



G'minoomaadozimin: **We Are Living Well**

# Employee Resource Toolkit

*Version 1.0*



**Nokiiwin**  
TRIBAL COUNCIL

**WELLNESS**





Image created by Kevin Belmore

G'minoomaadozimin means **"We Are Living Well."**

It is a Nokiiwin Wellness program that envisions communities where all people are safe whether they are at home, in the workplace or in the community.

Our G'minoomaadozimin projects are designed to improve First Nation health & safety awareness and systems. Through the delivery of culturally competent programs, resources and tools, G'minoomaadozimin promotes health & safety practises and behaviours that enhance the overall well-being of individuals, families, workplaces and communities.





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## INTRODUCTION

# Welcome to the Nokiiwin Workplace Wellness Toolkit



# Why do we need workplace wellness tools?

The Anishnabe principle of Minobimadiziwin is at the heart of Indigenous conceptions of wellness. Minobimadiziwin describes a feeling of balance in all parts of your life: spiritual, physical, emotional, and mental. We recognize that each person is on their own journey to find their balance on a unique continuum.

Colonialism has caused expansive changes to our ways of life and our attainment of Minobimadiziwin. The relationship between First Nations people and the Canadian state is a story of aggressive policy and legislative programs to separate First Nations people from their cultural identity. The Indian Act, Residential Schools, the Sixties Scoop, and Day Schools are only a few examples of ways the Canadian state has attempted to eradicate First Nations people.

Our traditional governance systems are significantly eroded, our jurisdiction and control taken from us, and we see a decline in First Nations health, well-being, and Minobimadiziwin.

Over several generations, First Nations people have awakened to the impacts of colonialism and trauma faced by our nations, communities, and families. Against all odds, we are still here. Now we look for tools to strengthen our relationships with one another, and to recover our sense of Minobimadiziwin. Since employees spend about 60% of their waking hours at work, it's safe to say that workplaces make a huge impact on quality of life. Rethinking the culture of our workplaces is an excellent starting point for making positive change in our lives and communities.

## Toolkit overview

The Nokiwin Workplace Wellness Toolkit is a response to the growing need for education, training, and skills for First Nations employers to create healthier and safer workplaces.

**Chapter 1** provides prevention-based strategies to enhance workplace wellness and strengthen relationships.

**Chapter 2** provides education and resources to address barriers to workplace wellness, including violence and harassment.

**Chapter 3** provides tips on workplace remediation through restorative practices and the use of circles, and discusses special circumstances facing First Nations workplaces including the role of politics, addressing grief, trauma, and nepotism.

**Chapter 4** provides a set of sample policies that can be used, discussed, amended and adapted to suit your needs.





# Help us build tools for change

Nokiiwin will develop additional training tools, including videos, worksheets and training exercises, to assist First Nations and our partners to increase their workplace wellness skills. This toolkit is a work in progress and your feedback is valuable. Please tell us about gaps, errors, omissions, or opportunities for growth at [healthandsafety@nokiiwin.com](mailto:healthandsafety@nokiiwin.com).

**We love hearing your stories.**

Throughout the toolkit we share stories from participants in our workshops. If you have a personal story that you think others would benefit from, we are happy to consider it on a confidential basis.

## CHAPTER ONE

# Prevention: Building Happy and Healthy Workplaces





# G'minoomaadozimih

SAFE WORKPLACES... SAFER FAMILIES... SAFER COMMUNITIES... STRONGER NATION

## OUR HEALTH & SAFETY Journey

COMMUNITY IS THE Foundation

It started with a PHONE CALL

SHIFT

MINISTRY of LABOUR FUNDING

SIMPLE IMPACTFUL WORK

LAND SAFETY

WORKPLACE SAFETY

SCHOOL SAFETY

our 7 GRANDFATHER Teachings

Health & Safety POLICIES  
HEALTH & SAFETY COORDINATOR

LATERAL VIOLENCE

NEW INITIATIVES

PARTNERS HELPING EACH OTHER

WE'RE CONNECTING the DOTS

OUR COMMUNITIES ARE SHARING TO Improve the LIVES of our PEOPLE

COMMUNITY HEALTH & WELLBEING

SAFETY WORKSHOPS

TIPS & IDEAS

HEALTH FAIR

NOW WE'RE TALKING ABOUT Health & Safety

WORKING ON BEING CONSISTENT

WE'RE GETTING TRAINED

YOUTH now using HELMETS

EVERYONE IS WEARING LIFEJACKETS

INDIGENOUS RESEARCH ETHICS

WE'RE MORE AWARE of Lateral Violence and SOCIAL MEDIA

WE STILL NEED TO ADDRESS WHY

ADDICTIONS are affecting HEALTH & SAFETY at work

UNNECESSARY PRESCRIPTIONS

OTHER SOURCES OF DRUGS

THINKING ABOUT YOUTH TRAINING

THE RULES DON'T APPLY TO US ? ?

Hard to teach OLD DOGS New tricks

we're BUILDING AWARENESS

KEEPING FOCUSED despite daily struggles...

HOW DO WE SUPPORT OUR WORKERS? Supporting TREATMENT

political youth IMPACTS



# What is Workplace Wellness?

Workplace wellness is any workplace health promotion activity or organizational policy designed to support healthy behaviour in the workplace and to improve health outcomes.

Healthy First Nations workplaces are essential for creating and supporting productive, happy employees who build meaningful relationships with co-workers and the people they serve. It isn't always easy to begin talking about workplace wellness and the health of your organization and courageous conversations will be required. Ask yourself: How do employees feel about being at work? Do they feel included? Safe? Supported? Culturally safe? Is this a healthy workplace?

To help guide your journey, we have created this toolkit where we look at legislation and regulations through the G'minoomaadozimin lens, breathing Anishnabe perspectives, best practices, values, and norms into First Nations workplace wellness practices. First Nations employers will find culturally appropriate education and training to enable compliance with minimum standards set by the Canada Labour Code, the Canadian Human Rights Act, and other federal legislation and regulations.

*"To work for my First Nation was like a new look on life and having a greater understanding of how First Nation people need more understanding individuals who have compassion for who they are and no judgment on their life."*

We believe that through thoughtful practices and policies that support healthy behaviours and healthy relationships in the workplace, we can foster workplace wellness. For example, Nokiiwin Tribal Council stakeholders have created the G'minoomadozimin Code of Ethics (Chapter 4) using the seven teachings of the Anishnabe people: love, humility, wisdom, bravery, truth, courage, and respect. We encourage all workplaces to reflect and create their own code of ethics based on this model.

## What Makes Employees Healthy and Happy?

Healthy workplaces are workplaces where people feel like they belong. People tend to thrive in environments where they identify as part of a larger community, have a sense of responsibility and vested interest, and feel valued for their contributions.

For a sense of belonging to occur, First Nations workplace wellness must take into account cultural and spiritual perspectives. Our G'minoomaadozimin toolkit perspective embraces the principle of cultural safety (Cultural Safety Policy Chapter 4) as a core tenet of workplace wellness: all people should feel respected and safe when they interact with providers and be encouraged to draw strength from their identity, culture, and community.

As First Nations people in the process of decolonizing, we need to recognize how and why we want to do things differently. How do we treat our employees with cultural respect? How can we implement policies and procedures to protect these values? First Nations people need safe and respectful places to build their bundles and heal themselves, their families, their communities, and their nations. Bringing culture into the workplace is a form of decolonization that helps both First Nations and non-First Nations people resist the ongoing legacies of colonization.

*"I worked in a non-Indigenous organization for many years, and coming to work for my First Nation was like taking a breath of fresh air. I didn't feel like I had to explain myself or my values. I felt comfortable and supported in wearing my beadwork, in taking time off to go to ceremony. I can't really pinpoint the difference, except that I felt like I no longer had to justify my opinions or ideas when they differed from mainstream opinions or ideas."*

*"I like working with Anishnabe people because they really understand when something is funny. My co-workers and I like to laugh. I always feel really good when we get together and laugh during breaks."*

## Psychological Health in the Workplace

A sense of belonging depends on how people in the workplace interact with one another, respect one another, and how conflict is managed when it happens. Current workplace legislation – the Canada Labour Code and the Canada Human Rights Act – addresses factors that affect psychological safety.

It's important for workplaces to understand what these factors are and the Mental Health Commission of Canada does a good job of identifying 13 factors of psychological health and safety (PH&S) in the workplace, many of which relate to a sense of belonging:<sup>1</sup>

1. Organizational Culture and Organization Climate
2. Psychological and Social Support
3. Clear Leadership & Expectations
4. Civility & Respect
5. Psychological Demands
6. Growth & Development
7. Recognition & Reward
8. Involvement & Influence
9. Workload Management
10. Engagement
11. Balance
12. Psychological Protection
13. Protection of Physical Safety

In addition, the Mental Health Commission of Canada has a series of short animated videos that raise awareness of the 13 factors and encourage viewers to form an action plan to address these factors in the workplace. View the videos and access a facilitator's guide at 13 Factors: Addressing Mental Health in the Workplace.

<https://www.mentalhealthcommission.ca/English/13-factors-addressing-mental-health-workplace>

<sup>1</sup> "13 Factors: Addressing Mental Health in the Workplace", Mental Health Commission of Canada, available online: <https://www.mentalhealthcommission.ca/English/13-factors-addressing-mental-health-workplace>



## Building strong relationships through increased social and emotional awareness

Building strong relationships means building employee and employer social and emotional awareness: it is about understanding yourself and each other. There are times when you might snap at a co-worker, not because you have an issue with them, but because you are upset about something unrelated. You may have had a disagreement with your spouse, or perhaps you are under a lot of personal stress. While people may do their best to set their personal problems aside while at work, they are not always successful.

