

## **Appendix A: List of Listening Tour Interview Questions**

### **Questions for Staff**

1. What has been your experience with reports of harassment or inappropriate treatment of the members with whom you interact?
2. Are you aware of the way complaints have been handled by the DGC? What is your view of the available avenues for resolution?
3. How would you characterize the climate in your own office in terms of respect and safety?

### **Questions for Leadership**

1. What is your view of the scope of the problem of bullying and harassment against members in their workplaces?
2. What have you been hearing in your region?
3. Has there been any improvement in recent years?
4. What is your expectation for this audit process?
5. What would you like to see come out of it?
6. What role do you see for the Guild in addressing the problem and ensuring safe workplaces for members?
7. How does the Guild see its collaboration with other stakeholders in the film and TV industry on this issue?

### **Questions for members including non-member permittees (general)**

1. What forms of harassment, disrespect, bullying or assault, if any, have you experienced or observed?
2. Have you experienced any bias in hiring?
3. If you have observed unacceptable behaviour in the workplace, how have you responded?
4. If you did not speak out against bullying you witnessed, what stopped you?
5. What types of reprisal might occur for someone bringing a complaint about harassment?
6. Do personal factors work against members in getting work, such as race, age, accent or sexual orientation?
7. What options do members have if they are experiencing bullying or harassment at work?
8. Do you think the situation is improving, getting worse, or not changing much?
9. Do you think the issue is being given enough or too much attention?
10. What role do you think the Guild should play in contributing to a safe and harassment-free workplace?

**Questions for members (those who have directly experienced harassment/bullying/assault/discrimination)**

1. When and where did you experience this?
2. How did you try to respond? How did that go?
3. How are you affected today by the events you experienced?
4. What services did you need or get to help you recover from the trauma (if you were traumatized)?
5. What remedy would you have wanted to see for the actions you experienced?
6. Do you feel you are currently safe on the set or in your workplace?
7. What role do you think the Guild should play in contributing to a safe and harassment-free workplace?

**Questions for members who recognize they have committed acts of harassment/bullying/assault/discrimination**

1. What happened and what made it possible for you to act in this way?
2. What steps should be taken to prevent and or sanction such behaviour?
3. Do you feel the climate on sets today permits ongoing bullying and harassment?
4. What would work to actually change the "rules" of acceptable behaviour in the sector?
5. What role do you think the Guild should play in contributing to a safe and harassment-free workplace?

## Appendix B: Definitions of Harassment

### Workplace Harassment

- Workplace harassment is generally understood as engaging in **a course of vexatious comment** or conduct against a worker where the conduct is connected to employment or has job-related consequences – behaviour that is known or ought reasonably to be known to be unwelcome. **(emphasis added)**
- Workplace harassment can involve unwelcome words or actions that are known or ought reasonably be known to be offensive, embarrassing, humiliating or demeaning to a worker or group of workers. It can also include behaviour that intimidates, isolates or even discriminates against the targeted individual(s).
- Workplace harassment often involves repeated words or actions, or a pattern of behaviours, against a worker or group of workers in the workplace that are unwelcome, including remarks, jokes or innuendos that demean, ridicule, intimidate, or offend; displaying or circulating offensive pictures or materials in print or electronic form; bullying; repeated offensive or intimidating phone calls or e-mails; or inappropriate sexual touching, advances, suggestions or requests.
- Protection against harassment is found in health and safety laws and regulations, collective agreements and employer policies, as well as in human rights legislation (where the harassment is based on a prohibited ground such as gender or race). Courts and human rights tribunals have defined workplace harassment broadly to include conduct that does not only take place in the workplace but which is connected to employment and/or has job-related consequences. Although most legal definitions refer to “a course of conduct”, a single serious event may be found to constitute harassment.

Sexual harassment is further explicitly defined in the Ontario Occupational Health and Safety Act as follows:

- engaging in a course of vexatious comment or conduct against a worker, in a workplace because of **sex, sexual orientation, gender identity or gender expression** where the course of comment or conduct is known or ought reasonably to be known to be unwelcome **(emphasis added)**, or
- making a sexual solicitation or advance where the person making it is in a position to confer, grant or deny a benefit or advancement to the worker and the

person knows or ought reasonably to know the solicitation or advance is unwelcome

British Columbia and Ontario also have specific legal provisions relating to workplace violence, while Quebec specifically protects against bullying (referred to as psychological harassment).

