other authorized representative (in instances where the user does not have the

required authority to do so). Should the department wish to make different arrangements, those must be provided in writing to the advisor when confirming the retention of an advisor's services.

APPENDIX A: PARTICIPATING DEPARTMENTS

Department/Organization	Contact Name, Telephone Number, Fax, E-mail address

APPENDIX B: ADVISOR COMPETENCY PROFILE

The following competencies are provided as a guide in the selection of advisors. Although some individuals may not meet all of the requirements, they may still be considered. Persons who have experience in resolving conflict situations and who have gained a reputation as providing sound advice and guidance in difficult and sensitive situations may enjoy the challenge and developmental opportunity.

Departments could offer training or coaching opportunities to address the gaps in the experience of those who do not meet the knowledge requirements.

Education/training

- Training or equivalent experience in harassment investigations
- Training or equivalent experience in alternative dispute resolution or conflict resolution mechanisms

Experience

- Proven track record of providing advice and guidance related to harassment complaints and employee/employer rights and responsibilities

Knowledge

- Acts and regulations related to the management of human resources
- Management's and employees' rights and responsibilities in human resources management and specifically in relation to the harassment policy
- The harassment complaints investigation process used in the Public Service
- The Treasury Board's *Policy on the Prevention and Resolution of Harassment in the Workplace*
- Precedent cases (adjudications, court decisions)
- The principles of the *Access to Information Act* and the *Privacy Act*
- The principles of procedural fairness

Abilities

- To provide sound advice and guidance
- To deal with sensitive and difficult situations
- To listen and to capture and summarize information
- To establish credibility with managers

Personal Suitability

- Discretion, tact, good judgement, empathy, objectivity, trustworthiness, good interpersonal relationships, respect and professionalism

APPENDIX C: ADVISOR PROFILE

Name:	
Title:	
Department/Agency:	Region:
Training and Experience:	
Linguistic Proficiency: <input type="checkbox"/> English <input type="checkbox"/> French	
Other (please specify): _____	
Are you a member of any of the following designated groups? (optional)	
<input type="checkbox"/> Women	<input type="checkbox"/> Visible Minorities
<input type="checkbox"/> Aboriginal Peoples	<input type="checkbox"/> Persons with Disabilities
Telephone:	E-mail:
Fax:	

Supervisor Information	
Name:	
Title:	
Telephone:	
Fax:	
E-mail:	
Supervisor's Signature:	

I hereby certify that the information provided herein is correct and accurately reflects my skills to provide services as an advisor to non-represented employees in cases of harassment complaints. It is understood that all information provided herein may be subject to verification.

I understand, too, that I will not receive any remuneration other than my regular salary for my participation in the Program and that my services will be provided only at times approved by my supervisor.

Advisor's Signature

Date

APPENDIX D: SAMPLE LETTER TO ADVISORS

Thank you for agreeing to participate in the Non-represented Employee Advisors Program. The establishment of this service will undoubtedly address a long-standing need. All parties to formal harassment complaints will now be able to rely on these advisory services.

In your role as an advisor, you will be able to provide assistance in the resolution of harassment complaints involving unrepresented and excluded employees who request your services and who are employed **by departments other than your own**. It is important to note that you will not represent these employees at meetings and interviews, but rather you will accompany and advise them. Your responsibilities include providing such services as

- advice and guidance related to harassment policies, conflict resolution mechanisms, rights and responsibilities;
- assistance and advice during the complaint resolution process, including mediation;
- where appropriate, attending meetings and interviews; and,
- maintaining the confidentiality of the information you are privy to and respecting principles of access to information and privacy during and after the resolution of the harassment complaint.

As the Program is being launched on a trial basis, we will be calling upon you to provide some statistics on the number of cases in which you have been involved, as well as your views of the program's effectiveness. We plan on gathering such information after six months of operation as well as at the one-year mark. We therefore ask you to maintain this information over the next months for future use.

You will also find enclosed an advisor profile. Please fill out this form as it will be included in the inventory of program advisors. This information will be collated by Treasury Board Secretariat and shared with interested departments for transmittal to anyone who wishes to take advantage of these advisory services. Please return the completed form to the program administrator for your department at the following address.

Name and address

APPENDIX E: USER EVALUATION FORM

1. How did you learn about the Non-represented Employee Advisors Program?

HR advisor ☐Friend/colleague ☐Delegated manager ☐Web site ☐Your supervisor ☐

Other (please indicate) : _____

Another supervisor/manager ☐

Please answer questions 2 to 4 using the following scale:

(1) not at all (2) somewhat (3) moderately (4) mostly (5) completely

2. Did the program meet your expectations? (1) (2) (3) (4) (5)

3. Was the program easy to use/access? (1) (2) (3) (4) (5)

4. Was the advisor able to provide you with the necessary advice and guidance? (1) (2) (3) (4) (5)

5. Do you have any comments on the program or suggestions for it?

APPENDIX F: ADVISOR EVALUATION FORM

(to be completed after 6 and 12 months)

<p>1. Over the last 6 months, how many times were you asked to assist non-represented employees?</p> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;"> <p>More than 10 times <input type="checkbox"/></p> <p>From 5 to 10 times <input type="checkbox"/></p> </div> <div style="width: 45%;"> <p>Less than 5 times <input type="checkbox"/></p> <p>None <input type="checkbox"/></p> </div> </div>
<p>2. Over the last 6 months, how many employees were you called upon to assist under the program?</p> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;"> <p>More than 10 <input type="checkbox"/></p> <p>From 5 to 10 <input type="checkbox"/></p> </div> <div style="width: 45%;"> <p>Less than 5 <input type="checkbox"/></p> <p>None <input type="checkbox"/></p> </div> </div>
<p>3. Over the last 6 months, how much time did you spend providing advice and guidance to non-represented employees?</p> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;"> <p>More than 10 days <input type="checkbox"/></p> <p>From 5 to 10 days <input type="checkbox"/></p> </div> <div style="width: 45%;"> <p>Less than 5 days <input type="checkbox"/></p> <p>None <input type="checkbox"/></p> </div> </div>
<p>4. Do you have any comments or suggestions on the administration of the program or on the program itself?</p> <div style="border: 1px solid black; height: 100px; margin-top: 10px;"></div>

APPENDIX G: PROGRAM ADMINISTRATOR EVALUATION FORM

(to be completed after 6 and 12 months)

<p>1. Over the last 6 months, how many requests for information on the program did you receive?</p> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;"> <p>More than 10 <input type="checkbox"/></p> <p>From 5 to 10 <input type="checkbox"/></p> </div> <div style="width: 45%;"> <p>Less than 5 <input type="checkbox"/></p> <p>None <input type="checkbox"/></p> </div> </div>
<p>2. Over the last 6 months, how many formal requests for referrals of advisors did you receive?</p> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;"> <p>More than 10 <input type="checkbox"/></p> <p>From 5 to 10 <input type="checkbox"/></p> </div> <div style="width: 45%;"> <p>Less than 5 <input type="checkbox"/></p> <p>None <input type="checkbox"/></p> </div> </div>
<p>3. Over the last 6 months, how much time did you spend on the administration of this program?</p> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;"> <p>More than 10 days <input type="checkbox"/></p> <p>From 5 to 10 days <input type="checkbox"/></p> </div> <div style="width: 45%;"> <p>Less than 5 days <input type="checkbox"/></p> <p>None <input type="checkbox"/></p> </div> </div>
<p>4. Do you have any comments or suggestions on the administration of the program or on the program itself?</p> <div style="border: 1px solid black; height: 100px; margin-top: 10px;"></div>