

## WHPO Program and Goals

The Yukon Government's Workplace Harassment Prevention Office (WHPO) was established in 1998, with a mandate to address issues of harassment brought forward as grievances under Collective Agreements or as complaints under the government's Workplace Harassment Policy (3.47 GAM).

In recent years the Office has grown to include more staff members, allowing for a stronger focus on prevention, education and early resolution of harassment issues in addition to the core mandate of investigating formal complaints and grievances.

The WHPO is housed in the Policy and Planning branch of the Public Service Commission, with staff reporting to the manager, who reports to the branch Director.

## Executive Summary

As of August, 2004 the WHPO has been fully staffed in accordance with the organizational design approved in the previous fiscal year. The office now consists of a Manager, two Workplace Harassment Prevention Coordinators (one permanent and one a term position) and an Intake and Administrative Officer. Prior to that, staffing issues necessitated the use of external contractors for mediation and investigations, which enabled the Office to close the majority of old files. Now, operating on full staff complement, the office is in a position to manage the workload without the need to outsource, except in special instances. The full complement allows the Office to have a stronger focus on formal intervention and increased workshop participation, as well as the ability to deal with a growing demand for early intervention to prevent potentially harassing situations from escalating. Finally, it should reduce the amount of time needed to bring cases to resolution, wherever practical.

## Successes

The increased complement of staff – with all vacancies now filled - enabled the Office to focus more on program development and early intervention. Other notable successes include:

- More focus on proactive prevention and early resolution of harassment issues
- Increase in department specific workshops
- Almost all of the old files have now been closed
- A sharp decline in the number of formal complaints (down almost 50% from last year)

## Challenges

Many of the challenges cited in previous years are still of issue today. A working group established in the previous fiscal year, tasked with reviewing the harassment prevention program and policy, put forward a number of recommendations related to these and other challenges. The Office is currently focusing on the following:

- Continued need to reduce timelines for completing investigations
- Finding ways to effectively measure and monitor the effect of harassment investigations in the workplace after conclusion
- Update Policy and Procedure to reflect changes in this field over the last decade

## Activity Summary

The significant decrease in the number of formal complaints (both grievance and policy) reflects a return to previous levels after the unusual activity experienced in the previous fiscal year. This decline is balanced by an increase in activity levels in the areas of prevention, resolution, and early intervention.

More issues are being successfully resolved through informal or early intervention. This is seen in terms of the number of informal inquiries, which has remained largely the same while the number of formal complaints has dropped by half. Training and intervention requests are on the rise. The number of attendees at workshops, presentations, and training sessions has increased substantially.

**Overall New Activity Summary**

Activity Type	2003-04	2004-05
Public Inquiries	9	6
Informal Inquiries	43	41
Workshops/Training/Presentations	43	41
Attendees in Workshops, etc.	436	544
New Grievance Complaints	35	18
New Policy Complaints	16	6
New DM Requests	0	1
<b>Total New Formal Complaints</b>	<b>51</b>	<b>25</b>

## Activity by Department

**Formal Complaint & Informal Inquiry Activity  
by Department**

Department	2003-04	2004-05
Community Services	6	7
Education	5	6
Environment	5	7
Executive Council Office	4	5
Health & Social Services	30	17
Highways & Public Works	23	11
Justice	9	7
Public Service Commission	3	n/a
Tourism & Culture	4	n/a
Other	5	6
<b>Total</b>	<b>94</b>	<b>66</b>

*Other - risk of identifying dept due to small numbers*

*n/a - not applicable (# is identified in "other" category)*

## Type of Harassment Complaints

While we have received fewer complaints in this regard than last year, "abuse of authority" (alone or in combination with "personal harassment" allegations) is still at the core of most grievance and policy complaints. These kinds of complaints remain the most complex issues to resolve as they frequently involve a number of peripheral issues related to performance management and operational decisions.

