

OPSEU Harassment and Discrimination Policy

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SECTION ONE - POLICY STATEMENT

Commitment

OPSEU has a long tradition of struggle to end harassment and discrimination. Initially, our efforts focused solely on the abuse of power by the employer. Now we have accepted the challenge that within the Union as well as within the workplace we will not tolerate violations of human rights.

The union recognizes that equity issues are central to representing and defending members rights in the workplace and community. Preserving human rights is critical to achieving social justice.

The OPSEU Constitution states that every member has the right “to be treated with dignity and respect. ..[and] be free from discrimination, interference, restriction, coercion, harassment, intimidation or disciplinary action exercised or practised by a member with respect to another member, both within the Union and in the workplace, by reason of race, colour, age, national or ethnic origin, political or religious affiliation, sex, sexual orientation, family status, marital status, record of offences, physical characteristics or physical or mental disability.”

Legislation

As an organisation, OPSEU is bound by provincial statutes, which protect the rights and privileges of every person in Ontario. These statutes include but are not limited to: Human Rights Code, Pay Equity Act, Health & Safety Act, Ontario Labour Relations Act, Workers Compensation Act, Crown Employees Collective Bargaining Act, Public Service Act, Employment Standards Act, Ombudsman Act. At the Federal level, Section 15 of the Charter of Rights and Freedoms guarantees equality for all Canadian residents on a number of enumerated grounds. The Charter provisions bind provincial and federal governments. These documents guarantee that every person has a right to be free from discrimination and harassment. This policy shall be available, accessible and displayed prominently in all OPSEU offices.

Unions have a responsibility to put in place clear policies, practices and procedures for members and staff. OPSEU as an Employer and as a Union (at every level) is no exception. OPSEU is committed to ensuring that all our workplaces are environments that are free of all forms of discrimination and harassment.

Harassment on the job or within the Union destroys well being. It is a step backward in our fight to improve the social and economic well being of workers. The costs of discrimination and harassment on the personal health and well

being of an individual are enormous. For the union the financial cost of handling harassment and discrimination means that less money is available for other important fights. It erodes the fundamental principle of union solidarity.

Harassment and discrimination work to limit our effectiveness everywhere, at the bargaining table, in the workplace, on the picket line and in the community.

This policy is one step in our fight to eliminate harassment and discrimination.

Who is Responsible?

All members and employees of OPSEU are responsible for maintaining and promoting an environment that is free of discrimination and harassment. In addition, a person who has authority to prevent or discourage discrimination and harassment and fails to do so will be considered to be in breach of the policy. A person who has authority can be, for example, a Local President, or a Chair of a Committee.

Who is covered by the Policy?

The policy applies to all members, retirees, the staff and guests of the Union attending an OPSEU function or working for OPSEU. It covers incidents that occur within the members/staff workplace; at an OPSEU facility or an OPSEU function or during union related travel.

Other incidents that occur elsewhere and which have little or no likelihood of impact on the work or union environment may be pursued through other processes such as the Human Rights Commission.

It may be necessary for the Union to initiate an investigation of an incident(s) in the absence of a request from a member or a staff to do so. In order to reduce its liability, the Union has an obligation to take action to prevent and discourage behaviour, which contravenes the Code.

Prohibited Grounds

Every person has a right to freedom from discrimination and harassment on the grounds of:

- race
- ancestry
- place of origin
- colour
- ethnic origin
- citizenship

sex/gender (includes gender identity)
sexual orientation
age
religious affiliation/creed
marital status
family status
record of offences
political affiliation
physical characteristics
physical or mental disability
status in receipt of public assistance

What is Harassment?

The Ontario Human Rights Code defines harassment as a course of vexatious comments or conduct that is known or ought reasonably to be known to be unwelcome.

For example: this could range from posting offensive pictures, verbal taunts to physical assault. This behaviour could happen once or many times over many years. Reprisals are prohibited. Harassment is prohibited on the grounds listed above. Harassment is a form of discrimination.

Physical assault may also be a violation of the Criminal Code of Canada. The Ontario Human Rights Commission has ruled that a 'poisoned work environment' is harassment.

What is Discrimination?

Discrimination means...“practices or attitudes that have, whether by design or impact, the effect of limiting an individual’s or a group’s right to the opportunities available because of attributed rather than actual characteristics. . . .”

