

**Fall 2019**

**Report of the Auditor General of Canada  
to the Parliament of Canada**

**Independent Auditor's Report**

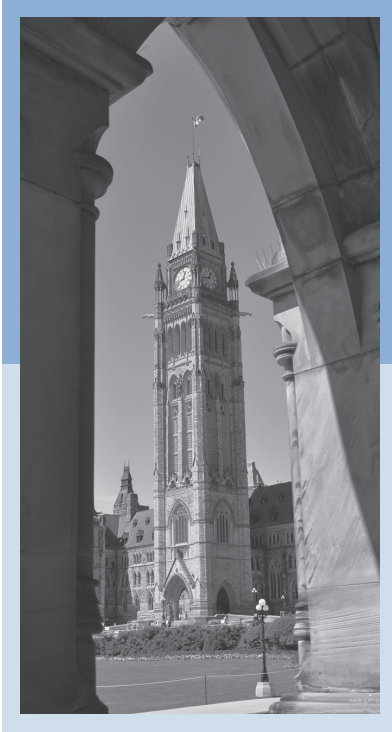
**REPORT 1**  
**Respect in the Workplace**



Office of the  
Auditor General  
of Canada

Bureau du  
vérificateur général  
du Canada





**Fall 2019**

## **Report of the Auditor General of Canada to the Parliament of Canada**

---

**Independent Auditor's Report**

**REPORT 1**

**Respect in the Workplace**



Office of the  
Auditor General  
of Canada

Bureau du  
vérificateur général  
du Canada

## **Performance audit reports**

This report presents the results of a performance audit conducted by the Office of the Auditor General of Canada under the authority of the *Auditor General Act*.

A performance audit is an independent, objective, and systematic assessment of how well government is managing its activities, responsibilities, and resources. Audit topics are selected based on their significance. While the Office may comment on policy implementation in a performance audit, it does not comment on the merits of a policy.

Performance audits are planned, performed, and reported in accordance with professional auditing standards and Office policies. They are conducted by qualified auditors who

- establish audit objectives and criteria for the assessment of performance,
- gather the evidence necessary to assess performance against the criteria,
- report both positive and negative findings,
- conclude against the established audit objectives, and
- make recommendations for improvement when there are significant differences between criteria and assessed performance.

Performance audits contribute to a public service that is ethical and effective and a government that is accountable to Parliament and Canadians.

The Report is available on our website at [www.oag-bvg.gc.ca](http://www.oag-bvg.gc.ca).

*Ce document est également publié en français.*

© Her Majesty the Queen in Right of Canada, as represented by the Auditor General of Canada, 2019.

Cat. No. FA1-27/2019-2-1E-PDF

ISBN 978-0-660-32451-7

ISSN 2561-3421 (Print)

ISSN 2561-343X (Online)

# Table of Contents

- Introduction** **1**
- Background ..... 1
- Focus of the audit ..... 2
- Findings, Recommendations, and Responses** **2**
- Harassment, discrimination, and workplace violence ..... 3
  - The organizations did not do enough to address the problems of harassment, discrimination, and workplace violence ..... 3
    - Insufficient action to identify and address risks .....4
    - Employee concerns about respect in the workplace .....7
    - Informal mechanisms not always communicated .....8
    - Initial assessments not always done .....10
    - Actions to re-establish working relationships after a complaint not always aimed at the entire workplace .....12
- Conclusion** **12**
- About the Audit** **13**
- List of Recommendations** **17**



# Introduction

## Background

---

### Respect in the workplace

1.1 The federal government surveys its employees on their opinions on a number of people management topics. Since at least 2008, this Public Service Employee Survey has included questions on **harassment**, **discrimination**, and **workplace violence**.

1.2 In the 2014–15 fiscal year, a report from the Privy Council Office stated that the federal public service must create a workplace that does not tolerate harassment or discrimination. The report also stated that all departments and agencies should take action to address harassment and discrimination and to create a workplace where all employees are respected. In 2018, the Privy Council Office issued a report to federal organizations to take targeted actions on harassment and report on how they were preventing and resolving harassment.

1.3 In 2016 and 2017, there was national media coverage of alleged harassment in Correctional Service Canada. In 2018, the mandate letter from the Minister of Public Safety and Emergency Preparedness directed the Commissioner of the Correctional Service of Canada to work with staff on issues of concern to them, and to make it an overriding priority to ensure that the department “is a workplace free from bullying, harassment and sexual violence.”

1.4 In this audit, we examined 3 aspects of conduct that erode respect in the workplace—harassment, discrimination, and workplace violence by co-workers and supervisors—at the Canada Border Services Agency and Correctional Service Canada.

---

**Harassment**—“Improper conduct by an individual, that is directed at and offensive to another individual in the workplace, including at any event or any location related to work, and that the individual knew or ought reasonably to have known would cause offence or harm.”

Source: Treasury Board

**Discrimination**—“An action or a decision that treats a person or a group badly for reasons such as their race, age or disability.”

Source: Canadian Human Rights Commission

**Workplace violence**—“Any action, conduct, threat or gesture of a person towards an employee in their work place that can reasonably be expected to cause harm, injury or illness to that employee.”

