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UNDE HARASSMENT POLICY

1. Statement of Commitment

The Union of National Defence Employees, a component of the PSAC, promotes a zero-tolerance policy with respect to harassment and discrimination. UNDE believes and promotes full equality of all its members and the right of each member to be treated with dignity and respect.

UNDE will neither tolerate nor condone attitudes and behaviours at union functions, regardless of intent, that are likely to undermine the dignity, self-esteem or security of an individual or create an intimidating, threatening, hostile or offensive environment.

The component actively supports the Canadian Human Rights Act and associated programs that are designed to achieve equality within Canadian society.

The UNDE Harassment Policy and the Guidelines and Procedures for Managing Harassment Complaints (Annex B) address harassment situations that include personal harassment, sexual harassment and abuse of authority at all UNDE functions, meetings or socials.

2. Definitions

(a) Harassment

Harassment can include, but is not limited to, the following:

- objectionable conduct, comments or displays made once or repeatedly that demean, belittle, humiliate or embarrass another;
- an expression of perceived power and superiority over another person or group;
- offensive, unwelcome and unwarranted actions or attitudes undesired by a member;
- can be used for reasons of control or to obtain favours;
- action or behaviour that a person knew or ought to have known would be "unwelcome" or "unwanted";
- physical assault.

Harassment can also be based on, but not limited to, the following:

- sex, race, creed, colour, ethnicity, age, sexual orientation, disability, family or marital status, conviction for an offence for which a pardon has been granted, appearance, social or economic class, political or religious affiliation or language of a member;
- refusal to work with another person;
- over-protection (as defined in the Canadian Human Rights Act) of someone because of a perceived need (e.g. disability, pregnancy, etc.).

(b) Discrimination

Discrimination is recognized as interference, restriction, coercion, intimidation or any disciplinary action exercised or practiced with respect to a member by reason of age, race, creed, colour, national origin, marital or family status, disability, religious affiliation, conviction for an offence for which a pardon has been granted, appearance, sex, sexual orientation or membership or activity in the union.

Discrimination can also be any action that denies a member's right to be treated fairly. It is also a type of prejudice, attitude or a state of mind relating to a pre-conceived opinion held by one person or a group about another person or group, that tends to cast the member(s) in an inferior light.

(c) Sexual harassment

Sexual harassment can include, but is not limited to, the following:

- conduct, comment, gesture or physical contact of a sexual nature;
- can be a single occurrence or on a repeated basis;
- unwelcome remarks, jokes or taunts of a sexual nature about a person's body, mannerism, clothing or sex;
- gestures or practical jokes of a sexual nature that cause discomfort or embarrassment;
- display of offensive or pornographic pictures, graffiti or material of a sexual nature;
- leering (sexually suggestive staring);
- demands for sexual favours;
- unnecessary physical contact such as touching, patting or pinching.

(d) Abuse of authority

Abuse of authority is a form of harassment that occurs when a member or members improperly use their union power, authority or position against another member or other members. Abuse of authority may include, but is not limited to, the following:

- withholding information that a member or members require to perform their duties;
- favouritism of one member over another;
- yelling at a member or members in front of others;
- taking advantage of his/her union position to exploit, intimidate, threaten, blackmail, compromise, coerce or mistreat others.

(e) Complainant

A complainant is a member who feels s/he has experienced harassment.

(f) Respondent

A respondent is a member(s) against whom the allegation of harassment is made.

(g) Intervener or harassment officer

An intervener or harassment officer is a member in good standing appointed by the responsible officer for all UNDE events. The intervener or harassment officer is responsible to assist any member(s) through the harassment complaint procedure and shall be familiar with the UNDE Harassment Policy, the Guidelines and Procedures for Managing Harassment Complaints (Annex B) and PSAC Harassment Policies 23(A) & 23(B).

(h) Harassment investigation committee

The harassment investigation committee should be made up of three UNDE members participating in the event who have no personal connection to either the complainant(s) or respondent(s). The committee is responsible to investigate any and all alleged harassment complaints made during an UNDE function, meeting or social and shall be familiar with the UNDE Harassment Policy, the Guidelines and Procedures for Managing Harassment Complaints (Annex B) and PSAC Harassment Policies 23(A) & 23(B).