Learning to notice and correct your behaviour is the biggest contribution you can make to supporting your workplace on a personal level. We call this emotional intelligence. By working on our personal and social skills we can develop self-awareness, self-regulation, and motivation. These skills involve a combination of recognition and regulation.

**Recognition** means being aware of your emotional state. Ask yourself: “How am I feeling? Why am I feeling this way?” It also means having the awareness to know that how you are feeling may affect others. For example: “I feel irritable today because I didn’t sleep well last night. This might mean I could be impatient with others. I should be aware of that today.” Being aware of your emotions means checking in with yourself and noticing when you feel emotionally triggered by something.

**Regulation** means you can correct or modify your behaviour after you recognize your emotional state. When you feel an emotional reaction, take a moment to notice that emotion and think about why you are feeling that way before you react. With the example above, you might feel annoyed at your co-worker. Notice that emotion: “I’m really annoyed that he/she did that. Why do I feel that way?” Remember: “I’m overtired. I’m not mad at him/her; I feel irritable because I’m overtired.”

### Examples of emotional awareness at work include:

*“After my auntie died unexpectedly of cancer, I wasn’t quite myself. I was in shock because her illness came on so quickly and it shook my whole family up quite a bit. I was grateful that my co-workers were kind to me while I was grieving. I knew I had a few key people I could talk to if I needed, but mostly I wanted to be left alone. I was happy that I was given space.”*

*“Sometimes I start to feel really overwhelmed at work because I never feel like I will get caught up. It helps me knowing my manager will help me delegate some of my tasks, and will provide flexible timelines when he can.”*

*“I am learning how to accept constructive criticism without taking it personally. I really benefit from knowing how my work fits into the vision of my organization. I have made short and long term goals for myself, and I make sure to report when I’m meeting these goals. That keeps me accountable and lets my boss know my work is valuable.”*

## Resources for developing emotional awareness

The Canadian Mental Health Association offers a Not Myself Today campaign (<https://www.notmyselftoday.ca>) that creates a supportive environment where employees can be honest about how they are feeling. For example, employees can wear mood buttons that alert others to an emotion they may be feeling on a particular day. Plus, there are many free online resources that include instructional videos, resource sheets, and activities that encourage mental health awareness in the workplace.

<https://cyfn.ca/services/health-social-development/wow/>

## Workplace Structure: The Importance of Policies and Procedures

Creating strong workplace relationships and a supportive culture goes hand in hand with boundaries and accountability. Workplaces that value psychological health need policies that uphold existing workplace legislation and address toxic, unhelpful, and even illegal behaviours.

Developing employee emotional recognition and regulation is a key part of developing workplace wellness. Yet, even if employees have a well-developed sense of emotional regulation and recognition, conflict will occur. How employers deal with conflict contributes to workplace wellness.

Workplace rules and policies must outline unacceptable conduct in the workplace and also outline the consequences when the unacceptable behaviour and/or conflict occurs.

**Rules** are important to workplace wellness because they create clear expectations that are fairly, equally, and consistently applied to everyone.

**Procedure** is equally important: people in the workplace want to know what to expect when the rules are broken, and what will happen to them or others. They also want to know what to do, who to talk to when they have an issue, and to feel safe taking those actions.

Having unclear rules or inconsistent application of rules creates fear, a lack of trust, and distracts people from the work they have to do. Workplace policy and rules are like the rules of a game or sport: once people know the rules, they can focus on playing the game.

In the workplace, the rules of the game include workplace policies, education, training, enforcement, and accountability.

**Education:** Reviewing policies on a regular basis with employees is critical. Make sure all new employees are provided with copies of all policies that apply to them, and make sure they sign an acknowledgement of having received, read, and understood these policies.

**Training:** Make sure your employees have the time, resources, and social support to review the policies on a regular basis. Use examples and make sure people are aware of consequences for violation of policies, whether intentional or accidental. Also, invite your employees to participate in policy review. People always feel more supported when they participate in the creation of rules.

**Enforcement:** Consistent application of all policies to all employees on a regular basis must be a priority. It may be frustrating to keep reminding employees of policies but this is a long-term investment in the well-being of your workplace. Keep at it!

**Accountability:** Holding employees accountable to the requirements of workplace policies creates stability and security among your employees. Accountability relates to enforcement; every time a staff member (employee or management) needs a reminder of your workplace policies you are holding them accountable.



## Establishing Success Factors for Workplace Wellness

It doesn't cost much to begin planning for workplace wellness. The most important thing is to start and commit to the process. And yes, it will take work to build a healthy workplace, but it's worth it.

### Take stock

First, find out what is going on in your workplace. Hold an informal chat with members of your organization to learn how employees feel about wellness and their connection with culture. Find out what wellness and culture means to your employees, clients, and community.

- Does your vision and mission statement or policies include wellness?
- Do you currently celebrate and honour culture and wellness in the workplace?  
If so, how could you do more of that?
- How would you describe the current state of employee and team culture and wellness?
- How would you describe the current state of the organization?

Leadership support and staff engagement are crucial as you carry forward with planning. Once everyone is on board, form a wellness committee to begin creating a Workplace Wellness Policy (see sample Chapter 4). This way, staff are part of creating workplace activities that support their safety, growth, and well-being.

### What does success look like?

Think about your ideal work environment, what it would feel and look like, and what could help improve wellness and connections to culture in your workplace.

- What ideas do you have to support wellness in the workplace?
- What resources already exist? What resources need to be gathered?
- What kinds of programming would gather interest and engagement?
- Are there neighbouring organizations that have implemented a plan you can learn from?
- What are some no-cost / low-cost activities and programs that all staff can participate in?

### Keeping track

Set goals and create plans for achieving them. Encourage everyone to participate, build in feedback opportunities, and be flexible – First Nations people know how to adapt to the changing needs of their communities; recognize what is working and move in that direction.

Identify how you will keep track of progress and honour the good work being done. Are wellness objectives and measurable goals defined? Are they being consistently evaluated? Celebrating milestones is an important part of wellness; make sure to create time to celebrate!

## CHAPTER TWO

# Response: Addressing Workplace Violence and Harassment







# G'minoomaadozimin

## WHAT DOES **Safety** LOOK LIKE?

### FAMILY

- DOING FOR OURSELVES
- LET THEM HAVE RESPONSIBILITIES
- LIFE EXPERIENCES Learning from our mistakes
- BELIEVING in ourself
- THE LOCUS OF CONTROL is WITHIN
- Learning about RISK TAKING B·A·L·A·N·C·E
- MODERATION FINDING THE RIGHT PLACE
- PARENTS BEING ROLE MODELS
- KNOWING OUR LIMITATIONS
- EDUCATING versus avoidance
- USE FACTS NOT FEAR
- understanding DEPENDENCE versus INDEPENDENCE

### SELF

- MAKING GOOD CHOICES
- SETTING GOALS
- REASSURANCE IN OURSELVES
- LIFELONG LEARNING
- BALANCE
  - at work
  - to rest
  - to play
- COURAGE TO SPEAK UP...

### UNIVERSE



### WORKPLACE

- POLICIES PROCEDURES
- SHARED CULTURE
- GOOD TRAINING
- HUMOUR
- ACCOUNTABILITY
- CULTURAL AWARENESS
- WORK LIFE BALANCE
- GOOD MANAGEMENT SKILLS

### COMMUNITY

- COLLECTIVE VISION
- JUSTICE
- PRIDE & PURPOSE
- EMERGENCY PREPAREDNESS
- LIVING WELL
- BACK ON THE LAND
- COMMUNITY HEALING changing the conversation
- YOUTH & ELDER (talking together)



## What is the cost of unhealthy workplaces?

A Conference Board of Canada report estimates the cost of absenteeism to the Canadian economy at approximately \$16.6B.<sup>2</sup> For employers, absenteeism has both direct and indirect costs. The direct cost of absenteeism is simply the salary associated with the number of workdays lost, while indirect costs can include replacement costs for absent workers, administrative costs, a reduction in productivity, and a reduction in customer satisfaction.<sup>3</sup>

A related issue for employers is presenteeism – employees who are there in body, but not in mind. When employees show up for work because they feel they have to, but are not productive because they feel unwell, it is like they are not even at work to begin with. Researchers who examine the cost of presenteeism estimate the cost to employers is even greater than the cost of absenteeism. One study estimated the cost to employers at \$150 B!<sup>4</sup> Illnesses associated with presenteeism include chronic or episodic conditions like allergies, irritable bowel syndrome, back pain, arthritis, and depression.

## What is the cost of replacing employees?

There are also direct and indirect costs when replacing employees. Some of the direct costs include: separation costs like severance or lieu pay, exit interviews,<sup>5</sup> training costs such as orientation and training, advertising the open position, and conducting interviews.<sup>6</sup> Indirect costs of employee turnover can include lost productivity, disengagement from other employees, low morale,<sup>7</sup> loss of institutional knowledge, and lost time from other employees covering the open position.<sup>8</sup>

## What are the barriers to workplace wellness?

We know that replacing employees is expensive and time consuming. We can create welcoming, enduring work environments by addressing the primary barrier to workplace wellness – failing to protect the emotional safety of workers.

