

2021-2022
ANNUAL REPORT
Independent Centre for
Harassment Resolution



Government
of Canada

Gouvernement
du Canada

Canada

The background features a large, abstract teal graphic. It consists of a light teal shape on the left with a rounded top, and a darker teal shape on the right that tapers to a point where it meets the light teal shape. The rest of the page is white.

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MESSAGE FROM THE EXECUTIVE DIRECTORS

On June 30, 2021, the Royal Canadian Mounted Police (RCMP) took an important step to address work place harassment and violence with the creation of the Independent Centre for Harassment Resolution (ICHR). In announcing the creation of the ICHR, the Commissioner of the RCMP said, “Harassment and discrimination have no place in the RCMP work place. Every one of our employees should feel confident they will be treated with dignity and respect by their colleagues, managers and leaders.”

The ICHR’s mandate is to independently facilitate the resolution of incidents of work place harassment and violence for RCMP employees. By independent, this means outside the chain of command, and free of bias or conflict of interest. Building a new operational framework for intake and processing of work place harassment and violence occurrences and advancing prevention and early intervention approaches have been the focus of the ICHR’s first year. At the same time, the groundwork has been laid for the ICHR to contribute to broader organizational culture change within the RCMP, in line with *Vision 150 and Beyond*, the RCMP’s strategy for modernizing the organization.

This first annual report presents information on the ICHR’s work during the initial months of its existence, outlines progress against the mandate it was given at the outset, and sets out the challenges and opportunities.

As the ICHR’s outgoing and incoming Executive Directors, we are proud of the work done to date to build a solid foundation for the future. We firmly believe that success will be defined by the trust that will be built over a period of years with employees, bargaining agents and the Canadian public that a timely, impartial and effective work place harassment and violence prevention and resolution regime is in place.

However, addressing harassment after the fact cannot be the ultimate goal: rather, the objective must remain on the prevention of harassment and violence through addressing the root causes and to educate staff on what are unacceptable behaviours in RCMP work places. All employers have a moral and legal obligation to create and maintain a safe work place, and the RCMP is no different in this respect. As we transition from the inaugural Executive Director to a new one, we are confident that the ICHR has a strong role to play in achieving these ultimate goals.

Thank you for your time and attention.

Celine Larabie

Executive Director (retired)

Independent Centre for Harassment Resolution

Amanda Nemer

Executive Director

Independent Centre for Harassment Resolution

GLOSSARY

The following definitions apply in this report.



Harassment and violence means any action, conduct or comment, including of a sexual nature, that can reasonably be expected to cause offence, humiliation or other physical or psychological injury or illness to an employee, including any prescribed action, conduct, or comment.



Notice of occurrence means a report provided to a supervisor or to the Independent Centre for Harassment Resolution, in writing or verbally, by a principal party or a witness, regarding an occurrence of harassment and violence in the work place.



Parties means the principal party and responding party identified in an occurrence.



Principal party means an employee or employer who is the object of an occurrence.



Responding party means the person who is alleged to have been responsible for the occurrence in a notice of occurrence.

BACKGROUND AND MANDATE

In April 2017, the Civilian Review and Complaints Commission (CRCC) and Sheila Fraser Reports highlighted the urgency for the RCMP to address work place harassment and discrimination. In November 2020, former Supreme Court Justice Michel Bastarache reported on the settlement of claims of sexual and gender-based harassment by Royal Canadian Mounted Police RCMP members, in *Broken Dreams, Broken Lives*. Other external reports and reviews, including the 2022 Assessors Report in the Tiller/Copland/Roach class action, have expressed similar concerns; the RCMP must re-examine how it handles harassment and violence complaints.

The RCMP has renewed its commitment to providing a healthy, respectful and inclusive work place free of harassment, violence, discrimination and other forms of disrespectful and inappropriate behaviour. It is vital that all employees be treated in a manner that is consistent with the RCMP's values. A broad-based program of cultural renewal is underway within the RCMP through the RCMP's modernization plan *Vision 150 and Beyond*.

As part of this plan, the RCMP launched the ICHR in June 2021. The ICHR is a centralized, independent unit, staffed by public servants, whose primary mandate is to facilitate the resolution of work place harassment and violence occurrences for RCMP employees, as well as other individuals working

in RCMP work places, and ensure ongoing compliance with the *Canada Labour Code's Work place Harassment and Violence Prevention Regulations* introduced in January 2021.