(i) Responsible officer

The responsible officer is the elected official responsible for the event. If a complaint is made at a Local function, the responsible officer is the Local President or the Local President's recognized replacement. In the event the responsible officer is identified as a respondent, the next senior Local Officer in attendance at the function shall be the responsible officer. For regional functions, the VP in the region the event takes place shall be the responsible officer. In the event a National Executive officer is identified as a respondent, the National President shall be the responsible officer. For all national events, the responsible officer shall be the National President. In the event the National President is identified as a respondent, the EVP shall be the responsible officer. The responsible officer shall be familiar with the UNDE Harassment Policy, the Guidelines and Procedures for Managing Harassment Complaints (Annex B) and PSAC Harassment Policies 23(A) & 23(B).

3. Statement of impact

Members can be impacted by harassment, both directly and indirectly, causing them to withdraw into silence and to cease active participation from all activities. All members are adversely affected by harassment

when they witness it and are forced to continue operating in a tense, poisoned environment. Any unchallenged form of harassment leaves the wrong impression – that it is an acceptable human interaction – thus poisoning the environment that may cause the offensive behaviour and abusive patterns to continue and escalate.

4. Principles

- every member has a right to freedom from harassment within all union functions, meetings or socials and is responsible for contributing to a harassment-free union environment;
- every member has a responsibility to provide leadership by setting standards of behaviour that reflect UNDE's commitment to equality. Any member who witnesses harassment or discrimination has a responsibility to stop the behaviour or report it immediately;
- representatives involved in handling harassment at any level shall be trained and knowledgeable on the procedures contained within this policy and will deal with complaints in a professional manner as expeditiously as possible;
- confidentiality shall be respected throughout all alleged harassment incidents and investigations.

5. Application

This policy shall be applied during all UNDE functions, meetings or socials. UNDE and its membership will respect this policy, the Guidelines and Procedures for Managing Harassment Complaints (Annex B), PSAC Harassment Policies 23 (A) (Anti-Harassment Policy: The Workplace), 23 (B) (Anti-Harassment Policy: The Union) and the Canadian Human Rights Act.

All members shall have the right to contribute to any debates that will determine the direction the component will take and shall do so in a respectful manner. To facilitate this, the following is a list of situations that this policy will NOT apply to:

- members advocating any duly adopted policies or positions of the union;
- members expressing their opinion (opinions shall not constitute illegal discrimination such as racial discrimination or homophobia, etc.);
- members actively opposing illegal discrimination or harassment.

Although UNDE does advocate and promote zero-tolerance for harassment in the workplace, UNDE firmly believes that harassment in the workplace is the responsibility of the employer. Members who feel that they have been harassed in the workplace have the right to file written complaints through the following avenues:

- Treasury Board Policy on the Prevention and Resolution of Harassment in the Workplace
- DND Harassment Prevention and Resolution Guidelines;

- PSAC Policy 23 (A) Anti-Harassment in the Workplace;
- Grievance process;
- Public Service Commission Investigation Branch;
- Human Rights Commission.

Since it is recognized that staff is required to interact with the membership in the performance of their duties and that disputes will be inevitable, UNDE, as an employer, shall ensure that staff are provided a harassment-free work environment. The National President, as an employer, under human rights legislation and the relevant collective agreement, will deal with any allegations of harassment against staff members.

6. General

Respect for human rights must be the basis of interaction among trade unionists. The responsibility to create a harassment-free environment rests with the individual member and staff in attendance at a union function, meeting or social and with UNDE as a union and as an employer.

Any member or staff witnessing any type of harassment during union events has the responsibility to ensure that the behaviour is stopped. All members and staff have the responsibility to provide leadership in setting standards of behaviour that reflect our commitment to equality.

No member or staff will prevent the lodging of a harassment complaint nor interfere during an investigation under this policy. Anyone guilty of this may be subject to disciplinary measures under the Local bylaws, UNDE Bylaws and the PSAC Constitution.

7. Policy requirements

All members, elected officers and staff shall:

- ensure that their behaviour supports a harassment-free union environment;
- promote a zero-tolerance policy with respect to harassment during all union events;
- cooperate when harassment complaints are being investigated;
- respect the confidentiality of all harassment complaints.

