



Response to the
Report on Workplace Harassment in the RCMP
and the
Review of the Four Cases of Civil Litigation
against the RCMP on Workplace Harassment

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Minister's Message

There can be no more important obligation for a Government than the protection and safety of its citizens. For 145 years, the Royal Canadian Mounted Police has played an indispensable role in this regard. As Minister of Public Safety and Emergency Preparedness, I take my responsibility for the Force very seriously. I also have a specific mandate from the Prime Minister to ensure the Public Safety Portfolio is free from harassment and sexual violence.

Much attention over the course of a decade has focused on harassment, bullying and discrimination in the RCMP, with serious impact on internal morale and public confidence. I requested reviews by the Civilian Review and Complaints Commission for the RCMP and by former Auditor General Sheila Fraser because I believe that is it critical for the employees and members of our national police force to feel secure and respected within their work environment and to have the trust and confidence of the community they serve.

The RCMP has taken action to address many of the recommendations set out in these and other reports. Key themes that have continued to surface relate to the organization's governance and accountability structures, and to the independence of the harassment resolution regime, and now it is time for the government to take further action.

I have taken a great deal of care in reviewing the recommendations and evaluating the best course of action. We will take immediate steps to establish an Interim Management Advisory Board to provide expert external advice to the Commissioner on the management and administration of the RCMP and to inform and guide the required foundational changes. Before the end of this mandate, the government



THE HONOURABLE RALPH GOODALE

Minister of Public Safety and Emergency
Preparedness Canada

will introduce legislation to make the Board permanent. It is important to note that this innovation will in no way impinge on the RCMP's professional independence in policing operations.

Ensuring a healthy and modern RCMP of the future requires a long-term, multifaceted approach, focused on addressing foundational issues head on. Equally, it requires action to address a number of other underlying causes. In May 2018, I issued a public mandate letter to Commissioner Lucki with an emphasis on transformation. Many of the recommendations contained in the two reports are referenced in the mandate letter, including the need to tackle the underlying causes of harassment, promoting gender parity and diversity at all levels, instilling a culture of leadership and ensuring robust employee wellness supports.

Commissioner Lucki has signaled her unwavering commitment to lead the organization through a period of transformation, and to proactively modernize the RCMP's management and culture. She has been clear that ensuring the health and safety of RCMP employees and members, including addressing harassment and violence in the workplace, will be at the centre of these efforts. Success in this regard is integral to the Force's effectiveness, the delivery of top-notch policing services, and its ability to earn and retain public trust and confidence.

I accept all the recommendations in the CRCC and Fraser reports, and commit to supporting the RCMP in acting on them to achieve a modern, effective, healthy and inclusive national police force.

Executive Summary

In May 2017, the Civilian Review and Complaints Commission for the RCMP (CRCC) released its *Report on Workplace Harassment in the RCMP*, a follow up to a 2013 review, coinciding with the release of the *Review of Four Cases of Civil Litigation Against the RCMP on Workplace Harassment — Report to the Minister of Public Safety and Emergency Preparedness* by Sheila Fraser. Both indicated that the RCMP continued to contend with harassment and bullying behaviour in the workplace. These reports echo findings and conclusions made in a number of reviews conducted over the last decade (e.g., the Brown Task Force and the Reform Implementation Council Reports).

Improving organizational culture and addressing persistent institutional limitations requires a comprehensive long-term response. Importantly, this must include modernizing the RCMP's governance, as one of the most significant – and to date, unimplemented – recommendations repeated over the last ten years. It also requires an examination of ways to externalize some or all of the RCMP's harassment complaints regime, to ensure it is credible and effective.

The response to these reviews has been structured under four key areas:

1. Transparent and accountable governance;
2. Harassment resolution;
3. Leadership development and professionalization; and
4. Diversity and inclusion.

The RCMP transformation agenda proposes major points of intervention for the Government to reshape the foundations of the RCMP and orient it towards better long-term outcomes. The RCMP's transformation and modernization plan addresses a broad set of central issues that define how the RCMP is led and managed, how it recruits, develops and deploys its people and delivers its mandate, in keeping Canadians safe from coast to coast to coast.