Additionally, the ICHR

- Offers support to current employees who have been victims of work place harassment and violence and to former employees who have been victims of criminal offences;
- Applies a trauma-informed approach to provide a safe space for the victims of work place harassment and violence, with a focus on the needs and experiences of those who access the resolution process;
- Builds awareness and promotes the importance of creating a respectful work place free of harassment and violence;
- Collaborates with internal and external stakeholders for the development and delivery of mandatory and specialized training and prevention programs;
- Monitors the implementation of investigators' recommendations and the measures aimed at preventing reoccurrence in the work place.

YEAR ONE: LAYING THE FOUNDATION

In its first year, the ICHR has made progress by laying a solid foundation that will put the RCMP's workplace harassment and violence prevention and resolution policies and procedures on a sound footing for the long term. This important groundwork also falls within the ultimate framework of harassment prevention and broad culture and behaviour change being undertaken within the RCMP.

As many external experts and commentators have noted, issues of harassment in all work places are complex and challenging to address. Specific to policing environments, research indicates¹ a number of risk factors – ranging from traditionally less diverse workforces, to work and social spaces tending

to mix, to high levels of occupational stress and mental health risks. Research also indicates that the incidence of harassment can only be reduced if managers and employees have the tools and knowledge to identify, tackle and resolve early signs of workplace discord, disrespect, discrimination, abuse and conflict. Left undetected and unaddressed, such occurrences often escalate into harassment, with all its negative and nefarious consequences for both individuals and the work place as a whole, and ultimately for the citizens served.

In addition to working with RCMP units, including for certain corporate services such as information technology and Human Resources, the ICHR has prioritized building early dialogue with a number of stakeholders, including bargaining agents, health and safety committees and various groups of employees past and present. Colleagues in other government departments have also been readily available for advice and guidance.

PROGRESS TO DATE

KEY MILESTONES

June 30, 2021

As a key response to the CRCC, Fraser and Bastarache reports, Commissioner Lucki announces the launch of the RCMP's Independent Centre for Harassment Resolution

July 30, 2021

The RCMP's Workplace Harassment and Violence Prevention, Investigation and Resolution policy is published

October, 2021

Extensive internal and external consultations launched by the ICHR to gather perspectives and best practices on harassment regimes

November 2021

New unit for victims of a criminal offence implemented within the ICHR

Key documentation

Processes, policies, and procedures, and other key documentation were developed during the first year to ensure efficient and effective operations. The ICHR continues to quickly adjust through an “agile mindset” focused on learning, collaboration and flexibility to achieve results based on feedback from clients and stakeholders.

In July 2021, a month after its creation, the ICHR led the creation of a new RCMP-wide approach to address work place harassment and violence by implementing the *Work place Harassment and Violence Prevention, Investigation and Resolution* policy.

The policy focuses on:

- prevention;
- early resolution; and
- restoration of the work place.

The policy, which will be updated as needed, is

designed to contribute to an inclusive, safe and non-discriminatory work place free of harassment and violence by:

- setting out expectations for the behaviour of employees; and
- establishing effective resolution mechanisms for occurrences of work place harassment and violence.

Learning products such as leadership development programs, and supervisory and management development programs, were updated to reflect the changes to the *Canada Labour Code*, inform on the new policy, and introduce the services of the ICHR. At the same time, confidential communication protocols with the Professional Responsibility Sector, responsible for overseeing the application of the RCMP Code of Conduct for regular and civilian members, were developed to ensure conduct authorities were informed of harassment and violence situations, and that they take the necessary

December 2021

Minister of Public Safety receives mandate to "accelerate action to reform the RCMP, including by externalizing the Independent Centre for Harassment Resolution"

December 2021

The ICHR meets with divisional Commanding Officers and their senior management committees to discuss the mandate of the ICHR, the *Canada Labour Code* Regulations, the need to enhance prevention, as well as management responsibility regarding workplace harassment and violence

May 2022

Minister of Public Safety mandates Commissioner Lucki to speed up reform over the next two years to improve the ICHR "by making it fully external and ensuring the sanctions & disciplinary regime is credible & effective."

measures to follow through once final investigation reports are received or egregious behaviour is identified that warrants disciplinary measures.