8. Rights, roles and responsibilities

(a) Complainant

Under this policy, the complainant has the right to:

- freedom from harassment during all union functions, meetings and socials;
- receive a copy of this policy and be advised of the options available for resolving a complaint;

- be advised of all parties' entitlements during a harassment complaint investigation including the right to challenge the findings at any level;
- a union representative of his/her choice during a harassment complaint investigation;
- a confidential and timely review of his/her complaint without fear of embarrassment or reprisal;
- be kept informed of the status of his/her complaint and to obtain copies of all documentation relating to his/her complaint.

The complainant shall be responsible to:

- confront the respondent and make it clear the attention or behaviour is unwelcome or unwanted and if unable to, s/he should seek assistance from the intervener;
- be specific and concrete when identifying the allegations;
- cooperate during alleged harassment complaint investigations and when required, provide written documentation surrounding the incident(s).

(b) Respondent

Under this policy, the respondent has the right to:

- freedom from harassment during all union functions, meetings and socials;
- be informed of any harassment complaints that have been identified against him/her;
- receive a copy of this policy and be advised of the options available for resolving a complaint;
- be advised of all parties' entitlements during a harassment complaint investigation including the right to challenge the findings at any level;
- a union representative of his/her choice during a harassment complaint investigation;
- a confidential, timely review of the alleged harassment and to obtain fair and equal treatment;
- be kept informed of the status of his/her complaint and to obtain copies of all documentation relating to his/her complaint.

The respondent shall be responsible to:

- cooperate during the investigation of an alleged harassment complaint;
- make every effort to resolve the complaint as quickly as possible.

(c) Intervener or harassment officer

Under this policy, the intervener or harassment officer shall be responsible for the following:

- reading aloud at the beginning of each event, the UNDE Statement on Harassment (Annex A);
- coordinating with the responsible officer during the event and ensuring a safe room is available;

- receiving complaints, providing advice on filing complaints and discussing the available options with the complainant(s) to try and resolve the issue;
- advising the respondent(s) of the complaint(s);
- mediating, if possible, with both parties in an attempt to resolve the issue and arrive at an early resolution;
- advising both the complainant(s) and respondent(s) of their entitlement to representation as well as the entitlement to any written documentation and a completed copy of the UNDE Harassment Complaint Form (Annex D);
- establishing a harassment investigation committee (if not already identified) to investigate all formal complaints of alleged harassment and providing assistance to the committee;
- receiving and reviewing a completed copy of the UNDE Harassment Committee Report Form (Annex E) and forwarding the report to the responsible officer;
- completing and submitting the UNDE Harassment Event Report (Annex C) to the responsible officer for any and all complaints handled during that function.

(d) Harassment investigation committee

Under this policy, the harassment investigation committee shall be responsible for the following:

- investigating alleged harassment complaints by collecting evidence and interviewing all parties including witnesses;
- ensuring all parties are advised of their entitlement to representation and are provided with written documentation and a completed copy of the UNDE Harassment Complaint Form (Annex D);
- dealing with complaints in a confidential and timely manner in order to resolve the complaint before the conclusion of the event;
- providing copies of the completed UNDE Harassment Complaint Committee Report Form (Annex E) to the intervener, the complainant(s) and the respondent(s).

(e) Responsible officer

Under this policy, the responsible officer shall be responsible for the following:

- ensuring an intervener or harassment officer is identified and introduced at the beginning of all UNDE functions, meetings or socials;
- ensuring copies of the UNDE Policy, the Guidelines and Procedures for Managing Harassment Complaints (Annex B) and PSAC Harassment Policy 23(B) are available at each UNDE function, meeting or social;
- coordinating with the intervener or harassment officer during the event to ensure any issues of concern are addressed;
- implementing, if possible, any recommendations to resolve harassment complaints at the earliest stage possible;

- receiving and reviewing all UNDE Harassment Event Forms (Annex C);
- receiving and reviewing any and all UNDE Harassment Committee Report Forms (Annex E) and determining what further action is required;
- forwarding and coordinating disciplinary recommendations to appropriate approving bodies;
- keeping all parties including the complainant(s), the respondent(s), the intervener and harassment investigation committee members informed on the status of the complaint;
- advising both the complainant(s) and the respondent(s) of their entitlements if not satisfied of the findings;
- completing Part B and forwarding all copies of UNDE Harassment Event Forms (Annex C) to the UNDE USO;
- authorizing immediate expulsion of any member involved in a complaint upon recommendation of the harassment investigation committee.