Source: Department of Justice Canada

---

## Roles and responsibilities

1.5 **Canada Border Services Agency.** The agency is responsible for facilitating the free flow of legitimate persons and goods at Canada's border points. In 2018, it had about 14,000 employees, representing approximately 5% of the total federal public service.

1.6 **Correctional Service Canada.** The department is responsible for managing correctional institutions of various security levels and supervising offenders under conditional release in the community. In 2018, it had about 17,000 employees, representing approximately 6% of the total federal public service.

1.7 Both organizations, like all federal employers, have the responsibility to provide their employees with respectful workplaces.

## Focus of the audit

1.8 This audit focused on whether the Canada Border Services Agency and Correctional Service Canada promoted and maintained respectful workplaces free of harassment, discrimination, and violence by co-workers and supervisors.

1.9 This audit is important because a workplace that is not respectful affects the well-being of employees. In addition, an employer found to be responsible for incidents of harassment, discrimination, and violence may be required to compensate victims.

1.10 More details about the audit objective, scope, approach, and criteria are in **About the Audit** at the end of this report (see pages 13–16).

## Findings, Recommendations, and Responses

---

### Overall message



1.11 Overall, we found that the Canada Border Services Agency's and Correctional Service Canada's approaches to dealing with harassment, discrimination, and violence in the workplace did not do enough to promote and maintain respectful workplaces. The organizations knew that these problems were present in the workplace, yet neither organization had developed a comprehensive strategy to address them, including a way to measure and report on their progress toward reducing harassment, discrimination, and workplace violence. We surveyed employees in both organizations and found that they had serious or significant concerns about organizational culture, and that they feared reprisal if they made complaints of harassment, discrimination, or workplace violence against fellow employees or supervisors. They also had serious or significant concerns about a lack of civility and respect in their workplaces.



1.12 This is important because if employees perceive that their employers do not take their concerns about harassment, discrimination, and violence seriously, they are less likely to report their concerns. Issues that are not reported cannot be resolved and may affect employees' health.

## Harassment, discrimination, and workplace violence

### The organizations did not do enough to address the problems of harassment, discrimination, and workplace violence

---

#### What we found

1.13 We found that the Canada Border Services Agency and Correctional Service Canada knew that their workplaces had problems with harassment, discrimination, and violence. Both undertook some activities to address these problems. However, neither had a strategy based on risk to address these issues. There were also no performance measurement frameworks to help the organizations measure and report on progress toward reducing harassment, discrimination, and workplace violence.

1.14 We surveyed employees at both organizations. According to our survey results, employees feared reprisal if they made complaints of harassment, discrimination, or workplace violence against fellow employees or supervisors. In addition, employees at both organizations responded that they had serious or significant concerns about organizational culture and about civility and respect in their workplaces.

1.15 We also performed a file review of formal complaints. On the basis of our review, we found that the organizations did not handle formal harassment, discrimination, and workplace violence complaints consistently. When employees filed complaints, the organizations did not always tell employees about informal mechanisms for resolving their complaints or assess the complaints before deciding whether to accept or dismiss them.

1.16 Our analysis supporting this finding presents what we examined and discusses the following topics:

- Insufficient action to identify and address risks
- Employee concerns about respect in the workplace
- Informal mechanisms not always communicated
- Initial assessments not always done
- Actions to re-establish working relationships after a complaint not always aimed at the entire workplace

---

**Why this finding matters**

1.17 This finding matters because comprehensive strategies based on risk give organizations specific and measurable goals to work toward achieving respect in the workplace. Such strategies also help them report on progress in reducing harassment, discrimination, and workplace violence.

1.18 In addition, if employees do not believe that they will be supported and treated consistently and without reprisal, they might not come forward with complaints.

---

**Recommendations**

1.19 Our recommendations in this area of examination appear at paragraphs 1.28, 1.34, and 1.40.

---

**Analysis to support this finding**

1.20 **What we examined.** We examined whether the Canada Border Services Agency and Correctional Service Canada had identified and addressed risks related to harassment, discrimination, and workplace violence. We surveyed employees to get their opinions on respect in their workplaces.

1.21 We conducted a file review to examine how the organizations handled employee complaints of harassment, discrimination, and workplace violence filed by employees to both organizations under 4 formal mechanisms:

- complaints of harassment filed under the Treasury Board's Policy on Harassment Prevention and Resolution
- grievances related to harassment and discrimination filed under the *Federal Public Sector Labour Relations Act*
- complaints of workplace violence filed under the *Canada Labour Code* and the *Canada Occupational Health and Safety Regulations*
- disclosures of wrongdoing related to harassment and discrimination filed under the *Public Servants Disclosure Protection Act*

1.22 In the file review, we also examined whether the organizations told employees about informal mechanisms for resolving their complaints, assessed the complaints before deciding whether to accept or dismiss them, and took actions to restore working relationships, when required.

**Insufficient action to identify and address risks**

1.23 We found that the organizations did not take enough action to address the risks that they could not maintain workplaces free from harassment, discrimination, and workplace violence.