## Symptoms of an unhealthy workplace

Employees who suffer in an unhealthy workplace may experience one or many of these symptoms:

### Loss of personal sense of safety, including:

- Feeling helpless
- Feeling vulnerable
- Feeling unsupported
- Loss of self-confidence
- Loss of morale
- Loss of productivity
- Loss of self-worth

### Inability to control one’s emotions, including:

- Anger
- Frustration
- Shock
- Depression
- Panic
- Anxiety

### Physical imbalance, including:

- Inability to sleep or get out of bed
- Inability to concentrate
- Heart palpitations
- Loss of appetite
- Headaches
- Stomach pains
- Weight gain or loss

### Unwillingness to go to work

#### Impact on life outside work

- Family stress
- Loss of sense of purpose, meaning or belonging

Emotional injury to employees is caused by a long list of actions including bullying, lateral violence, harassment, discrimination, and human rights violations. This chapter discusses the many causes of workplace strife and the regulations and protections that are in place to deal with workplace behaviour both for employees and employers.

<sup>2</sup> Nicole Stewart, "Missing in Action: Absenteeism Trends in Canadian Organizations", Conference Board of Canada, 2013, page 10 ["Stewart"]

<sup>3</sup> Ibid at page 8

<sup>4</sup> Paul Help, "Presenteeism: At Work But Out of It", Harvard Business Review October 2004, available online: <https://hbr.org/2004/10/presenteeism-at-work-but-out-of-it>

<sup>5</sup> Bill Conerly, "Companies Need to Know the Dollar Cost of Employee Turnover", August 12, 2018, Forbes Magazine,

available online: <https://www.forbes.com/sites/billconerly/2018/08/12/companies-need-to-know-the-dollar-cost-of-employee-turnover/#424ab914d590> ["Conerly"]

<sup>6</sup> "The True Cost of Employee Turnover" Psychometrics Canada Ltd., available online: <https://www.psychometrics.com/true-cost-employee-turnover/> ["True Cost"]

<sup>7</sup> Ibid

<sup>8</sup> Conerly, supra note 7

Bullying

Workplace bullying is identified as “persistent verbal and nonverbal aggression at work that includes personal attacks, social ostracism, and a multitude of other painful messages and hostile interactions... The experience is profoundly traumatic as well as socially stigmatizing.”<sup>9</sup>

The Canadian Centre for Occupational Safety has an expansive list of behaviours that can be characterized as bullying:<sup>10</sup>

- Spreading malicious rumours, gossip, or innuendo
- Excluding or isolating someone socially
- Intimidating a person
- Undermining or deliberately impeding a person’s work
- Physically abusing or threatening abuse
- Removing areas of responsibilities without cause
- Constantly changing work guidelines
- Establishing impossible deadlines that will set the individual up to fail
- Withholding necessary information or purposefully giving the wrong information
- Making jokes that are obviously offensive by spoken word or e-mail
- Intruding on a person’s privacy by pestering, spying or stalking
- Assigning unreasonable duties or workload which are unfavourable to one person (in a way that creates unnecessary pressure)
- Underwork - creating a feeling of uselessness
- Yelling or using profanity
- Criticizing a person persistently or constantly
- Belittling a person’s opinions
- Unwarranted (or undeserved) punishment
- Blocking applications for training, leave or promotion
- Tampering with a person’s personal belongings or work equipment

Workplace violence

Workplace violence is defined by the Canada Labour Code as: 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 (Section 122(1)).

Workplace violence includes:

- Threatening behaviour – such as shaking fists, destroying property or throwing objects
- Verbal or written threats – any expression of an intent to inflict harm
- Verbal abuse – swearing, insults or condescending language
- Physical attacks – hitting, shoving, pushing or kicking

Workplace violence is not limited to incidents that occur within a traditional workplace. Work-related violence can occur at off-site business-related functions such as conferences and trade shows, at social events related to work, and in clients’ homes or away from work but resulting from work (a threatening telephone call to your home from a client).<sup>11</sup>

Lateral violence

Lateral violence is a form of bullying that takes place peer-to-peer and is experienced disproportionately in communities that suffer from historical oppression, such as colonialism and intergenerational trauma. When communities have suffered from lack of power on a global, institutional level, individuals may act that power struggle out on a personal level by trying to take power from others. An example of lateral violence in Indigenous communities is the “crabs in the bucket” problem, where people feel threatened by the successes of others and do everything they can to keep others down.

Domestic violence

Domestic violence is a pattern of behaviour used by one person to gain power and control over another with whom they have or have had an intimate relationship. It can include any form of violent behaviour.<sup>12</sup> There are additional dimensions to violence in a domestic relationship that are unique, such as:

- using property, pets, or children to threaten and intimidate
- economic abuse such as withholding or stealing money, stopping a partner from reporting to work, or from getting or keeping a job
- sexual, spiritual, or emotional abuse<sup>13</sup>

Anyone can be a victim of domestic violence, regardless of age, race, religion, sexual orientation, economic status, or educational background. The abuser may be a current or former spouse or intimate partner, relative, or friend. Men and women can both be abused or abusive in their relationships.

When domestic violence follows a victim to work, it becomes a workplace issue. A study of domestic violence in Canada and its impact on the workplace has found more than one third of workers across the country have experienced domestic violence in their lifetime, and for more than half of those affected, the violence followed them to work.<sup>14</sup>

People experiencing domestic violence often have difficulty getting to work and state that their work performance is negatively affected. Proposed amendments to the Canada Labour Code address family violence. New regulations will require a Workplace Harassment and Violence Prevention Policy that includes how the employer will be informed of external dangers, such as family violence, that could give rise to harassment and violence in the workplace and the measures that the employer may implement to minimize those dangers.<sup>15</sup>

Other jurisdictions – New Brunswick, Ontario, and Alberta – address domestic violence in their harassment and violence legislation. For example, the Occupational Health and Safety Act of Ontario states:

Domestic violence

32.0.4 If an employer becomes aware, or ought reasonably to be aware, that domestic violence that would likely expose a worker to physical injury may occur in the workplace, the employer shall take every precaution reasonable in the circumstances for the protection of the worker.

Duties re violence

32.0.5 (1) For greater certainty, the employer duties set out in section 25, the supervisor duties set out in section 27, and the worker duties set out in section 28 apply, as appropriate, with respect to workplace violence.

<sup>9</sup>Pamel Lutgen-Sandvik “Intensive Remedial Identity Work: Responses to Workplace Bullying Trauma and Stigmatization” Organization, January 2008, Volume 15(1) at 99 [“Sandvik”]

<sup>10</sup>Canadian Centre for Occupational Health and Safety, Bullying in the Workplace. Accessed: April 22, 2019 <https://www.ccohs.ca/oshanswers/psychosocial/bullying.html>

<sup>11</sup>Canadian Centre for Occupational Health and Safety “Violence in the Workplace”, available online: <https://www.ccohs.ca/oshanswers/psychosocial/violence.html>

<sup>12</sup>Ontario Ministry of Children, Community and Social Services “Ending Domestic Abuse”, available online: <http://www.women.gov.on.ca/owd/english/ending-violence/stop-domestic-abuse.shtml>

<sup>13</sup>Canadian Centre for Occupational Health and Safety “OHS Answers and Fact Sheets”, available online: [https://www.ccohs.ca/oshanswers/psychosocial/violence\\_domestic.html](https://www.ccohs.ca/oshanswers/psychosocial/violence_domestic.html)

<sup>14</sup>Canadian Women’s Foundation, “Domestic Violence Goes to Work”, available online: <https://www.canadianwomen.org/blog/domestic-violence-goes-to-work/>

<sup>15</sup>Bill C-65 “An Act to amend the Canada Labour Code (harassment and violence), the Parliamentary Employment and Staff Relations Act and the Budget Implementation Act, 2017, No. 1” received Royal Assent October 25, 2018 and the draft Workplace Harassment and Violence Prevention Regulation was released for consultation on April 27, 2019. Bill C-65 will come into force on a day to be fixed by order of the Governor in Council. The Regulation will come into force the same day as Bill C-65



Domestic violence (cont.)

A helpful list for employers developing a workplace violence prevention policy is set out by the Workplace Strategies for Mental Health Team at Great West Life.<sup>16</sup> Their prevention policy includes:

- Identify Warning Signs:** Because people who experience domestic violence are more likely to report it to a co-worker than to others in the workplace, all employees should be trained to recognize the warning signs and risk factors for domestic violence.
- Establish a Support Network:** Various workplace parties can offer support and assistance to employees experiencing domestic violence. Working together in a team which may include the supervisor, trusted co-worker, human resources, Employee Assistance Program (EAP) provider and union representatives may be a helpful approach to providing a supportive network.