The Government is prepared to support the required transformation including the introduction of a Management Advisory Board. The RCMP has also undertaken significant efforts to address the recommendations, however there are no quick fixes and changing RCMP culture will take time. The time to start making these changes is now.

Context

Background

The Government of Canada has prioritized ensuring a federal public service free from harassment and sexual violence, including in the RCMP. In 2016, the Minister of Public Safety and Emergency Preparedness requested two independent reviews of the RCMP's handling of allegations of harassment:

- The Minister [requested that the Civilian Review and Complaints Commission for the RCMP \(CRCC\) conduct a follow-up](#) to the Commission for Public Complaints (CPC) 2013 [Public Interest Investigation Report into Issues of Workplace Harassment within the RCMP](#).
- The Minister also appointed former Auditor General Sheila Fraser, [through an Order in Council](#), to investigate four specific cases of female RCMP employees who had filed civil claims against the Crown related to allegations of harassment.

Both reports were publicly released on May 15, 2017. The [Merlo-Davidson settlement approval order](#), handed down May 30, 2017, also shapes the RCMP's organizational context. This class action proceeding alleged that women employed by the RCMP were subject to gender and/or sexual orientation-based discrimination, bullying and harassment in the workplace. The settlement sets out a number of change initiatives to be carried out by the RCMP, many of which complement the CRCC and Fraser recommendations. A [status update](#) on these obligations was released publicly in June 2018.

On April 16, 2018, Brenda Lucki assumed responsibilities as the 24th Commissioner of the RCMP. [The Commissioner's mandate letter](#) calls on her to “reinforce the very best of the RCMP and to support the organization through a period of transformation to modernize and reform the RCMP’s culture.” In particular, the mandate letter calls for the Commissioner to prioritize that the RCMP is free from bullying, harassment and sexual violence, including responding to the underlying issues identified in both the CRCC and Fraser reports. It also encourages the Commissioner to ensure the RCMP makes efforts to ensure diversity and gender parity, including in leadership positions.

Report findings and recommendations

CRCC Report on Workplace Harassment in the RCMP

The CRCC conducted a review to investigate whether the RCMP had effectively incorporated 11 recommendations flowing from a 2013 report, pertaining to: process independence, the definition of harassment, investigative standards, training and prevention, among others.

The CRCC concluded that the RCMP did not adequately implement the recommendations from 2013, and that workplace harassment and bullying continue to be serious problems, citing concerns about abuse of authority and a sense of vulnerability among employees.

In 2017, the [CRCC made 10 additional recommendations](#) that focused primarily on:

- professionalization, governance and leadership; and
- improving harassment-related processes, definitions and training.

These recommendations echoed many found in previous reports, in particular those that called for professionalizing and/or civilianizing key aspects of the RCMP's management structure as a foundation for change.

Review of Four Cases of Civil Litigation against the RCMP on Workplace Harassment — Report to the Minister of Public Safety and Emergency Preparedness

In November 2015, four women (Catherine Galliford, Susan Gastaldo, Alice Fox and Atoya Montague) with civil lawsuits alleging harassment during their time working at the RCMP wrote an open letter to the Prime Minister and all Liberal Senators and Members of Parliament requesting that they prevent the RCMP from discharging them prior to the conclusion of their civil legal proceedings.

The Minister of Public Safety and Emergency Preparedness committed to reviewing these cases and appointed former Auditor General Sheila Fraser as Special Advisor to review the cases of these four women. The objective was to review how harassment policies, procedures and the legislative framework were applied by the RCMP, to identify gaps and make recommendations for change.

[Fraser's review](#) resulted in three recommendations:

1. strengthen the RCMP governance framework and consider the creation of a civilian board to oversee the required organizational changes;
2. establish an independent harassment investigation process; and
3. conduct an independent review of the RCMP's Health Services and the grievance process.

Moving Forward on Change

In 2018, the RCMP is at an important crossroads. Under new leadership and with the full support of the Government of Canada, the RCMP is set to advance a comprehensive transformation agenda. There is a need to rebuild trust with Canadians and RCMP employees including members after a decade of intense scrutiny; the imperative to transform is equally driven by the need to attract and leverage more diverse skills and perspectives to respond to a complex transnational threat environment and to leverage the benefits associated with better reflecting Canada's communities.