1.24 We found that before the 2017–18 fiscal year, Correctional Service Canada had not formally stated in its corporate risk documents that it had serious issues of harassment, discrimination, and workplace violence among employees. In light of harassment events at its institutions

in 2016 and 2017, the department amended its 2017–18 fiscal year corporate risk profile to include harassment, discrimination, and workplace violence. The Canada Border Services Agency did not include harassment, discrimination, and workplace violence among employees in its corporate risk documents.

1.25 We also found that neither organization had a comprehensive strategy to address harassment, discrimination, and workplace violence. This meant that the organizations had not defined overall strategic objectives, nor had they prioritized how to achieve them. Both organizations reviewed complaint statistics and results from employee surveys, including the Public Service Employee Survey. However, neither organization had a performance measurement framework. Such a framework would

- establish performance expectations in the short and long terms
- measure actual results year over year
- report on progress toward addressing the risks of harassment, discrimination, and workplace violence

1.26 Both organizations recently conducted some activities to address risks related to harassment, discrimination, and workplace violence. Following are examples:

- In 2018, the Canada Border Services Agency approved a communication plan to promote its informal conflict management system, which the agency said can be less stressful than formal resolution methods. In 2018, the agency's senior management spoke with staff across the country to understand their concerns about workplace culture. In addition, in July 2018, the agency approved the development of a respectful workplace strategy, which was not in place at the end of our audit period.
- Between 2017 and 2018, Correctional Service Canada completed assessments at 18 of 148 organizational units (such as institutions and parole offices). These assessments identified risks to safety, security, and well-being that employees in each unit faced, in order to later develop a strategy in each unit to manage risks. In addition, in early 2018, the department launched a respectful workplace campaign to help prevent workplace harassment. Also, the department head began sending periodic messages to staff to promote a healthy and respectful workplace.

1.27 In our opinion, although activities such as these were intended to address harassment, discrimination, and workplace violence, they were independent of each other and together did not make up a comprehensive strategy. Also, the organizations did not show that they took results from activities and that they reported summary results to decision makers on progress toward reaching respect in the workplace.

1.28 **Recommendation.** The Canada Border Services Agency and Correctional Service Canada should develop and implement comprehensive strategies to address harassment, discrimination, and workplace violence. Each strategy should be based on risks and be supported by action plans with clear accountabilities and performance monitoring for continual improvement.

**The Canada Border Services Agency's response.** *Agreed. The Canada Border Services Agency (CBSA) will develop and implement a comprehensive strategy by March 2020 and monitor the results by December 2021.*

*The strategy will build on key elements that have already been implemented, such as 1) a zero tolerance policy for workplace harassment, discrimination, and violence; 2) the approved February 2017 Integrity Strategy, which enhances agency-wide training and awareness activities (such as Occupational Health and Safety in the Workplace; Violence Prevention in the Workplace; Diversity and Race Relations; Values, Ethics and Disclosure of Wrongdoing at CBSA; Mental Health Awareness; and Creating a Respectful Workplace) and reinforces management responsibilities, strengthens workplace support, and renews the agency's mental health strategy; and 3) the National Integrity Centre of Expertise, created in July 2019, which brings together the new Harassment Prevention and Resolution Office, the Values and Ethics Office, and the Informal Conflict Management Office. The national centre provides support, guidance, and resources and offers a safe place to discuss disrespectful behaviours. It provides services to employees and managers regarding resolution and reporting and will ensure consistent application of the policies and procedures.*

*The new strategy also accounts for the implementation of Bill C-65 to ensure that employees better understand their rights and access the appropriate complaint mechanism.*

**Correctional Service Canada's response.** *Agreed. A comprehensive strategy to address harassment, discrimination, and workplace violence is integral to eliminating workplace harassment and ensuring a work environment where employees are treated with respect, dignity, and fairness. To that end, and building on a series of activities undertaken over the course of the last few years, Correctional Service Canada will implement a national comprehensive strategy on workplace wellness and employee well-being. This strategy will address harassment, discrimination, and workplace violence in a holistic manner, based on risks and supported by action plans with clear accountabilities and performance monitoring. The department will implement this strategy before the end of the 2019–20 fiscal year. It will leverage the work already*

*undertaken as part of its recently published Workplace Climate and Employee Well-Being Annual Report, which established a benchmark of its current workplace climate and included performance indicators that the department will monitor annually to ensure continual improvement.*

### **Employee concerns about respect in the workplace**

1.29 We surveyed employees at the Canada Border Services Agency and Correctional Service Canada on their opinions on respect in their workplaces (Exhibit 1.1). We found that more than one third of survey respondents at each organization stated that employees feared reprisal if they made complaints of harassment, discrimination, or workplace violence.

1.30 In addition, more than half of survey respondents stated that they had serious or significant concerns about civility and respect. On this topic, the survey asked respondents to state their opinions on the following statements about their workplaces:

- People treat each other with respect and consideration in our workplace.
- Our workplace effectively handles “people problems” that exist between staff.
- People from all backgrounds are treated fairly in our workplace.
- Unnecessary conflict is kept to a minimum in our workplace.
- My workplace has effective ways of addressing inappropriate behaviour by customers or clients.

