

OUR UNION VOICE



Public Service Alliance of Canada
Alliance de la Fonction publique du Canada

Building the Canada We Need



INSIDE

- Fighting against racism
- Bargaining equity
- Addressing workplace violence and harassment

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Our Union Voice is a publication of the Public Service Alliance of Canada. Representing 200,000 members, PSAC is one of Canada's largest unions and is affiliated with the Canadian Labour Congress and internationally to Public Services International.

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Ce bulletin est aussi disponible en français sous le titre **Le Rassembleur**.



EDITORIAL

When COVID-19 effectively shut down Canada last March, many of us thought the new and bizarre situation would be temporary. Almost a year later, it is clear there is no going back to the way things were. To address the extensive damage done by the pandemic, especially the suffering endured by those already vulnerable to harm because of deep pre-existing structural inequities, major reconstruction is what we need, not a repair job.

PSAC wants governments to put in place building blocks for a better, fairer, safer and healthier future: Canada-wide universal child care so mothers with young children can get back to work; national pharmacare so everyone can get medication; an end to profiteering in long-term care so that we never again experience the tragedies of the last year; and an overhaul of social programs and expansion of public services to fill the big gaps in supports. We're also demanding governments tear down our country's colonial structures, laws and systems, and eradicate racism in all its forms.

Our union has power and tools to push for change. We can bargain improvements to our collective agreements, raising the floor for others. In defending our members, we can win rights for those who don't have the means to defend themselves. We can campaign for public policy shifts and score victories for entire communities—just like we're doing when we challenge the privatization of public assets.



Photo: MIV Photography

The pandemic makes our activism more urgent. It demands we get bolder and adapt to new conditions. Telework may be the norm for many in the future, so that means changing how we stay connected to each other. The disproportionate impact of COVID-19 on racialized and Indigenous peoples, and on women, has pushed human rights and equity to the top of our agenda. The ongoing economic upheaval will no doubt impact our leverage in negotiations. Our union must shift to meet the challenges. 2020 was the year things fell apart; 2021 is the year to rebuild differently and better.

In solidarity,

Chris Aylward, National President

Want to learn more about anti-racism, equity, and human rights?

Many people want to learn more about what PSAC is doing to fight discrimination in our workplaces and want to advocate for human rights but don't know where to start.

Visit psacunion.ca/human-rights to find updates and information about our human rights campaigns, recent victories, legislative reform, and resources for members.

YOU CAN FIND INFORMATION ABOUT:

- › Anti-racism
- › Disability issues
- › Indigenous issues
- › Women's rights
- › LGBTQ2+ rights
- › Employment equity
- › Duty to accommodate
- › Pay equity
- › Discrimination at work
- › PSAC's Social Justice Fund

Promoting and supporting equity through collective bargaining

PSAC recently concluded a historical round of bargaining on behalf of 130,000 members in the federal public service and negotiated new agreements for members in many other sectors. An important goal of every round of bargaining is to address inequity—here are some recent achievements.

Indigenous languages

Two of PSAC’s federal public service bargaining units covering more than 70,000 members negotiated the establishment of a new joint committee on Indigenous languages. The committee will “review the use of Indigenous languages in the federal public service, examine Indigenous language skills in the performance of employee duties and consider the advantages that Indigenous language speakers bring to the public

service.” PSAC expects that the results of this joint review will support our standing demand for an Indigenous languages allowance, consistent with the Truth and Reconciliation Commission’s Calls to Action.

Workplace child care

PSAC’s new contracts with Treasury Board and the Canadian Food Inspection Agency secured the creation of new joint working groups on child care to examine and analyze employees’ child care needs. PSAC will use the joint committee to press for measures to make sure parents with young children get the support they need when they struggle to balance work and family responsibilities.

Domestic violence leave

All new federal government collective agreements now include ten days of paid domestic violence leave. PSAC negotiated this new provision to help those seeking assistance when experiencing domestic violence. PSAC has also recently negotiated similar provisions at the University of Western Ontario and the City of Yellowknife.



Support for Indigenous traditions

PSAC is working to include special leave for Indigenous members in the North to support their traditional way of life. At the Inuvik Housing Authority, for instance, the union negotiated paid leave for hunting, fishing, or harvesting pursuits.

Promoting representation

PSAC is laying the groundwork for achieving employment equity in university bargaining units. At Dalhousie University, the union has negotiated language calling on management to “reverse the historic underrepresentation on its faculty and staff” of members from marginalized groups. And at the University of New Brunswick, PSAC has negotiated that an equity survey of staff be carried out as a first step to achieving a representative workforce.