Advancing organizational and culture change at the RCMP can only be meaningfully advanced using a holistic long-term approach, focused on key underlying factors.

This means taking complementary actions to ensure:

- transparent and accountable governance structures;
- trusted harassment prevention and resolution mechanisms;
- world class leadership development; and
- an enterprise-wide commitment to diversity and inclusion.

I. Modernization of RCMP Governance

The need to transform RCMP governance has been an important theme in a number of reports. Both the CRCC and Fraser reports echo previous calls made in the 2007 Task Force on Governance and Cultural Change in the RCMP ([the Brown Report](#)) recommending the Government modernize the RCMP's governance structure to strengthen the management and control of the organization.

A realigned reporting and accountability structure away from the chain of command has been noted as central to eliminating some of the factors that give rise to abuse of authority, harassment, bullying, and gender discrimination in the RCMP. The reports also cite the significant benefits the external expertise and greater diversity of perspective that a Management Board would bring to the RCMP's overall management.

Going forward, the Government will establish a Management Advisory Board to provide advice on the administration and management of the RCMP and, in the immediate term, inform and guide its transformation agenda. A new RCMP governance model will respect the Commissioner's independence in the conduct of law enforcement operations, also recognizing the organization's complex and unique mandate which spans municipal, provincial and territorial jurisdictions. Pursuant to subsection 5(1) of *the Royal Canadian Mounted Police Act* (RCMP Act), the Minister may direct the Commissioner to seek the Board's advice and require that the Commissioner report back, including on actions taken based on that advice.

Moving Forward on Change

The RCMP Commissioner is also proactively examining the RCMP's internal governance structures. This will include the consideration of the civilianization of some senior roles, where appropriate, to ensure necessary expertise in the administrative management of the RCMP, and a critical examination of reporting structures.

Moving forward with these unprecedented changes to the RCMP's governance structure will set the foundation for the long-term actions needed to transform the organization and support a diverse, healthy and effective RCMP workforce.

II. Harassment Resolution and Prevention

Ensuring a robust and credible harassment resolution process in the RCMP is essential. This too has been an area of repeated examination, with the organization having adopted successive recommendations on policies and procedures related to the investigation of harassment complaints.

Despite a significant number of changes made in 2014, the CRCC report concluded that key challenges remain. Identified issues include:

- a narrow definition of harassment, resulting in complaints being dismissed;
- overly complex policies, not always accessible to members who are not actively at work;

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- an arbitrary decision-making process whereby RCMP Commanding Officers must decide on the credibility of complainants, respondents and witnesses; and
 - insufficient training for Commanding Officers on the assessment of complaints and the appropriate legal tests to be applied.

The Fraser report also raised concerns including potential conflicts of interest with investigations typically carried out by officers from the same division as the complainant, delays in dealing with allegations, and a perception of bias.

Since the release of these reports, the RCMP has continued to take measures to strengthen the existing regime in line with the reports' recommendations. However, given the critical importance of impartiality and credibility of the process, it is clear that greater structural independence may be the most beneficial long-term approach. Both the CRCC and Fraser reports recommended that the RCMP create a separate unit composed of expert civilian investigators, with independence from the chain of command.

In December 2017, as part of the implementation of the *Merlo-Davidson* settlement agreement, new national and divisional Gender and Harassment Advisory Committees were established to provide ongoing advice to the Commissioner and Commanding Officers on issues related to gender, sexual orientation, harassment, equity and inclusivity. These committees will submit annual reports, which will be released publicly along with the RCMP's response. The first of these [annual reports](#) was released in June 2018.

Moving Forward on Change

Currently, the RCMP is proactively undertaking steps for the early implementation of proposed amendments to the federal harassment regime under Bill C-65 (*An Act to amend the Canada Labour Code harassment and violence*), including:

- the creation of a dedicated roster of investigators, and a new policy allowing parties to agree on an internal or external investigator; and
- a new policy to ensure that complaints of sexual harassment be investigated by external civilian investigators.