1.31 Two thirds of survey respondents answered that they had serious or significant concerns about organizational culture. On this topic, the survey asked respondents to state their opinions on the following statements about their workplaces:

- All people in our workplace are held accountable for their actions.
- People at work show sincere respect for others’ ideas, values, and beliefs.
- Difficult situations at work are addressed effectively.
- I feel that I am part of a community at work.
- Employees and management trust one another.

**Exhibit 1.1** In a survey, employees expressed concerns about reprisals, civility and respect in the workplace, and organizational culture

Employee concerns	Canada Border Services Agency	Correctional Service Canada
	Respondents in agreement	
If an employee in my workplace was affected by harassment, discrimination, or violence from another employee or management, the employee would fear reprisal as a result of making a complaint.	2,136 of 6,090 (35%)	2,466 of 5,383 (46%)
Civility and respect are serious or significant concerns.	3,355 of 6,090 (55%)	3,212 of 5,383 (60%)
Organizational culture is a serious or significant concern.	4,013 of 6,090 (66%)	3,625 of 5,383 (67%)

Source: Data from a survey administered by the Office of the Auditor General of Canada. For details about the survey, see **About the Audit** at the end of this report.

**Informal mechanisms not always communicated**

1.32 In our file review of harassment and workplace violence complaints, we examined whether the organizations told employees about informal mechanisms for resolving their complaints. When handling formal complaints, federal employers are encouraged to offer informal processes to help reach resolutions and restore working relationships more quickly. These informal processes can include informal meetings between individual employees, mediation, and group consultations to address broader workplace issues.

1.33 We found that in the harassment and workplace violence complaints that we reviewed, once employees made complaints, both organizations did not always tell employees that they could use informal processes (Exhibit 1.2).

**Exhibit 1.2** The organizations did not always offer employees informal processes for resolving harassment and workplace violence complaints

	Harassment complaints		Workplace violence complaints	
	Canada Border Services Agency	Correctional Service Canada	Canada Border Services Agency	Correctional Service Canada
Complaints for which the organizations did not offer informal resolution processes to employees	7 of 34 (21%)	2 of 37 (5%)	8 of 26 (31%)	8 of 34 (24%)

1.34 **Recommendation.** The Canada Border Services Agency and Correctional Service Canada should always inform employees of informal processes available for resolving complaints of harassment and workplace violence.

**The Canada Border Services Agency's response.** *Agreed. The Canada Border Services Agency modified its approach in April 2019 to inform employees of their options to access informal conflict resolution processes. Specifically for harassment complaints, the agency developed a template letter in September 2019, which included a paragraph recommending the use of the Informal Conflict Management Systems (ICMS) as an option to resolve the complaint informally. This letter is provided to all persons who submit harassment complaints.*

*The use of alternative dispute resolution mechanisms is always encouraged when employees make workplace violence complaints. In addition, the alternative dispute resolution mechanisms are referenced in many, but not all, complaint acknowledgement letters from the agency to the employee. In most cases, the complainant immediately requests that a competent person be appointed to formally investigate the matter. The agency also ensures that information related to ICMS is widely accessible to all employees through the agency's intranet and the delivery of awareness sessions.*

**Correctional Service Canada's response.** *Agreed. Correctional Service Canada agrees with the importance of consistently informing employees of informal processes available to resolve complaints. To that end, the department undertook and continues to implement various activities such as the Respectful Workplace Campaign, launched in 2018, which encourages and promotes options for informal resolution of harassment situations. Other activities are awareness sessions and promotional events conducted by the Office of Conflict Management, which provide information and promote the resolution of conflicts at the lowest level. Furthermore, the department continues to promote the Guidelines on Violence Prevention in the Workplace, which were posted on its intranet site in 2017 to promote awareness of the reporting process including informal dispute resolution mechanisms, and it developed a standardized acknowledgement for workplace violence complaints that informs employees of the informal resolution process. In support of Bill C-65, the department is currently reviewing its guidelines and tools regarding harassment and workplace violence, and it will develop an approach to ensure consistency in informing employees of informal processes available to resolve harassment and workplace violence. These guidelines will be finalized when the regulations come into force.*

### Initial assessments not always done

1.35 After receiving formal complaints of harassment, discrimination, and workplace violence from employees, organizational officials are expected to assess whether the complaints are admissible for further investigation. For example, organizations review harassment complaints to see if they meet the Treasury Board’s definition of harassment. In addition, Treasury Board’s policy requires organizations to document decisions to enable accountability and transparency.

1.36 We examined complaints of harassment, workplace violence, and disclosures of wrongdoing related to harassment and discrimination that were filed under formal mechanisms. We found that the organizations did not always do an initial assessment before deciding whether to accept or dismiss a complaint. The lack of an initial assessment can lead to inconsistencies in the decision-making process and in the treatment of complaints. It may also result in employee perception of bias and a loss of confidence in the process (Exhibit 1.3).