### **B.C.**

The B.C. Occupational Health and Safety Regulation (OHSR) defines violence in its Section 4.27 as follows:

- Incidents of violence include attempted or actual assaults, or any threatening statement or behaviour, towards an employee of your company by any person other than a co-worker, which gives the employee reasonable cause to believe that he or she is at risk of injury.
- Incidents of violence may not occur on the job site; however, any incident is considered workplace violence if it arises out of the worker's employment.

### **Ontario**

The Occupational Health and Safety Act also covers behaviours such as:

- verbally threatening to attack a worker;
- leaving threatening notes at or sending threatening e-mails to a workplace;
- shaking a fist in a worker's face;
- wielding a weapon at work;
- hitting or trying to hit a worker;
- throwing an object at a worker;
- sexual violence against a worker;
- kicking an object the worker is standing on, such as a ladder; or
- trying to run down a worker using a vehicle or equipment such as a forklift.

The definition of workplace violence is broad enough to include acts that would constitute offences under Canada's Criminal Code.

### **Quebec**

Quebec law specifically covers psychological harassment, which includes behaviour that is *not* related to any ground covered under Human Rights legislation. The Quebec law requires four criteria to be present for behaviour to be considered harassment:

1. Vexatious behaviour (humiliating or offensive to any person who experiences it) and repeated (or very serious).
2. Hostile (aggressive or menacing) or unwanted conduct (meaning non solicited or unwelcome. It is not necessary for a refusal or disagreement to be uttered by the victim in order for conduct to be considered harassment).
3. The conduct must attack a person's physical or psychological integrity, or their dignity.
4. The conduct must create a harmful workplace environment.

The DGC commissioned a more thorough analysis and review of relevant legislation in jurisdictions across Canada. The research was conducted under the direction of Emma Phillips of the legal firm of Goldblatt Partners, and will be very useful to DGC leaders and staff.

## Appendix C: Additional Information Resources

### List

1. Protection from discrimination by non-employers
2. Federal government commitment on protecting workers in federal jurisdiction from workplace harassment – November 2017
3. Summary of DGC BC RESPECTFUL WORKPLACE COMMITTEE’S OBJECTIVES AND RECOMMENDATIONS July 6, 2015
4. Ontario Human Rights Committee policy document
5. Federal government training course on Workplace Harassment
6. Sample document on determining “who is an employee”
7. Top 10 Things Unions Can Do Right Now to Address Sexual Harassment in the Workplace (US source)
8. Information Escrow services
9. CUPE Checklist for anti harassment contract language or policy (STOP harassment: A Guide for CUPE Locals/CUPE Equality November 2014)
10. Unifor Investigating & Resolving Workplace Harassment: A Unifor Guide for Leadership, 1<sup>st</sup> Edition 2013
11. Canadian Actors Equity – Not in our space campaign

### **1. The Supreme Court of Canada extends protections from employment discrimination by non-employers**

by Elliot Fonarev (ILER CAMPBELL BLOG, FEBRUARY 2018 --

<https://ilercampbell.com/blog/2018/02/the-supreme-court-of-canada-extends-protections-from-employment-discrimination-by-non%E2%80%91employers/>)

The Supreme Court of Canada has recently released a decision regarding workplace discrimination that has important implications for employers and employees alike. In *British Columbia Human Rights Tribunal v. Schrenk*, the 6-3 majority of the court ruled that a co-worker can be held liable under BC’s Human Rights Code for workplace discrimination against another co-worker. While this case was about the jurisdiction of the BC Human Rights Tribunal and interpretation of BC’s Human Rights Code, it sends a message to other provincial tribunals about how to approach discrimination in the employment context differently – and leaves many questions for employers.

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### **2. Federal government commitment on protecting workers in federal jurisdiction from workplace harassment – November 2017**

<https://www.canada.ca/en/employment-social-development/services/health-safety/reports/workplace-harassment-sexual-violence.html>

Minister message - What we heard report  
Consultation on harassment and violence

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No one should be subject to harassment or sexual violence of any kind in their workplace, whether it comes from an employer, a manager or a colleague.

