

**CUPE NATIONAL
EXECUTIVE BOARD
SAFE UNION SPACES
WORKING GROUP
INTERIM REPORT**

APRIL 2022



THE NATIONAL SAFE UNION SPACES WORKING GROUP:

- Candace Rennick, National Secretary-Treasurer (Co-Chair)
- Debra Merrier, Diversity Vice-President, Indigenous Workers (Co-Chair)
- Judy Henley, General Vice-President (MB, SK) (Co-Chair)
- Sherry Hillier, General Vice-President (NS, NL, NB, PEI)
- Lee-Ann Kalen, General Vice-President (BC, AB, Territories)
- Nan McFadgen, Regional Vice-President (NS)
- Yolanda McClean, Regional Vice-President (ON)
- Gina McKay, Regional Vice-President (MB)
- Karen Ranalletta, Regional Vice-President (BC and Yukon)
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The Support Staff to the Working Group:

- Annick Desjardins, Executive Assistant to the National President
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INTRODUCTION

In March 2021, CUPE's National Executive Board (NEB) created the Safe Union Spaces Working Group to address serious and ongoing issues of sexual and gender-based violence and other forms of harassment and discrimination in our union spaces. The Working Group is comprised of diverse women members of the NEB. This report details what the Working Group has found so far and what we are planning to accomplish moving forward.

The work of ending violence, harassment, and discrimination is never over. But we remain committed to ensuring our union is safe and welcoming for everyone.

THE ISSUES

CUPE and our members are not isolated from a world where harassment, discrimination and violence occur regularly. Many CUPE members have been facing these issues for years in their communities, their workplaces – and also in our union. The #MeToo era has shed a necessary light on the need to believe survivors, the systemic oppression that exists in our institutions, and the power imbalance between survivors and perpetrators when complaints are brought forward.

In light of #MeToo, the union movement has had to grapple with balancing our heartfelt desire to believe survivors, with our commitments to fairness and due process. The Safe Union Spaces Working Group is committed to doing all we can to prevent violence, harassment, and discrimination in union spaces and to develop methods to respond to it in a just and trauma-informed way.

WHAT WE'VE DONE

The Safe Union Spaces Working Group began by acknowledging that the people who experience violence, harassment, and discrimination (in all their different forms) are mostly, though not always, women. Further, marginalized groups such as Indigenous workers, 2SLGBTQ+ workers, Black and racialized workers, and workers with disabilities are more likely to experience these issues. Younger people, often more “junior” in terms of their time in CUPE, are also more likely to face various forms of violence, harassment, and discrimination.

Since forming the Working Group, we have

- created a work plan that focused on understanding the depth and breadth of harassment and discrimination within the union;
- engaged a consulting firm to provide external expertise and conduct research on best practices for preventing and responding to violence and harassment;
- reviewed all existing CUPE policies, programs and trainings related to violence, harassment and discrimination;
- held a series of focus groups with members;
- conducted a broad membership survey; and,

- hosted listening sessions with members from across the country.

The Working Group presented to National Convention in November 2021.

WHAT WE'VE FOUND

In the focus groups, listening sessions and survey, members confirmed that violence, harassment and discrimination are widespread within CUPE. Of the more than 4,500 CUPE members who completed the survey, nearly 30% reported having experienced harassment in CUPE union spaces and 20% reported having experienced discrimination in CUPE union spaces. The results were not the same across all groups. Trans and non-binary respondents reported significantly higher levels of harassment, and Indigenous, Black, and racialized respondents were far more likely to indicate that they had experienced discrimination. In the focus groups and listening sessions, members also told us that perpetrators often pick on vulnerable targets or on people who will hesitate to report or who fear they may not be believed. Frequently these are younger members and those who are newer to the union.

While it is possible that members who have faced gender-based violence, sexual harassment and discrimination were more likely to answer the survey and participate in the focus groups, the breadth and depth of their experiences in CUPE cannot be denied. This is unacceptable for any of us in CUPE.