Contributor: Alroy Fonseca

PSAC: A fighting union standing up to racism

One of the ways PSAC works to eradicate racism in workplaces across Canada is through the grievance and adjudication process. Our team of legal officers has a proven track record of representing members in landmark cases of racial discrimination, often all the way to the Supreme Court of Canada.

➤ Christian Reeves

PSAC recently won a landmark legal battle against discrimination based on race at Canadian Forces Base Halifax.

Christian Reeves, who was born in Liberia, was the only Black man in the heavy-duty mechanic program. For six years, he felt he was treated differently because of his race.

“I was told that I had to watch my back because they were trying to get rid of me,” Christian said.

In 2015, Christian was terminated by the Department of National Defence, allegedly for poor performance. Christian suspected he was singled out because he was Black and filed a grievance with his union. A PSAC investigation revealed a coordinated plot against him, stretching all the way up to base management, with many of his co-workers forced to make up stories about his performance to get him fired.

“Everyone on the base was part of the systemic discrimination against him,” says Doug Hill, a PSAC legal officer.

Christian was awarded four years’ back pay and \$25,000 in damages under the *Canadian Human Rights Act*. All 10 staff who discriminated against Christian were either fired or removed from the base.

➤ Andrea Kenny

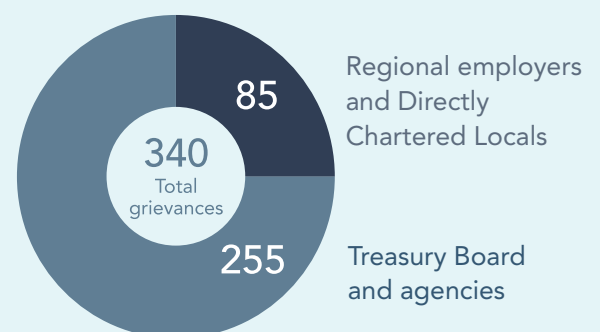
Andrea Kenny turned to her union for help in 2016 after her supervisor at the Department of National Defence pinned up two racist posters in her office.

“I was shocked,” said Andrea, who, as a Black woman, felt personally attacked. When her managers refused to address the incident, Andrea knew she had to act.

“I couldn’t just stand by and let this happen,” she said. She reached out to PSAC and the Union of National Defence Employees and

PSAC defending members:

A snapshot of the discrimination cases our union is tackling across Canada



filed a grievance for racial discrimination and systemic racism.

The union’s legal team has been working tirelessly on her case, and she’s now close to reaching a settlement. Her supervisor has also been suspended pending an investigation.

Andrea said she couldn’t have stood up to her employer without the help of her union.

“I know I will carry this with me for the rest of my life, but I hope that my battle helps others find their voice and speak out so that change can happen.”

– Andrea Kenny

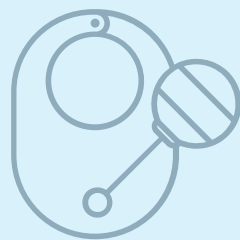
Contributor: Michael Aubry

Building the Canada We Need



COVID-19 has been a wake-up call. The pandemic has shown us that we can—and must—find a different way of organizing our society and economy. We have an opportunity to rebuild in a way that puts people first. We can strive for a Canada that rejects austerity, inequality, racism, colonialism, and oppression and that supports peoples’ dignity, health, and well-being. **This is the Canada we need.**

Universal, affordable child care



Child care was already in crisis before the pandemic hit. Now is the time to fix it. We need a Canada-wide system of child care designed and funded to ensure all children 0-12 years of age can access high quality, affordable and inclusive child care programs that put children’s development and learning at their core. There must also be a commitment to continue to build on, and fund, the Indigenous Early Learning and Child Care Framework.

Universal, affordable child care must also include well-paying secure jobs for child care workers. A good child care system is imperative to women’s financial independence and ensuring gender equality, especially for women from marginalized communities.

Economic relief and just recovery



To create a just and equitable society, we need economic justice for all. We need income supports and social services that aim to eliminate inequalities. An economic plan must address racial and gender inequality, support Indigenous economies, create sustainable economic development, and remove barriers to accessibility for people with all types of disabilities.

Canada now has an opportunity to reform Employment Insurance to address long-standing concerns about equitable access and an inadequate level of support.

Strong public health care

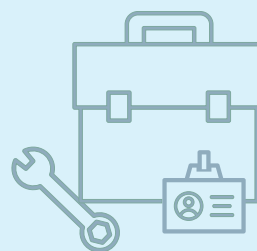


A strong health care system is vital to the social and economic well-being of all Canadians. Canada is the only country with a universal health care system care that does not also cover prescription drugs.