Greater independence and externalization

In the fall 2021, the ICHR initiated internal and external consultations in order to gather perspectives to develop key principles, considerations and options for externalization. This initiative is part of the Minister of Public Safety's mandate letter issued in December 2021 and part of the Spring 2022 RCMP Commissioner's mandate letter from the Minister. Consultations with internal and external stakeholders included bargaining agents, victims of sexual harassment and diversity groups, federal government departments, provincial and city police services, as well as the RCMP's Management Advisory Board.

While every internal consultation brought a unique perspective, common themes emerged. One overarching theme was the need for changes in organizational culture to break the harassment cycle and integrate healthier patterns of behaviour in RCMP work places. Other themes included the importance of immediate efforts on education and awareness of root causes of work place harassment and violence behaviours, as well as ways to incorporate knowledge and training on healthy interactions in the work place. Participants also indicated that in their view, the ICHR has a continuing role to play in changing the culture of the RCMP. Options on externalization are currently being analyzed, socialized and refined for decision.

Support Services Unit

The Support Services Unit, launched by the ICHR in November 2021, is a dedicated team that provides

support to all current and former employees who are victims of work place harassment and violence, including criminal offences.

Among other services, a dedicated resource within the Support Services Unit:

- provides information about the different resources and programs available;
- directs individuals to the appropriate police of jurisdiction, as appropriate; and
- provides the appropriate external victims support resources.

Other key roles of the Support Services Unit are:

- to encourage the use of the services offered by the Informal Conflict Management Program, an existing unit within the RCMP structure that helps informally resolve conflict and occurrences of work place harassment and restore the work place;
- to work with stakeholders for the update of existing, and the development of new information and education material, with an emphasis on prevention and early resolution.

Awareness, Outreach and Education

Establishing awareness of the presence of the ICHR in the RCMP has been essential this year. For instance:

- Along with several direct broadcast messages from the Executive Director to all RCMP staff, the ICHR established and continues to strengthen its intranet presence. The goal is to deliver tools and information to help employees better understand what the ICHR does and how it can help.

→ Once processes became established, ICHR management offered dedicated information sessions to Divisions, including Commanding Officers and their senior management teams. Approximately 50 additional outreach and education meetings were then held with other management tables and at all-staff venues. These meetings continue to occur, and raise awareness about the new legislation, ICHR's services, as well as work place harassment and violence prevention, and the importance of early intervention and informal conflict resolution.

→ The Centre is transitioning to new email addresses: from @rcmp-grc.gc.ca to @ichr-cirh.ca – to reinforce its independence, autonomy neutrality and confidentiality. A unique ICHR branding was created with a color palette specifically used on the ICHR's documentation, presentations, etc., and a personalized hashtag #ICHRyourvoicematters. This hashtag, proposed by an ICHR employee, holds important messages:

YOUR



encompasses everyone regardless of race, color, and gender, it welcomes inclusiveness and diversity.

VOICE



represents empowerment, and a way to express concerns.

MATTERS



conveys empathy and projects messaging to our audience that they are valued and that we care.

OPERATIONAL REALITIES

In its first year, the ICHR has identified a number of operational transition challenges that need to be addressed as a priority.

The volume of notices of occurrence (complaints) received during the first year of operations requires that the ICHR be equipped to manage this high volume such that affected employees can count on timely handling of complaints, and that the timelines prescribed in the *Canada Labour Code* Regulations are met.

A key challenge for the ICHR in its first year was the operational difficulty in meeting the high demand for investigations of filed allegations, particularly since 159 notices of occurrence were filed prior to the ICHR's creation. As context, all investigations are conducted by external investigators pursuant to an agreement made between the RCMP and bargaining agents in May 2021. The ICHR has made significant efforts, working with key centres of expertise in government such as Procurement and Public Services Canada and the Treasury Board Secretariat, and with bargaining agents, to obtain increased access to qualified external investigators trained in the new *Canada Labour Code* harassment prevention and resolution regime.

The lack of market availability for external investigators, coupled with the high demand for investigations on the part of RCMP employees, has resulted in a large number of harassment files for which no external investigation capacity is currently available. Of note, under the *Canada Labour Code*

Regulations, if a person filing a notice of occurrence wishes to proceed to investigation and has already explored informal options for resolution, the investigation must proceed. This situation, in addition to having an impact on prescribed timelines for resolving files under the *Canada Labour Code*, is having a serious impact on the well-being of employees involved, exacerbating work place issues.

Improving the investigation function, and making it more timely, is a top priority for the ICHR. Discussions are underway with government partners and bargaining agents to agree on a robust strategy to resolve this challenge, and to deploy it without delay.

