

Report to / Rapport au:

**OTTAWA POLICE SERVICES BOARD
LA COMMISSION DE SERVICES POLICIERS D'OTTAWA**

29 May 2023 / 29 mai 2023

Submitted by / Soumis par:

Chief of Police, Ottawa Police Service / Chef de police, Service de police d'Ottawa

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SUBJECT: POSITIVE WORKPLACE: 2022 ANNUAL REPORT

OBJET: MILIEU DE TRAVAIL POSITIF : RAPPORT ANNUEL DE 2022

REPORT RECOMMENDATIONS

That the Ottawa Police Services Board receive this report for information.

RECOMMANDATIONS DU RAPPORT

Que la Commission de services policiers d'Ottawa prenne connaissance du présent rapport à titre d'information.

BACKGROUND

In alignment with Ottawa Police Services Board (Board) Policy CR-1 Positive Workplace, the Chief of Police is required to submit an annual report to the Board, specifically to address the requirement to ensure that there are procedures or practices in place that contribute to a positive workplace through respectful workplace programs and initiatives. Remaining Policy CR-1 requirements are reported to the Board through separate reporting throughout the calendar year in alignment with the Board's annual Calendar of Monitoring Requirements.

In 2007, the Ottawa Police Service (OPS) launched the Respectful Workplace Program (RWP) as a concrete response to feedback from members about the need to address conflict, harassment, and discrimination in the workplace. The RWP affirmed the Service's commitment to maintain an organizational culture of respect by ensuring that

OPS members have the necessary tools, supports, and information to foster an organizational culture of respect. The RWP program championed open lines of communication for swift resolution of related issues. In 2012, the Service's Ethics Program was launched to complement the RWP and focused on providing training and awareness to members.

In 2020, a joint initiative between the OPS and the Board was launched to focus on addressing sexual violence and harassment in the workplace. As part of the safe workplace initiative, the Service and the Board jointly led the introduction of a pilot with a third party, Rubin Thomlinson (RT) LLP, a Canadian law firm specializing in addressing workplace and institutional investigations and assessments. As part of the pilot, RT was engaged to act as an outside third party for the intake and investigation of complaints related to workplace harassment, discrimination, violence and reprisal based on grounds protected in the Ontario Human Rights Code and the Occupational Health & Safety Act (OHSA). The firm was also engaged to review the OPS' workplace culture, practices, policies and procedures as they related to workplace harassment and discrimination, to identify any specific systemic issues and gaps that may exist, and to provide recommendations with respect to best practices to address any such issues. Following conclusion of the pilot, RT provided a report to the OPS in November 2021, detailing the firm's recommendations. RT continued intake and investigation of these types of complaints into 2022, after which responsibility was transitioned to the new independent Safe Workplace Office (SWO).

This report provides the Board with updates related to the Service's RWP as well as outlines usage and outcomes of the program.

DISCUSSION

In 2022, following the tabling of the RT report, the OPS demonstrated its commitment to eliminating workplace sexual violence, harassment, and discrimination by taking the necessary steps to build a safer, supportive, and inclusive work environment for all members. Under recommendations stemming from the RT Report, the OPS began to develop a new Safe Workplace Program (SWP). The new SWP provides OPS membership with access to an end-to-end complaint process that includes intake, triage, investigation, mediation, resolution, and restoration. The independent SWO opened on October 1, 2022. Staffed with two workplace investigators and an administrator, the SWO is responsible for the investigation and resolution of complaints related to workplace harassment, discrimination, violence and reprisal based on grounds protected in the Ontario Human Rights Code and the OHSA.

Under the new SWP, the Service's Respect, Ethics and Values (REV) Unit will continue to resolve conflict-based complaints that are not legislative in nature and will also be responsible for two SWP pillars, namely the Prevention and Restoration pillars. The Prevention Pillar will be proactive – there will be new training, an awareness campaign and an internal education campaign. The Restoration Pillar will deal with restoring the workplace culture back to equilibrium with mediation, conflict coaching and workplace assessments.

In support of the new SWP, and in continuous improvement of the Service's Ethics Program, the OPS also developed a Code of Professional Ethics, updated workplace policies, and developed a logic model and evaluation plan to establish key performance indicators and ensure ethics and professionalism are part of our everyday thought processes and daily decision-making.

The RWP itself continues as a proactive approach to managing complaints not related to workplace harassment, discrimination, violence, and reprisal based on grounds protected in the Ontario Human Rights Code and the OHSA. The RWP includes several elements:

- **Policy** – A policy is in place to guide employees on respectful behaviour in the workplace, and to outline the avenues open to them when they encounter disrespectful behaviour.
- **Training** – All persons who operate within the OPS workplace, including full-time salaried employees, volunteers, seconded employees, contractors, contract workers, persons from other agencies, summer students, and co-op students are trained on the Program so that the expectations of working in a respectful workplace are known by all.
- **Professional Guidance and Support** – The RWP ensures that issues which arise in this area are handled in accordance with the program guidelines.