Over the course of my career, I have worked with many people who have survived the physical, psychological and practical consequences stemming from violence. I have seen the effect it has on their lives, and on communities.

As Minister of Employment, Workforce Development and Labour, I have been mandated by the Prime Minister to ensure that federal workplaces are free from these unacceptable behaviours.

Over the last year, we've consulted Canadians on the best ways to make that happen.

Canadians responding to our online survey told us that harassment and sexual violence in workplaces are underreported, often due to fear of retaliation, and that when they are reported, they are not dealt with effectively. We know that these incidents have profound negative effects, such as harming workers' health and safety, increasing absenteeism, and costs for employers.

Through roundtable discussions and teleconferences, we also heard from many stakeholders and experts who provided valuable insight into these issues and what needs to be done to address them.

In collaboration with the Leader of the Government in the House of Commons, I also held consultations on Parliament Hill with Members of Parliament and Senators, to ensure this government can also fulfill its commitment to ensure that Parliament is a workplace free from harassment and sexual violence.

This report reflects all these voices, and what we have learned about Canadians' experiences with harassment and sexual violence at work, as we prepare to take action.

I thank everyone who participated in our consultations. Your contributions are helping us develop ways to address these unacceptable issues.

The Honourable Patty Hajdu, P.C., M.P.  
Minister of Employment, Workforce Development and Labour

## **Executive summary**

### **Background**

The Government of Canada is taking action to ensure that federal workplaces are free from harassment and sexual violence. We consulted Canadians over the last

year to find out how violence and harassment are currently treated in workplaces under federal jurisdiction and how the approach could be strengthened.

The consultation took two forms. We asked all Canadians to respond to an online survey<sup>Footnote1</sup>, and we held a series of roundtable meetings and teleconferences with stakeholders: labour organizations, employer organizations, federal government departments and agencies, academics, and advocacy groups. We also invited stakeholders to provide written submissions. This report presents an overview of what we heard during the consultations. Based on qualitative and—when available—quantitative analysis, it summarizes the issues that participants raised and the experiences they recounted concerning harassment and violence in their workplaces.

## **Key findings**

### *High levels of harassment and violence*

The stakeholder consultations highlighted the need to recognize harassment as an ongoing pattern of inappropriate conduct. Similarly, most online survey respondents who reported that they have experienced harassment, sexual harassment or violence in the past two years indicated that they experienced these behaviours more than once. Harassment<sup>Footnote2</sup> was the most common type of behaviour experienced by online survey respondents—a full 60% reported having experienced it. Thirty percent of respondents said that they had experienced sexual harassment, 21% that they had experienced violence and 3% that they had experienced sexual violence.

Stakeholders raised the importance of looking at harassment from the perspective of gender-based violence and other forms of discrimination. Among survey respondents, 94% of those who reported experiencing sexual harassment were women, while people with disabilities and members of a visible minority were more likely to experience harassment than other groups.

### *Preventing incidents of workplace harassment and violence*

Stakeholders stressed the importance of prevention measures and highlighted the need to raise awareness among employers and employees about issues of harassment and violence. Similarly, 54% of the survey respondents said that they would like to see education for all supervisors, 51% said that they would like to see education for all employees and 39% thought that an awareness campaign would be useful.

The consultations also suggested that training and education would help employers to understand and respond to what is happening in their workplaces.



Most survey respondents reported that although their workplaces have sexual harassment and violence prevention policies in place, they did not receive training on these policies.

### *Responding to incidents*

Stakeholders told us that the goal of any changes to the current legislative and regulatory framework for dealing with violence and sexual harassment should be to reduce their incidence and speed up the internal complaints process. Stakeholders thought that employers should be encouraged to try to resolve issues internally and should be given flexibility to decide how to do this before bringing in a neutral third party. In this regard, stakeholders saw workplace committees as helpful in implementing policies.

Stakeholders felt that employers should be obliged to consider any recommendations made by a neutral third party and that complainants should have access to recourse if an employer refuses to implement a recommendation without offering a valid explanation.

The consultations also underlined that any change to the current framework should differentiate between sexual harassment and violence, since sexual harassment is highly sensitive and raises different privacy considerations.