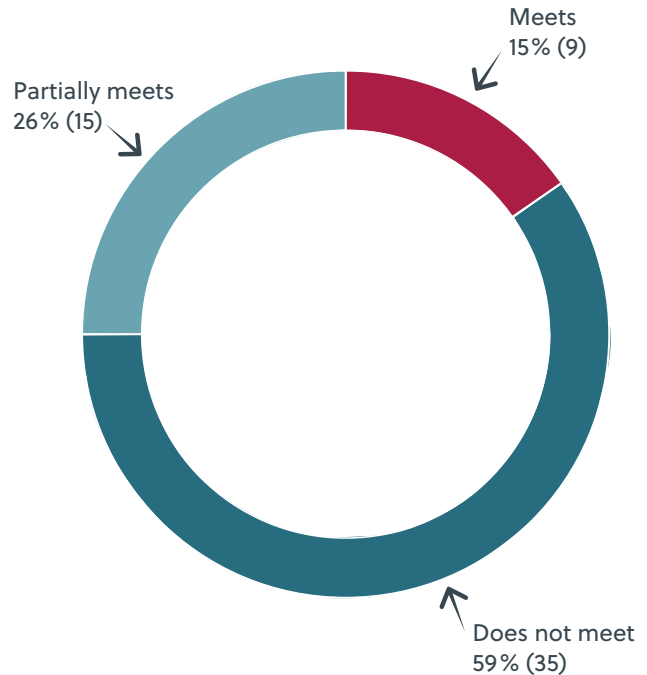
Through the notices of occurrence received and the allegations they contain, the ICHR is well positioned to gather important information on the health of RCMP work places, which can inform the awareness, education and prevention initiatives. The ICHR intends to support and help drive culture change and improve work place health through management and employee engagement across 16 divisions and more than 700 work places from coast to coast to coast and abroad. This is a major undertaking and it will take time.

WHAT WE'VE HEARD

As of June 30th, 2022, 15% of final investigation reports received concluded that allegations fully met the definition of work place harassment and violence, while 26% indicated they partially met the definition, and 59% indicated that the allegations did not meet the definition. The reports received stemmed from allegations filed from various divisions across the RCMP. As of June 30th, 151 notices of occurrence had been assigned to an investigator and 189 were pending assignment.

For the most part, managers and employees are in a position to intervene when they witness or hear about such behaviours at the work location, reinforcing the need for enhanced education, training and tools, as well as accountability, to effectively stop or manage these situations.

Occurrence meets or does not meet definition of workplace harassment or violence out of a total of 59 investigations completed as of June 30.



Recommendations from investigators to improve the work place

The goal of the *Canada Labour Code* Regulations is to restore the work place following an incident of work place harassment and violence and to prevent reoccurrences. To this end, whether or not allegations of work place harassment and violence meet the definition, the investigator will formulate recommendations that will be submitted to the local health and safety committee for the joint determination of recommendations to implement.²

Restorative practices can be used within the work place to prevent occurrences from happening in the first place and to address them when they do, enabling everyone involved to find a positive way forward.

Key recommendations to RCMP management on restorative and preventive practices that were received from investigators in the first year of ICHR's operations include, among others, providing management and employee training on creating respectful work places, and practical training in informal dispute resolution and having difficult conversations.

The ICHR monitors the implementation of the recommendations following an investigation. Where the employer and local health and safety committees/representatives jointly determine to not implement a recommendation, a rationale for this determination is provided to the ICHR.

TESTIMONIALS FROM CLIENTS

This year has proved to be challenging on many fronts. That being said, employees have communicated with the ICHR to express their appreciation in manoeuvring through this very challenging time.

