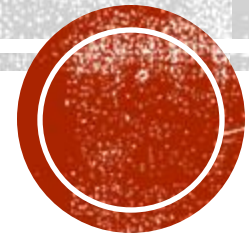
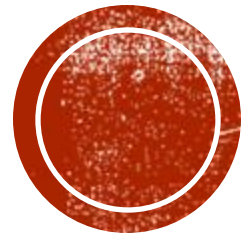


DETOXIFY YOUR WORKPLACE

Standing Up to Bullying & Harassment at the
University of Toronto

A USW1998 Workshop





WORKPLACE HARASSMENT

Engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome



WORKPLACE HARASSMENT IN THE NEWS

From 2020–21, workplace bullying was in the news in Canada while former Governor General Julie Payette was under investigation for allegations of workplace harassment.

Payette and her secretary both subsequently resigned from their posts as a result of that investigation.



BILL 132: SEXUAL VIOLENCE & HARASSMENT ACTION PLAN ACT

- Passed in 2016, Bill 132 amends various statutes re: sexual violence, sexual harassment, and domestic violence
- Bill 132 requires employers to have a workplace harassment policy, and expands employer's duties to investigate and address workplace sexual harassment
- The Ministry of Labour can order employers to hire an impartial investigator





WHAT IS A WORKPLACE BULLY?



CIVIL CONDUCT INCLUDES	BREACH OF GUIDELINES
Treating others with dignity, courtesy, respect, politeness and consideration	Shouting Profanity, abusive, aggressive or violent language directed at an individual or individuals
Speaking in tones of voice that are appropriate for the circumstances	Using props suggestive of violence Slamming doors Throwing Objects
Being respectful of others' right to express their views, even if you disagree	Humiliating, degrading, demeaning, belittling, insulting, frightening or intimidating another person
Managing conflict with others in a respectful way rather than a confrontational way	Distributing comments about a person that are unjustified and likely to have a negative impact if they were to see them
	Telling inappropriate jokes

CIVILITY GUIDELINES

The University of Toronto's Human Resources Guideline on Civil Conduct constitutes the Workplace Harassment Program as required by the Occupational Health & Safety Act, as amended by Bill 132.

The guidelines describes what constitutes civil and uncivil conduct, and sets a framework for filing civility complaints



NOT EXAMPLES OF UNCIVIL CONDUCT!



- REASONABLE management actions, such as meetings, letters, or conversations re: performance management, attendance, coaching
- Instructions given by supervisor/manager re: what to do, how to do it, expected standards of performance
- Disciplinary action
- Denial of leave requests
- Requests for documentation to substantiate leave requests
- Comments made in the context of peer review processes
- Differences of opinion or debate conveyed in a RESPECTFUL manner
- Interpersonal conflicts where the parties remain RESPECTFUL of one another.



MY ANGRY BOSS



FOUR WORKPLACE BULLY TYPES

- According to Dr. Gary Namie, from the Workplace Bullying Institute, there are four main types of bullies:

The Screaming Mimi

The Constant Critic

The Two-Headed Snake

The Gatekeeper





THE SCREAMING MIMI

- Prefers a public setting
- Wants to control workplace and inspire fear in the target and co-workers/witnesses
- Will curse, yell, throw things, etc.
- Most obvious type but statistically the rarest form of bully





Dealing with...

THE SCREAMING MIMI

- Remain calm
- “You seem upset right now, perhaps we should talk about this later?”
- Stand up if you are sitting
- Take deep breaths, don’t act defensively
- Leave the area if you feel unsafe
- Document the incident immediately





WHEN FACED WITH A SCREAMING MIMI, BE LIKE GAYLE KING

When confronted with R. Kelly's meltdown during a March 2018 interview, Gayle King handled herself like a pro. Learn from her. Keep your composure and stay calm.





THE CONSTANT CRITIC

- Implements the most damaging tactics
- Will bully behind closed doors for plausible deniability (A said / B said)
- Target may not be believed because of this
- May seek out targets who are well-liked, highly skilled
- Try to redefine the competent person as incompetent by critiquing their work





Dealing with...

THE CONSTANT CRITIC

- Never sign anything you aren't comfortable signing, like a negative performance review
- Ask to have a union rep present
- "I don't feel comfortable right now. These criticisms aren't fair. This is not constructive feedback."
- Self care and remind yourself of your competence
- Be assertive, not insubordinate





THE TWO-HEADED SNAKE

- Seeks to control a person's reputation
- Will be nice to your face but spreads rumours and gossip behind your back
- You may not recognize them because you're the one they're gossiping to about others





Dealing with...

THE TWO-HEADED SNAKE

- Build allies and a network of support
- Don't overshare or be too trusting
- Two-headed snakes will use information against you
- Try to feel compassion for the bully, understand their perspective





THE GATE KEEPER

- An insidious form of bullying that can be difficult to deal with
- Withholds resources to make your job difficult or impossible to do
- Feels superior to others and controls/filters information to others
- Unrealistic deadlines, prevents socialization and collaboration, denies training for new duties





Dealing with...