**Develop a Safety Plan:** Workplaces can create an individualized personal and workplace safety plan to address the situation of the worker and other employees. Update the plans as circumstances change. Share the plans with anyone who needs to know about the situation in order to ensure safety. Safety plans may include:

- Ask if the victim has already established protection or restraining orders.
- Talk to the employee, working together to identify solutions. Follow up and check on their well-being.
- Ask for a recent photo or description of the abuser. Alert others such as security and reception so they are aware of who to look for.
- When necessary, relocate the worker so that he/she cannot be seen through windows or from the outside.
- Do not include their contact information in publicly available company directories or website.
- Change their phone number, have another person screen their calls, or block the abuser’s calls/emails.
- Pre-program 911 on a phone or cell phone. Install a panic button in their work area or provide personal alarms.
- Provide a well-lit parking spot near the building, or escort the individual to their car or to public transit.
- Offer flexible work scheduling if it can be a solution.
- Call the police if the abuser exhibits criminal activity such as stalking or unauthorized electronic monitoring.
- If the victim and abuser work at the same workplace, do not schedule both employees to work at the same time or location wherever possible.
- If the abuser works at the same workplace, use disciplinary procedures to hold the abuser accountable for unacceptable behaviour in the workplace.
- Refer: Seek expert advice for safety planning from your local women’s shelter or the police. Threats of violence should be reported and emergency procedures should be clearly communicated to all employees.<sup>17</sup>

<sup>16</sup> Workplace Strategies for Mental Health, Great West Life “Addressing Domestic Violence”, available online: <https://www.workplacestrategiesformentalhealth.com/employee-resources/addressing-domestic-violence>  
<sup>17</sup> Centre for Research & Education on Violence Against Women & Children, available online: [http://www.makeitourbusiness.ca/sites/makeitourbusiness.ca/files/MIOB\\_Help\\_For\\_Employers\\_0\\_0.pdf](http://www.makeitourbusiness.ca/sites/makeitourbusiness.ca/files/MIOB_Help_For_Employers_0_0.pdf)  
<sup>18</sup> Supra note 18

Workplace harassment

*“I had a boss that was the type of person that was only nice to you as long as you stayed on “his/her” good side and obey “his/her” rules... my boss had most of us terrified to call there and complain. Finally, I decided to bite the bullet and call the head office about the situation that was going on in the workplace and the attitude towards the workers. It turned out they had no clue, they investigated with my co-workers and asked the boss to retire (which he/she was planning to do), and the toxicity diminished, and the company ran very well.”*

First Nations are regulated by the Canada Labour Code. Proposed Bill C-65 ([https://lop.parl.ca/sites/PublicWebsite/default/en\\_CA/ResearchPublications/LegislativeSummaries/421C65E](https://lop.parl.ca/sites/PublicWebsite/default/en_CA/ResearchPublications/LegislativeSummaries/421C65E)) will amend the Canada Labour Code to prevent harassment and violence, including sexual harassment and sexual violence, in the workplace.

Bill C-65 expands the definition of harassment to include psychological injury or illness:

*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 (amended section 122(1)).*

Together with the Work Place Harassment and Violence Prevention Regulations, Bill C-65 sets out the obligations of employers with regard to violence prevention in the workplace. Employers must:

- Prepare a workplace harassment and violence prevention policy. The policy shall include the training required, the resolution process, the means that an employer is informed of external dangers such as family violence, emergency procedures, how to protect privacy and support measures;
- Carry out a workplace assessment;
- Identify the risks related to harassment and violence in the workplace taking into account the culture, conditions and activities of the workplace;
- Develop and implement preventative measures;
- Develop emergency procedures;
- Develop training specific to the culture, conditions and activities of the workplace that employees receive every 3 years;
- Make available to employees information respecting the medical, psychological or other support services that are available within their geographical area;
- Designate a person to receive notice of and make every reasonable effort to resolve an occurrence of harassment or violence in the workplace and if not resolved, investigate the occurrence;

Workplace harassment (cont.)

- Keep certain health and safety records regarding the policy, the assessment and any update, notification of an occurrence and reports;
- Provide notice to the Minister of a fatality if an occurrence of harassment and violence in the workplace results in a fatality of an employee;
- Prevent and protect against occurrences of harassment and violence;
- Investigate occurrences of harassment and violence that are known to the employer, and to provide support to employees affected by harassment and violence in the workplace. The duty to investigate includes former employees if the occurrence becomes known to the employer within three months of the last date of employment;
- Ensure that employees, including supervisors and managers, receive training in harassment and violence prevention and are informed of their rights and obligations;
- Ensure that the employer representative who receives complaints of harassment and violence has knowledge, training and experience in these issues, and knowledge of the relevant legislation;
- Maintain confidentiality of the person involved in an occurrence of harassment and violence in the workplace.

The **Canadian Human Rights Act** also protects employees against harassment:<sup>19</sup>

- 14 (1) It is a discriminatory practice,**
- o (a) in the provision of goods, services, facilities or accommodation customarily available to the general public,
  - o (b) in the provision of commercial premises or residential accommodation, or
  - o (c) in matters related to employment,
- to harass an individual on a prohibited ground of discrimination.**

Workplace harassment can happen in the workplace or at any location or any event related to work, including while:

- on travel status
- at a conference where the attendance is sponsored by the employer
- at employer sponsored training activities/sessions
- at employer sponsored events, including social events

Is it harassment?

To substantiate harassment allegations, it must be demonstrated that, according to the balance of probability:

- The respondent displayed an improper and offensive conduct including objectionable acts, comments or displays, or acts of intimidation or threats, or acts, comments or displays in relation to a prohibited ground of discrimination under the Canadian Human Rights Act;
- The behaviour was directed at the complainant;
- The complainant was offended or harmed, including the feeling of being demeaned, belittled, personally humiliated or embarrassed, intimidated or threatened;
- The respondent knew or reasonably ought to have known that such behaviour would cause offence or harm;
- The behaviour occurred in the workplace or at any location or any event related to work, including while on travel status, at a conference where attendance is sponsored by the employer, at employer sponsored training activities/information sessions and at employer sponsored events, including social events; and
- There was a series of incidents or one severe incident which had a lasting impact on the individual.<sup>20</sup>

The Government of Canada has established a very lengthy list of examples of harassment, including:

- Preventing a person from expressing himself or herself: yelling at the person; threatening; constantly interrupting that person; prohibiting the person from speaking to others.
- Unwanted sexual advances which may or may not be accompanied by threats or explicit or implicit promises.
- Making rude, degrading or offensive remarks.
- Making gestures that seek to intimidate.
- Engaging in reprisals for having made a complaint under this Policy.
- Discrediting the person by spreading malicious gossip or rumours, ridiculing him/her, humiliating him/her, calling into question his/her convictions or his/her private life, shouting abuse at him/her.
- Compelling the person to perform tasks that are inferior to his/her competencies that demean or belittle him/her, setting the person up for failure, name calling in private or in front of others.
- Isolating the person by no longer talking to him or her, denying or ignoring his or her presence, distancing him or her from others.
- Destabilizing the person by making fun of his or her beliefs, values, political and/or religious choices, and mocking his or her weak points.
- Harassing a person based on a prohibited ground of discrimination (as described in Canadian Human Rights Act).<sup>21</sup>

<sup>19</sup> Canadian Human Rights Act, R.S.C., 1985, c. H-6

<sup>20</sup> Government of Canada, "Is it Harassment? A Tool to Guide Employees", available online: <https://www.canada.ca/en/government/publicservice/wellness-inclusion-diversity-public-service/harassment-conflict-resolution/harassment-tool-employees.html>  
<sup>21</sup> Ibid



Making a harassment claim:  
Bill C-65 requirements

An employer must designate a person to receive notice of an occurrence of harassment or violence in the workplace. The person providing the notice may do it in writing, orally or anonymously. The employer shall also confirm the notice was received, advise the person of the harassment and violence prevention policy, explain the resolution process and that she or he may be represented.

The employer also has to provide notice to the responding party within five days of notice of the occurrence and advise of the harassment and violence prevention policy, explain the resolution process and that she or he may be represented.

The employer must make every reasonable effort to resolve the occurrence. If not resolved, the person who is the object of the occurrence may choose conciliation or investigation. If conciliation is not successful and the person who is the object of the occurrence wishes to continue, the occurrence must be investigated.

The employer must provide notice of the investigation to the person who is the object of the occurrence and the responding party. The employer, the person who is the object of the occurrence, and the responding party select the investigator. The investigator must have the appropriate qualifications.

Harassment vs workplace employee management

There can be a fine line between harassment and employee management by a supervisor. Commentary on the Ontario Occupational Health and Safety Act discusses this distinction:

A reasonable action taken by an employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.<sup>22</sup>

Reasonable management actions would be part of a manager’s or supervisor’s normal work function, and could include changes in work assignments, scheduling, job assessment and evaluation, workplace inspections, implementation of health and safety measures, and disciplinary action.

If these actions are not exercised reasonably and fairly they may constitute workplace harassment. For example, if a worker was not scheduled for shifts solely because of his or her sexual orientation, this would likely be workplace harassment.

The employer must provide all relevant information to the investigator. When the investigation is complete, the investigator provides a report to the employer, the person who is the object of the occurrence and the responding party. The report must not disclose the identity of a third party or witness.

The employer and the policy committee, the workplace committee or the health and safety representative (as may apply to the particular workplace) must jointly determine which recommendations of the investigator are to be implemented. The employer must implement all recommendations as determined to be implemented.

The employer must provide monthly status updates to the person who is the object of the occurrence and the responding party.

The resolution of the occurrence is completed when early resolution or conciliation is successful, the person who is the object of the occurrence chooses not to proceed or if there is an investigation, the recommendations are implemented.

The employer must ensure if early resolution or conciliation occurs, it is concluded within 180 days. Otherwise the resolution process must be completed within one year of notice of the occurrence.

Differences of opinion or minor disagreements between co-workers would also not generally be considered workplace harassment.<sup>23</sup>

The Canada Labour Code prohibits an employer from dismissing, suspending, laying off, demoting, or imposing a penalty on an employee if the employee sought enforcement of the health and safety terms of the Code.<sup>24</sup>

The Canadian Human Rights Act also offers some protection to an employee. An employer has the following obligations:

- To ensure that all employees and individuals are treated equally;
- To ensure that policies and practices are fair and equitable;
- To ensure that employees are not discriminated against, harassed or are subject to retaliation; and
- To take the appropriate action against any employee who harasses someone.<sup>25</sup>

Tribunal rulings on harassment

Recent case law has considered the definition of harassment and whether it would apply to disciplinary action or other legitimate exercises of management authority.<sup>26</sup> In *Amodeo v Craiglee Nursing Home Ltd.*,<sup>27</sup> the Ontario Labour Relations Board confirmed that disciplinary actions, including warnings, do not constitute harassment. Ms. Amodeo was employed as a social worker at Craiglee Nursing Home for about eight months and claimed that in interactions with the nursing home Administrator and the Home’s Director of Care she suffered workplace harassment. Specifically, she alleged that the Director harassed her when he yelled at her in a meeting, and the Administrator, when she asked that conversations with residents’ family be documented. The Board found that there was no workplace harassment as “workplace harassment provisions do not normally apply to the conduct of a manager that falls within his or her normal work function, even if in the course of carrying out that function a worker suffers unpleasant consequences.”