For example: discrimination is an action or behaviour based on prejudiced attitudes. Discriminatory behaviour uses physical differences that deny equal treatment towards people. Discrimination can target people who are perceived as part of a “different ethnic, cultural or linguistic backgrounds, etc., and has the effect of excluding or restricting their access to housing, jobs, education or participation in an organisation. Discrimination can take the form of unfavourable treatment of one individual by another, or the exclusion or treatment or restriction of one group by another.

While individuals have the right to personal tastes and preferences, everyone has a legislated responsibility to eliminate discriminatory policies, procedures and practices from their activities.

- **Intentional Discrimination:** Deliberately unfair practices and policies stemming from prejudice or ill-will.
- **Overt Discrimination:** The granting or denying of certain opportunities to certain groups of individuals. For example, denying employment because of identifiable racial characteristics. This behaviour is based on prejudice and often stems from ignorance, fear, or the wish to maintain advantage over others. Discrimination often occurs between individuals or a group of individuals, by reason of authority which an individual or group of individuals may have over others.
- **Systemic Discrimination:** A system of policies and procedures that are formal or informal and have evolved over a long period of time to the point where they are implicitly understood if not actually prescribed. These procedures may or may not have originated with the intent to discriminate but clearly result in the creation and maintenance of barriers to the involvement and participation of certain persons. It is possible that a rule may appear neutral on its face, but may disadvantage one group when practised.
- **Constructive Discrimination:** Constructive discrimination “arises when an employer, for genuine business reasons, adopts a rule or standard which is on its face neutral and which will apply equally to all employees but which has a discriminatory effect upon a prohibited ground on one employee or group of employees in that it imposes, because of some special characteristic of the employee or group, obligations, penalties or restrictive condition, not imposed on other members of the workplace.”

Confidentiality

The union understands that it is difficult to come forward with a complaint of harassment and discrimination and recognises that it is in the interests of the parties to keep the matter confidential.

Rumour and innuendo are destructive.

To protect the interests of the complainant and the person complained against, confidentiality will be maintained throughout the process to the extent permitted by law.

Advisors/investigators will not disclose any information unless the disclosing party gives permission to do so, except as required

- (a) by policy procedures
- (b) by subpoena or legislation
- (c) by a danger to life, health & safety

(d) for internal tracking/statistical purposes on an anonymous basis

Education

The Union is committed to a preventive strategy that is based in education. Harassment and discrimination courses will be offered in each region at least once a year.

The policy shall be advertised through the web site, newsletters and bulletins, locally, regionally and provincially. A component on the policy and prevention shall be incorporated into orientation sessions for Executive Board Members, Local Presidents, Stewards, and bargaining teams.

Regional/local human rights committees/representatives will also receive orientation to this policy.

In order to meet our commitment to preserving human rights and achieving social and workplace justice, all bargaining team members will receive training on human rights and equity issues.

FOI

The Freedom of Information and Privacy Act covers the ministries, agencies, boards, commissions, corporations and other bodies of the Government of Ontario. It does not apply to OPSEU. The Union encourages full disclosure because it usually assists in an expeditious resolution.

Frivolous, Malicious. And Bad Faith Complaints

Although the statistics show that a minimal number of complaints are found to be frivolous or malicious, the possibility is always there. Most workers and members fear the possibility that someone who doesn't like them may file a complaint, just to cause them trouble.

Should the finding be that the complaint was frivolous or malicious, the Complainant should be sanctioned as would be the Respondent in a finding of harassment.

SECTION TWO - PROCEDURES

1. Principles

- 1.1 Harassment and discrimination violate the fundamental rights, dignity and integrity of the individual. OPSEU will not accept behaviour that will undermine dignity, self-esteem, health and productivity in the workplace or in the union.
- 1.2 This policy covers members, retirees or persons working for OPSEU or attending OPSEU functions and applies to harassment or discrimination on the following grounds:
- race
 - ancestry
 - place of origin
 - colour
 - ethnic origin
 - citizenship
 - sex/gender (includes gender identity)
 - sexual orientation
 - physical characteristics
 - physical or mental disability
 - age
 - religious affiliation/creed
 - marital status
 - family status
 - record of offences
 - political affiliation
 - status in receipt of public assistance
- 1.3 In keeping with OPSEU's constitution and the laws of Ontario, it is recognised that this policy shall be enforced by the elected leadership of the organization.
- 1.4 Local Executives, Executive Board Members, Elected Teams and Committees, Department Heads and Supervisors shall be responsible for:
- (a) establishing and maintaining an environment free of harassment and discrimination;
 - (b) eliminating harassment and discrimination within their jurisdiction;