We need a national, universal pharmacare program that gives every Canadian access to the prescription medication they need.

The pandemic has shown the terrible state of the long-term care system in Canada. Long-term care residents are four times more likely to die of COVID-19 in private facilities than in public facilities. We must transition to a public long-term care system, because if private companies can cut corners to boost their profits, Canadians’ health will be compromised.

Strong labour laws and good, secure jobs



Millions of jobs have been lost as a result of the pandemic, raising unemployment to levels our country has not seen for decades. The

employment loss has been especially great for women, LGBTQ+, racialized and Indigenous workers, and the public health crisis has also made migrant workers more vulnerable. Precarious work and the gig economy are leaving many people on the constant edge of poverty. We need governments at all levels to work together to put in place a comprehensive job strategy that includes the expansion of public sector employment. This is also the time to stop privatization, strengthen labour laws to encourage unionization, and ensure decent work for everyone.



Climate justice

The climate crisis calls for economic recovery to include a transition to a green economy. Governments must work towards a zero-carbon economy that supports good, stable jobs and social equity. Any climate action plan must include Indigenous peoples at the forefront. As well, education, youth engagement, direct action participation, local and community initiatives and empowerment are all part of the solution.



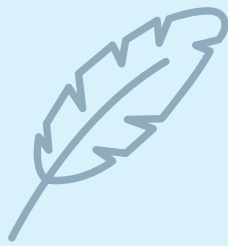
Accessibility, support, and dignity for people with disabilities

All Canadians deserve to live with dignity and contribute to the best of their ability, yet a large proportion of people with disabilities are unable to find work that recognizes their skills and accommodates their needs. The federal government took a first step by passing the *Accessible Canada Act* (ACA), but the Act will need strong regulations to make it work.

We need a Canada where all aspects of society are built in a way that is inclusive and accessible to people of all different physical, mental health or cognitive abilities and does not create barriers to participation.

Full rights and sovereignty for Indigenous peoples

Any plan to build a better Canada must focus on Indigenous rights and ensuring the full and effective participation of Indigenous Peoples, in line with the standard of free, prior, and informed consent.



Canada needs to close the infrastructure gap and invest in clean water, move quickly on the National Action Plan in response to the MMIWG (Missing and Murdered Indigenous Women and Girls) inquiry and the Truth and Reconciliation Commission's recommendations, implement the United Nations Declaration on the Rights of Indigenous Peoples, and co-develop health legislation with First Nations, Inuit, and Métis Nations. The government must also address the crisis of ever-rising food prices in the North.

Gender equality

COVID-19 has taken an enormous toll on women. In the first few months of the pandemic, nearly 1.5 million women in Canada lost their jobs, and women's participation in the labour force fell to its lowest level in three decades. As well, domestic violence has been increasing as people isolate in their homes. The most marginalized women, including Black, racialized, Indigenous, and trans women have been hit the hardest. The government must implement a national plan to address domestic violence. Economic supports, education, and child care must be put in place to address gender inequality.



Anti-racism: Dismantling racist structures and systems

We cannot move towards a socially and economically just Canada without dismantling system racism that

permeates all of Canada's social, economic, justice, education and political systems. This means developing budgets, policies and social supports that address systemic discrimination and eliminate bias, including anti-Black racism.

Canadian institutions - including governments, the judiciary, the education system, the media, and financial establishments - have been built from a foundation of inequality. We need to completely overhaul our justice system and rebuild it in a way that supports communities and individuals. We need programs to support job creation and employment equity for racialized, Indigenous, and Black communities, including strong employment equity legislation federally and in every province and territory. Anti-racism education for all Canadians, at every age, is also essential.



Equality for LGBTQ2+ people

The pandemic has also seen an increase in isolation amongst LGBTQ2+ people, which can lead to family violence, depression, and suicide. Canada needs to support all LGBTQ2+ people by increasing support for youth, ending conversion therapy, and addressing homophobia and transphobia. Discrimination against trans and gender-variant people is widespread and must be addressed, including better data collection and specifically designed policies to create education and awareness to end discrimination.

Fair taxation

Canada is a wealthy nation, but much of that wealth is concentrated in the few at the top. Economic and social justice means that wealth must be redistributed, and the ultra-wealthy must pay an increased share of public costs. PSAC believes there is no better time than now to ask big businesses to pay their fair share through a higher tax rate on profits to help fund initiatives such as child care and pharmacare to benefit the many and not just the few.