In *Bah vs Royal Bank of Canada*,<sup>28</sup> the Canada Industrial Relations Board also confirmed that disciplinary action against an employee is not necessarily psychological harassment. In this case, Ms. Bah was chronically late for work (60-90 minutes). She was transferred to an RBC branch closer to her home to help her be on time; she was still continually late for work and was terminated. RBC confirmed with the medical insurer, Manulife, that there was no medical reason for Ms. Bah to be late for work. Ms. Bah filed a complaint of psychological harassment because of the change in employment location. She also alleged that her termination was retaliation for having filed a harassment claim. The Board found that the relocation was not workplace harassment and her termination was unrelated to her harassment claim and was not retaliatory.

<sup>22</sup> Ontario Ministry of Labour, “Being Harassed at Work? Information for Workers”, available online: [https://www.labour.gov.on.ca/english/hs/pubs/fs\\_wvh\\_atwork.php](https://www.labour.gov.on.ca/english/hs/pubs/fs_wvh_atwork.php)  
<sup>23</sup> Ontario Ministry of Labour, “Understanding the Law on Workplace Violence and Harassment”, available online: <https://www.ontario.ca/page/understand-law-workplace-violence-and-harassment>  
<sup>24</sup> Canada Labour Code, R.S.C. 1985, c.L-2, section 147  
<sup>25</sup> <https://www.chrc-ccdp.gc.ca/eng/content/employer-obligations>  
<sup>26</sup> Stuart Radner: “Managing is not Harassing: Being Blunt, Direct, or Even Uncivil is not Bullying” Available: <https://www.hrreporter.com/columnist/canadian-hr-law/archive/2015/11/02/managing-is-not-harassment/>  
<sup>27</sup> *Amodeo v Craiglee Nursing Home Limited*, 2012 CanLII 53919 (OLRB)  
<sup>28</sup> *Bah vs Royal Bank of Canada*, 2018 CIRB 867

Workplace sexual harassment

The **Canada Labour Code** defines sexual harassment as any conduct, comment, gesture or contact of a sexual nature:

- (a) that is likely to cause offence or humiliation to any employee; or
- (b) 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 (Section 247.1).

Right of Employee

Section 247.2 Every employee is entitled to employment free of sexual harassment.

Responsibility of Employer

Every employer shall make every reasonable effort to ensure that no employee is subjected to sexual harassment.

Examples of Sexual Harassment

- Sharing sexual photos (pornography)
- Posting sexual posters
- Sexual comments, jokes, questions
- Inappropriate sexual touching
- Inappropriate sexual gestures
- Invading personal space in a sexual way
- Offer of promotion, opportunities, raise in exchange for romantic/sexual services

Discrimination

Section 10 of the Canadian Human Rights Act describes that it is a discriminatory practice for an employer, employee organization or employer organization:

- (a) to establish or pursue a policy or practice, or
- (b) to enter into an agreement affecting recruitment, referral, hiring, promotion, training, apprenticeship, transfer or any other matter relating to employment or prospective employment, that deprives or tends to deprive an individual or class of individuals of any employment opportunities on a prohibited ground of discrimination.

Examples of Discrimination

- Religious Discrimination: A member of the Midewin lodge is required to attend seasonal ceremonies. When her employer denies her unpaid leave from work to attend Spring Ceremonies even though this was booked months in advance and the employee has adequate coverage, the employee has a claim for religious discrimination.
- Sex Discrimination: A female employee with an excellent performance record announces that she is pregnant. Immediately, her employer begins to identify performance issues that lead to her dismissal. The employee may have a claim for sex discrimination.
- Sexual Orientation Discrimination/Marital Status: A policy that provides benefits to some married couples but not to others.
- Family Status Discrimination: After having a child, a woman cannot find childcare to continue working overnight shifts, and her employer does not allow flexibility by scheduling her on day shifts.
- Disability Discrimination: An employer requires all employees to have a valid driver's licence. People who cannot drive due to a disability are not given an opportunity to show how they could still perform the job by, for example, using public transit.



Human rights

In Canada, there are both Charter rights and human rights. The Canadian Charter of Rights and Freedoms protects rights and freedoms and is part of the Canadian Constitution. Charter violations are heard in either provincial/territorial or federal court, depending on the nature of the allegation. The Charter applies only to government actions such as laws and policies. It can be thought of as protection from government power and authority as well as a guarantee to certain democratic rights as a Canadian citizen (voting rights, right to be presumed innocent, etc.).

Human rights laws, by contrast, apply to both public and private actions, which means they can apply to any individual, organization, business or government body. In Canada, human rights are protected by provincial, territorial, federal and international laws. In Ontario, there is the Ontario Human Rights Code. Federally, there is the Canada Human Rights Act and Canada Human Rights Tribunal, which is responsible for hearing about allegations of human rights violations.

Section two of the **Canada Human Rights Act** states that, in Canada:

All individuals should have an opportunity equal with other individuals to make for themselves the lives that they are able and wish to have and to have their needs accommodated, consistent with their duties and obligations as members of society, without being hindered in or prevented from doing so by discriminatory practices.

The Canada Human Rights Commission describes human rights as:

- How we instinctively expect to be treated as persons
- What we are all entitled to: a life of equality, dignity, respect, and a life free from discrimination
- Inherent - you are born with them
- Equal - they are the same for every person
- Inalienable - nobody can give them away
- Breakable - they can be taken away.<sup>29</sup>

Support

<sup>29</sup> Canada Human Rights Commission, "About Human Rights", available online: <https://www.chrc-ccdp.gc.ca/eng/content/what-are-human-rights-0>

Remediating  
workplace conflict

Workplace conflict can be a daily occurrence and can range in severity. Some conflict may be related to interpersonal issues between co-workers, or performance issues, while other conflict may arise when an employee feels they are not being accommodated by their employer. Not all conflict is negative – some can lead to positive change. When employers and employees address a perceived or actual conflict occurring in the workplace, a misunderstanding can be clarified and greater issues like harassment, workplace violence, or allegations of discrimination can be avoided.

Understanding which conflict is healthy and which conflict is harmful, and understanding what to do after conflict occurs, is essential to managing a healthy workplace. Using restorative practices in the workplace – like circles – can uncover and address conflict and create steps for follow-up so that the same conflicts do not reoccur. This chapter provides tools to resolve conflict, how to support employees and addresses special concerns facing First Nations employers, including political interference and elections, grief and trauma.

Restorative practices  
and relationship building

People are happier and more likely to make positive changes when those in authority do things with them rather than for them. When you do things together, you build and restore relationships by creating emotional connections that tie people together.

*"I had a band member who was also an employee, always complaining on co-workers, either being late or talking out loud, no respect. So, I had a conversation with her about her observing co-workers that she shouldn't be worrying about – that's the manager's job. Don't let others bother you or their action, stay positive and you will be a lot happier, because another person's action can bring you down. So I gave her a blanket and said if you think nobody listens to you, this blanket I'm giving you shows that I'm always thinking of you and your problems, I'm always with you day in and day out."*

Restorative justice is defined by its emphasis on respect, compassion, and relationships. While upholding participants' dignity and addressing human needs, the process encourages and empowers participants to discuss their experiences openly and honestly and to collaboratively determine reparation. The principles of restorative justice are:

- Respect – among all participants in a restorative justice process
- Inclusiveness – consensus and full participation of those affected by the incident
- Accountability – the person responsible for the harm takes responsibility for his/her harmful behaviour
- Reparation – restorative consequences that repair the harm, determined through consensus
- Restoration – through this process, the needs of the person responsible for the harm and the community are addressed

When people, like employees, are engaged in decision-making processes, when they know their opinions have been heard, when they feel a sense of fairness has been applied, they are more likely to go along with changes and new policies – even though they might make different decisions if they were in charge.



## Using circles to build relationships in the workplace

When people feel disconnected from one another they have more incentive to behave inappropriately because they are less concerned about the consequences of their behaviour. To show that we are all part of creation, all equal to one another, and all equally vulnerable, we use circles where we sit by side by side to share our perspectives, thoughts, and emotions. Each participant can feel that they will be heard and respected within the circle.

Circles are used to build community, foster connections, facilitate greater understanding of one another, and increase relationships between people. Circles are used to hold people accountable as well as facilitate decision-making in a way that encourages people to be responsible for their behaviour and for the outcomes of decisions. Circles are also used to deepen supports between people and provide a forum for nurturing one another.

Circles are used to build and maintain relationships. They are meant to be collaborative, engaging, to encourage input and opinions, and deepen peoples’ understandings of one another. When relationships based on trust are in place ahead of time, it is easier to repair harm when conflict arises.

The circle is a powerful symbol. The nature of the circle itself, as well as what occurs in the circle, helps achieve the goal of building relationships. The circle creates:

- Equality - everyone has equal seating
- Safety and Trust - everyone can see one another
- Inclusion and Responsibility - everyone has a chance to participate and can be heard
- Connection – provides an opportunity to hear from others and shows how one person’s actions affect many other people, not just the individual harmed
- Community – a connection where connections may not have existed before
- Wholeness - an opportunity to show that actions can restore as well as harm

Connected people can work together to repair harm, restore dignity, and feel whole again. It empowers the person who did harm to see that they can have a positive effect on others.