(f) UNDE

Under this policy, UNDE shall be responsible to:

- provide and promote an environment free of harassment and discrimination during any UNDE function(s), meeting(s) or social(s);
- ensure all members involved in handling harassment at any level are fully trained and qualified to carry out their roles;
- ensure staff resources are available for providing technical advice and compiling quarterly and annual reports;
- compile and maintain statistical data to help identify problem areas and develop preventative measures to enforce a zero-tolerance for harassment;
- protect any and all member(s) from retaliation.

(g) National Executive

The National President shall be responsible for:

- interpreting this policy

The Executive Vice-President shall be responsible for:

- replacing the National President in his/her absence or in the event the National President is a respondent

The VP of the Region shall be responsible for:

- providing assistance and direction to his/her respective Local responsible officer during investigations of harassment complaints lodged during a Local union function

(h) UNDE staff

Under this policy, the staff shall be responsible for:

- providing technical advice on the implementation of this policy and PSAC Harassment Policies 23(A) & 23(B);

- receiving and maintaining any completed UNDE Harassment Event Reports (Annex C), UNDE Harassment Committee Report Forms (Annex E);
- completing UNDE Harassment Quarterly Report Forms (Annex F) and UNDE Harassment Annual Report Forms (Annex G) and submitting to the standing human rights committee.

UNDE staff will serve as resource personnel and will not participate in any level of the harassment complaint investigation, such as contacting or interviewing any member(s) or other parties, nor shall they participate in the development of recommendations.

9. Prevention

UNDE Harassment Event Form (Annex C), UNDE Harassment Quarterly Report (Annex F) and UNDE Harassment Annual Report (Annex G) will be maintained and compiled in an effort to identify what and where weaknesses exist. Statistical data will be used in the development of preventive measures required to fulfill the component's commitment to providing a harassment-free environment within the union.

10. Amendments

Amendments to this policy shall be approved at triennial conventions by UNDE delegates and shall be subject to the approval of two-thirds of voting UNDE delegates.

Amendments during the interim shall be placed before the National Executive and shall be subject to the approval of two-thirds majority vote. If upheld, any and all amendments shall be placed before the delegates at the next triennial convention and shall be subject to the approval of two-thirds of the voting delegates. If amendments are upheld, they will form part of this policy and if not upheld, they will be eliminated from this policy.

ANNEX A

UNDE STATEMENT ON HARASSMENT

(to be read aloud at all UNDE events)

The Union of National Defence Employees promotes a zero-tolerance policy in regard to harassment and discrimination.

The component believes and promotes full equality of all its members and the right of each member to be treated with dignity and respect.

UNDE will neither tolerate nor condone attitudes and behaviours at union events, regardless of intent, that are likely to undermine the dignity, self-esteem or security of an individual or create an intimidating, threatening, hostile or offensive environment.

If you experience harassment at this event, contact *(identify the intervener)* who will assist you through the process outlined in the UNDE Harassment Policy and the Guidelines and Procedures for Managing Harassment Complaints.

ANNEX B

GUIDELINES AND PROCEDURES FOR MANAGING HARASSMENT COMPLAINTS

1. Guidelines

These guidelines are provided to assist members in the filing of harassment complaints and are built on the principles of expediency and confidentiality. They provide a fair and due process for both the complainant and the respondent and are applicable to all UNDE members regardless of position held, but exclude UNDE staff members.

At all UNDE events, the intervener shall be identified and is responsible for reading out the UNDE statement (Annex A) as well as the management of any and all alleged harassment complaints during that period. Upon completion of each union function, meeting or social, the intervener shall be responsible for submitting a copy of the UNDE Harassment Event Report (Annex C) to the responsible officer, for any and all complaints that were handled during that event.

The responsible officer shall complete Part B and submit this report to the USO resource officer who will be responsible for completing the UNDE Harassment Quarterly Report Form (Annex F) and submitting each to the UNDE standing human rights committee. Statistical data will be compiled using the UNDE Harassment Annual Report Form (Annex G) and made available to all UNDE Locals. The responsible officer shall be responsible for notifying the VP of the Region of any ongoing complaints (not resolved before end of event) or of any complaints made after the event was completed.