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- (c) treating complaints seriously and referring complainants and respondents to Advisors;
 - (d) ensuring accommodation to those who need it;
 - (e) making reasonable accommodations to persons objecting to an abusive environment;
 - (f) taking appropriate action when she/he has knowledge of harassment or discrimination; and
 - (g) communicating and reinforcing the policies and procedures of the Union.
- 1.5 Reprisal or threat of reprisal against a person who has filed a complaint or who has participated in the processing of a complaint is prohibited. Any person who is found to have acted in or threatened reprisal shall be sanctioned.
- 1.6 Anyone found to have made a vexatious, frivolous or bad faith complaint will be subject to sanctions. The respondent has a right to file a complaint that the charge was vexatious, frivolous or in bad faith.
- 1.7 Both complainants and respondents have a right to a representative. Only OPSEU members/staff/executive will be permitted to act as advisors. The Union will bear all costs.
- 1.8 All costs related to mediation, investigation or a formal hearing will be borne by the Union and shall be consistent with OPSEU practices and policies.
- 1.9 The parties are encouraged to provide full disclosure.
- 1.10 The procedures shall be conducted and concluded as expeditiously as possible and adhere to the principles of natural justice. Once an advisor is aware of a complaint it must be determined within 14 calendar days whether there are grounds on which to proceed
- 1.10(i) Where it is determined by the complainant's advisor that there are no prohibited ground on which to proceed but there appears to be an allegation of personal harassment, the guidelines on personal harassment will apply.
- 1.10(ii) Where there is no basis for further action, the complainant will be asked to sign a Complaint Withdrawal Form.
- 1.10(iii) The advisor will forward this form to the Equity Unit.

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- 1.11 All deadlines are binding except when the parties mutually agree to extend the limits or when the Hearing Chair determines the delays were incurred in good faith.
 - 1.12 Advisors shall attempt to encourage resolution at every stage.
 - 1.13 References to 'Officer' in this policy refer to an Officer of the Equity Unit. In the event the officer has a conflict of interest, the President or designee shall designate someone else to act in this capacity.
 - 1.14 References to day refer to calendar days.

2. Filing A Complaint

- 2.1 Any person who feels they have been harassed or discriminated against is encouraged, where appropriate, to make a direct request of the harasser or discriminator to stop the offensive comment or conduct.
- 2.2 The person should contact an Officer in the Equity Unit at Head Office for advice or contact an Advisor. Lists of Advisors and Officers are available at the Regional Office.
- 2.3 The Advisor should discuss the policy and other appropriate routes, and ensure that the complainant has an understanding of their rights, a copy of the policy and a list of the advisors.
- 2.4 If the complainant wishes to file a written complaint, a signed copy of the complaint must be forwarded to an Officer immediately. The complaint shall set out the nature of the harassment and/or discrimination and the remedy sought.
- 2.5 The Officer will contact the respondent and provide a signed copy of the complaint, a copy of the policy and a list of advisors from which the respondent may select an advisor. The respondent's advisor will ensure the respondent understands his/her rights.
- 2.6 Where appropriate, informal solutions may be discussed with Advisors.
- 2.7 Where the Union knows that harassment or discrimination is occurring, OPSEU shall, in compelling circumstances, initiate and sign a complaint.

Guidelines will be contained in the procedural manual to define compelling circumstances.

- 2.8 Complaints must be filed within 6 months of the incident(s) which is the subject of the complaint.

3. Mediation

- 3.1 The complainant's Advisor will encourage mediation, if appropriate. If the complainant selects mediation, a **written** request will be sent to the Officer.
- 3.2 If both parties agree to the mediation process, the Officer will assist them to select a sole mediator or co-mediator. If co-mediation is selected, both the respondent's and the complainant's Advisors will serve as co-mediators.
- 3.3 If sole mediation is selected the Officer will appoint a mediator agreeable to the parties who has not:
- (a) acted in this matter
 - (b) been involved in this case
 - (c) experienced a conflict of interest
- 3.4 Mediation shall be concluded within 21 days of the appointment of the mediator unless both parties agree to an extension.
- 3.5 If mediation is successful, all files including the signed settlement agreed to in mediation will be sent to the Officer. If mediation is not successful, the mediator shall notify the Officer and the Advisors to indicate whether the complainant wishes an investigation (within 7 days).
- 3.6 All mediation proceedings are confidential to the extent permitted by law unless both parties agree otherwise.