The RWP Program is focused on achieving resolution to workplace conflict-where it exists - through face-to-face discussion, increased self awareness, and learning about the perspectives of others. The program is available to all employees, operational managers, the executive, the Ottawa Police Association (OPA) and the Senior Officers Association (SOA), for resolution of matters requiring guidance when it comes to respectful workplace issues and overall communication skills and conflict management.

2022 Activity

For the majority of 2022, RT continued to oversee investigations related to OPS member complaints of a legislative nature (with responsibility transitioning to the

independent SWO on October 1, 2022),-while the OPS maintained carriage of complaints related to PSA infractions, conflict-based complaints, and complaints with respect to systemic inequities.

In total, the REV Unit received 65 conflicts-based complaints in 2022 (other complaint types handled by the OPS are reported to the Board through separate annual reports). These were files that were either transitioned back to the OPS from RT or received directly by the OPS and within scope under the revised criteria (not legislative in nature).

For conflict-based complaints, complainants are provided with two options for resolution:

- Assisted Response (internal support is offered to resolve the issue), and/or
- Self-Initiated Response (the individual affected/complainant speaks directly to the other party, requesting the behaviour cease).

Although the Self-Initiated Response may occur more often than reported, only those cases that have been brought to the attention of the OPS can be reported for statistical purposes. In 2022, all cases were in the Assisted Response category.

The following tables provide an overview of complaint information, in non-identifiable form due to the confidential nature of the information. The tables provide data on files handled by the REV Unit, which will provide a more fulsome overview of issues negatively impacting the workplace in 2022.

In terms of complaints managed by the OPS (conflict-based in nature), it is challenging to chart patterns as the cases come from different directorates and work areas, and there has not been a recurring, concentrated pattern of concern. This is also due to the high level of employee movement within the organization, which makes it difficult to pinpoint specific areas of concern. Complaints that met the threshold for harassment, discrimination, violence, and/or reprisal were referred to and investigated by RT, or the SWO (as of October 1, 2022).

Additionally, in cases where multiple files are opened with respect to the same respondent, flags are raised, and the concerns may be highlighted to senior management or other disciplines for assistance. In 2022, there were several cases that met that criteria, and they have either been resolved through a multi-disciplinary approach or are ongoing and awaiting resolution.

Conflict-based complaints (OPS) - 2022

Source of Complaint

Source of Complaint	Number of Complaints 2021	Number of Complaints 2022
Single complaints	43	46
Group complaints	3	3
Professional Consultations	26	7
Administrative Referrals	0	3
External Body Referrals	0	3
RT Referral Back to OPS	0	3
TOTAL	72	65

Note: Of the 65 files, 40 (or approximately 62%) files are closed and resolved, 25 (or approximately 38%) are still open and pending resolution.

Definitions

Single Based Case refers to a case with one or two Complainants or Respondents.

Group Based Case refers to a case with multiple Complainants and/or Respondents.

Professional Consultation refers to cases that are brought forward, for purposes of consultation and eventual action. Many of these cases were brought forward by a supervisor and involved consultation and guidance to deal with a respectful workplace issue before it escalated. This category was introduced in 2014 to capture these types of issues. These cases were previously categorized under the Miscellaneous category.

Administrative Referrals refers to cases that are brought forward and usually require a response about the RWP Policy.

External Body Referrals refers to files sent in by another OPS Unit.

Allegation Types

Allegation Types	2021	2022
Sexual Harassment	4	3*
Discrimination	1	2*
Psychological Harassment	27	16*
Abuse of Authority Harassment	5	1*
Culture Issue	7	9
Respect	15	10
Leadership Support	8	8
Ethics Breaches	5	4
Discrimination - other	0	6*
Violence	0	5*
Sexual Violence	0	1*
TOTAL	72	65

***Transferred to OPS by RT - upon assessment by RT, deemed to be non-legislative in nature (assessed to be conflicts-based)**

Gender	Number of Complainants	Number of Respondents
Female	31	23
Male	39	42
Unknown Gender	5	4

TOTAL	75	69
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Note that there may be multiple complainants and respondents per complaint received.

Complainants and Respondents	Number of Complainants	Number of Respondents
Sworn	43	35
Civilian	32	34
TOTAL	75	69

Note that there may be multiple complainants and respondents per complaint received.

Top 2 Conflict-based Complaint Types

1. Interpersonal conflict issues
2. Disrespectful communication related to inappropriate behaviour, gossip, and general lack of respect.

The single-based cases were dealt with on an individual basis and the resolutions included: facilitated dialogue; conflict coaching, mediation; or supervisor response.

The group-based cases were dealt with via workplace assessment and group interventions. The cases that were closed, were resolved in a mutually acceptable manner.

Workplace Violence

In addition to the above, Workplace Violence cases that are handled through the Wellness and Safety (W&S) Branch, are reported annually through the Positive Workplace Report. Please see the Table below.