**Exhibit 1.3 The organizations did not always do an initial assessment before deciding whether to accept or dismiss a complaint**

	Canada Border Services Agency			Correctional Service Canada		
	Harassment complaints	Workplace violence complaints	Disclosures of wrongdoing related to harassment and discrimination	Harassment complaints	Workplace violence complaints	Disclosures of wrongdoing related to harassment and discrimination
Number of decisions the organization made without initial assessments:	11 of 34 (32%)	21 of 24 (88%)	2 of 11 (18%)	15 of 42 (36%)	28 of 31 (90%)	4 of 6 (67%)
Number of dismissed complaints	4 of 11 (36%)	14 of 21 (67%)	2 of 2 (100%)	13 of 15 (87%)	16 of 28 (57%)	3 of 4 (75%)
Number of accepted complaints	7 of 11 (64%)	7 of 21 (33%)	0	2 of 15 (13%)	12 of 28 (43%)	1 of 4 (25%)

1.37 In the case of workplace violence, if an employer does not investigate a complaint, the employee can file a complaint with Employment and Social Development Canada’s Labour Program. The Labour Program has a responsibility to look into the complaint and ensure that the employer appoints a competent person to investigate.



1.38 We examined workplace violence complaints in our sample of complaints that the organizations had not investigated and that had no initial assessment. We found that of the 14 such complaints at the Canada Border Services Agency, 5 (36%) were referred to the Labour Program. Of the 16 such complaints at Correctional Service Canada, 6 (38%) were referred to the Labour Program. The Labour Program directed the organizations to investigate all these complaints. At the time of our audit, 4 of the 5 complaints at the Canada Border Services Agency were ongoing, and 1 complaint had been resolved informally. For the 6 complaints at Correctional Service Canada, 3 were ongoing, 1 had been determined by the department to be founded, 1 had been determined by the department to be unfounded, and 1 had been withdrawn by the employee. In our opinion, when organizations are required to investigate complaints that they had initially dismissed without assessments, employees may develop a lack of trust in the process.

1.39 When an employee files a harassment or discrimination grievance, no investigation is required. Instead, the organization analyzes the grievance and responds with its decision of whether it accepts or rejects the grievance. We found that for 4 of 40 (10%) grievances at the Canada Border Services Agency and 10 of 40 (25%) grievances at Correctional Service Canada, the organizations had not conducted an analysis before making a decision.

1.40 **Recommendation.** The Canada Border Services Agency and Correctional Service Canada should complete and document the results of their analyses to support decisions when handling harassment, discrimination, and workplace violence complaints.

***The Canada Border Services Agency's response.** Agreed. As of April 2019, the Canada Border Services Agency has all harassment files processed through the National Integrity Centre of Expertise. The national centre ensures that all complaints are processed in a standard manner. For example, complaints received by the central unit are processed against a checklist to ensure that all of the documents and key steps required are documented, including a detailed analysis of each allegation.*

*The Canada Labour Code, Part II does not prescribe the process and documentation requirements for workplace violence complaints; however, the agency is applying a consistent approach for documenting all files.*

***Correctional Service Canada's response.** Agreed. Correctional Service Canada agrees with the importance of completing and documenting assessments to support decisions when handling harassment, discrimination, and workplace violence complaints. The department has developed and published Guidelines on Violence Prevention in the Workplace, which include a standardized assessment form to be used in handling complaints of workplace violence. Additionally, the department will strengthen compliance monitoring through its existing corporate reporting system. In support of Bill C-65, the department is currently*

*reviewing its guidelines and tools regarding harassment and workplace violence and will develop an approach that ensures standardization of documented assessments in support of decisions. These guidelines will be finalized when the regulations come into force.*

**Actions to re-establish working relationships after a complaint not always aimed at the entire workplace**

1.41 When an organization completes an investigation to resolve a harassment complaint, a Treasury Board directive requires restoring the well-being of the workplace. This means “the establishment or re-establishment of harmonious working relationships amongst individuals and within the team, group or unit, following a harassment complaint.” Restorative actions can include developing a strategy to address both the short- and long-term needs of all parties and communicating the importance of a respectful workplace through awareness sessions and training.

1.42 We reviewed the harassment complaints in our sample of complaints that had been investigated and resolved during the period covered by the audit to see whether the organizations had ordered actions to restore the workplace. At the Canada Border Services Agency, of the 38 complaints we sampled, 7 were resolved by the end of our audit period. We found that for 6 of these complaints, restorative actions were ordered but were aimed only at the individuals involved in the complaints, such as physically separating the individuals and having a complainant report to a different supervisor. For the remaining complaint, it was not clear whether restorative actions were ordered. At Correctional Service Canada, of the 47 sampled complaints, 5 were resolved by the end of our audit period. We found that in all 5 complaints, restorative actions were ordered. However, only 1 complaint had restorative actions aimed at establishing or re-establishing a harmonious working relationship within the affected team, group, or unit. The remaining 4 had actions aimed only at the individuals involved.

1.43 Taking restorative actions focused on the affected team, group, or unit is important, because the process is often stressful for all involved employees, who sometimes have to wait months for the investigation to be completed. Complaints can also have a broader impact, damaging relationships in the workplace long after a complaint has been resolved.