*“My coworker and I were having a hard time getting along. I kept feeling like she was doing things to undermine me. I was angry and avoided her. Our workplace is small so it meant I stopped going to coffee breaks and avoided work events. I talked to my manager about how I was feeling. I agreed to try a circle. I was surprised to learn that my co-worker was feeling really overwhelmed and stressed out at work. The things I thought she had done on purpose to make things hard for me were things she had overlooked because she was so busy. It felt good to talk things out. I learned a lot about my judgments of other people and not to take things personally. There really are two sides to every story.”*

*I work in the band office and I really enjoy my job. But sometimes I don’t know how to deal with members of the band council who come in and try to boss me around. One particular person is new on council and he is very demanding. I raised the issue with our band manager and he called a meeting between staff and Chief and Council to talk about roles and responsibilities. I was happy that the meeting was done publicly without isolating me as a complainer. The new council member explained he did not understand the role of the band manager and the roles of staff members. He has been very respectful to me and to other staff members ever since.*

### Circle protocol

Engage participants by letting them set the rules for the circle at the beginning of the conversation. Many people are accustomed to the circle format and will have a general idea about how to respond. You can ask, “What are some rules that we can use to ensure our circle is respectful and inclusive?” When participants feel engaged in setting rules and norms for participation, they will be more likely to assist in enforcing them.

Participation is voluntary! A person may decide to ‘pass’ rather than answer.

You may start with an individual who volunteers to answer first. After responding, he or she can decide whether the circle will flow left or right.

Using a talking-piece is important. Choose an item that is significant to the group, like an eagle feather or stone, to appropriately pass around the circle.

If a sacred item is used in the circle, and women are on their time, it may be appropriate for a person sitting next to the woman to hold the sacred item for the woman while she is talking.

You may start the circle with a smudge if that is appropriate for the group and you or another participant feels confident in leading a smudge. If it feels forced, then don’t worry about it. Make sure people feel comfortable.

### The role of the facilitator

Your job is to facilitate a welcoming, supportive, engaging environment, where people feel comfortable sharing.

You do not want participants to talk to you directly, so make sure you are not making too much eye contact. You can smile at individuals and look away when they talk to you, to encourage speakers to direct their attention to others within the circle.

Acknowledge all participants equally. If you give supportive feedback to one participant, give it to all. It is appropriate to say ‘thank you’ to participants after they are done talking, but try not to engage in discussions with participants.

As a facilitator, it is good practice to come back to anyone who ‘passed’ to ask if they have found an answer after everyone has finished speaking.

Tips for dealing with personality types in circles

**The Silent Type:** It is important to find a balance between not rushing and not pressuring the silent participant. Even though they may not participate verbally, you may be surprised at how much they are learning just by sitting in the circle. When the silent participant does not share even when prompted, you can invite them to ask another person to answer for them.

**Multiple Silent Participants:** When several participants ‘pass’ when it is their opportunity to participate in the circle, make a point of coming back to these participants after the sequential go-around. Give them a chance to share. They may need more time to collect their thoughts, or may have gained confidence or overcome shyness by seeing how other participants have shared.

**Non-Participants:** If you suspect that people are compromising the circle by choosing not to participate on purpose, consider talking to each of them individually about what they are going through. Try to avoid calling people out in front of others because that will just cause strife and shame. Use non-threatening language; be firm but fair. If the group is not ready for circles, you might consider using them in smaller situations and bring the non-participants into the smaller circles one-by-one. This will help break these negative alliances and make people feel comfortable with the process.

Trust the process

Circles will often take on a life of their own, and unanticipated topics are discussed. When participants develop a rapport of trust, discussions can deepen to topics that can be very healing and reparative. For example, people may open up about family relationships, friendships, losses, grief, etc. Natural leaders will emerge, sometimes unexpectedly.

Supporting employees

If an employee is going through difficulties at work that affect their performance, give them the benefit of doubt. Perhaps their role has evolved and they need more opportunities to develop skills. Good employers will work with their staff to provide them with the education, skills, and training to develop and improve their work performance. In First Nations, we know that our pool of applicants can be limited and our eligible workforce can be small. Being a responsive and proactive employer can only increase your chances for success.

Part of supporting your employees means that you create clear guidelines and performance measures. Set out expectations for your employees, including timelines and milestones. How will your employee know he or she is meeting her goals? Work with them to set measurable goals.

Also, remember to keep communication open.

Maintaining workplace neutrality

Elections

*“Working in a First Nation community where “elections” create a “waiting for the shoe to drop” every few years and uncertainty following those elected can be either good or bad. There is no sense of safety or job security in their conditions, so I decided to find a career outside of my home community. Regrettably so but challenge met.”*

First Nations who are under the Indian Act are in two-year election cycles which can create a lot of political instability and trigger frequent electioneering. It is important that the workplace is protected from political influences.

Employers are encouraged to create a Political Neutrality in the Workplace Policy based on the sample provided in Chapter 4.



Grief and trauma

Ways to show support

It is important to support a grieving employee at the time of a loss, such as a death in the family. Appropriate ways to show your support include:

- Attending the funeral or service
- Sending a card or flowers on behalf of the organization or team
- Acknowledging and saying something simple such as “I’m sorry for your loss”
- Preparing food or dropping by the employee’s home
- Asking the grieving employee what you can do to help
- Being open to the employee’s need to talk about their loss

Avoid clichés

Avoid these clichés in times of grief; they are not helpful to a grieving person:

- You’re never given more than you can handle
- This too will pass
- You’ll get over it
- It’s for the best
- It’s God’s will
- You need to stay busy
- Time heals all things
- You must be strong for others

When the employee returns to work

While managers and co-workers are not expected to act as counsellor for someone who has experienced loss, there are ways to be supportive in the workplace.

- Recognize that some employees will find comfort in getting back into a work routine
- Don’t discourage employees from returning to work
- Support employees to take care of themselves
- Treat employees as normally as possible
- Understand that it is not unusual for someone to experience significant grief for a period of years
- Recognize it is normal to cry when grieving
- If appropriate, refer employees to your Employee Assistance Program and other supports

Supporting productivity in times of grief: developing a workplace grief plan

- Offer specific, concrete help such as information on bereavement leave and benefit entitlements, medical claims, or life insurance policies.
- If possible, be flexible about time off, especially during the first year of bereavement, keeping in mind that some employees may need more time off than others.
- Reduce or eliminate pressure by prioritizing a grieving employee’s responsibilities and, with their input, reduce their workload for a time if possible.
- Avoid assigning new tasks or additional responsibilities when an employee is still struggling with grief.

CHAPTER FOUR

Workplace Policies and Accountability

# Our Respectful Community Code of Ethics

## 1. We show each other love

We walk together to find balance and take care of one another. We welcome, support and respect people of all backgrounds and identities. We treat each other equally regardless of their sexual orientation, gender identity and expression, race, ethnicity, culture, national origin, social and economic class, educational level, colour, immigration status, sex, age, size, family status, political belief, religion, and mental and physical ability.

## 2. We are brave

We are doing what is right for ourselves and others. We all depend on one another to do our best work and we are stronger together. We recognize our differences and we speak our truth in a good way. We make decisions based on the best interests of our organization.

## 3. We are respectful

We act in a way that we would expect to be treated. We might not all agree all the time, but disagreement is no excuse for disrespectful behaviour. We acknowledge individual opinions and points of view, and we do not make personal attacks on others when we feel frustrated. We work with one another to create an environment where people feel comfortable and safe.

## 4. We are truthful

We recognize our differences and speak our truth in a good way. We always conduct ourselves professionally and we are kind to one another. We do not talk about people behind each other's backs. We do not put others down, instead we look for each other's strengths and build on that. We do not harass or exclude others.

## 5. We trust one another

We have confidence to speak up with the belief that we will be heard and supported. We treat each other with dignity. When we disagree with one another, we engage in respectful conversation but we do not need others to agree with our point of view all the time. We resolve disagreements and differing views constructively.

## 6. We make differences into strengths

We can find strength in diversity. Different people have different perspectives on issues, and that can be valuable for solving problems or generating new ideas.

## 7. We are accountable

We receive feedback from others graciously and we constantly look for ways to improve ourselves, our relationships and our organization.

# Workplace Wellness Policy

## PURPOSE:

<name of employer> believes that our employees are our most valued assets. We are committed to maintaining a safe and healthy work environment and this is the shared responsibility of all employees. We recognize employees' health impacts our organization just as our organization impacts their health. Therefore, we seek to enhance the health of our employees, which includes spiritual, mental, emotional and physical wellbeing, to create a positive work environment, and enable all employees to develop to their fullest potential. This fosters a healthy workplace culture with improved morale, increased productivity, and enhanced work-life balance for all.

## PROCESS:

<name of employer> will enhance its workplace wellness by:

- Developing a workplace wellness action plan that identifies <name of employer>'s wellness goals, objectives and strategies. The committee or wellness representatives will review the action plan annually.
- Establishing and supporting a workplace wellness committee;
- Creating and supporting a workplace wellness program;
- Consulting with employees to ensure workplace wellness strategies meet the needs of the workforce;
- Supporting employee participation in wellness activities; and
- Supporting employees to adopt and maintain healthy behaviors and reduce unhealthy behaviors.