Although 75% of survey respondents who had experienced harassment, sexual harassment or violence reported the most recent incident, 41% of them stated that no attempt was made to resolve the issue. Of those respondents who did not report the most recent incident, many feared reprisals if they filed a complaint.

### *Supporting those who experience incidents*

Most survey respondents expressed the view that the employer, followed by the Government and unions, should be responsible for providing supports to help victims feel safe and secure in their workplace. Just over half suggested that education for all employees and supervisors would help victims. Stakeholders wanted clear written policies for how organizations respond to allegations of workplace violence and harassment. They told us that these policies must include explicit protection against retaliation for reporting an incident.

### *Reporting and recording*

Stakeholders identified under reporting and insufficient data on workplace harassment and violence as major issues that should be addressed in any new regulatory regime. They also agreed that to reduce workplace harassment and violence and speed up resolution, data should be collected to track results, and privacy of the data collected must be ensured.

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### 3. Respectful Workplace Objectives and Recommendations

#### RESPECTFUL WORKPLACE COMMITTEE'S OBJECTIVES AND RECOMMENDATIONS July 6, 2015

##### RESPECTFUL WORKPLACE COMMITTEE'S OBJECTIVES

1. To educate ALL DGC members on what a respectful work place is.
2. To find ways for members to feel safe when reporting workplace abuse and Collective Agreement coercion. To find ways for members to feel safe in the workplace, and let people who engage in bullying, abusive and coercive behavior know that there are consequences for their actions.
3. To promote greater transparency about workplace abuse on DGC shows and what the Guild is doing to protect its members.
4. To help the Guild be more proactive in protecting its members.

##### RESULTS FROM THE WORKPLACE ABUSE SURVEY

**146 people responded to the survey** Here are a few pertinent questions and answers that the Committee feels addresses the DGC memberships concerns.

Q.1 79% respondents reported having been in an abusive, bullying or coercive situation while working under a DGC contract.

Q3 What kind of abuse did you primarily encounter?

**Verbal – 73% Physical – 12% Emotional – 48% Break Collective Agreement – 36% NA – 18%**

Q5 Was the abusive situation created by another DGC BC Member?

**Yes–61% No–19% NA–20%**

Q8 Did you inform your DGC BC Supervisor and / or Category Head about the situation?

**Yes–36% No–39% NA–25%**

Q9 Did you report the situation to the DGC BC office?

**Yes–13% No–65% NA–22%**

Q10 Abuse of the Collective Agreement: Have you ever been asked to give a production a "break" that was not allowed within the Collective Agreement (ex: worked a 6th day but asked to make it a weekday to avoid a 6th day premium, not put in for turnaround, or worked an 8 hour day that wasn't booked in advance)?

**Yes–66% No–34%**

Q14 Do you think that a mandatory anti-bullying workshop for ALL DGC Members would be helpful?

**Yes–51% No–49%**

Q15 Do you have any suggestions on how the DGCBC can better protect its members from workplace abuse, bullying, or the breaking of the DGCBC Collective Agreement?

**The answers vary since it isn't a yes or no answer. A strong thread through the comments is stronger penalties for abuse and more monitoring by the DGC**

Q16 Do you have any suggestions on how the DGCBC can make reporting of abusive situations better for Members?

**The answers vary since it isn't a yes or no answer. A strong thread through the comments is having an anonymous hotline or email address.**

Q17 Would you be in favour of the DGCBC taking a more active role in searching out abusive, bullying, or coercive behaviour?

**Yes-87% No-12%**

### **CONCLUSIONS TAKEN FROM THE ABUSE SURVEY ANSWERS**

- Abuse is a very real problem that's happening to our members.
- The abuse is primarily happening BY members TO members – with senior members being the largest group of abusers.
- A large number of abusive behaviours are under reported because the members feel nothing can/will be done, and/or are afraid of the consequences to their careers if they report the abuse.
- The members want the Guild to take a fully active role in searching out abusive, bullying or coercive behaviour.

### **RECOMMENDATIONS FROM THE RESPECTFUL WORKPLACE COMMITTEE**

**1. EDUCATION:** To create, or hire a teacher with an existing program, on workplace abuse and bullying that teaches our members what is workplace abuse, bullying and Collective Agreement coercion, and how to deal with it. This course material should speak to our industry specifically.