4. Investigation

- 4.1 The Officer shall select a trained investigator from the region where the incident leading to the complaint occurred, unless there is a conflict of interest. The Officer shall provide the written complaint and related documentation.
- 4.2 The investigation shall begin within 10 working days.
- 4.3 The Investigator shall send a completed report in a sealed envelope usually within 30 days to the Complainant, Respondent, the Advisors

and the Officer. The report will contain the findings and the corrective action, if necessary.

- 4.4 The corrective action, in the case of members, may be sanctions such as reprimand and warning, an apology, a behavioural contract, prohibition from serving on LEC, levy, or membership expulsion. In the case of staff, the direction would be that the President determines a sanction consistent with the principles of fair discipline.
- 4.5 The report shall be implemented by the Regional Vice-President and the President in the case of members and the President in the case of staff. Copies shall be sent to the Complainant, the Respondent, the Advisors and the Officer.
- 4.6 After receipt of the report, the Advisors should encourage mediation, if appropriate.
- 4.7 If the Complainant or Respondent is not satisfied with the report, it may be appealed to a final hearing by writing the Officer within 10 days of the receipt of report.

5. Hearing

- 5.1 Notice outlining the nature of the complaint and the remedy sought shall be given to the other party immediately by the Officer.
- 5.2 The Chair shall be selected by rotation from the list of Hearing Chairs.
- 5.3 The Officer shall establish a hearing that shall commence within 21 days of receiving the written request.
- 5.4 The Officer shall send a copy of the request for hearing, the investigator's report and all other relevant documentation to the Hearing Chair.
- 5.5 Both parties have a right to be represented by an Advisor of choice.
- 5.6 All hearings will be closed and confidential unless both parties have consented otherwise or unless the Hearing Chair, at the request of one of the parties, decides to admit members of the Union or a person who can accommodate any special needs of either party.
- 5.7 At the beginning of the hearing, the Hearing Chair may grant intervenor status to a third party, but may restrict their participation in order to avoid duplication of testimony.

5.8 All hearings shall adhere to principles of natural justice, including, at least, the right to:

- (a) have Complainant(s) and Respondent(s) present during the proceedings
- (b) know the charges that must be met
- (c) know the time and place of the hearing in a timely manner
- (d) make oral and/or written representation
- (e) defend oneself
- (f) present witnesses
- (g) offer rebuttal
- (h) make representation on remedies and sanctions

5.9 If one of the parties is absent from the formal hearing without a valid reason(s) acceptable to the Chair, or if one of the parties refuses to answer any questions, these facts will be noted by the Chair and the hearing will continue.

At the conclusion of the hearing, the Union or the parties may provide the Chair, in the case of members, with any existing reports or records and submissions to assist in determining appropriate remedies and/or sanctions.

5.10 Upon conclusion of the hearing, the Chair will have ten (10) days within which to determine whether the Complainant has established, on the balance of probabilities, that harassment and/or discrimination as previously defined has occurred, what corrective action is required and write a report.

5.11 The Chair's report will be sent to the Complainant, the Respondent, the Advisors, the Officer (for tracking purposes) and the President, within then (10) days of the completion of the report.

5.12 The President and Regional Vice-President shall be responsible for implementing any recommendations, sanctions or remedies within ten (10) days.

5.12(i) Guidelines on Sanctions

In applying sanctions in any situation where there is a breach of policy or law, care must be taken to ensure that the sanctions or consequence that is applied is appropriate to the violation that has occurred. Sanctions are also intended to have some deterrent value and are generally designed to ensure that the offending behaviour does not reoccur.

There are a number of factors to consider in determining what corrective action is appropriate in a given situation. Some of those include:

- i) the severity of the impact of the action(s) on the victim and the community;
- ii) the seriousness of the breach;
- iii) whether the offender(s) actions were intentional and deliberate; or done in ignorance;
- iv) the degree of resistance to taking steps to redress the problem;
- v) whether or not there has been a persistent pattern of unacceptable behaviour.

In the case of the union consideration should be given to the impact on the local and/or central union.

Prior to the implementation of a process by which sanctions will be applied to members, care must be taken to ensure that sanctions exist and that they will be applied and by whom. In addition, it will be necessary to inform members of the effective date on which this process will be implemented.