2. Process and procedures

To facilitate the resolution to alleged harassment complaints, the intervener is responsible to assist any member to determine the process s/he wishes to use.

Initial complaint: When a member seeks the help of the intervener, s/he must first be made aware of the available options. If the member chooses not to take any further action after discussing the incident, no detailed record shall be kept, but generic info (using no names) shall form part of the UNDE Harassment Event Report (Annex C).

Informal complaint: If the complainant wishes to take further action, the intervener is responsible to meet with the respondent and to advise both the respondent and the complainant of their entitlement to representation. As well, since the respondent is entitled to a written copy of the allegations, both the complainant and the respondent shall be advised of

this entitlement. During the meeting, the respondent shall be informed of the nature of the complaint and who made the complaint. If a resolution that is acceptable to both complainant and respondent can be reached, no detailed record shall be kept of the incident but generic info (using no names) shall form part of the UNDE Harassment Event Report (Annex C).

Formal complaint: If the complaint cannot be resolved, the intervener shall establish an investigation committee and shall ensure that both the complainant(s) and respondent(s) are supplied with a completed copy of the UNDE Harassment Complaint Form (Annex D).

Although it is intended that all complaints be resolved before the conclusion of the event, no complaint shall go forth to this stage until all allegations and documents are available in hard copy. If documents are not received within 30 days of the initial complaint, the intervener shall consider the complaint resolved.

The committee shall ensure that both the complainant and respondent are advised of their representation entitlement and shall be responsible for collecting evidence and conducting interviews with all parties including witnesses. The committee shall also be responsible for submitting a completed UNDE Harassment Complaint Committee Report Form (Annex E) to the intervener. The intervener shall review and ensure all procedures were followed properly and forward same to the responsible officer.

3. Investigation committee report approval

The responsible officer shall review the committee report and determine what further action is required to implement any accepted recommendations. The responsible officer shall complete Part B of the UNDE Harassment Event Report Form (Annex C), attach all documentation for completed formal complaints and forward the report to the USO resource officer. The responsible officer shall have the authority to action immediate expulsion of any member involved in a harassment complaint upon recommendation of the harassment investigation committee. If disciplinary action, removal from office, suspension or expulsion from membership is recommended, the report must be placed before an approving body. The approving body is determined by the respondent's position in the union regardless of the complainant's position in the union. Positions in the union include member, Local Officer and National Officer.

To comply with PSAC Constitution Section 25 and Regulation 19 paragraph 6(c), paragraph 7(c) and paragraph 9(c), the report shall be placed before the appropriate body:

Respondent is a UNDE member or UNDE Local Officer: The report shall be placed before a special or general membership meeting of the respondent's Local and shall be subject to the acceptance of two-thirds of the members in attendance. Complainant(s) and/or respondent(s) will not be entitled to vote. If upheld, the report shall then be placed before the National Executive and is subject to the acceptance of two-thirds majority vote. If upheld, the report shall then be placed before the PSAC NBOD and is also subject to acceptance of two-thirds majority vote.

Respondent is a UNDE National Officer: The report shall be placed before the National Executive and is subject to the acceptance of two-thirds majority vote. Complainant(s) and/or respondent(s) will not be entitled to vote. If upheld, the report shall be placed before the PSAC NBOD and is also subject to the acceptance of two-thirds majority vote.

4. Disclosure

Throughout the process, the responsible officer shall keep all parties, including the intervener and the harassment committee, advised in writing of what action is being taken as well as the final outcome of the complaint.

5. Findings

The responsible officer shall ensure both the complainant and respondent are advised of their entitlements when:

Complaint is upheld: the respondent is entitled to appeal to the UNDE National Executive within 60 days of receipt of notice of discipline.

Complaint is not upheld: the complainant is entitled to appeal to the UNDE National Executive.

The responsible officer shall also ensure the complainant and/or respondent is advised of the following:

Where harassment has been found and the disciplinary action(s) recommended have been deemed to be fair and appropriate:

- the PSAC Alliance Executive Committee will have the right to disseminate any relevant information;
- the respondent(s) will not be entitled to union representation during any resulting grievances.