A condensed version of this course should be given at our AGM for 15 minutes.

The Guild might want to reach out to production companies that don't have their own training and offer our course to their employees at a cost.

Since it is the senior members who are the worst offenders, we need to find a mechanism to make them take the course.

#### **Carrot, Stick, or Both**

**Carrot Suggestions:** A) A one-time rebate on dues if you take the course,  
B) You get a DGC jacket C) You get a designation by your name on the avails list if you have taken the course

**Stick Suggestions:** A) Make it a mandatory course for ALL members B) if you don't take the course you get a fine C) Make it mandatory for any upgrade starting 2016

**2. REPORTING ABUSE:** To create an interactive Respectful Workplace webpage (s) on our website that would be developed and up and running by October 2015 and then updated and enhanced over time.

The website would have:

A) An anonymous hotline number AND an anonymous email link on the **front page of the DGCBC website.**

EXAMPLE: I.A.T.S.E. has a hotline/email on the front page of their website. The information below tells the person how to use it and what happens once it is sent.

**“Identify yourself only if you want the IATSE 891 office to follow-up with you directly.**

**The fill-in form is sent to the IATSE 891 office via email, and internally forwarded to the stewards' office without any identifying information. Calling the anonymous hotline reaches a dedicated direct number at the IATSE 891 office which does not have caller ID and does not allow the office to determine who has called, including through use of \*69.**

**All anonymous calls and emails are retrieved by the stewards office and are typically investigated within 24 hours.”**

### **DGC Website**

Respectful Workplace Section of the DGCCBC Website:

#### **Bullying and Harassment**

- Define what bullying and harassment is and what is it not.
- Discuss the rights and responsibilities of employees and employers.
- Discuss the Guild’s responsibility on bullying and harassment issues?
- List resources available to help including services that the DGC provides.
- Review strategies to reduce bullying and harassment at work.
- Describe the complaint process including potential penalties.
- Provide anonymous examples of DGC intervention.
- Provide counseling information/options for people who are feeling the effects of harassment or bullying.

#### **Collective Agreement Coercion**

Define collective agreement coercion.

Discuss the rights and responsibilities of permittees and members, employers and the DGC.

Describe the complaints process including potential penalties.

Provide one-page summaries on specific areas of the collective agreement. Provide anonymous examples of DGC intervention.

#### **GREATER TRANSPARENCY:**

A) Members need to know what the Guild does about abusive and coercive complaints. We recommend providing examples on the website of types of situations and the outcomes be described so members can understand that people do come forward and the Guild does work towards solving the problems.

B) Members want better reporting back to them when they have called about a problem whether it was a formal or an informal call. Often, they comment that they don’t know what the outcome of their call was, or if anything was done about their complaint. The Member’s Rep. could be the link between the office and the member. Following up with a member is a valuable way for them to understand the Guild is taking their problem seriously.

C) The Board needs to be given semi annual reports on Respectful Workplace issues that the DGC office has been working on for members. We understand that confidentiality is a concern and must be respected, but how can the elected Board understand what is happening to the members without some kind of knowledge of the types and numbers of workplace abuse/bullying and C.A. violations that are being reported.

**4) MAKING THE GUILD MORE PROACTIVE ABOUT ABUSE AND C.A. CONCERNS:**

A) We need to hire a DGC Members Representative (Shop Stewart) who can go to set immediately once someone has reported an incident. The IATSE website says they try to come to set within 24 hours. This person can be the link between the membership and the Board/DGC Office. Over time this person will build trust with the members. Also, this could be the point person that the members contact when they are informally calling about a concern. This isn't a junior position but one that carries some weight – like the DGA Field Rep. This should be someone who has worked in a DGC category and understands how sets work.

B) Ask the Producers if the Guild can have a daily "snapshot" of the DGC personnel times on the DPR. Things are hidden in the callsheet that the DPRs can't hide. UBCP gets a daily list of all people that have worked as extras from the Extras Casting Director. The 3<sup>rd</sup> AD could easily send this information and the Guild could "see" what the members really did on a daily bases. The Members Rep. could be the person who looks through these daily.

C) To see if there is any interest in an all union "Task Force" to look into this issue.