The full implementation of these measures is an important step to address the concerns raised by the reports.

The Government of Canada will continue to evaluate the effectiveness of the harassment complaints process in the RCMP and is prepared to explore full externalization to strengthen the RCMP's harassment resolution process, to ensure it is clear, effective and free from bias or conflict of interest.

III. Leadership Development and Professionalization

A number of reviews have identified the need to enhance leadership and professionalization as key components of culture change.

Despite numerous exemplary leaders across the RCMP, the CRCC noted the organization must do more to foster a “culture of leadership” among its managers, supervisors and executive officers. The CRCC recommended instituting more rigorous, mandatory leadership

development programs, and introducing promotional criteria that recognize people management and soft skills. Fraser recommended that the RCMP professionalize elements of its organizational structure by recruiting civilian experts for non-operational roles, including in particular at senior levels in the areas of human resources and labour relations.

As part of the RCMP’s modernization agenda, the RCMP Commissioner has pledged to overhaul the RCMP’s leadership development continuum. This will include working with external experts to develop and implement effective and inclusive leadership training and development programming throughout the career cycle, based on best practices.

The RCMP is also advancing specific initiatives to ensure that promotional criteria place appropriate emphasis on inclusive people management. The RCMP has engaged the Personnel Psychology Centre of the Public Service Commission to conduct a fairness review of the Officer Candidate Program to ensure the process does not unintentionally disadvantage certain groups of candidates, and to identify any misalignment between job requirements and the evaluated competencies.

The RCMP transformation agenda includes a focus on the recruitment of the diverse, skilled RCMP workforce of the future. The modern law enforcement landscape has shifted significantly, including with respect to the capabilities required to combat cybercrime and other modern threats. Meeting the challenges will require skillsets that differ from “traditional” policing roles.

The RCMP will continue to review the skills and competencies needed

Moving Forward on Change

to carry out the RCMP's expansive current and future mandate. The professionalization of key segments of the RCMP workforce, including the recruitment of highly skilled civilian experts for non-operational roles, will require attracting new applicant pools. The RCMP will seize this critical opportunity to increase diversity across the organization and will prioritize innovative and inclusive recruitment and retention strategies.

IV. Increasing Diversity and Inclusion

While not the specific subject of the CRCC and Fraser recommendations, there is no question that rates of diversity in an organization contribute to its culture and impact the experience of employees.

A comprehensive response to harassment, bullying and discrimination requires efforts to increase diversity and gender parity at all levels across the RCMP. In addition, *Merlo-Davidson* settlement change initiatives include a number of measures aimed at increasing women's representation at all levels of the organization.

In 2017, the RCMP established permanent internal resources to provide centralized support for the advancement of gender equality, diversity and inclusion initiatives. This included the appointment of a new position on the RCMP's Senior Executive Committee to ensure visibility and influence at the most senior level. Efforts are also focused on full implementation of Gender-based Analysis Plus (GBA+) as a sustainable practice across the organization, to support the development and delivery of policies, programs and horizontal initiatives in consideration of gender, inclusion and diversity impacts.

This enhanced capacity will play a critical role in the development and implementation of the RCMP's modernization agenda, helping to ensure an evidence-based and inclusive approach.

The RCMP will also develop a clear framework to monitor, evaluate and communicate progress on all culture change and modernization efforts, in order to communicate in an ongoing way with RCMP employees/members and Canadians.

Looking Ahead

The introduction of a Management Advisory Board is a critical component of delivering on the RCMP's transformation agenda.

In the near term, the Government will continue to closely examine the most effective means of ensuring the effectiveness of the RCMP harassment complaints regime, noting that it is at the back end of the problem. A focus on prevention is key, including increased mental health and wellness supports for RCMP employees and members, and proactive work to ensure greater gender parity and diversity across the organization. These too will be key features of the RCMP's modernization efforts.

The Commissioner has signalled her intention to come forward with a Vision 150 RCMP modernization agenda, to set the foundation for a way forward on culture and organizational change within the RCMP as it moves towards its 150 year anniversary. The approach she has articulated is "People First," with eliminating harassment and bullying, building inclusive leaders, and ensuring employee wellness as top priorities.