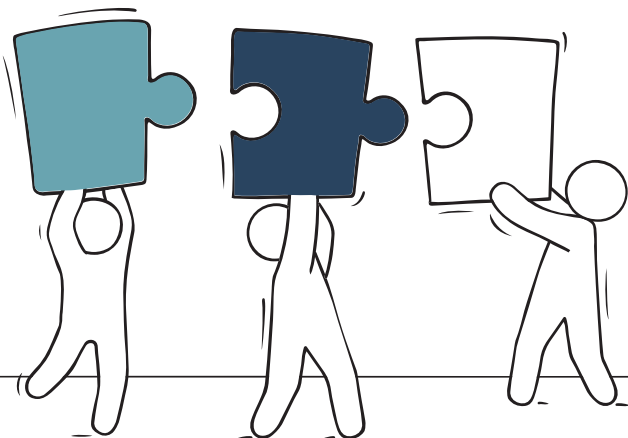
“

I would like to recognize and thank the Harassment Reviewer for the outstanding work they have done, and for going above and beyond in assisting me. The Harassment Reviewer had the mental and emotional intelligence to reach me although I was in a state of panic. To be clear, without the Harassment Reviewer's assistance in that moment I believe that I would have been overwhelmed and to this day unable to submit my harassment complaint. The RCMP as an organization rarely if ever goes to the lengths it should to appreciate our public servants, civilian members, regular members, and subsequent partners. With my utmost respect, I would like to recognize the Harassment Reviewer for their remarkable performance. The people skills the Harassment Reviewer displayed in understanding me, understanding how to communicate with me, and how to reach a panicked individual was top shelf. Not to mention the stress and anxiety a victim carries while going through the harassment process in itself.

-ICHR Client

I encourage other employees going through a workplace harassment or violence occurrence to contact the ICHR immediately for assistance. The Case Resolution Advisor I worked with clearly and patiently outlined the informal and formal processes available to resolve my complaint. I am very thankful that I was able to resolve my complaint through negotiated resolution, which ultimately restored my own well-being!

-ICHR Client



YEAR IN REVIEW

The following data provides insight into the number of notices of occurrence received and the trends observed during the ICHR’s first year of operation.

Status of files

When the Centre was launched in June 2021, 159 notices of occurrence had already been submitted. As of June 30th, 2022, the ICHR received 615 notices of occurrence. This includes 373 received in 2021, and 242 in the first half of 2022. In comparison, there were 190 in 2019 and 213 in 2020 under the previous harassment regime.

Of the notices of occurrence submitted to the ICHR, 81 had been resolved by June 30th, and 97 were pending conclusion, meaning that the implementation of recommendations from the final investigative report and/or the review and update of the work place assessment at the local level had yet to be completed by RCMP management.

Complaint types

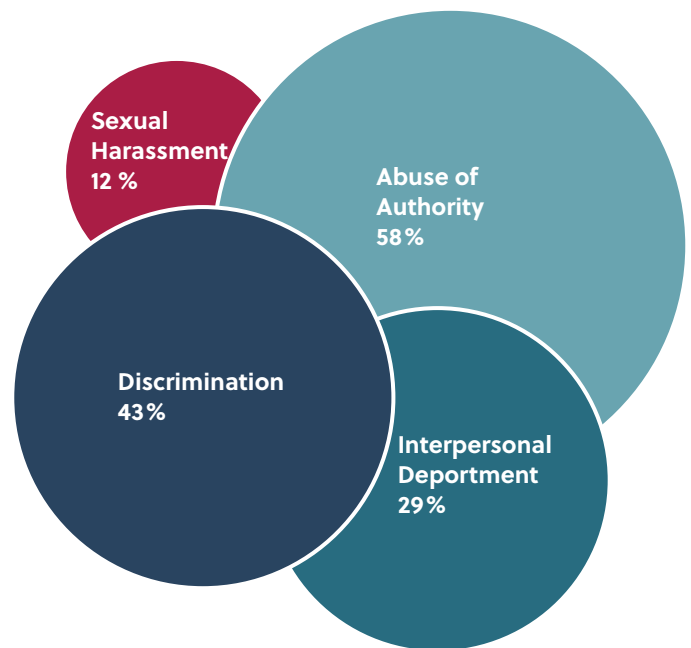
In the majority of notices of occurrence submitted to the ICHR, 58% featured abuse of authority as a complaint type. Behaviours typically included managers creating an environment where employees could not contribute ideas during meetings or they were acting aggressively during meetings. There were instances reported where they were mocking, belittling and using inappropriate language, and were sharing confidential information about employees with other employees.

The second most recurring complaint type identified was discrimination, at 43%. In general, discriminatory behaviour referred to treating some members, specifically female members, differently. Other behaviours are described as failing to

honor accommodations or making comments about employees’ medical leave.

The third most recurring complaint type identified was interpersonal department (uncivil behaviour) at 29%. Behaviours associated with interpersonal department included being rude and dismissive to other colleagues. As well, behaviours included spreading misinformation about a colleague to others.