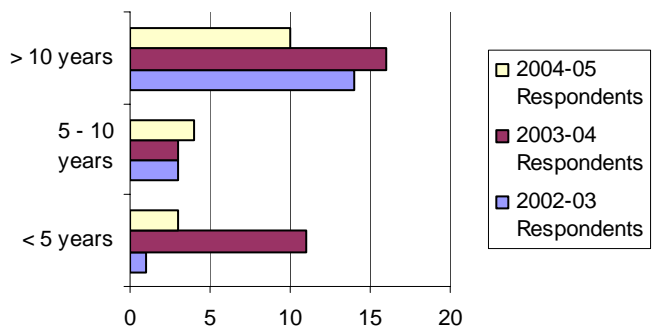
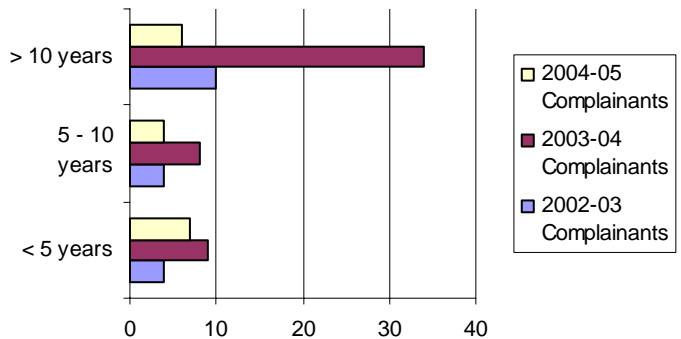
Type of Harassment Complaints	2003-04		Total	2004-05		Total
	Grievance	Policy		Grievance	Policy	
Personal Harassment	13	6	19	9	1	10
Sexual Harassment	0	0	0	0	0	0
Abuse of Authority	17	8	25	4	1	5
Personal Harassment and Abuse of Authority	5	2	7	5	5	10
<b>Type of New Formal Complaints</b>	<b>35</b>	<b>16</b>	<b>51</b>	<b>18</b>	<b>7</b>	<b>25</b>

## Length of Service and Gender in New Complaints

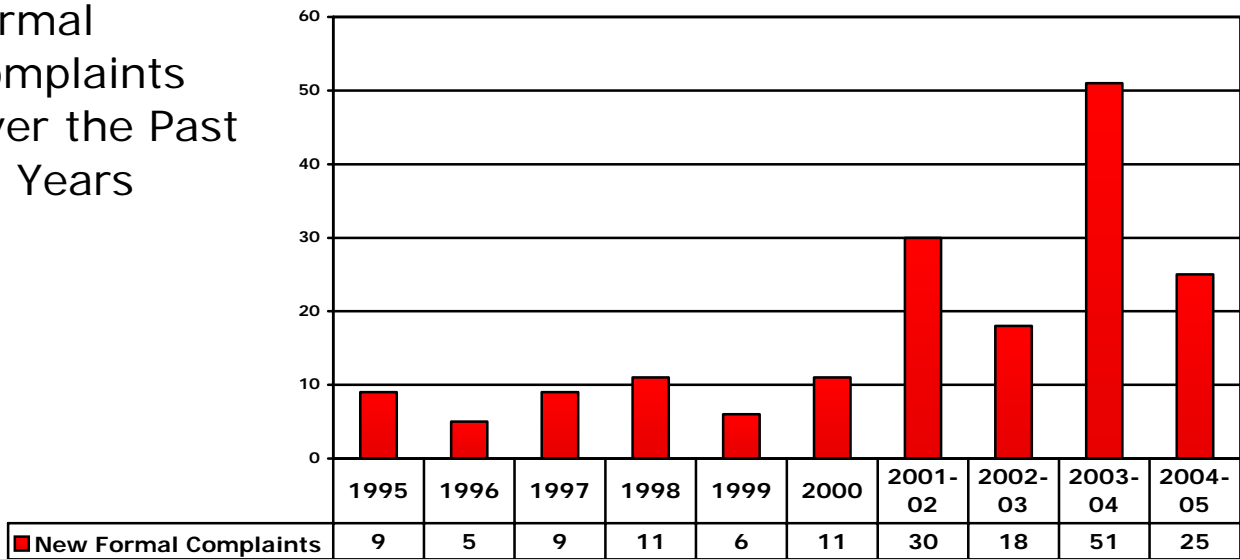
Since the last fiscal year, the WHPO has begun tracking employee length of service (noting the years of service of both complainants and respondents) as well as gender statistics in new complaints.

The statistics presented represent the raw data collected to date and have been included for general information purposes. Further analysis will be undertaken in these areas to determine whether there are significant issues specific to length of service and gender in need of redress.

Gender	Gender for Complainant		Gender for Respondent	
	2003-04	2004-05	2003-04	2004-05
Female	26	14	17	13
Male	25	10	13	11



### Formal Complaints Over the Past 10 Years



### Outcome of Closed Files

The decrease in the number of complaints resolved is directly linked to the decrease in number of complaints received, while the number of reports issued reflects the majority of old files that have now been closed through formal investigation. It should also be noted that, out of the number of reports issued (i.e. files investigated), harassment was found in only two cases.