## RESPONSIBILITIES:

The <name of employer> Management Team and Board of Directors will do all they can to enhance the wellness of employees by:

- ensuring the health, including mental, spiritual and emotional health, of employees is valued;
- providing workplace environments and systems that are supportive of employee wellness;
- providing opportunity for employees to participate in wellness activities;
- participating in, and encouraging, employee participation in the wellness program;
- reviewing, revising and developing human resources policies that support workplace wellness in consultation with the wellness committee or wellness representatives; and
- contributing ideas and expertise to the work of the wellness committee or wellness representatives.

The <name of employer> Workplace Wellness Committee or wellness representatives will do all it can to enhance the wellness of employees by:

- identify opportunities to enhance the wellness of all staff;
- educate employees;
- encouraging long-term commitment to workplace wellness;
- assessing employee and workplace needs; and
- developing, implementing and evaluating wellness strategies in consultation with employees and management.

The workplace wellness committee or wellness representatives will:

- work within any procedures and policies implemented to address workplace wellness;
- contribute ideas; and
- participate in the wellness program.



# Cultural Safety Policy

**PURPOSE:**  
<name of employer> will take all reasonable steps to create, foster and support an environment that is safe for people where there is no assault, challenge or denial of their cultural identity, of who they are and what they need. In creating conditions for a culturally safe work environment, <name of employer> employees, board members and volunteers will work together to create shared respect, shared meaning, shared knowledge and experience of learning together with dignity, and truly listening.

**PROCESS:**  
<name of employer> will enhance its workplace wellness by creating a culturally positive and accepting workplace.

**RESPONSIBILITIES:**  
**Senior Management Team/Management Team**  
The <name of employer> Management Team and Board of Directors will do all they can to support the cultural safety of employees by:

- ensuring the health, including mental, spiritual and emotional health, of employees is valued;
- providing ‘X’ number of paid “cultural leave” days annually to enable employees to attend ceremony, tend to cultural wellness activities, (etc.);
- supporting the use of ceremony in the workplace/at workplace events.

**Human Resources Department**  
The <name of employer> human resources department will do all it can to enhance the wellness of employees by:

- Providing flexibility and support in allowing employees to take cultural leave days;
- Providing cultural training to non-Indigenous employees.

# Psychological Safety Policy

The workplace can be a place where individuals feel vulnerable. Vulnerability at work can take many different forms, including:

- Speaking up in a meeting to propose a risky or untested idea;
- Admitting publicly that the project you championed failed, and offering lessons learned in the process;
- Disagreeing with your boss, or offering a different way forward than they’d previously considered;
- Willingly giving up time or resources to help out someone on your team, taking away from the resources you have to achieve your own goals;
- Sticking up for a teammate in the face of adversity;
- Volunteering to do something you have no idea how to do;
- Showing emotions when you’re under pressure or stressed out;
- Creating an atmosphere where different opinions are supported and respected.

**PURPOSE:**  
<name of employer> respects individuals and their right to feel psychologically safe at work.

**PROCESS:**  
Employees should address their concerns about psychological safety with their Human Resources department.

**RESPONSIBILITIES:**  
**Senior Management Team/Management Team**  
The <name of employer> Management Team and Board of Directors will do all they can to support the psychological safety of employees by:

- providing two (2) mental health days to employees;
- providing benefits coverage for counselling.

**Human Resources Department**  
The <name of employer> human resources department will do all it can to enhance the wellness of employees by:

- Providing resources to staff about counselling and other options that support psychological wellness;
- Provide workplace policies to employees; allows for review and input from employees about what the policies are and how they’re developed.

# Domestic Violence Policy

**PURPOSE:**

<name of employer> is committed to promoting the health and safety of our staff and to making a difference in the recognition of intimate partner/domestic violence. To address these concerns, we are committed to heightening awareness and guiding staff and management in ways to address the occurrence of intimate partner/domestic violence and its impact in the workplace. The goal of this policy is to ensure safety of all staff and provide protection from the potential for workplace violence as a result of intimate partner/domestic violence. The goal of this policy is also increase awareness of intimate partner/domestic violence and all forms of violence against men and women and to provide guidance in addressing these issues.

<name of employer> will make every effort to provide a nonjudgmental and supportive environment for the staff member which is not dependent on the staff member’s decisions regarding the relationship.

**SCOPE:**

This policy applies to all staff and managers at <name of employer>.

**PROCESS:**

If a staff member is a victim-survivor of intimate partner/domestic violence or is aware of an intimate partner/ domestic violence situation that is affecting the work environment, the staff member is encouraged to contact his/her Manager or Supervisor.

**RESPONSIBILITIES:**

**Designated Recipient**

- <name of designated recipient> shall be contacted to report abuse, domestic or family violence or any danger that may result in harassment and violence in the work place;

**Senior Management Team/Management Team**

- Be alert to possible signs of abuse, domestic or family violence;
- Be responsive when employees ask for help, and refer them to Human Resources to access the appropriate resources;
- Maintain confidentiality of the circumstances and any referrals;
- Be respectful of staff members’ personal choices.

**Human Resources Department**

- Provide a confidential means for coming forward for help;
- Provide resources and internal and external referral information (including medical, counseling, or legal assistance);
- Creating a workplace safety plan for the staff member who reported danger and any other staff member that may be exposed to the danger;
- Prove additional security at the workplace or work schedule adjustments; and/or
- Discussing personal leave options.

**All Employees**

If you are a victim or survivor of intimate partner/domestic violence, you can take some or all of the following steps:

- Call the local police if in immediate danger;
- Talk with a trusted co-worker, supervisor/manager about the situation;
- Engage your supervisor so that a personal workplace safety plan can be developed to assist with keeping you and our workplace safe. Save threatening e-mail or voice mail messages. These can potentially be used for future legal action, or can serve as evidence that an existing court order was violated;
- Make your supervisor aware that no personal information should be disclosed about you, except on a “need to know” basis. Also, leave an emergency contact number with your supervisor if one is available;
- Work with your supervisor/Human Resources manager to develop a personal safety plan;
- Notify your supervisor/manager if you need personal leave;
- Give a recent photograph of the perpetrator and copies of any court orders to your supervisor so that they can be identified if they appear at the workplace.



# Workplace Harassment and Violence Prevention Policy

<Instructions for completing this policy: This Policy has to be prepared jointly with an “applicable partner” (defined at section 2 of the Work Place Harassment and Violence Prevention Regulations as the policy committee, work place committee or health and safety representative). In addition, several elements of this policy are completed after a workplace assessment or jointly with the applicable partner.>

## Policy Statement

<name of employer> is committed to the prevention of workplace harassment and violence.

Unions, policy committees, work place committees and health and safety representatives are also committed to the prevention of workplace harassment and violence.

This policy was jointly prepared by <name of employer> and the <policy committee / work place committee / health and safety representative>.

The employer’s decision prevails if the <name of employer> and the <policy committee / work place committee / health and safety representative> are unable to agree on any matter that is required to be done jointly.

The factors that contribute to workplace harassment and violence are:

- <The employer and the policy committee / work place committee / health and safety representative must jointly conduct a workplace assessment to identify the risks of harassment and violence taking into account the culture, conditions and activities of the workplace and any reports, records and data related to harassment and violence in the workplace. Insert factors that contribute to workplace harassment and violence in the workplace as identified in the workplace assessment.>

The following is an outline of the training that will be provided regarding workplace harassment and violence:

- <The employer and the policy committee / work place committee / health and safety representative must jointly develop or identify the training on harassment and violence that is to be provided to employees, the employer and designated recipient. Insert an outline of the training jointly developed to address the factors that contribute to workplace harassment and violence relevant to the workplace as identified in the workplace assessment>

Employees who engage in harassment and violence in the workplace may be subject to disciplinary action.

## Application

This policy applies to all employees of <name of employer> and former employees who notify the employer within three months of an occurrence or such longer time as extended by the Minister.

A complaint of an occurrence of harassment and violence may be made orally or in writing and may be made anonymously.

A complaint of an occurrence of harassment and violence may be made by the employee who is the object of

the occurrence or made by a person who witnessed an occurrence or is informed of an occurrence.

The notice of the complaint of an occurrence of harassment may be provided in writing or orally to <name of designated recipient> at the contact information listed below.

## Definitions

**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. Harassment and violence includes lateral violence.

Lateral violence means displaced violence in the workplace directed at colleagues, peers other individuals customers, clients, other employers, supervisors, workers, and members of the public. Examples of lateral violence:

- Gossip
- Shaming
- Blaming
- Putting down others
- Family feuds
- Acting out in rage, anger, and frustration
- Directing harassment, aggressive or violence at one’s own people
- Jealousy and envy of others

Reasonable action taken by the employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment and violence.

## Resolution Process

An employee who is the object of an occurrence is encouraged to make a complaint of an occurrence of harassment and violence to his/her supervisor.

The employer will make every reasonable effort to resolve the occurrence of harassment and violence. If the occurrence is not resolved, the person who is the object of an occurrence and the respondent to the complaint may agree to resolve the occurrence by conciliation. If the conciliation does not proceed or the conciliation is not successful, and the person who is the object of an occurrence chooses to continue with the resolution process, the complaint shall be investigated.

The employer will provide notice of the investigation to the person who is the object of an occurrence and the respondent to the complaint.

Any person involved in an occurrence is not required to proceed with a complaint under this policy and may proceed with any other recourse available to her/him including but not limited to a complaint under the Canadian Human Rights Act, any other act or regulation or policy of the employer.

