

M.U.N.A.S.A. Executive Bulletin – Sept. 7, 2004

M.U.N.A.S.A. proposal on a Policy on Harassment and Discrimination Prohibited by Law

On Thursday September 2 the M.U.N.A.S.A. Executive Committee adopted a proposal on a Policy on Harassment and Discrimination Prohibited by Law. The twenty-page proposal was sent to Dr. Martha Crago, who chairs a workgroup appointed by the Provost to recommend the structure of an Equity Office and to develop the elements of a policy on harassment and discrimination. M.U.N.A.S.A.'s proposal is available on the M.U.N.A.S.A. website at www.MUNASA.com/global/documents/HarassmentPolicyDraft20040604-MUNASAAAnalysis.pdf and has been circulated to the presidents of MUNACA, MAUT, SSMU, and PGSS for their consideration.

M.U.N.A.S.A. takes the issue of psychological harassment very seriously. It is a particularly complex issue for managers and professionals within the present administrative environment. Amendments to the Labour Standards Act which took effect June 1, 2004 place an obligation upon all employers within Quebec to provide a work environment free from psychological harassment. M.U.N.A.S.A. has made presentations on the provisions within the Quebec Labour Standards Act to its members and to the McGill Community. M.U.N.A.S.A. also has circulated the widely information pamphlet of the Commission des normes du travail (www.cnt.gouv.qc.ca/en/index.asp).

M.U.N.A.S.A. was a significant contributor to the original text of the Regulations Concerning Complaints of Sexual Harassment and has remained committed to all aspects of protection from harassment and discrimination for the ensuing twenty years. We have been particularly careful to retain all of features of the Regulations as they have proven effective with decades of experience.

The M.U.N.A.S.A. Executive Committee encourages all M.U.N.A.S.A. members to familiarize themselves with both the draft policy and M.U.N.A.S.A.'s recommendations for improvement. With this proposal M.U.N.A.S.A. is combining the provisions of Quebec law with the existing provisions of the Regulations on Sexual Harassment. The Executive Committee is persuaded to combine Psychological Harassment and Sexual Harassment there is often the uncertainty of whether the harassment is of a sexual nature or not. Transferring a complaint from one policy to another would only server to frustrate the complainant.

History

- October 2002 The Workgroup on Harassment and Discrimination Policy was created by the Provost. Its mandate was to ascertain if McGill needed new policies on discrimination and harassment. The Workgroup concluded that existing policies were adequate but that an educational program was lacking and that the existing processes should be used.
- Fall 2003 The Provost appoints a second Work Group with Dr. Crago as chair. The group's mandate was to draft a policy concerning harassment and discrimination and to make a proposal for an information office to disseminate information on the prevention of harassment and prohibited discrimination.
- January 2004 A grave incident of harassment took place in Facilities Management, where a McGill employee and MUNASA member was victimized.
- February 2004 The Executive Committee of the Board of Governors adopted the "Interim Policy Concerning Complaints of Harassment" as a direct consequence of the harassment incident of January.
- February 2004 The "Interim Policy Concerning Complaints of Harassment" came under serious criticism from many quarters as being wholly inadequate and grossly inferior to existing policies, notably the Sexual Harassment Policy.
- February 2004 M.U.N.A.S.A., for the 2004 round of policy discussions with the McGill Administration, proposed a new policy on harassment as part of the amendments to university policies prompted by changes to the Quebec Labour Standards Act.

March 2004 Martha Crago contacted MUNASA to explain the status of her working group's progress on a harassment policy to replace the interim policy. M.U.N.A.S.A. supplied copies of M.U.N.A.S.A.'s proposal on a Harassment Policy and a Whistleblower Policy.

June 1, 2004 Amendments to the Labour Standards Act regarding harassment in the workplace came into effect. Employers became legally responsible for the creation and maintenance of a harassment free environment.

June 3,2004 Dr. Crago meets with representatives of M.U.N.A.S.A. to present a draft policy to MUNASA for review and comment.

June 4,2004 Dr. Crago circulates the June 4, 2004 Draft Policy on Harassment and Discrimination Prohibited by Law.

Sept. 3, 2004 MUNASA tabled its recommendations and revisions to Dr. Crago's work Group.

M.U.N.A.S.A. continues to pursue amendments to other personnel policies through discussions with Human Resources scheduled at various intervals between September and December. News on progress in that area will be forthcoming.

The Executive Committee would like to remind all M.U.N.A.S.A. members that the committee meets every Thursday at the M.U.N.A.S.A. office. Members are encouraged to attend the non-confidential portion of the meeting starting at 12:30.

Trevor Garland, President

Robert Stanley, Vice-President