It is proposed that the decision to impose a sanction in any given situation should be made by the Executive Committee, the Chair of the Provincial Human Rights Committee and the Chair of the Provincial Women's Committee. When this committee is uncertain about what sanction would be appropriate, guidance could be sought from the Hearing Chair.

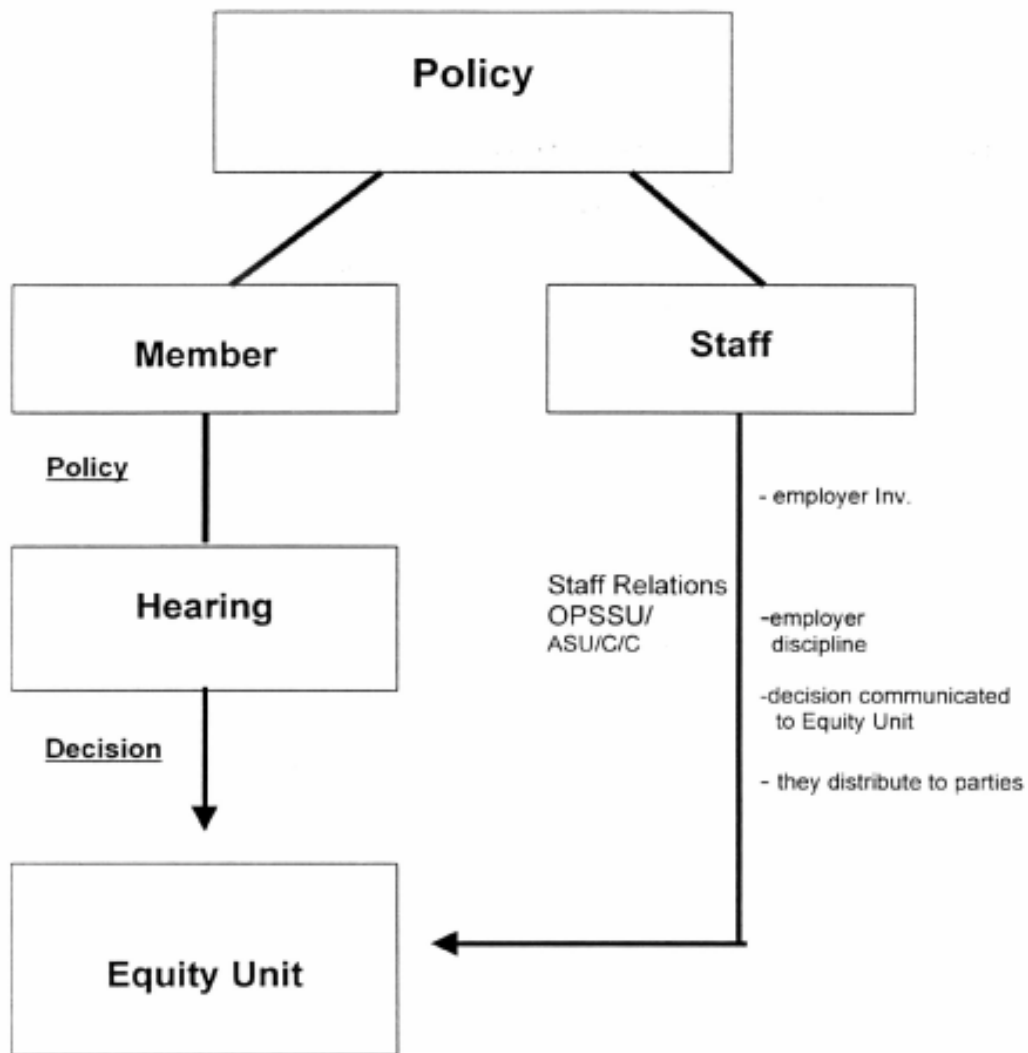
It is also proposed that before implementation of sanctions takes place, steps need to be taken to ensure that the membership at large is made aware that sanctions will be imposed for non compliance with the policy and what those potential consequences are.

Where there has been a finding of a violation, the respondent(s) should be informed that they have 30 days to comply with the Chair's recommendations. It is the responsibility of the Regional Vice President to ensure that the recommendations are carried out.

Where it is not possible for this to happen, the time frame may be extended with the approval of the Executive. An example of this type of situation may be where the respondent is ordered to do some form of training and the requisite course is not being offered within that time.