THE GATE KEEPER

- An insidious form of bullying that can be difficult to deal with
- Politely ask for an explanation and explain negative impact
- Document in order to clearly demonstrate a pattern of behavior
- Documentation is key to protect from discipline/performance management



IF YOU HAVE A CONCERN



STICK UP TO THE BULLY

- You must make it known to the bully that their behaviour is unwelcome and negatively affecting you
- Stick up for your colleagues too. If you see bullying, call it out, name it, demand that it stop
- But remember there is a fine line between appropriate assertiveness, defending your rights, and insubordination

CONSULT WITH THE UNION

- Especially re: conflict that involves USW member only, as going to management or HR may result in punitive action
- SIMS (Steelworker Internal Mediation Service) for non-punitive conflict resolution service
- Talk to us before approaching HR. HR is not your friend, they represent management!



HOW TO SPEAK WITH A CO-WORKER WHO IS BULLYING YOU



ASSERTIVENESS VS. INSUBORDINATION

Insubordination

- Failure to follow a manager's instruction
- You can only refuse work if it's unsafe or illegal
- Document your concern about following the directive with an email, while stating your intention to follow management's instructions
- Work now, grieve later

Assertiveness

- Express concerns clearly, and with confidence. Document it.
- Don't allow yourself to be taken advantage of. File a grievance or complaint
- Always remain respectful and calm

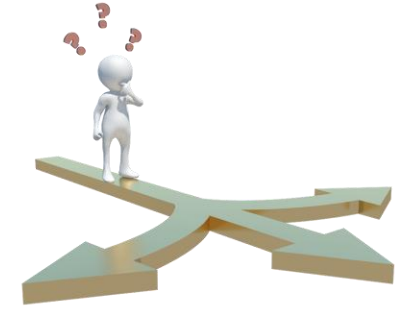


DOCUMENTING CIVILITY CONCERNS

Complaint Intake Form	Date the form is completed			
Complainant	Your name here	Your job title and department here		
Respondent	Name of the person the complaint is against. If more than one, add additional names	The job titles and departments of the respondent(s) here		
Date	Allegation	Incident Summary	Witnesses	Email/other Evidence
E.g. March 3, 2015 at 1 PM	E.g. John Smith used uncivil language towards me	E.g. In a 1 PM phone meeting, John Smith said I was stupid and useless because I made an error on a report he asked for.	E.g. None, private phone call	E.g. My notes, which I took during the call



POTENTIAL PATHS FOR CIVILITY CONCERNS



INFORMAL RESOLUTION

- Education and training
- Mediation
- Facilitated discussions
- Restorative practices
- Exit interviews
- Departmental review

FORMAL COMPLAINT PROCESS

- Present allegations (and an optional Impact Statement)
- Allegations are assessed
- Investigation
- Summary of Findings
- Outcome



AFTER YOU FILE A COMPLAINT



There will be a University response

- If a response is not received within 45 days of submitting the written complaint, you can file a grievance at Step 3
- The University may determine there has been no violation, and may opt to simply respond WITHOUT conducting an investigation

There may be an Investigation

- Complaint details will not be disclosed unless it's necessary to investigate, take corrective action, or is otherwise required by law
- Respondents have right to procedural fairness
- You will be advised of investigation results and general statement about any correction action taken



RESPONSE WITH NO INVESTIGATION

- *We have reviewed the allegations you raised. Most of them relate to events and/or conversations with your manager where discussions were had regarding expectations of your performance, job responsibilities, work standards, and the scope of your duties, as well as the operational decisions made within the department by management. Others relate to the tone or style of your manager's communications. Fundamentally, your complaint relates to HR management issues, such as poor management style, rather than workplace harassment or breaches of the Civility Guidelines. As a result of the foregoing, our office will not be examining these matters further.*
- *The University strives to ensure its managers adhere to best practices in dealing with employment matters. You shared with us incidents that were challenging, and had a negative impact on you. We appreciate you providing us with this information, and as a result, our office will be forwarding the information obtained in our review to your divisional HR unit to consider any follow up they may wish to undertake.*



PROCEDURAL FAIRNESS

- The right to be informed of allegations
- Investigator must be impartial
- The right to be heard and to present evidence
- The right to be accompanied by a union representative, spouse, friend, etc. during the investigation
- The right to review statements to confirm accuracy
 - Every person who testifies should be provided access to statements to verify accuracy
 - Witnesses will be asked to sign and date their statement prior to any summary of findings being written and disclosed to parties





SUPPORT DURING THE FORMAL COMPLAINT PROCESS AND THE “WAKE”

- The complaint process and its after-effects can be stressful and have an impact on the ability of a department to function in a healthy manner
- The process can also be long and divisive
- Members may request special interim arrangements while a complaint is active to help address concerns they may have
- Where appropriate, the University can explore workplace restoration after an investigation has completed to assist the parties involved in fostering a return to a healthy, respectful, and productive workplace
- Let your Union Rep know if at any point you feel additional support would be helpful

Workplace bullying is real and affects 40% of Canadian workers.

Know The Signs



RESOURCES

Workplace Bullying Institute:
<http://www.workplacebullying.org/>

Contact a steward or the union office for a referral

Review the civility guidelines and relevant collective agreement language

Lifeline Foundation: Call Sharon Clarke at 416-445-5819 for confidential referral services





**COMMENTS?
QUESTIONS?
CONCERNS?**

Please reach out to your [USW 1998 Steward](#) or contact info@usw1998.ca if you feel you may be the victim of or witness to workplace harassment.