The survey and focus groups also asked participants about their experiences reporting and disclosing incidents of violence, harassment, and discrimination within CUPE. Generally speaking, members expressed widespread hesitancy and fear about possible repercussions of reporting experiences of harassment and/or discrimination. That said, almost half of survey respondents – 48% of those who experience harassment – reported these incidents of harassment to someone in CUPE (see Figure 1). 39% of those who experienced various forms of discrimination reported this to someone within CUPE (see Figure 2).

Figure 1: Reporting of Harassment

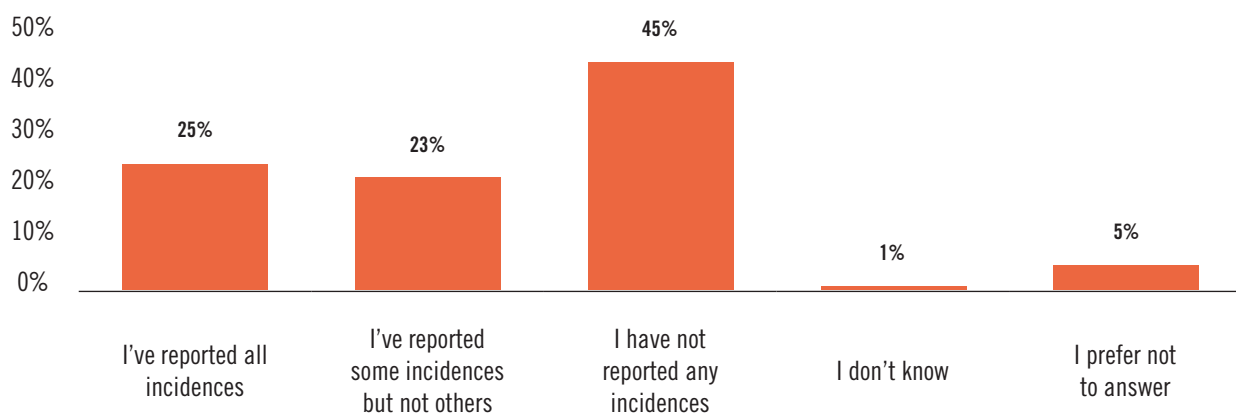
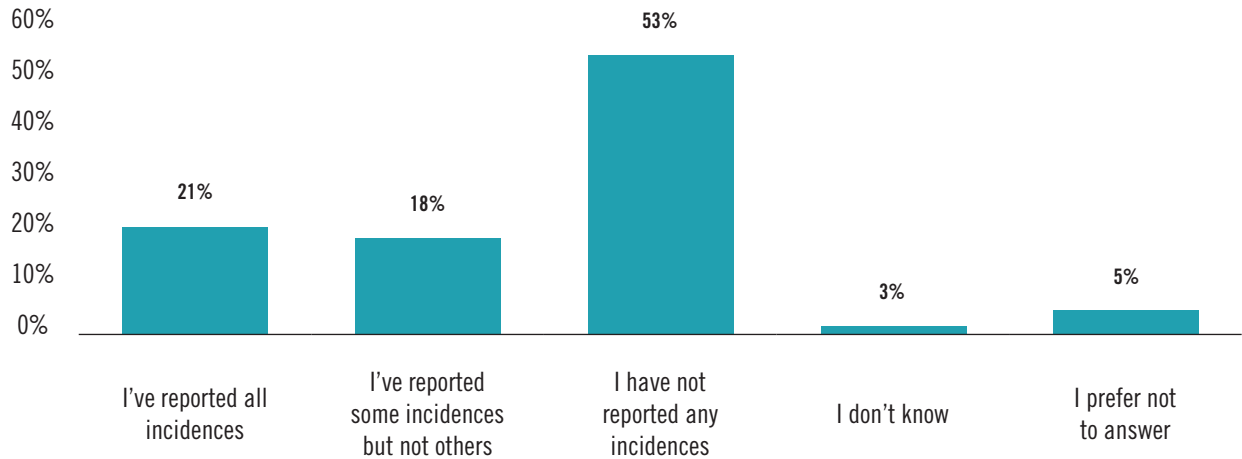