Outcome of Closed Files	2003-04	2004-05
Withdrawn by Complainant	4	7
Resolved	32	8
Rejected (policy complaints only)	5	2
Report Issued	0	15
<b>Total Complaints Closed</b>	<b>41</b>	<b>32</b>

### Age of Closed Files

Average Age of Files Closed	2003-04	2004-05
At Withdrawal	9.6 months	15.9 months
At Resolution	8.3 months	20.2 months
At Reject	-	1.5 months
At Report	-	22.1 months

This chart clearly reflects the successes in finally closing the majority of long outstanding complaints in this fiscal year – during the first half of which the Office was understaffed and had to rely on contract investigators to complete investigations. This would explain the apparent increase in timelines to close files.

## Number of Open Complaints at Fiscal Year End

While 25 new complaints were filed, a total of 32 files were closed (representing both new and hold over complaints). There remains a holdover of 28 open files at this year's end.

*Of the 28 open files, 15 are less than 6 months old, 7 are between 6-12 months and 6 are over 12 months of age.*

The majority of these are actively being processed through either alternative dispute resolution or formal investigation. The exception would be those cases currently held in abeyance at the complainant's (or the Union's) request.

Complaint Type	Before 2004 Holdovers	Opened in 2004-05	Closed in 2004-05	Open at March 31/05
Grievance	22	18	19	21
Policy	13	7	13	7
Total	35	25	32	28

## Workshops, Training and Presentations

Overall, workshop participation reflects a 38% growth, mostly as a result of a sharp increase in department specific workshops. While general workshop attendance (presented via the Quarterly) has been down with about 40%, department specific workshops show a 75% growth in the number of workshops presented, with a 72% increase in the number of participants at these sessions. This indicates a growing awareness of the value of these workshops within the various departments and supports the Office's goal of an increased emphasis on prevention and early intervention.

Of note is that the Office continues to receive requests from First Nation Governments to deliver workshops to their staff. The frequency with which this happens justifies reporting it as part of our statistics.

Session Type	Sessions in 2003-04	Sessions in 2004-05	Attendees in 2003-04	Attendees in 2004-05
Staff Development Quarterly	7	6	100	60
Department Specific	16	27	231	387
Harassment Review Committee Roster Training	1	0	23	0
First Nation Governments / NGO	n/a	2	n/a	22
Presentations/Briefings	13	4	46	59
Annual Report Presentations	6	2	36	16
Total	43	41	436	544

## Workplace Harassment Prevention Office

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STREET ADDRESS:  
Medical Arts Bldg  
100-211 Hawkins St  
Whitehorse, YT Y1A 1X3

MAILING ADDRESS:  
PO Box 2703  
Whitehorse, YT Y1A 2C6

INTERNAL MAIL CODE:  
Z-211

PHONE:  
(867) 667-3536

FAX:  
(867) 393-7009

E-MAIL:  
harassment.prevention@gov.yk.ca

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## Trends to Note

1. While the number of formal complaints is currently down from last year, Office Activity levels continue to grow in the areas of prevention, resolution and early intervention.
2. More issues are being successfully resolved through informal or early intervention
3. Training and intervention requests are on the rise
4. Grounds for complaints no longer focus on Abuse of Authority alone, but seem to be equally divided between that and Personal Harassment.
5. Timelines for resolving complaints are no longer a challenge

## New and Noteworthy

### Policy & Program Review

The PSC is currently developing an action plan to address and implement recommendations from the working group convened in the previous fiscal year.

### New Location & Mail Code

On March 21, 2005, the Office relocated from the Main Administration Building to the Medical Arts Building on Hawkins Street.

We find that the new location, while still within easy access of the Main Building, provides sufficient "distance" to allow anonymity and greater privacy for employees who feel the need to approach us in confidence.

### Office Resources

In the fall of 2003, Management Board approved new resources for permanent staffing increases. As a result, the office now comprises:

- A Manager, reporting to the Director of Policy and Planning, PSC (permanent FTE)
- A Workplace Harassment Prevention Coordinator (permanent FTE)
- Intake and Administrative Officer (Permanent FTE)
- Workplace Harassment Prevention Coordinator (term until 2006)

### Alternative Dispute Resolution

A significant change from previous years, as a result of the Office functioning with a full complement, is that WHPO is now in a position to offer various types of intervention and ADR – including mediation – upon request. This service has been welcomed by all departments.