If a complaint has been found to be frivolous or vexatious, the complainant shall be subject to disciplinary action under Local bylaws, UNDE Bylaws and the PSAC Constitution.

ANNEX C

DIRECTIONS FOR COMPLETING THE UNDE HARASSMENT EVENT REPORT

Under the Guidelines and Procedures for Managing Harassment (Annex B), this form must be completed for any and all complaints handled during an UNDE event. This form must be submitted at the end of the Union function.

Directions for Part A – Intervener

1. **Function** – what kind of function (Local meeting, course, regional conference, social, etc.) and where it took place.
2. **Duration of function** – start and end dates.
3. **Number of complaint(s) handled** – total number of complaints that were handled by either the intervener and/or the harassment investigation committee.
4. **Type of complaint(s) handled** – refer to definitions to help determine the nature of the complaint and how many of each.
5. **Demographics of complaints handled** – gender of both the complainant(s) and respondent(s).
6. **Resolution process** – which process was used to resolve the complaint.
7. **Status of complaint** – if the complaint has been resolved during the event, then it is considered complete; any recommendations that include disciplinary action will be considered ongoing and the responsible officer will complete required info at number **10**.
8. **Any recommended changes to the policy or procedure** – if there are any actions that can be taken or changes made that will ensure a harassment-free environment during UNDE functions.

Directions for Part B - Responsible officer

- 9. Status of ongoing complaint(s)** – identify expected completion date, identify what stage complaint is (initial, informal, formal) and ensure VP of the Region is advised of any ongoing complaint(s) (complaints not resolved before end of union function).
- 10. Completed formal complaint(s)** – ensure all copies of Annexes D and E are attached to this report.
- 11. Recommendations** - identify if any disciplinary action recommendations were made as well as if immediate expulsion was necessary; identify all recommendations that were actioned during a complaint process. Also identify what, if any, recommendations were not actioned and give explanation as to why not (i.e. complaint sent to approving body).

ANNEX C

UNDE HARASSMENT EVENT REPORT

Part A – to be completed by the intervener

1. Function: _____ Location: _____

2. Duration of function: Start date: _____ End date: _____

3. Number of complaint(s) handled: _____

4. Type of complaint(s) handled: Harassment: _____ Discrimination: _____ Sexual harassment: _____ Abuse of authority: _____

5. Demographics of complaint(s) handled: Was respondent: Female _____ Male _____ Was complainant: Female _____ Male _____

6. Resolution process: Initial complaint(s): _____ Informal complaint(s): _____ *Formal complaint(s): _____ *Further info supplied in responsible officer section.

7. Status of complaint(s): Completed: _____ *Ongoing: _____ *Further info supplied in responsible officer section.

8. Any recommended changes to the policy or procedures: _____

Intervener's name Date Signature

Part B - to be completed by the responsible officer

9. Status of ongoing complaint(s):

Expected completion date? _____
What stage is/are the complaint(s)? (*initial, informal, formal*) _____
Date VP of Region contacted? _____

10. Completed formal complaint(s):

Is all completed documentation attached? _____

11. Recommendations:

Are there any disciplinary action recommendations?	Yes	No
Any recommendations for immediate expulsion?	Yes	No

If yes, provide rationale:

What recommendations, if any, were actioned?

What recommendations, if any, were not actioned? (*give reason*)

Responsible officer's name

Date

Signature

ANNEX D

UNDE HARASSMENT COMPLAINT FORM

Complaint # _____

Part A – Intervener

1. Identifying information

Name of complainant(s): _____

Name of respondent(s): _____

Name of intervener: _____

Names of harassment investigation committee members:
(if applicable)

STATUS OF COMPLAINT

_____ *(Date)*

If not complete, identify where complaint has been sent and who has responsibility:

The intervener shall ensure both the complainant(s) and respondent(s) are made aware of the following information:

- If a resolution can be reached during the **initial complaint** or **informal complaint** stage, no copies of this report or documents (Parts B, C and D) shall be provided to anyone other than to the complainant(s) and respondent(s).
- If a resolution has been reached at the **formal complaint** stage, copies of attached documents (Parts B, C and D) shall accompany this complaint form.
- If disciplinary action is recommended, copies of attached documents (Parts B, C and D) shall accompany this complaint form along with copies of the UNDE Harassment Committee Report Form (Annex E).

