



PSAC-UPCE OUR WORKPLACE ISSUES



STAMP OUT
workplace unfairness!

Putting a stop to harassment and abuse in the workplace

Our union, UPCE/PSAC, has the duty to fairly represent all members. While the current collective agreement contains provisions that protect against discrimination and sexual harassment, our members have told us that unfairness in the workplace still exists at Canada Post. The bargaining team has proposed a number of changes to broaden the definition of discrimination and define different forms of harassment beyond sexual harassment.

Employers are ultimately responsible for acts of work-related harassment. The Supreme Court has said that the goal of human rights law is to identify and eliminate discrimination.

In agreeing to our proposals, Canada Post would be taking a leadership role in working with the union to reverse the negative effects of harassment. This would help to ensure a healthier and fairer work environment for everyone.

Harassment

Harassment is any unwanted physical or verbal conduct that is offensive or causes humiliation. Being a type of discrimination, harassment may be related to any of the discriminatory grounds contained in the Canadian Human Rights Act, and we are proposing that gender identity and expression be added to that definition.

Personal harassment

Disrespectful behaviour, commonly known as "personal" harassment is not covered by human rights legislation. While it also involves unwelcome behaviour that demeans or embarrasses an employee, the behaviour is not based on one of the protected grounds of the Canadian Human Rights Act, but still needs to be stopped and this is why we included it in our proposal.

Abuse of authority

Abuse of authority does not include normal managerial activities, such as counselling, performance appraisals and discipline, as long as these are not done in a discriminatory manner. It occurs when a person uses authority unreasonably to interfere with an employee or the employee's job. It includes

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humiliation, intimidation, threats, and coercion. Abuse of authority unrelated to a prohibited ground is not covered by human rights legislation.

As follows are the specific bargaining proposals (Article 14) that address harassment in the workplace:

14.01 Policy Statement

The parties recognize an employee's right to a working environment which is free of harassment on the grounds of race, sex, sexual orientation, national or ethnic origin, gender identity, gender expression, colour, religion, age, marital status, family status, disability and conviction for an offence for which a pardon has been granted. They also recognize that this constitutes a common objective and that all efforts shall be deployed to prevent and correct any situation and any conduct liable to compromise this right.

For the purposes of this agreement, "harassment" means any conduct, comment or gesture related to any of the grounds stipulated in clause 14.01 which is unwanted or may reasonably be considered as unwanted, offensive, humiliating, abusive, threatening, repetitive or which has adverse effects on an individual's employment.

"Personal harassment" means any vexatious behaviour in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures, that affects an employee's dignity or psychological or physical integrity and that results in a harmful work environment for the employee. A single serious incidence of such behaviour that has a lasting harmful effect on an employee may also constitute personal harassment.

"Abuse of authority" occurs when an individual improperly uses the power and authority inherent in her position to endanger an employee's job, undermines the employee's ability to perform that job, threatens the economic livelihood of that employee or in any way interferes with or influences the career of the employee. It includes intimidation, threats, blackmail or coercion.

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