The RCMP is not alone in dealing with these critical issues. Across the country and around the world, shifting norms and a complex criminal landscape have challenged "traditional" policing. More than ever, police agencies must create a welcoming environment to attract and retain skilled professionals, and respond to diverse populations and vulnerable victims in a culturally sensitive and trauma-informed way.

By creating a healthy and trusted RCMP, we will ensure excellence in service delivery to our diverse Canadian communities and continue to exercise leadership for our domestic partners.

Annex A

Recommendations and Responses

CRCC Report into Workplace Harassment in the RCMP

Recommendation 1

That the Minister direct the RCMP to professionalize elements of the RCMP organizational structure by recruiting civilian experts for non-operational roles, including at the senior levels in the areas of human resources and labour relations.

Response

Modernization of the RCMP workforce will require diverse skillsets to meet the changing demands of a complex and modern law enforcement environment. To achieve this goal, the RCMP will explore new ways to recruit and retain a workforce with the experience and knowledge needed to meet these demands. This ongoing work will also entail a review of the skills and competencies needed for the organization to effectually fulfil its mandate now and in the future, which may entail the professionalization of key segments of the RCMP.

The RCMP is examining ways to leverage civilian expertise in non-operational policing roles, and is examining internal management and reporting structures to support operational effectiveness. This could include the modification or civilianization of roles staffed by regular members, including at senior levels in the areas of human resources and labour relations.

The RCMP will continue to work to ensure the Force is an inclusive organization, characterized by respect for diversity and the contributions of all employees. This will include the review of the skills and competencies needed in a modern police environment, better alignment of employee skills and experience, and the proactive

recruitment of a workforce that is more reflective of the populations served across all levels of the RCMP.

Recommendation 2

That the RCMP foster a leadership culture by introducing promotional criteria that recognize management skills, and by instituting more rigorous, mandatory leadership development programs for all existing and newly appointed supervisors, managers and executive officers, including appropriate university-level courses.

Response

Achieving effective reform of workplace culture will require strong leadership supported by modern leadership development training curriculum to foster leadership culture, as well as inclusive promotional criteria.

The RCMP will work with external experts on a comprehensive review of its leadership development programs, which will include an examination of organizational best practices to ensure effective and inclusive leadership development programs to support employees throughout all stages of their career.

For regular members, leadership training is currently provided through a suite of programs that include the Supervisor Development Program (SDP), the Manager Development Program (MDP), and the Executive/Officer Development Program (EODP).

As of April 1, 2019, the SDP will be mandatory for members promoted to corporal or sergeant and the MDP was made mandatory for regular members who have been promoted to sergeant as of April 1, 2018. Sergeants must complete MDP prior to applying for promotion to staff sergeant.

The EODP now includes a module on inclusive leadership and the application of GBA+ to examine bias and promote diversity and inclusion in workplace policies and practices. All commissioned officers are expected to complete the EODP.

MDP has a module titled “Being an Inclusive Leader and Supporting an Inclusive Workplace” that emphasizes bias awareness and inclusive leadership practices, as well as the completion of 360 evaluations that provide comprehensive feedback to support development.

A new online Foundations of Leadership (FOL) curriculum is in development. The pilot is scheduled for spring 2019. The program is intended to facilitate the early identification of leaders, and to ensure leadership competencies are developed prior to an individual’s first promotion.

Several prerequisites have been added for promotional candidates to ensure they have the competencies that support an inclusive workforce. As of 2017, applicants to the Officer Candidate Program must also demonstrate they have completed Status of Women Canada’s *Introduction to GBA+* online course. The completion of the RCMP’s Respectful Workplace training will also be a prerequisite for promotion effective in 2018–2019.

The RCMP is also advancing specific initiatives to ensure that promotional criteria place appropriate emphasis on inclusive people management. The RCMP has engaged the Personnel Psychology Centre of the Public Service Commission to conduct a fairness review of the Officer Candidate Program to ensure the process does not unintentionally disadvantage certain groups of candidates, and to identify any misalignment between job requirements and the evaluated competencies.

