Meeting with the Clerk of the Privy Council

“An Informal round Table discussion on Harassment relating to Persons with Disabilities”

The meeting was opened by the Deputy Clerk Andrea Lyons welcoming the group and expressing the clerk’s interest in engaging some of the leaders representing employees with disabilities. She spoke about #Metoo and how that also became a trigger for the consultations. The clerk is looking to identify gaps, if adequate training is in place, impediments, and the roles of managers and to ensure persons are not re-victimized.

**Participants:**

* Yazmine Laroche (NCR), Associate Deputy Minister of Infrastructure and Communities and Champion for the Federal Employees with Disabilities Community
* Glen Hayes (NCR), Communications Advisor, Infrastructure Canada
* Emanuel Thibault (NCR), Program Officer, Public Safety Canada
* William Serson (NCR), Disability and Workplace Wellbeing Analyst, Fisheries and Oceans Canada
* Peter Field (NCR), Director, Pensions and Benefits, Treasury Board Secretariat
* Dan O'Leary (Toronto), Human Resources Advisor, Indigenous and Northern Affairs Canada
* Mae Johnson (NCR), Director, Health Products and Food Branch, Health Canada
* André Demers (NCR), Employees with Disabilities Network, Employment and Social Development Canada
* Jennifer Leenhouts (Vancouver), Employees with Disabilities Network, Employment and Social Development Canada
* Sarah Visser (Kingston), Human Resources Advisor, Correctional Service Canada

The purpose of the meeting was to allow opportunities for the leads and Network Chairs/Co-Chairs to be able to discuss some of the results from the Public Service Employee Survey specific to harassment and discrimination; to highlight some of the barriers facing employees with disabilities and provide some ideas and solutions moving forward. The following captures the points the group provided to the clerk.

PSES

* The definition between Harassment and discrimination are not clear enough on the PSES. It would be good to have the wording come right from the Canadian Human Rights Act. It even provides some examples where performance management is not discrimination/harassment.
* There appears to be that the department is identified with the harassment but unclear where and in what situation that is taking place
* PSES does not distinguish between the level of authority and where the harassment or discrimination is taking place. Questions need to be drilled down more to allow the employee to give the answer that suits the situation
* Examples of computers crashing and there is no outlet for people to go other than the survey, which is why some of the results might show that

Emotional State Person with Disability

* Self-identification is difficult
* Health Canada and the letter writing campaign talked about the break-up letter when a person leaves or a good letter. For person with disabilities 9 out of 10 break up letter. There is a profound sense of shame and lack of self-worth.
* The is a lack of trust for the department as they did not respond
* Shame was a key feeling for these employees, as action on committed activities don’t take place, requests are not heard and basic dignity lacking
* Discussion on “covert harassment” when managers and tem leaders are pressuring employees to complete mandatory training that is on a platform that is not accessible e.g. SABA or position specific training
* Need to provide more information and education on harassment on invisible/episodic disabilities

Duty to Accommodate

* For a person with disabilities it is very difficult when they have to move to another manager as they get continuous DTA requests
* There is a lack of education with managers and staff
* DTA there is a lack of understanding of the parameters and process
* This is creating a toxic work environment
* There should be a consequences perspective
* The is a lack of accommodation within systems and practices need to be built
* Education on DTA is required, both for manager and team leader –it should be part of the immediately on boarding training
* Employee to Employee perception and education training is another critical factor
* Noted that some employees have been laughed at for requesting DTA or supposed to be the benefactor of DTA but it never transpired
* Working within the systems issues with software/programs/platforms and there is a back and forth issue between SSC and IITB
* Again, SSC and IT compatibility issues

Performance and Career Progression

* There is a tendency for a performance comparison to be done from leadership to abled bodied persons. E.g. “Assume” incorrectly where person with disability can have a higher performance (harassment both ways)
* Career progression making it difficult to apply on a position
* Management indicating that a person cannot be promoted because of their disability
* Requests for medical documentation during processes, coming out at examination time, dealing with the personal psychology centre and testing delayed because it is not accessible, but appointments are being made already as the able bodied people have completed the process

Further Discussion

* Needs to be a culture shift in Federal Government and in some departments no champions or chairs and in others no authority for those champions and Charis
* Parking issue discussed when disabled parking spots where removed (not the issue of the employee paying –that is not the problem) but spots no longer available and assumption made that the person can used transit. Multiple issues making this not feasible. Consequence being that this is limiting career opportunities for some disabled employees.
* Spoke about the opportunity for leadership to give the person an edge, instead of the perception that everyone is the same
* Noted that three elements from this need to be in the forefront for Harassment/Discrimination: Visibility (always thought of) Commitment (from very senior leadership to employee) and communication (need for a new program making it clearer)

Yazmine Laroche closed indicating that she was also there to listen. That the PSES needs to know what the answers mean. She thanked the group for having the courage in willing to share and that is critical for change. The idea of employees being excluded and/or ignored and that cannot always be overt, persons not included/belong is a form of harassment. Employees and leadership deserve to have the tools they need and she recognized this is an early step to getting this done.

Prepared: Jennifer Leenhouts Co-Chair ESDC EwDN