2022					
Case #	Case Type	# and Gender(s) ¹ of	# and Gender(s) ¹ of Respondent(s)	Resolution	Status

		Complainant(s)			
1	Workplace Violence	1 M	1 M	Complainant at the time of filing the complaint is already working in another section at a different location than the respondent.	Resolved
2	Workplace Violence	1 F	1 M	Resolved through chain of command using the Internal Responsibility System as prescribed by the OHSA.	Resolved
3	Workplace Harassment	Multiple complainants	1 F	Ongoing as part of the Rubin Thomlinson processed. Wellness & Safety has not been further engaged.	Ongoing
4	Workplace Violence/ Harassment	Multiple complainants	1 M	Resolved through chain of command using the Internal Responsibility System as	Resolved

				prescribed by the OHSA.	
5	Workplace Harassment	1 F	1 M	Resolved through chain of command using the Internal Responsibility System as prescribed by the OHSA	Resolved
6	Workplace Violence	2 F, 1 M	1 M	Resolved through implementation of safety plan and chain of command using the Internal Responsibility System as prescribed by the OHSA.	Resolved
7	Workplace Violence/ Harassment	1 F	1 F	Resolved through implementation of safety plan and chain of command using the Internal Responsibility System as prescribed by the OHSA.	Resolved

8	Workplace Harassment	1 M	Multiple Respondents	Complainant withdrew original complaint.	Resolved
9	Workplace Violence	Multiple complainants	1 M	Case suspended – complainants have not responded to safety planning initiated by Wellness & Safety.	Suspended
10	Workplace Violence	1 M	1 M (member of public)	Ongoing as part of the Ministry of Labour, Immigration, Training, and Skills Development's investigation.	Ongoing
11	Workplace Harassment	1 F	1 M	Complainant agreed to close the complaint after relocating to another section away from the respondent.	Resolved

Trend Analysis

Year-to-year variation in the number of cases is expected, and fluctuation can occur in light of multiple considerations including current social context, internal culture, and increased awareness and reporting capabilities. In future years, as OPS is able to invest in upgraded technology, the Service will be in a better position to proactively identify and address issues and report metrics in a timelier manner. This will allow for improved

analysis of whether observed year-to-year variations are significant in nature, or simply within expected parameters of variation.

Case Conferences

Case conferences are another management tool established at OPS to deal with significant and complex employee issues that may be negatively affecting the workplace. They promote positive employee relations, transparency, and consistency in the management of workplace issues. This approach involves bringing together the appropriate resources and expertise from various in-house disciplines to discuss and implement an action plan and establish a time frame to resolve or develop a course of action to deal with the identified issues.

Ongoing Efforts

To maintain credibility and raise awareness of the RWP and Ethics portfolios and associated expectations, it is important to encourage and maintain positive rapport and relationships throughout the organization. With COVID-19 restrictions still in effect during 2022, many regularly scheduled engagements and meetings were cancelled. Despite these challenges, the Service continued to prioritize the RWP and Ethics portfolios through focused professional development and awareness-raising sessions with the following teams and leveraging the following channels:

- Operational Leadership Course (OLC)
- Primary Leadership (PLC-Coach course)
- Pre-OPC Ethics Training
- Patrol Training
- New recruits and experienced officers – RWP and Ethics Training
- Various Platoons –REV Connects Sessions
- Rollout of Active Bystandership for Law Enforcement (ABLE) training for Staff Sergeants and middle management
- Patrol Advisory Group
- Sergeant Advisory Group

Additionally, the Service continues to leverage the Champions of Professional Practice (COPP) a group of members - both sworn and civilian from all ranks - who act as force multipliers for positive culture change and engagement. The members of COPP, have already started to assist in the delivery of the new ABLE Bystandership Training, which was rolled out with Train-the-Trainer sessions in the first quarter of 2022, and actual

training began for the middle management cadre in the fourth quarter of 2022. These facilitators helped train middle management, with the expectation that the whole membership will be trained by fourth quarter 2023. The COPP will also assist with additional sessions of the Spark Strategy 1.0 in 2023, which will create more Champions and enhance the Strategy. The Service will also launch the Spark Strategy 2.0, which will be a more advanced session for those Champions who took the initial workshops in 2021. Both groups will create an awareness campaign regarding sexual violence and harassment and provide input on policies in the workplace.

The benefits in terms of early complaint resolution and positive interactions are evident in terms of improving workplace culture. This along with the development of the Prevention Pillar and the Restoration Pillars of the SWP, will allow the Service to demystify and destigmatize these issues and work towards enhancing the professionalism at OPS.

CONCLUSION

The OPS remains committed to fostering a positive and respectful workplace and to ensuring the appropriate channels are in place to successfully address workplace issues and member concerns. The Service continues to enhance its Conflict Management Process and Ethics Program and is committed to the success of the new SWP. These programs play an integral role in ensuring all members are provided access to a safe place to explore and consult regarding their interpersonal workplace conflict and ethical issues. Coaching, guided facilitation, mediated dialogue, workplace assessments and group intervention, are all tools that allow for multiple viewpoints to be identified and this enables members to strengthen their ethical decision-making capabilities and help resolve conflict.

The continuous promotion of a respectful workplace, founded on principles of respectful communication, teamwork and the overall social and psychological well-being of each employee is paramount, and ultimately translates to improved service delivery to the communities we serve.