Recommendation 3

That the Minister of Public Safety takes immediate steps to effect cultural change in the RCMP by modernizing its governance structure to introduce civilian governance and/or oversight and to enhance accountability.

Response

The RCMP Commissioner's mandate letter calls for transformation of RCMP culture and management practices, including identifying ways to enhance internal and external governance structures and practices.

As part of carrying out these commitments, the Government will move forward with the introduction of a Management Advisory Board to provide advice to the Commissioner on the management and administration of the RCMP, including modernization and transformation. Pursuant to subsection 5(1) of the *Royal Canadian Mounted Police Act* (RCMP Act), the Minister may direct the Commissioner to seek the Board's advice and require that the Commissioner report back, including on actions taken based on that advice.

Internally, the RCMP will review management and reporting structures and identify opportunities to engage civilian experts in key roles.

Recommendation 4

That the RCMP adopt a simplified definition of harassment in its harassment policies, consistent with the approach adopted by the Canadian Human Rights Tribunal and other Canadian jurisdictions, to facilitate the investigation and resolution of valid complaints of harassment.

Response

The RCMP uses the Treasury Board of Canada Secretariat definition of harassment and will continue to work with the Secretariat to apply a consistent and coherent definition in harassment policies. This definition aligns with the approach adopted by the Canadian Human Rights Tribunal and human rights tribunals in other Canadian jurisdictions.

The RCMP is currently undertaking steps for the early implementation of proposed amendments to the federal harassment regime under

Bill C-65 (*An Act to amend the Canada Labour Code harassment and violence*), including:

- the creation of a dedicated roster of investigators, and a new policy allowing parties to agree on an internal or external investigator; and
- a new policy to ensure that complaints of sexual harassment be investigated by external civilian investigators.

In January 2017, the RCMP adopted a simplified and clear definition of sexual misconduct, and implemented expedited procedures to respond to such allegations. A four-week awareness campaign on sexual misconduct was launched at the beginning of 2017, to provide information to all employees on what constitutes sexual misconduct, and how to prevent, detect and resolve it in the workplace.

Recommendation 5

That the RCMP develop clear and streamlined harassment policy documents, in plain language, and that these be available on its external website.

Response

Updates to RCMP harassment policies and procedures were completed in spring 2018.

The RCMP harassment complaint form, available on the RCMP public website, includes a plain language description of the elements of harassment, with references to the appropriate detailed internal policies and links to the *Canadian Human Rights Act*.

Recommendation 6

That the RCMP institute in-person harassment training, conducted by trained and qualified experts, on a regular basis. Specialized training should also be mandatory for all existing as well as newly appointed supervisors, managers and executive officers on a continuous basis.

Response

The RCMP Supervisor Development Program, Manager Development Program and Executive/Officer Development Program all include training materials related to identifying and addressing harassment in the workplace. The RCMP also delivers a one-week in-person harassment investigator course for divisional investigators.

The RCMP is currently developing a Foundations of Leadership curriculum, which will include material on harassment policies and processes, and content on sexual misconduct.

The RCMP will continue to host an annual national symposium for divisional representatives working in the Professional Responsibility portfolio to discuss trends, best practices and emerging issues. These discussions will inform ongoing updates to harassment investigator training courses, which will incorporate content specific to civilian investigators.

Additional training will also be provided to current investigators to allow them to make findings with respect to the issues of credibility, and to provide recommendations.

Senior Executive Committee and Senior Management Team meetings will continue to receive updates on harassment complaint trends observed across the organization.

Recommendation 7

That the RCMP revise its harassment policies and procedures to allow Divisional Commanding Officers the discretion to screen complaints to determine if a *prima facie* case of harassment has been made out, applying an appropriately broad and simplified definition of harassment.

Recommendation 8

That the RCMP retain skilled, competent and dedicated administrative investigators (not uniformed members), who are independent of the chain of command, to conduct harassment investigations.

Response

The RCMP Professional Responsibility Sector has updated harassment processes to allow for the screening of harassment complaints by Commanding Officers.