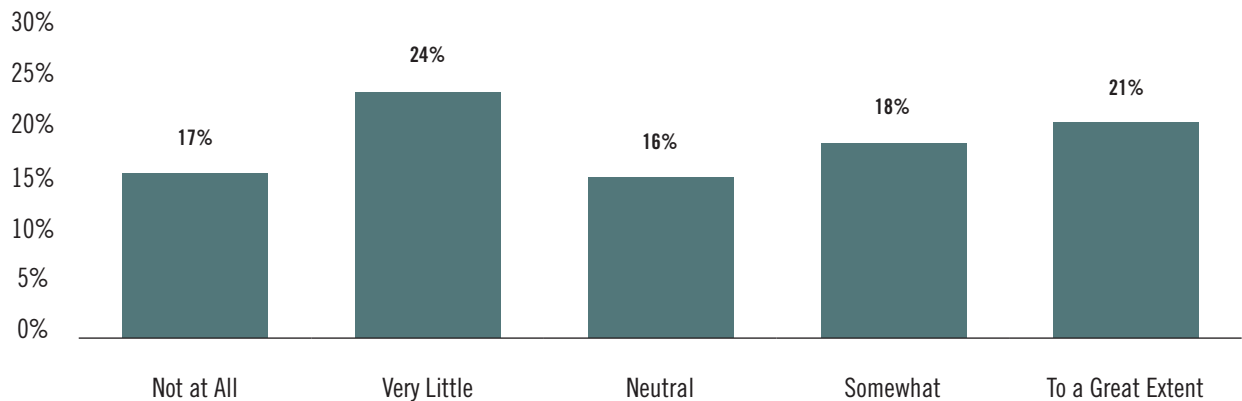
Figure 2: Reporting of Discrimination



Those who reported did so in a variety of places. More than half reported their experiences to their local union, and roughly a third reported to either elected leadership or staff within CUPE. Many people chose to share their experiences instead within their own circles of trusted friends, family, and colleagues.

Only 39% of the members who reported felt either somewhat or greatly respected during the reporting process, while 41% did not feel respected (see Figure 3).

Figure 3: Perceived Respect During Reporting Process



Survey respondents who reported at least one incident of harassment and/or discrimination to CUPE were also asked to what extent they were satisfied with the outcome of the reporting process (i.e., did you feel a part of the process? Did you feel the issue was adequately addressed?) 59% of these respondents felt either dissatisfied or very dissatisfied with the outcomes of their reporting.

Moreover, it was clear from focus groups that most people who have experienced violence, harassment, and discrimination within CUPE do not feel that existing complaint processes are supportive or accessible. They frequently indicated that the processes were unclear or confusing. For instance, many focus group participants and survey respondents weren't sure who the ombudsperson was at various events nor were they clear what support the person in the role could provide.

Some members indicated that CUPE's Trial Procedure is difficult to navigate. Others said they didn't know it exists or how it works. Many expressed skepticism of the concept of a "trial," suggesting it is ill-suited to deal with complaints of gender-based violence and sexual harassment in particular. Participants also observed that the process can seem long and complicated and questioned whether there is support available for the victim. While the Alternate Process was meant to address some of these issues, some participants in the focus groups and listening sessions indicated that they also found it confusing and difficult to navigate.

There is clearly a lot of work that needs to be done to prevent violence, harassment, and discrimination and to address it in ways that are meaningful and accessible to members. Specifically, there is an obvious need to improve CUPE's Ombudsperson program, Trial Procedure and Alternate Process, and to better communicate how they work to members.

WHERE WE'RE GOING

CUPE can build on the incredible activism of our members and our community allies to address violence, harassment, and discrimination. The Safe Union Spaces Working Group has identified two areas of focus for action: responses and prevention. Our intention is to establish ways to respond better when complaints about violence, harassment, and discrimination are raised, and to change our organizational culture such that these complaints are rare but handled with care when they arise.

Responses

1. Communication

CUPE's Trial Procedure and the accompanying Alternate Process need to be more effectively communicated to members. Often, the first point of contact for those who have experienced some form of violence, harassment, or discrimination is CUPE leaders or staff who may themselves be unclear about the options available. Our complaint and investigation processes need to be clearly outlined, and local leaders or staff who may reasonably be expected to be approached with complaints should be aware of the process and have access to the resources they need to provide support and guidance to members.