Finally, sexual harassment was identified in 12% of notices of occurrence received. Behaviours included making comments about the appearance of other employees and/or their body parts and showing graphic photos or videos to other employees. They also included inappropriate sexually explicit comments and switching shifts or travel arrangements to be alone with females, specifically new, female members.



Note that the percentage of complaint type is compared to the total number of notices of occurrence filed. There can be more than one complaint type reported on the complaint form.

When identifying the complaint type for notices of occurrence, the following definitions are used:



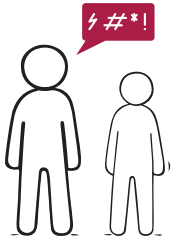
Abuse of Authority

Taking undue advantage of a position of authority to: Endanger an employee's job, undermine an employee's job performance and/or threaten an employee's livelihood or interfere with their career.



Interpersonal Department

Behaviours may include but are not limited to belittling, humiliating, demeaning, embarrassing comments or actions of bullying, conflict in the workplace, miscommunication, spreading rumors, gossiping, intruding on a person's privacy etc.



Sexual Harassment

Means any conduct, comment, gesture or contact of a sexual nature that is likely to cause offence or humiliation to any employee, or that might, on reasonable grounds, be perceived by that employee as placing a condition of a sexual nature on employment or on any opportunity for training or promotion.



Discrimination

Discrimination means any action, behaviour, or decision that results in the unfair or negative treatment of a person or group related to one or any combination of prohibited grounds, outlined in the [Canadian Human Rights Act](#).

Professional relationship

The predominant professional relationship between the principal party and the responding party is a supervisee to supervisor relationship, at 61%. The second most predominant professional relationship was a peer relationship, at 31%. Third, was a supervisor to supervisee relationship, at 6%, and fourth was ‘other’ at 1% or less.

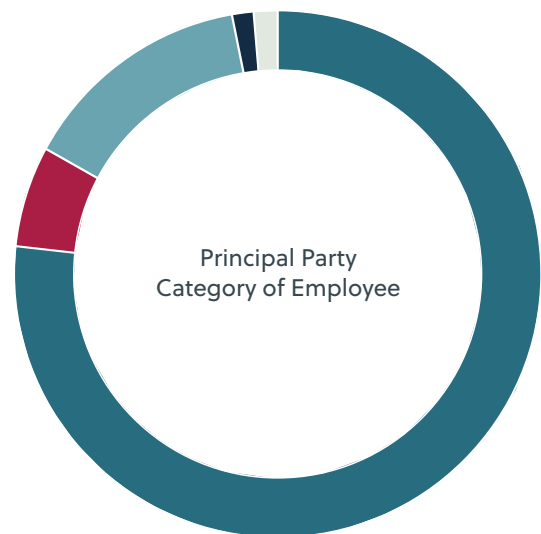
Category of employees

The RCMP workforce is represented by a population of roughly 31,161 employees, and is comprised of 19,126 regular members (RM), 2,782 civilian members (CM), and 8,798 public service employees (PSE). This employee count is reflective of the last fiscal year, up to March 30, 2022. As reflected in the graph below, the majority of the principal parties in notices of occurrence filed to the ICHR are RMs at 77%. This is reflective of the higher percentage of RMs in the RCMP work force. The second most predominant principal party category of employee is PSE at 14%, followed by CMs at 6%. Former and non-employee principal parties were featured in 1% of the complaints filed to the ICHR respectively.

In general, parties in notices of occurrence submitted to the ICHR are often within the same category of employee. RMs are the most recurring responding party in occurrences where the principal party is an RM. Similarly, in occurrences featuring a CM principal party, the predominant responding party is also a CM. The same trend is identified with occurrences that have a PSE as a principal party.



- Supervisee to Supervisor
- Peer to Peer
- Supervisor to Supervisee
- Non-Employee to Peer
- Info Not Provided
- Peer to Non-Employee
- Non-Employee to Supervisor



- RM
- CM
- PSE
- Former Employee
- Non-Employee

Sex of principal and responding parties

In the majority of notices of occurrence submitted to the ICHR, the principal party is a male with a male responding party. Further, in 72% of notices of occurrence filed to the ICHR, males are predominantly featured as the responding party.

Although 55% of complaints submitted to the ICHR typically feature a male principal party, there is a higher representation of female principal parties where the principal party is a CM or PSE. This is representative of the higher proportion of female employees in both of these categories of employees across the RCMP work force.