Intervener's name

Date

Signature

ANNEX D

UNDE HARASSMENT COMPLAINT FORM

Part B – Complainant

1. Complainant’s information

Name: _____

Address: _____
Postal Code: _____

Local: _____

Telephone: _____
(w) (h)

How to contact during event: _____

2. Any available information about the respondent(s)

Name: _____

How to contact during event: _____

3. Details of allegations *(use separate sheet if necessary)*

4. Why is this considered harassment?

5. Witnesses

6. Corrective action requested

7. Complainant's signature

Note: Any changes to this form must show the complainant's initials beside each change.

"I have read, understand and agree to the above information."

Complainant's signature

Date

Intervener's signature

Date

ANNEX D

UNDE HARASSMENT COMPLAINT FORM

Part C – Respondent

1. Respondent's information

Name: _____

Address: _____

Postal Code: _____

Local: _____

Telephone: _____

(w)

(h)

How to contact during event:

2. Response to complaint(s) *(use separate sheet if necessary)*

3. Witnesses

4. Response to corrective action requested

5. Agreed-to actions

6. Respondent's signature

Note: Any changes to this form must show the respondent's initials beside each change.

"I have read and understand the allegations."

Respondent's signature

Date

Intervener's signature

Date

ANNEX D

UNDE HARASSMENT COMPLAINT FORM

Part D – Witnesses *(use a separate sheet for each witness)*

1. Witness information

Name: _____

Telephone: _____

Local: _____

How to contact during event:

2. Statement about what the witness saw or heard pertaining to the incident(s) in question. Identify whether witness was present or not during the incident(s) and what relationship (if any) to both the complainant(s) and respondent(s):

(use a separate sheet if necessary)

3. Signature of witness

Note: Any changes to this form must show the respondent's initials beside each change.

“The information I have provided in this statement is true.”

Witness’s signature _____ Date _____

Intervener’s signature _____ Date _____

ANNEX E

DIRECTIONS FOR UNDE HARASSMENT INVESTIGATION COMMITTEE MEMBERS

Under this policy, the harassment investigation committee is responsible to investigate any and all alleged harassment complaints made during an UNDE function, meeting or social.

Under the Guidelines and Procedures for Managing Harassment Complaints, the harassment investigation committee is responsible for making recommendations and completing the following UNDE Harassment Committee Report for each formal harassment complaint.

Completed copies shall be provided to the intervener, complainant(s) and respondent(s).

Principles

Since it is intended that all complaints be resolved before the completion of the event, the committee should keep the following principles in mind:

- the investigation is conducted in a timely and confidential manner;
- required timeframe for conducting investigation should be clearly identified at the start of the process;
- all documents and completed UNDE Harassment Complaint Forms (Annex D) are reviewed and made available to both the complainant(s) and respondent(s) before beginning the formal complaint process;
- all parties interviewed must see the investigation as impartial;
- all efforts to resolve complaint(s) at earliest level must be made.

These directions have been developed to assist the committee members in completing their duties, making recommendations and completing the form.

1. Checklist

Answering 'yes' to each question ensures the committee has met all obligations under all parts of this policy. Complete rationale should be provided for a negative response to any one of the questions.

2. Findings

The committee must determine if the allegation has been founded or unfounded. The committee should also provide rationale for determination of its findings.

3. Recommendations

To assist the committee in making recommendations, the focus should be on whether the action(s) will correct the problem, rather than on the punishment. Before completing this part, the committee should take into consideration the following factors and review the examples of possible recommendations:

Considering factors

- has the member voluntarily admitted or expressed regret regarding the incident;
- has the member fully cooperated throughout the process;
- severity of the incident;
- welfare of the group;
- union's legal obligations under Canadian human rights legislation.

Complaint founded – recommendations for respondent(s)

- private or public apology to complainant(s);
- commitment to demonstrate that s/he will cease the offensive behaviour;
- attendance at harassment training sessions available within the community;
- removal from present event; (*see final Note 1*)
- suspension from attending union events for a specified period of time; (*see final Note 2*)
- disciplinary action including removal from office, suspension or expulsion from membership. (*must include justification and rationale from committee members*) (*see final Note 2*)

Complaint unfounded – recommendations

- harassment training sessions be offered to group attending event or areas;
- harassment training sessions are offered to the areas where both the complainant(s) and respondent(s) reside.