5.13 A report from the Hearing Chair is final. There are no further appeals.

SECTION THREE – ROLES, FUNCTIONS AND IMPLEMENTATION



Staff are separate/different than members due to their contractual relationship as employees. They must follow their C/A process.

Nothing in this policy is intended to preclude any person from following an alternative complaint procedure under the Ontario Human Rights Code or from initiating any other proceedings in law. Nor is this policy intended to interfere with collective bargaining or the terms and conditions of the collective agreement between OPSEU and OPSSU or OPSEU and ASU.

Role Of The Officer

References to “Officer” in the policy refer to an Officer in the Equity Unit who is available to provide advice on any aspect of the policy or its procedures. The Officer has a duty to provide secure maintenance of all files. All files should be kept for 5 years, then shredded.

Duties

- On receipt of complaints, contact the Respondent and provide him/her with a copy of the list of Advisors from which the Respondent may select an Advisor. Written requests will be sent to you and you will assist the parties in selecting a sole Mediator or co-mediator. If sole mediation is selected, you will appoint a Mediator agreeable to the parties. If co-mediation is selected, the two Advisors will act as co-mediators. You are responsible for keeping copies of minutes of settlement signed at mediation. Where mediation is unsuccessful, it is your responsibility to select a trained Investigator to do an investigation.
- On completion of the investigation, you will receive a copy of the report.
- If a Complainant/Respondent appeals the Investigators findings, a written appeal will be sent to you and it is then your job to establish a Hearing within 21 days. You then forward the Investigator’s report and all other relevant documents to the Hearing Chair.
- You will receive a copy of the Chair’s report.
- Arrange to have a transition meeting one week after the regional meeting with incoming and outgoing Advisors.
- Ensure selection of Investigators takes place.
- Training for Advisors/Investigators should be arranged through the Equity Unit.
- Co-ordinate training in order to ensure that cases are processed and minimize the Union’s liability. You should be responsible for ensuring that the cases proceed in an efficient and timely way, unless you have a conflict of

interest, in which case the President, or his/her designee, will carry out this function.

ADVISORS

Our ability as union activists and representatives to respond effectively to situations of harassment and discrimination is essential to building OPSEU's strength. Members trained as advisors and investigators under this policy are a significant pool of front-line trouble-shooters. Developing a roster of such skilled, interested members is an important tool in making OPSEU the union of choice.

Selection

There shall be a minimum of four Harassment and Discrimination Advisors in every region.

They shall include the Provincial Women's Committee Representative, the Provincial Human Rights Committee Representative, a person selected by OPSSU and other members selected by consensus by the above three persons.

To select the other members, interested members with an understanding and background in Human Rights issues will be asked to apply to the Equity Unit. In each region, the Provincial Women's Committee, the Provincial Human Rights Committee and the OPSSU representative shall interview and select the most qualified members.

To facilitate the expeditious handling of cases, if the workload in any region results in a backlog, the Regional Advisors may apply to the President for additional advisors.

The same selection process would apply.

There shall be a review of the roster of advisors/investigators every two years to determine;

- (a) interest and willingness to continue in their respective roles
- (b) skill level and commitment
- (c) training needs

Training

Within three months following election or selection, the Advisors will receive 4 days of training on the Policy; their roles and the skills needed to perform these roles as well as legal requirements of the role, Half of the training will focus on mediation.

Every two years there should be a maximum of two days refresher training.

Duties

- Ensure that the accommodation needs and health and safety needs of the person you are representing are met;
- Advise an individual of their rights under the policy, especially their right to select representation within the policy and explain the options available to them;
- Provide them with a copy of the policy and the list of Advisors;
- Refer where appropriate;
- Advise where there are no grounds for complaint and request that a withdrawal form be signed and forwarded to the Equity Unit;
- Assist persons in meeting the time and notice requirements of the procedures;
- Provide Officer with required materials;
- Ensure completed files are forwarded to the Equity Unit;
- Maintain a log of calls/inquiries and their disposition and submit quarterly report to the Equity Unit;
- Act as an advocate for either a complainant or a respondent;
- Encourage a mediated settlement, if appropriate;
- Act as a sole Mediator or a co-mediator. If you are a sole Mediator, you must not have had any involvement with the case (see duties of Mediators);
- Investigate an incident if you have received training (see section on Mediators);
- Present the case of the person you are representing before a hearing;
- Assist and consult with staff and elected members;
- Provide education on the elimination of harassment and discrimination;

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- Encourage confidentiality in individual cases and maintain it to the extent permitted by law;
 - Communicate and distribute the policy and procedures;
 - Ensure that the Union's duty of fair representation is met. If you are not the appropriate Advisor, if you are not comfortable with the case, or if you have a conflict of interest, assist the individual to find someone else to advise him or her.