## Conclusion

1.44 We concluded that the Canada Border Services Agency and Correctional Service Canada did not do enough to promote and maintain respectful workplaces free of harassment, discrimination, and workplace violence.

## About the Audit

This independent assurance report was prepared by the Office of the Auditor General of Canada on respect in the workplace. Our responsibility was to provide objective information, advice, and assurance to assist Parliament in its scrutiny of the government's management of resources and programs, and to conclude on whether the activities of the Canada Border Services Agency and Correctional Service Canada to promote and maintain respectful workplaces free of harassment, discrimination, and violence complied in all significant respects with the applicable criteria.

All work in this audit was performed to a reasonable level of assurance in accordance with the Canadian Standard for Assurance Engagements (CSAE) 3001—Direct Engagements set out by the Chartered Professional Accountants of Canada (CPA Canada) in the CPA Canada Handbook—Assurance.

The Office applies Canadian Standard on Quality Control 1 and, accordingly, maintains a comprehensive system of quality control, including documented policies and procedures regarding compliance with ethical requirements, professional standards, and applicable legal and regulatory requirements.

In conducting the audit work, we have complied with the independence and other ethical requirements of the relevant rules of professional conduct applicable to the practice of public accounting in Canada, which are founded on fundamental principles of integrity, objectivity, professional competence and due care, confidentiality, and professional behaviour.

In accordance with our regular audit process, we obtained the following from entity management:

- confirmation of management's responsibility for the subject under audit
- acknowledgement of the suitability of the criteria used in the audit
- confirmation that all known information that has been requested, or that could affect the findings or audit conclusion, has been provided
- confirmation that the audit report is factually accurate

### Audit objective

The objective of this audit was to determine whether the Canada Border Services Agency and Correctional Service Canada promoted and maintained respectful workplaces free of harassment, discrimination, and violence.

### Scope and approach

The audit team reviewed documentation related to respect in the workplace from the Canada Border Services Agency and Correctional Service Canada and conducted interviews at headquarters and in the regions. We visited the Canada Border Services Agency's ports of entry, including marine ports, land border crossings, and airports. We visited Correctional Service Canada's correctional institutions of various security levels. We also received walk-throughs of the formal mechanisms for resolving complaints of harassment, discrimination, and workplace violence, including grievances and internal disclosure, at both the Canada Border Services Agency and Correctional Service Canada.

Between 6 June and 5 July 2018, we invited employees of the Canada Border Services Agency and Correctional Service Canada to participate in a survey developed by a third party. We used the Guarding Minds at Work survey (Gilbert, Bilsker, Shain & Samra (2012)) to ask employees to assess mental health and well-being in their organizations.

We invited 15,829 employees of the Canada Border Services Agency to participate in the survey. In total, 6,090 employees responded, at a response rate of 38%.

We invited 19,502 employees of Correctional Service Canada to participate in the survey. In total, 5,383 employees responded, at a response rate of 28%.

The survey asked employees to state their opinions on a 4-point scale, with 1 being “strongly disagree” and 4 being “strongly agree.” On the topics of civility and respect, and organizational culture, employees were asked to state their opinions on 5 statements on each topic. The combined ratings for each topic could range from a low score of 5 to a high of 20. A score of 5 to 9 was considered a serious concern, from 10 to 13 was a significant concern, from 14 to 16 was a minimal concern, and from 17 to 20 was a relative strength.

Finally, for the period from 1 January 2016 to 30 November 2018, the audit team planned to use representative sampling of complaints that either were open and in progress as of 1 January 2016 or began earlier and were still open on 1 January 2016. We obtained the sample in July 2018. However, we found problems with the data, such as duplicate entries and data that was miscoded, which made representative sampling inappropriate. Thus, we were unable to extrapolate our results beyond the files we reviewed. Information on the number of files we reviewed is in the table below.

Formal mechanism related to harassment, discrimination, and workplace violence	Canada Border Services Agency		Correctional Service Canada	
	Total population during the audit period	Files reviewed	Total population during the audit period	Files reviewed
Harassment complaints	137	38	500	47
Grievances related to harassment and discrimination	302	40	637	41
Workplace violence complaints	59	27	94	35
Disclosures of wrongdoing related to harassment and discrimination	41	25	7	7

We did not examine

- the ability of the organizations’ systems and practices to identify and respond to harassment, discrimination, or workplace violence against employees by offenders or by travellers
- the delivery of mental health support programs and services for employees
- complaints filed by employees of the Canada Border Services Agency and Correctional Service Canada to the Canadian Human Rights Commission

- complaints made by employees of the 2 organizations directly to the Office of the Public Sector Integrity Commissioner of Canada alleging serious breaches of the federal code of conduct, such as systemic harassment and discrimination
- the organizations' actions to implement the bill to amend the *Canada Labour Code* to strengthen the framework to prevent harassment and violence in the workplace (Bill C-65), because the bill was not yet in force at the end of our audit period