Complaint unfounded – recommendations for complainant:

No malicious or vexatious intent

- private or public apology to the respondent(s);
- attendance at harassment training sessions available within the community;

Malicious or vexatious intent

- removal from present event; *(see final Note 1)*
- suspension from attending union events for a specified period of time; *(see final Note 2)*
- disciplinary action, including removal from office, suspension or expulsion from membership. *(must include justification and rationale from committee members) (see final Note 2)*

Final Notes

1) Recommendations calling for disciplinary action that include the removal of member(s) from present event, must be justified by the severity of the behaviour. When such recommendation is made, the responsible officer shall have the authority to approve recommendations of this nature.

2) Recommendations calling for disciplinary action that include the removal from office, suspension or expulsion from membership, shall be in compliance with the Guidelines for Managing Harassment Complaints (Annex B) paragraph 3 and PSAC Constitution, Section 25 and Regulation 19, paragraphs 6 (c), 7 (c) and 9 (c).

ANNEX E

UNDE HARASSMENT COMMITTEE REPORT FORM

This report shall be completed by the members of the harassment investigation committee report and submitted to the intervener upon completion.

1. Checklist for steps taken by the committee

- briefed by intervener on steps already taken to resolve complaint:

Yes	No
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- supplied a copy of all completed documentation including the UNDE Harassment Complaint Form (Annex B):

Yes	No
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- both the complainant(s) and respondent(s) were provided copies of all completed documentation including the UNDE Harassment Complaint Form (Annex B):

Yes	No
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- both the complainant(s) and respondent(s) were advised of their right to representation:

Yes	No
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- interviews were conducted with the following:

complainant(s):	Yes	No
respondent(s):	Yes	No
witness(es):	Yes	No
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- all parts of this policy were used during the investigation:

Yes	No
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If no to any of the above, give rationale

2. Findings

complaint founded _____ complaint unfounded _____

Provide rationale for findings:

3. Recommendations *(refer to page 27)*

4. Signatures of harassment investigation committee members

“The information I have provided in this report is true.”

Committee member's
name

Date

Signature

Committee member's
name

Date

Signature

Committee member's
name

Date

Signature

7. Total status of complaints

Completed _____ *Ongoing _____
*Identify what stage ongoing complaints are at _____

8. Total number of recommendations for disciplinary action

Completed _____ *Ongoing _____
*Identify what stage ongoing complaints are at _____

9. List any recommendations that were actioned

10. List any recommendations that were not actioned *(give reason)*

11. List any recommendations for changes to the policy or procedures

12. Any observations

USO resource officer's name Date Signature

ANNEX G

UNDE HARASSMENT ANNUAL REPORT FORM

To be completed by the USO resource officer and submitted to the UNDE standing human rights committee.

Report for year _____

1. Total number of complaints handled _____

2. Total number of complaints per region

NL/NB	_____	PSP	_____
NS	_____	CSE	_____
QC	_____	SK/MB	_____
NCR	_____	AB & NORTH	_____
ON	_____	BC	_____

3. Total number of complaints by event

Meetings	_____	Conferences	_____
Course	_____	Convention	_____
Social	_____	Other	_____

4. Total number of complaints by type

Harassment	_____	Discrimination	_____
Sexual harassment	_____	Abuse of authority	_____

5. Total demographics of complaints

Respondents	Male	_____	Female	_____
Complainants	Male	_____	Female	_____

6. Total number of resolution processes used

Initial complaints	_____	Informal complaints	_____
Formal complaints	_____		

7. Total status of complaints

Completed _____ *Ongoing _____
*Identify what stage ongoing complaints are at _____

8. Total number of recommendations for disciplinary action

Completed _____ *Ongoing _____
*Identify what stage ongoing complaints are at _____

9. List any recommendations that were actioned

10. List any recommendations that were not actioned *(explain)*

11. List any recommendations for changes to the policy or procedures

12. Any observations

USO resource officer's name	Date	Signature
_____	_____	_____