Male RMs make up the majority of the RM work force of the RCMP. Female RMs make up approximately 21.8%³ of the RM work force. Female RMs are the principal party in 39% of notices of occurrence submitted to the ICHR where the principal party is a RM.

Note that this refers to the biological sex assigned at birth of the parties and may differ from gender identity.

THE WAY FORWARD

Investigations

As noted earlier in this report, discussions with partners from Public Service and Procurement Canada and Treasury Board Secretariat, as well as bargaining agents, are underway to devote significant efforts to increase the investigation capacity for work place harassment and violence allegations, in cases where employees wish to pursue this option. A strategy is being finalized, and will be communicated and implemented without delay in early fall 2022.

Recruitment

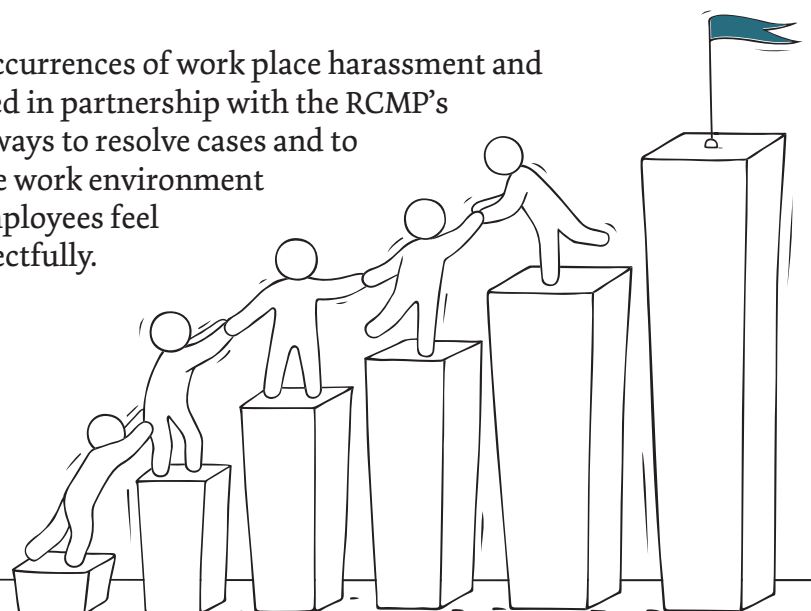
The ICHR now has a team of 40 diverse employees from coast to coast, with a wide range of skills sets. Patience, agility, resilience, service orientation, empathy and a high degree of professionalism, integrity and expertise are key attributes. The ICHR will continue to evolve its complement of staff in keeping with its mandate at any given time.

Focus on awareness and prevention initiatives and culture change

Through a trusted work place harassment and violence resolution regime and with awareness, education and prevention, the ICHR will continue to contribute to a broader effort to modernize work place behaviours, habits and assumptions that are at the core of culture change. The ICHR has a role to play in engagement, education and awareness on the trends, issues and work place behaviours as evidenced by investigation reports and complaints that are resolved informally, for the purpose of developing prevention tools and facilitating their adoption. The ICHR will intensify education and prevention efforts beginning in fall 2022, in part using the content of this annual report as a starting point for discussion on actions that can be taken to identify and address root causes.

Informal conflict resolution

Informal resolution can reduce the number of occurrences of work place harassment and violence. The ICHR will continue the work started in partnership with the RCMP's Human Resources Branch to promote informal ways to resolve cases and to demonstrate their effectiveness in creating a safe work environment free from harassment and violence, where all employees feel they belong, are valued equally and treated respectfully.



CONCLUSION

The ICHR has made early progress on the mandate it was given, and is positioned to expand this in the future. It has the support, the means and the commitment to bring about meaningful change and to continue to build trust among employees and among all Canadians the RCMP serves.

Going forward, the ICHR is committed to transparency around its operations, both to its employees and to the Canadian public.

Endnotes

- 1 Bernardi Human Resource Law LLP. *Transforming Workplace Culture in the Police Service*, 2021
- 2 Section 30 of the Work Place Harassment and Violence Prevention Regulations state that:
 - **30 (1)** An investigator’s report regarding an occurrence must set out the following information:
 - **(a)** a general description of the occurrence;
 - **(b)** their conclusions, including those related to the circumstances in the work place that contributed to the occurrence; and
 - **(c)** their recommendations to eliminate or minimize the risk of a similar occurrence.
- 3 RCMP. Employee Diversity Statistics, 2021