## Criteria

Criteria	Sources
<p><b>To determine whether the Canada Border Services Agency and Correctional Service Canada promoted and maintained respectful workplaces free of harassment, discrimination, and violence, we used the following criteria:</b></p>	
<p>The Canada Border Services Agency and Correctional Service Canada develop, implement, and oversee a comprehensive strategy and action plan(s) to promote and maintain a respectful and healthy workplace free of harassment, discrimination, and violence.</p>	<ul style="list-style-type: none"> <li>• <i>Canadian Human Rights Act</i></li> <li>• <i>Public Servants Disclosure Protection Act</i></li> <li>• <i>Canada Labour Code</i></li> <li>• <i>Canada Occupational Health and Safety Regulations</i></li> <li>• Federal Public Service Workplace Mental Health Strategy, 2016</li> <li>• Policy Framework for People Management, Treasury Board of Canada Secretariat</li> <li>• Values and Ethics Code for the Public Sector, Treasury Board</li> <li>• Management Accountability Framework, Treasury Board of Canada Secretariat</li> <li>• National Standard of Canada for Psychological Health and Safety in the Workplace, Mental Health Commission of Canada, CSA Group, and the Bureau de normalisation du Québec (Quebec standards office)</li> </ul>
<p>The Canada Border Services Agency and Correctional Service Canada identify and appropriately respond to incidents of harassment, discrimination, or workplace violence among employees.</p>	<ul style="list-style-type: none"> <li>• <i>Federal Public Sector Labour Relations Act</i></li> <li>• <i>Canadian Human Rights Act</i></li> <li>• <i>Public Servants Disclosure Protection Act</i></li> <li>• Policy on Harassment Prevention and Resolution, Treasury Board</li> <li>• Policy Framework for People Management, Treasury Board of Canada Secretariat</li> <li>• Directive on the Harassment Complaint Process, Treasury Board</li> <li>• Values and Ethics Code for the Public Sector, Treasury Board</li> <li>• <i>Canada Occupational Health and Safety Regulations</i></li> </ul>

Criteria	Sources
<b>To determine whether the Canada Border Services Agency and Correctional Service Canada promoted and maintained respectful workplaces free of harassment, discrimination, and violence, we used the following criteria: (continued)</b>	
	<ul style="list-style-type: none"> <li>• Code of Discipline, Correctional Service Canada</li> <li>• National Standard of Canada for Psychological Health and Safety in the Workplace, Mental Health Commission of Canada, CSA Group, and the Bureau de normalisation du Québec (Quebec standards office)</li> </ul>
<p>The Canada Border Services Agency and Correctional Service Canada monitor the performance of their systems and practices to manage incidents of harassment, discrimination, and workplace violence to know whether they were being managed effectively, and then use that information to continuously improve and maintain a respectful and healthy workplace.</p>	<ul style="list-style-type: none"> <li>• Policy on Results, Treasury Board</li> <li>• Values and Ethics Code for the Public Sector, Treasury Board</li> <li>• Supporting Effective Evaluations: A Guide to Developing Performance Measurement Strategies, Treasury Board of Canada Secretariat</li> <li>• Outcome Management Guide and Tools, Treasury Board of Canada Secretariat</li> <li>• National Standard of Canada for Psychological Health and Safety in the Workplace, Mental Health Commission of Canada, CSA Group, and the Bureau de normalisation du Québec (Quebec standards office)</li> </ul>

### Period covered by the audit

The audit covered the period between 1 January 2016 and 30 November 2018. This is the period to which the audit conclusion applies. However, to gain a more complete understanding of the subject matter of the audit, we also examined certain matters that preceded the starting date of this period.

### Date of the report

We obtained sufficient and appropriate audit evidence on which to base our conclusion on 7 October 2019, in Ottawa, Canada.

### Audit team

Principal: Martin Dompierre

Director: Susan Gomez

Donna Ardelean

Philippe-Antoine Charbonneau

Lucie Després

Audrey Garneau

Rebecca McNie

Stephanie Taylor

William Xu

# List of Recommendations

The following table lists the recommendations and responses found in this report. The paragraph number preceding the recommendation indicates the location of the recommendation in the report, and the numbers in parentheses indicate the location of the related discussion.