## Emergency Procedures

The following emergency procedures shall be followed if an occurrence of harassment and violence poses an immediate danger to the health and safety of an employee or there is a threat that poses an immediate danger to the health and safety of an employee:

- <The employer and the policy committee / work place committee / health and safety representative must jointly develop emergency procedures. Insert the emergency procedures developed. >

- Contact the police at <insert telephone number>
- Contact security at <insert telephone number>
- Contact <name of designated recipient> at <insert telephone number>

Protection of Privacy

The employer will not reveal to a health and safety representative, policy committee or workplace committee information that is likely to reveal the identity of a person who was involved in an occurrence of harassment and violence in the workplace, without consent of the person.

The person who wishes to complain of an occurrence of harassment and violence may do so anonymously. The employer will not disclose the identity of the person and the person will not be required to participate in the resolution process.

Responsibilities and Expectations

The employer is responsible:

- For providing all employees a workplace free of harassment and violence;
- To investigate, record and report, in accordance with the Canada Labour Code and its regulations, all accidents, occurrences of harassment and violence;
- To take the prescribed measures to prevent and protect against harassment and violence in the work place, respond to occurrences of harassment and violence in the work place and offer support to employees affected by harassment and violence in the workplace;
- To ensure that employees, including those who have supervisory or managerial responsibilities, receive training in the prevention of harassment and violence in the workplace and are informed of their rights and obligations in relation to harassment and violence;
- Undergo training in the prevention of harassment and violence in the work place;
- Ensure the person designated to receive complaints relating to occurrences of harassment and violence has knowledge, training and experience in issues relating to harassment and violence and has knowledge of relevant legislation;
- To make every reasonable effort to resolve the occurrence of harassment and violence;
- Provide the investigator with all information relevant to the investigation;
- Ensure that early resolution and conciliation, if any, are concluded within 180 days of notice of the occurrence;
- Ensure that resolution of the complaint after an investigation is concluded within one year of notice of the occurrence;
- To disclose the reasons and jointly review with the <policy committee / work place committee / health and safety representative> and, if necessary, update the workplace assessment if:
  - o after notice of the occurrence, the person who is the object of the occurrence chooses to remain anonymous or chooses not to proceed with the resolution process, or
  - o the respondent to the complaint is not an employee of the employer;
- Jointly with the <policy committee / work place committee / health and safety representative>:
  - o Carry out a workplace assessment;
  - o Identify the risks related to harassment and violence in the work place;
  - o Develop preventive measures that to the extent feasible, eliminate or minimize risk of harassment and violence;
  - o Develop an implementation plan for the preventive measures;
  - o Implement the preventive measures;
  - o Develop emergency procedures;

- o Develop or identify training on workplace harassment and violence to be provided to employees, the employer and the designated recipient and review the training at least once every three years and update if necessary;
- o Monitor and update the workplace assessment and update if necessary;
- o Review every three years and, if necessary, update the workplace assessment;
- o Review and update the workplace assessment and, if necessary, update the workplace assessment after notice of an occurrence and the resolution process cannot proceed because:
  - The person who is the object of the complaint chooses to remain anonymous or chooses not to proceed with the resolution process, or
  - The respondent to the complaint is not an employee.

The designated recipient for <name of employer> is <name of designated recipient> is responsible for:

- Receiving, as the designated recipient, a complaint of an occurrence of harassment and violence in the workplace;
- Ensuring that this policy is applied in a timely, consistent and confidential manner;
- Provide the investigator with all information relevant to the investigation;
- To make every reasonable effort to resolve the occurrence of harassment and violence;
- Administration of this policy;
- Determining corrective action; and
- For advising the employee of the support measures respecting the medical, psychological or other support services that are available within their geographical area as attached to this policy <attach as a separate sheet to this policy the support measures that are available in your community, on-line or telephone>

Supervisors are responsible for:

- fostering a workplace free of harassment and violence and setting an example of appropriate workplace behaviour;
- dealing with harassment and violence immediately upon becoming aware of them, whether or not a complaint has been made;
- taking appropriate action during an investigation;
- To make every reasonable effort to resolve the occurrence of harassment and violence; and
- ensuring situations of harassment and violence are dealt with in a sensitive and confidential manner.

Employees are responsible for:

- treating others with respect in the workplace;
- make a complaint of an occurrence of harassment and violence to her/his supervisor or <name of designated recipient>;
- cooperating with an investigation and respecting the confidentiality related to the investigation process.

The employee who was the object of an occurrence and the supervisor or <name of designated recipient> are responsible for:

- To make every reasonable effort to resolve the occurrence of harassment and violence.

<name of designated recipient>  
<mailing address>  
<facsimile>  
<telephone number>  
<Email:>



# Accommodation Policy

**PURPOSE:**

<name of employer> is committed to providing an environment that is inclusive and that is free of barriers based on age, race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, gender identity, gender expression, sexual orientation, record of offences, marital status, family status and disability. <name of employer> commits to provide accommodation for needs related to the grounds of the Canadian Human Rights Act, unless to do so would cause undue hardship. Accommodation will be provided in accordance with the principles of dignity, individualization and inclusion. <name of employer> will work cooperatively, and in a spirit of respect, with all partners in the accommodation process.

**SCOPE:**

This policy and procedure applies to all employees, including full-time, part-time, temporary, casual and contract staff, as well as people who work to gain experience or for benefits, such as volunteers, co-op students, interns and apprentices. It also applies to people who are applying for employment with the organization.

It applies at all stages and to all aspects of the employment relationship, including recruitment and selection, promotions and transfers, and conditions of work such as hours of work and leaves of absence.

All new and existing employees will be provided with a copy of this accommodation policy and procedure. All job applicants who are selected for an interview will be notified of the accommodation policy and procedure before the interview.

**PROCESS:**

If you require accommodation as an employee, make requests for accommodation to your manager. Accommodation requests should, whenever possible, be made in writing. The accommodation request should indicate:

- The Code ground the accommodation is being requested on;
- The reason accommodation is required, including enough information to confirm the existence of a need for accommodation; and
- The specific needs related to the Code ground.

All accommodation requests will be taken seriously. No person will be penalized for making an accommodation request.

The manager, Human Resources Manager or Medical Department may require more information related to the accommodation request, in the following circumstances:

- Where the accommodation request does not clearly indicate a need related to a Code ground;
- Where more information on the employee's limitations or restrictions is needed to determine an appropriate accommodation;
- Where there is a demonstrable objective reason to question the legitimacy of the person's request for accommodation.

Where expert assistance is needed to identify accommodation needs or potential solutions, the accommodation seeker is required to cooperate in obtaining that expert advice. Any costs associated with obtaining such expert advice will be borne by <name of employer>. Failure to respond to such requests for information may delay the provision of accommodation.

Accommodation requests will be dealt with promptly. Where necessary, interim accommodation will be provided while long-term solutions are developed.

The manager, the person requesting accommodation related to a prohibited ground and, where appropriate, the Human Resources Manager and any necessary experts will work together to develop an Accommodation Plan for the individual.

The Accommodation Plan, when agreed on, will be put in writing, and signed by the individual requesting accommodation, the Manager and the Human Resource Manager. It may include:

- A statement of the accommodation seeker's relevant limitations and needs, including any needed assessments and information from experts or specialists, bearing in mind the need to maintain the confidentiality of medical reports;
- Arrangements for needed assessments by experts or professionals;
- Identification of the most appropriate accommodation short of undue hardship;
- A statement of annual goals, and specific steps to be taken to meet them;
- Clear timelines for providing the accommodation;
- Criteria for determining the success of the accommodation plan, together with a process for reviewing and re-assessing the accommodation plan as needed;
- An accountability mechanism.

**RESPONSIBILITIES:**

**Manager/Supervisors**

- Respect individual's right to privacy and confidentiality while fulfilling your obligations regarding the duty to accommodate;
- The information employers seek must focus on the functional limitations and safety issues in order to determine the appropriate accommodation. The employer is not entitled to know the exact diagnosis;
- When gathering and sharing information, you must respect the privacy of the individual;
- The manager and the person receiving accommodation will monitor the success of the Accommodation Plan, and promptly address any deficiencies or any relevant changes in the workplace or the employee's needs.

**Human Resources Department**

- When gathering and sharing information, you must adhere to the Privacy Act and respect its principles, i.e., accountability, identifying purposes, consent, limiting collection, limiting use, disclosure and retention, accuracy, safeguards, openness, individual access, and challenging compliance;
- Document attempts to accommodate staff;
- Ensure that all members of the organization are aware of their rights and responsibilities under the Canadian Human Rights Act with respect to accommodation;
- Set out in writing the organization's procedures for accommodation and the responsibilities of each of the parties to the accommodation process;
- This information will be maintained in a secure location, separate from the accommodation seeker's personnel file, and will be shared only with persons who need the information.

**Employees**

- Provide employer with the necessary information required to provide accommodation, preferably in writing.

SAMPLE

# Political Neutrality in the Workplace Policy

**PURPOSE:**

<name of employer> is committed to providing a work environment where employees can work without pressure or influence from candidates or elected representatives of <name of employer>.

Employees shall act in the best interests of <name of employer> and avoid any conflict or appearance of a conflict of interest that may arise between an employee's personal interests and <name of employer>. A conflict of interest arises if an employee's personal interests or personal relationships influence or is perceived to influence his/her judgment.

**SCOPE:**

This policy applies to all staff and managers at <name of employer>.

An employee shall not engage in the following activities during work hours or when representing the <name of employer>:

- An employee shall not use her/his employment status for personal or political gain or the appearance of personal or political gain;
- An employee shall not provide, seek nor accept gifts, services, or privileges from an elected representative;
- An employee shall not express or display support for an elected representative, candidate or engage in campaigning;
- An employee shall not use the property, equipment or other resources of <name of employer> to support an elective representative, a candidate or engage in campaigning unless such actions are the employee's assigned duties.







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