**IN CONCLUSION**

We need to change our relationship with our members about workplace abuse and Collective Agreement coercion, and become the "pill for our members' headache". It should no longer be acceptable that the only way a person can be protected is by becoming a "whistler blower". It is unfortunate but true, that we can only change workplace behaviour when we change the tolerance for bad behaviour.

Through education, and the Guild becoming more proactive, members will understand that change is happening and will feel safer to report abuse; and abusers will know that they are being monitored, and that their behaviour is no longer allowed to perpetuate in silence, and without consequences.

**Thank you,**

**The Respectful Workplace Committee**

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**4. Ontario Human Rights Committee policy document**

<http://www.ohrc.on.ca/en/policy-preventing-sexual-and-gender-based-harassment/8-preventing-and-responding-sexual-harassment-0>

**5. Federal government training course on Workplace Harassment**

<https://safetyfirsttraining.ca/course/online-safety-training/workplace-harassment-violence-prevention/> (package is \$75)

**6. Sample document on determining "who is an employee"**

<https://www.thebalance.com/are-you-a-contractor-or-an-employee-2948639>

## **7. Top 10 Things Unions Can Do Right Now to Address Sexual Harassment in the Workplace (US source)**

<https://medium.com/@FuturesWithoutViolence/top-10-things-unions-can-do-right-now-to-address-sexual-harassment-in-the-workplace-8a3904818959>

## **8. Information Escrow systems**

### **Callisto reporting application for sexual violence**

<https://www.projectcallisto.org/>

[https://www.ted.com/talks/jessica\\_ladd\\_the\\_reporting\\_system\\_that\\_sexual\\_assault\\_survivors\\_want?language=e](https://www.ted.com/talks/jessica_ladd_the_reporting_system_that_sexual_assault_survivors_want?language=e)

Soon to be available in Canada as "SafeSpace"

### **Best-in-Class Sexual Violence Reporting Tool Now Available to Canadian Campuses**

***RallyEngine's collaboration with Callisto will deliver first-of-its-kind information escrow service to Canadian post-secondary institutions***

June 12, 2017 07:41 AM Eastern Daylight Time

OTTAWA, Ontario--(BUSINESS WIRE)--With the shared vision of creating technology that makes campuses and communities safer, RallyEngine Inc. today announced plans to partner with US-based nonprofit Callisto to bring its ground-breaking sexual assault reporting service to Canada.

**"We envision a world where sexual assault is rare and survivors receive the support they need"**

"We envision a world where sexual assault is rare and survivors receive the support they need," said Callisto founder and CEO Jessica Ladd, whose 2016 TED Talk has been watched millions of times. "RallyEngine embraced our survivor-centred system and we are thrilled that their innovative package will help advance this mission across Canada."

Powered by Callisto, RallyEngine SafeSpace™ is a secure, third-party information escrow service that provides a documentation and reporting tool with three options for survivors: to record sexual assault, to report electronically to authorities, and to only report if the perpetrator is identified by another user.

It is estimated that between 15% to 25% of North American college and university-aged women will experience some form of sexual assault during their academic career. And the reporting rate for sexual violence in Canada is lower than any other crime, ranging between 3 to 8 per cent. "The incidents are there but the reporting needs to catch up," said Debra Tomlinson, CEO of the Association of Alberta Sexual Assault Services. "Dispelling the myths around sexual violence will help encourage more women to speak out, and providing a safe space to do it will hopefully increase those low numbers."

End-users will be able to access SafeSpace online and as part of their campus's RallyEngine-powered mobile safety app for real-time alerting/rallying, tipline, work/study-alone, and more.

"This is a top priority on North American campuses right now," said Ladd. "Secure, trauma-informed reporting tools are an important complement to the modern policies universities are implementing."

SafeSpace deployments will begin this summer. For more information, visit: <http://www.rallyengine.com/safespace>.

"Unfortunately, sexual violence is still a big problem – on campus, in the workplace, and in society generally. And there is still much that organizations – from universities to law enforcement – can do to handle it better," said RallyEngine president Steve Hardy. "But let's start by empowering the survivors. Let's provide them a self-managed space to draft, edit, and confidentially submit incident reports at their own pace. And let's identify aggregate organizational trends that can prevent repeat perpetrators from hurting others."