Additional Duties of Advisors Representing the Accused

- Assist them to obtain full disclosure. They have a right to full particulars;
- Help them to make the right choice, either:
 - (a) acknowledge and rectify, or
 - (b) challenge a false accusation
- Encourage them to co-operate with an investigation;
- Answer any questions they might have;
- Advise them of their rights for recourse in the event of a frivolous, vexatious, or bad faith complaint;
- If they are fired or suspended without pay, be sure to have them file a grievance;
- Assist them to understand why some behaviour may be perceived as harassment;
- Advise them not to contact the Complainant themselves.

NOTE: The Union has a duty of fair representation. If you feel you cannot defend this person; make certain that the Union provides someone who can. The accused has a right to due process. The Union representative can defend the accused against unfair accusations and/or against any unjust or overly harsh discipline.

MEDIATORS

Selection

All Advisors are trained to be Mediators, There is no additional selection

process. Advisors may decide not to take on this responsibility in individual cases or all cases.

Training

This is a mandatory portion of the Advisor's training.

Functions

- Ensure the accommodation needs and health and safety needs are being attended to;
- Assist the parties to negotiate a settlement that meets the needs of both parties;
- Assist them to write up any agreement reached.

INVESTIGATORS

Selection

There shall be a review of the roster of investigators every two years to determine:

- (a) interest and willingness to continue in their respective roles
- (b) skill level and commitment
- (c) training needs

If it is determined that investigators are required, the selection criteria are:

- you must make application
- you must demonstrate an ability to meet the requirements of the job
- you must be a member in good standing or staff person

To facilitate the expeditious handling of cases, if the workload in any region results in a backlog, the Regional Advisors may apply to the President for additional investigators. The same selection process would apply.

Training

The Investigators will receive the advisors' training plus two additional days on the role and the skills required to be Investigators.

Refresher training will occur every two years.

Functions

- Ensure accommodation needs and health and safety concerns are being met;
- Investigate, produce finding and make recommendations;
- Provide the recommendations to the Officer so the Regional Vice-Presidents can implement the recommendations;
- At completion of each case, all records and documents should be forwarded to the Equity Unit for secure storage. The Investigator should keep no documents.
- All investigations must be conducted in a timely way. Resolutions to investigations should be quickly done and Investigators must have paid time off to conduct investigations.

HEARING CHAIRS

Selection

A Presidential Committee consisting of two (2) Board Members, two (2) Regional Advisors and the two (2) Equity Unit staff selected a list of Hearing Chairs. The list is available in the Equity Unit.

Persons were selected for their expertise and for their understanding of Human Rights issues. Hearing Chairs are external to OPSEU.

No person shall be appointed as an independent Hearing Chair who is or was within six months prior to such appointment an employee, a solicitor, counsel, advisor, or agent of any parties named in the complaint.

Additional persons may be added using the same selection process.

Duties

- Conduct the hearing in a fair and expeditious manner;
- Hear the facts and make a determination;
- Set out remedy in the case of members and pass on remedy to the employer in the case of staff;

- Ensure that all hearings adhere to the principles of natural justice set out in 5.8 of the procedures.

POLICY REVIEW

This policy will be reviewed at least every two years by a subcommittee of the Provincial Human Rights Committee, Provincial Women's Committee and staff of the Equity Unit, and report to the Executive Board.

***This message is to be read out
at all OPSEU events***

Harassment or discrimination of any kind will not be tolerated at OPSEU functions.

Whenever OPSEU members gather, we welcome all peoples of the world. We will not accept any unwelcoming words, actions or behaviours against our sisters and brothers.

We accord respect to ***all*** persons, including people of colour, First Nations men and women, Metis or other Aboriginal peoples, members of ethno-racial groups, women, people with disabilities, gays, lesbians, bisexual and transgendered peoples, francophones and all persons whose mother tongue is not English.

In our diversity we will build solidarity as union sisters and brothers.

If you believe that you are being harassed or discriminated against, contact _____ for immediate assistance.
(the organizer of the event or otherwise specified)

Note: (It is the event coordinator's responsibility to ensure that two names and phone numbers are listed. At least one of the individuals must be female.)