Prior to the CRCC's report, Commanding Officers were obligated to mandate an investigation on every complaint. Commanding Officers now have the discretion whether or not to mandate a harassment investigation following a review of an initial complaint to determine if a *prima facie* case of harassment has been made.

Response

The Government is currently examining legislative and non-legislative options to ensure an impartial, timely and effective RCMP harassment resolution process. This includes options for the introduction of expert civilian harassment investigators and the externalization of some or all of the harassment resolution process and body.

Currently, the RCMP is proactively implementing some proposed Bill C-65 amendments, including: the creation of a dedicated roster of harassment investigators; and allowing parties to agree on an internal or external investigator. In addition, all complaints of sexual harassment will be investigated by an external civilian investigator.

Recommendation 9

That the RCMP amend its harassment policies and procedures to mandate the investigator to make findings with respect to issues of credibility and whether or not the harassment policies have been breached, and to report these findings to the decision maker; and to mandate the decision maker to decide whether or not to accept the investigator's findings and to make decisions with respect to whether any remedial and/or disciplinary measures should be imposed.

Recommendation 10

That the RCMP ensure that Divisional Commanding Officers receive ongoing, classroom-based training on decision-making, specifically in relation to the assessment of workplace harassment complaints, including with respect to the appropriate legal tests to be applied, and stereotypes relating to the conduct of victims of harassment.

Response

The RCMP is amending its harassment processes pertaining to the responsibilities of investigators, allowing them to make findings with respect to the issues of credibility, and for the finding of recommendations in the investigative report.

Response

The RCMP Professional Responsibility Sector held workshops in November 2018 to update best practices to assist decision makers regarding legal tests, victim stereotypes and overall decision-making. Workshop outcomes will be presented to the RCMP Senior Executive Committee and Senior Management Team and shared throughout the divisions.

The RCMP will continue to host an annual national symposium for divisional representatives working in the Professional Responsibility portfolio to discuss trends, best practices and emerging issues related to harassment investigations.

Review of four cases of civil litigation against the RCMP on Workplace Harassment — Fraser Report

Recommendation 1

The Government consider the creation of a civilian Board of Management (as recommended by the 2007 Task Force on Governance and Cultural Change in the RCMP).

Response

The Government will move forward with the introduction of a Management Advisory Board to provide advice to the Commissioner on the management and administration of the RCMP, including on modernization and transformation.

Recommendation 2

That the RCMP create a separate unit (independent of the chain of command) responsible for handling allegations of harassment and workplace conflict with expertise in dealing with these issues, which would report to the Management Board.

Response

The Government is currently examining legislative and non-legislative options to ensure an impartial, timely and effective RCMP harassment resolution process. This includes options for the introduction of expert civilian harassment investigators and the externalization of some or all of the harassment resolution process and body.

The RCMP is proactively implementing some proposed Bill C-65 amendments, including the creation of a dedicated roster of harassment investigators in each division to allow respondents and complainants to choose their harassment investigators and to reduce the length of investigations.

Recommendation 3

That independent external reviews be carried out on the RCMP Health Services Branch and the grievance system in light of concerns raised.

Response

The RCMP will explore options for the review of its Health Services by an independent entity in 2019-2020.

Under the current legislative framework, should a union become certified to represent regular members and reservists, this will introduce a new grievance process for these bargaining unit members to address issues related to the application and interpretation of the terms and conditions of a collective agreement under the *Federal Public Sector Labour Relations Act*.

In addition, regular members will continue to have access to the grievance and appeal processes for individual grievances under the RCMP Act, such as those related to:

1. the application and interpretation of the terms and conditions of a collective agreement, which will be subject to the grievance process provided in the *Federal Public Sector Labour Relations Act*; and
2. other types of grievances and appeals, such as those related to conduct (i.e., discipline), administrative discharge, and terms and conditions of employment not related to a collective agreement, which will be subject to the grievance and appeal processes provided in the *RCMP Act*, which was last amended in November 2014.

The RCMP is undertaking a comprehensive study to be completed early in 2019, in order to confirm whether this is the best and most efficient approach in resolving grievances.