SafeSpace was made possible in part by an R&D grant from the National Research Council.

Representatives from RallyEngine will be at the Canadian Association of University Business Officers (CAUBO) conference at the Westin Ottawa on June 12th and 13th.

### **About RallyEngine®**

RallyEngine is a nimble platform for alerting groups, rallying teams, and enhancing community capacity – for smart, safe campuses, companies, and cities. RallyEngine is a pre-qualified innovation under the federal Build in Canada Innovation Program and originated as the mobile rapid-response network powering the Missing Children Society of Canada's ground-breaking, police-endorsed CodeSearch program.

Ready. Rally. Resiliency. [rallyengine.com](http://rallyengine.com)

### **About Callisto**

Callisto is a 501(c)(3) nonprofit organization that creates technology to combat sexual assault, empower survivors, and advance justice. Its online, trauma-informed platform allows students to create records of sexual assault, report directly to authorities, or notify schools of repeat offenders. Callisto partners include Stanford, the University of San Francisco, Pomona College and others.

For more information, visit: [projectcallisto.org](http://projectcallisto.org)

## **Contacts**

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## 9. Checklist for anti-harassment contract language or policy

(Source: STOP harassment: A Guide for CUPE Locals  
CUPE Equality November 2014) <https://cupe.ca/stop-harassment-guide-cupe-locals>

Strong anti-harassment language and policy helps the employer prevent and address harassment. It also helps workers understand what harassment is, how it can happen, what the law says, appropriate responses, and how to eliminate or at least minimize it in the workplace.

Your anti-harassment collective agreement clause and employer policy should:

State the employer's responsibility to provide a harassment-free workplace.

Define harassment, for example as offensive behaviour that a reasonable person should have known would be unwelcome. Refer to human rights, health and safety and other laws, for example listing the prohibited grounds of discrimination. See Section A of this guide for more information on what should

be covered by the definition of harassment, for example:

- Behaviour can be direct or indirect, obvious or subtle and in any form of expression
- Repeated incidents or one serious incident
- Psychological or physical
- Human rights or personal
- Workplace is broadly defined
- Effects not intent matter
- Harasser can be a supervisor, co-worker, user/client or other person in the workplace
- Examples of harassment, noting that the list is not exhaustive

Stop harassment: A guide for CUPE locals 15

State how the employer will prevent and correct harassment (see Section C of this guide),

for example the employer will:

- Prevent harassment
- Provide a harassment-free work environment
- Treat all complaints seriously and deal with harassment situations immediately upon becoming

aware of them, whether or not a formal complaint has been made

- Provide a fair, timely and effective process for investigating and resolving incidents

and complaints



- Treat complaints in a sensitive and confidential manner
  - Encourage the reporting of behaviour which breaches the policy
  - Ensure protection from retaliation
  - Provide workers who are targets and witnesses with counseling, accommodation or other support
  - Inform the union, for example send the union all investigation reports
  - Train supervisors and workers when they are hired and on an ongoing basis
  - Inform workers of the policy statement and steps taken to prevent harassment
  - Commit to eliminate the hazards and control the risk factors for harassment, including work environment factors
- Include language that says that nothing in the collective agreement affects the right of an employee subjected to harassment to seek any available legal remedy.
- Require an annual review of the policy and its implementation.
- Ask your servicing representative for sample contract and policy language or other advice.

STOP harassment: A Guide for CUPE Locals  
CUPE Equality November 2014

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## **10. Unifor Investigating & Resolving Workplace Harassment: A Unifor Guide for Leadership, 1st Edition 2013**

[https://www.unifor.org/sites/default/files/documents/document/red\\_book\\_-\\_english-36619-harassment\\_investigation\\_guide.pdf](https://www.unifor.org/sites/default/files/documents/document/red_book_-_english-36619-harassment_investigation_guide.pdf)

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## **11. Canadian Actors Equity – Not in Our Space Campaign (see brochure and full PDF documents)**

<http://www.caea.com/EquityWeb/MemberServices/not-in-our-space/default.aspx>

<http://www.caea.com/EquityWeb/MemberServices/not-in-our-space/NIOS-Brochure-Fullscreen.pdf>

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