Recommendation	Response
<b>Harassment, discrimination, and workplace violence</b>	
<p><b>1.28</b> The Canada Border Services Agency and Correctional Service Canada should develop and implement comprehensive strategies to address harassment, discrimination, and workplace violence. Each strategy should be based on risks and be supported by action plans with clear accountabilities and performance monitoring for continual improvement. (1.23–1.27)</p>	<p><b>The Canada Border Services Agency’s response.</b> Agreed. The Canada Border Services Agency (CBSA) will develop and implement a comprehensive strategy by March 2020 and monitor the results by December 2021.</p> <p>The strategy will build on key elements that have already been implemented, such as 1) a zero tolerance policy for workplace harassment, discrimination, and violence; 2) the approved February 2017 Integrity Strategy, which enhances agency-wide training and awareness activities (such as Occupational Health and Safety in the Workplace; Violence Prevention in the Workplace; Diversity and Race Relations; Values, Ethics and Disclosure of Wrongdoing at CBSA; Mental Health Awareness; and Creating a Respectful Workplace) and reinforces management responsibilities, strengthens workplace support, and renews the agency’s mental health strategy; and 3) the National Integrity Centre of Expertise, created in July 2019, which brings together the new Harassment Prevention and Resolution Office, the Values and Ethics Office, and the Informal Conflict Management Office. The national centre provides support, guidance, and resources and offers a safe place to discuss disrespectful behaviours. It provides services to employees and managers regarding resolution and reporting and will ensure consistent application of the policies and procedures.</p> <p>The new strategy also accounts for the implementation of Bill C-65 to ensure that employees better understand their rights and access the appropriate complaint mechanism.</p> <p><b>Correctional Service Canada’s response.</b> Agreed. A comprehensive strategy to address harassment, discrimination, and workplace violence is integral to eliminating workplace harassment and ensuring a work environment where employees are treated with respect, dignity, and fairness. To that end, and building on a series of activities undertaken over the course of the last few years, Correctional Service Canada will implement a national comprehensive strategy on workplace wellness and employee well-being. This strategy will address harassment, discrimination, and workplace violence in a holistic manner, based on risks and supported by action plans with clear accountabilities and performance monitoring. The department will implement this strategy before the end of the 2019–20 fiscal year. It will leverage the work already undertaken as part of its recently published Workplace Climate and Employee Well-Being Annual Report, which established a benchmark of its current workplace climate and included performance indicators that the department will monitor annually to ensure continual improvement.</p>

Recommendation	Response
<p><b>1.34</b> The Canada Border Services Agency and Correctional Service Canada should always inform employees of informal processes available for resolving complaints of harassment and workplace violence. <b>(1.32–1.33)</b></p>	<p><b>The Canada Border Services Agency’s response.</b> Agreed. The Canada Border Services Agency modified its approach in April 2019 to inform employees of their options to access informal conflict resolution processes. Specifically for harassment complaints, the agency developed a template letter in September 2019, which included a paragraph recommending the use of the Informal Conflict Management Systems (ICMS) as an option to resolve the complaint informally. This letter is provided to all persons who submit harassment complaints.</p> <p>The use of alternative dispute resolution mechanisms is always encouraged when employees make workplace violence complaints. In addition, the alternative dispute resolution mechanisms are referenced in many, but not all, complaint acknowledgement letters from the agency to the employee. In most cases, the complainant immediately requests that a competent person be appointed to formally investigate the matter. The agency also ensures that information related to ICMS is widely accessible to all employees through the agency’s intranet and the delivery of awareness sessions.</p> <p><b>Correctional Service Canada’s response.</b> Agreed. Correctional Service Canada agrees with the importance of consistently informing employees of informal processes available to resolve complaints. To that end, the department undertook and continues to implement various activities such as the Respectful Workplace Campaign, launched in 2018, which encourages and promotes options for informal resolution of harassment situations. Other activities are awareness sessions and promotional events conducted by the Office of Conflict Management, which provide information and promote the resolution of conflicts at the lowest level. Furthermore, the department continues to promote the Guidelines on Violence Prevention in the Workplace, which were posted on its intranet site in 2017 to promote awareness of the reporting process including informal dispute resolution mechanisms, and it developed a standardized acknowledgement for workplace violence complaints that informs employees of the informal resolution process. In support of Bill C-65, the department is currently reviewing its guidelines and tools regarding harassment and workplace violence, and it will develop an approach to ensure consistency in informing employees of informal processes available to resolve harassment and workplace violence. These guidelines will be finalized when the regulations come into force.</p>



Recommendation	Response
<p><b>1.40</b> The Canada Border Services Agency and Correctional Service Canada should complete and document the results of their analyses to support decisions when handling harassment, discrimination, and workplace violence complaints. <b>(1.35–1.39)</b></p>	<p><b>The Canada Border Services Agency’s response.</b> Agreed. As of April 2019, the Canada Border Services Agency has all harassment files processed through the National Integrity Centre of Expertise. The national centre ensures that all complaints are processed in a standard manner. For example, complaints received by the central unit are processed against a checklist to ensure that all of the documents and key steps required are documented, including a detailed analysis of each allegation.</p> <p>The <i>Canada Labour Code</i>, Part II does not prescribe the process and documentation requirements for workplace violence complaints; however, the agency is applying a consistent approach for documenting all files.</p> <p><b>Correctional Service Canada’s response.</b> Agreed. Correctional Service Canada agrees with the importance of completing and documenting assessments to support decisions when handling harassment, discrimination, and workplace violence complaints. The department has developed and published <i>Guidelines on Violence Prevention in the Workplace</i>, which include a standardized assessment form to be used in handling complaints of workplace violence. Additionally, the department will strengthen compliance monitoring through its existing corporate reporting system. In support of Bill C-65, the department is currently reviewing its guidelines and tools regarding harassment and workplace violence and will develop an approach that ensures standardization of documented assessments in support of decisions. These guidelines will be finalized when the regulations come into force.</p>





Fall 2019

**Report of the Auditor General of Canada  
to the Parliament of Canada**

1. Respect in the Workplace

Appendix—Costs of Crown Corporation Audits