Contributors: Allison Pilon and Tasia Brown

How our union is helping to build the Canada we need



PSAC works continuously to improve working conditions for members through bargaining, the grievance process, health and safety committees and other avenues. At the same time, we strive to make life better for all in Canada. Raising the floor for everyone not only makes our society fairer and more resilient, it also provides our union a stronger base from which we can negotiate better contracts for members.

Here are some of the many ways PSAC is working to build a better Canada for all:

Income support during pandemic

We were one of the first to call for the expansion of the Canada Recovery Benefit to \$500 per week, which the government eventually agreed to do. And we continue to push for better paid sick leave provisions for all workers.

National child care system

PSAC has been leading campaigns on child care for more than four decades and has called for the creation of a publicly funded child care system across Canada. We achieved a major victory in September when the Trudeau government announced it would make “a significant, long-term, sustained investment” towards a Canada-wide early learning and child care system.

Pharmacare

Through the Forward Together campaign, PSAC is working to create a universal prescription drug plan that will ensure no Canadian has to choose between costly medicines and putting food on the table.

Fixing long term care

We are pressing the government to make Revera Inc., the second largest network of long-term care homes in Canada, publicly managed and operated. Revera, currently run as a private entity under ownership of the public service pension plan, has experienced hundreds of seniors’ deaths from COVID-19 due to poor management.

Decolonization

From the *Idle No More* Movement to campaigns for clean water in First Nations communities, PSAC has a long history of working in solidarity with Indigenous struggles and we have made campaigns

that support missing and murdered Indigenous women and girls a priority. We continue to be guided by the Truth and Reconciliation Commission Calls to Action and are pressing the government to address systemic racism in policing and the justice system.

Fighting systemic racism

We are demanding that employers put in place equity initiatives that include anti-racism measures and we are pressing the government to examine how its laws, policies and practices negatively impact racialized communities.

Improving accessibility

PSAC actively supported the development of the recent *Accessible Canada Act* and Federal Public Service Accessibility Strategy. We will be working with government to set standards and regulations under the *Act* that all federally regulated employers will have to follow.

Supporting LGBTQ2+ people

We remain committed to working with employers to make trans-inclusive workplaces and advocating for better data collection towards the recognition of the LGBTQ2+ community in the *Employment Equity Act*.

Progressive taxation

While millions of workers struggled, many big businesses have continued reaping massive profits throughout the pandemic. For example, Canada’s big five banks alone recorded a stunning \$9 billion in profits during what the business press called one of the “worst” periods in banking history. PSAC has supported Canadians for Tax Fairness in their call for a progressive tax system where all individuals and corporations pay their fair share.

Contributor: Alroy Fonseca

STAY CONNECTED

Update your information at psacunion.ca/user today!

Since March, the vast majority of PSAC members have seen their work life change considerably. That means we’ve had to change how we reach you. Now it’s more important than ever that we have your up-to-date, complete contact information - including your personal email address, phone number, and home address.

Also, when you voluntarily update your information to include what equity-seeking groups you identify with, and your language preference, we can make sure you get the news that’s most important to you.

Note that we take your privacy very seriously. We do not share your contact, demographic, or personal information with any organization outside of PSAC and all information is stored securely.

PSAC's Social Justice Fund helps vulnerable communities during pandemic

The COVID-19 pandemic has magnified deep structural inequalities in our society: the increase in precarious work affecting youth, women and racialized workers; the lack of affordable housing and drinkable water in Indigenous communities; and the privatization and deterioration of eldercare, to name but a few. PSAC and our Social Justice Fund (SJF) are faced with enormous challenges to address these issues.

Government assistance packages—both in Canada and internationally—have overlooked some of the most pressing needs of vulnerable communities. In response, the SJF Steering Committee created a COVID-19 Emergency and Recovery Fund. It is working closely with allies and communities to expand existing programs or identify new directions that the SJF has not considered before, both here in Canada and internationally.

During the first wave, the SJF provided support to several national efforts, such as Canada Without Poverty's Pandemic Watch, the Dignity for All campaign *Chew on This*, the newly formed Network on the Right to Housing, and the campaign to prevent further COVID-19 evictions organized by ACORN in cities across the country.

Our response in Canada also included targeted local initiatives, such as:

- Contributions to the Abluqta Society foodbank in Baker Lake, Nunavut, which has been overwhelmed by demand because of a mine closure and underemployment due to COVID-19.
- The distribution of food boxes, personal protective equipment, information sessions and legal support for migrant farms workers in Southern Ontario through Justicia for Migrant Workers.
- Support for the Amethyst Women's Addiction Centre to transition from an entirely in-person social service to one that offers programs virtually.