2. Ombudsperson program

The purpose of the current Ombudsperson program is to address members' concerns with behaviours at national events which violate the CUPE constitution. This includes behaviors that are not in keeping with standards set out in our Code of Conduct and Equality Statement, including violence, harassment and discrimination. Concerns have been raised about the Ombudsperson program, including fear of biases held by staff and leaders and their effect should members raise complaints about people who are prominent within the union. Other concerns include whether those assigned

as ombudspersons have the necessary experience and skills to effectively support someone who is facing violence, harassment, and discrimination, and that the Ombudsperson program is only available during specific events. The Working Group is exploring the creation of an independent ombudsperson office – something that was also recommended in the final report of the National Women’s Task Force in 2007.

3. A restorative approach

While aspects of restorative justice are applied to the current Alternate Process, it may be that a more robust program of restorative justice would benefit all parties. All parties involved in complaints involving violence, harassment, or discrimination should have access to a restorative justice model of dispute resolution.

Prevention

In many ways the biggest task ahead of us is the work required on prevention. The Working Group is committed to transforming CUPE’s culture so that there is a deep consensus and understanding at all levels of the union that violence, harassment, and discrimination is unacceptable.

4. Reaching consensus

In order to bring about culture change, we need to forge consensus on how we address violence, harassment, and discrimination in our union. We will continue creating spaces like the focus groups and listening sessions where members can have honest conversations about experiences of harassment and about CUPE’s commitment to stopping violence, harassment, and discrimination. As a union, we need to ensure that we provide education in various forms that are accessible to rank and file members and to local leaders no matter the size of the local.

5. Pre-event education

Members have asked for CUPE to make it clear at all events that there will be no tolerance for violence, harassment, or discrimination. CUPE already makes widespread use of our Equality Statement to begin events, but that statement needs to be updated. We also need to make a variety of educational resources available that address the specific issues of violence, harassment, and discrimination.

6. Making CUPE events safer

Members have offered up many ideas – ranging from alcohol-free events, to making time for informal gatherings during daytime hours. We are committed to deep consideration of how we meet and socialize around our meetings. Informal spaces for members to connect with each other and with staff and leaders are crucial to creating the bonds of trust that the labour movement thrives upon. We must ensure that these are safe spaces.

7. Staffing

We believe that CUPE staff are essential participants in our union spaces. We need to examine the role staff play in these spaces and then re-imagine the roles they might play. Staff can ensure that when members report incidents of violence, harassment, or discrimination to them, members are met with kindness, respect, and support. Staff need training and support to identify and prevent instances of violence, harassment, and discrimination.

8. Bystander intervention

Too often, members and staff do not intervene when they witness violence, harassment, and discrimination – which leads to a sense that such behaviour is accepted and even condoned. Bystander intervention training should be provided so everyone is able to stand up to such and intervene safely and effectively.

9. Moving forward on the expansion of the CUPE Code of Conduct

The expansion of the CUPE Code of Conduct to all CUPE events was adopted at our 2021 National Convention. Prior to this, the Code of Conduct applied only to national events. We acknowledge that violence, harassment, and discrimination takes place at the local, council, and provincial level of our union, too. CUPE will ensure that all levels of our union have the tools and resources they need to adapt and enforce the Code of Conduct.

10. Campaign and policy work

CUPE has participated in campaigns and legislative advocacy around violence, harassment, and discrimination for years. We will continue to push governments and employers to end gender-based violence in all its forms, and we will engage members in campaigns for safety and justice.

CONCLUSIONS

Many of the issues related to violence, harassment, and discrimination within CUPE are structural. They require meaningful, concrete solutions. The Safe Union Spaces Working Group is committed to being proactive in developing policies, processes, and tools to transform our culture. We will continue to work with members to develop solutions to deal with the many and varied forms of harassment, discrimination, and violence they experience. Members are, as they have always been, our greatest resource and the ultimate arbiters of our success.