Internationally, SJF-supported organizations in Columbia and Guatemala face very difficult challenges to keep their unions and communities safe, keep food and health resources available, maintain clean water and hygiene in refugee camps, and keep their social networks alive while maintaining their struggles in defense of their land and environment. All the organizations are involved in on-going community defense struggles, even as they respond to COVID-19.

You can get more information on the work of the SJF, including details of our work at the international level by visiting psacunion.ca/social-justice-fund

Contributor: Jonathan Choquette

Federal law changes bringing accountability to the workplace

For too many workers, harassment and violence are common on the job, especially for women, who are four times more likely to experience violence and harassment than their male colleagues. For Black, Indigenous and racialized women, and those living with a disability, rates of harassment and violence are even higher.

But new changes to the *Workplace Harassment and Violence Prevention Regulations* of the *Canada Labour Code*, implemented by Bill C-65, aim to better protect federal workers. The changes apply to workers in the federal public service and separate agencies, crown corporations, airports, telecommunications, and other federally regulated industries.

Prevention and accountability

The new system and changes to the process will help better prevent—and actively address—harassment and violence in the workplace. For Diane Girouard, National Capital Region Vice-President for the Union of Health and Environment Workers, this is more important than ever.

“Before, there wasn't enough accountability from the offenders, and it was extremely frustrating,” she said. “But now, C-65

brings a clear definition of what violence and harassment in the workplace means, plus mandatory training for managers and employees.”

The new regulations focus on prevention and health and safety aspects. There are other avenues (such as grievances) where workers can take complaints about discrimination or negative treatment based on race, colour, disability, sexual orientation, and other human rights grounds. PSAC members are asked to speak to their union representative about the best way to deal with individual situations.

Harassment impacts mental health

The far-reaching impact of violence and harassment in the workplace on the mental health and physical safety of workers cannot be underestimated.

“Everyone deserves a safe place to work. We are dealing with people's health here, and we are all accountable. That's why we need to be champions for our members.”

– Diane Girouard

“Mental health injuries last a lifetime. They damage individuals to the core. It can take years before you can even start recovering. We need to take this seriously,” said Girouard.

PSAC will be vigilant and ensure the regulatory framework on harassment and violence is well implemented so that our workplaces are safe, our members' human rights are protected, and everyone is treated with dignity.

Contributor: Rosane Doré Lefebvre

For more information on the new regulations, see the back page of this issue, and visit: psacunion.ca/bullying

Addressing violence and harassment at work: A roadmap for the new federal process

The government has passed revised regulations under the *Canada Labour Code* that put in place a new process for incidents of violence and harassment in federal workplaces. Here are some highlights of the new process.

Steps in the process

1

Notification: Making the employer aware

- Complainant or witness gives notice in writing or orally
- Employer or designated recipient confirms receipt within 7 calendar days
- Employer must also inform complainant about each step of the resolution process and their right to representation (by union or support person)

2

Negotiated resolution or conciliation: Talking it out

- Parties must make efforts to resolve the issue
- Parties may use *conciliation* if acceptable to all.
Note: The use of conciliation does not rule out a formal investigation if the process is not successful.

3

Investigation: The new part

- An investigation of the occurrence must be carried out if requested
- Employer or designated recipient selects an investigator from a joint internal list who is agreed to by both parties
- If an investigator cannot be mutually agreed to, one is appointed from the government's roster, after 60 days
- Investigator conducts their investigation

4

Completion of process

- Investigator provides report to employer, which includes (a) a general description of what happened; (b) conclusions; and (c) recommendations to eliminate or minimize the risk of a similar occurrence
- Employer provides investigator's report to all parties and the workplace committee or health and safety representative
- Employer and workplace committee or health and safety representative jointly determine which of the recommendations will be implemented
- All joint recommendations **MUST** be implemented by the employer



How it has improved

- a "designated recipient" receives harassment and violence complaints, so workers no longer have to file a complaint to their supervisor
- reasonable timeframes for resolution to better support the complainant and alleged perpetrator (7 days to respond to a notice of an incident, 60 days to appoint an Investigator, one year for the entire process to be wrapped up)
- confidentiality of all parties involved, including witnesses, throughout the investigation
- a unique process for employees victimized by a third party (for example, an employee harassed by a client)
- employer obligations to implement recommendations and/or corrective measures in response to the investigation report