



# Workplace Harassment and Violence Prevention Policy Manual V2



National  
Defence

Défense  
nationale



Aussi disponible en français sous le titre : Manuel de la politique de prévention du harcèlement et de la violence dans le lieu de travail

For more information, contact: [WHVPCoE-PHVCE@forces.gc.ca](mailto:WHVPCoE-PHVCE@forces.gc.ca)

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# Part I- General Principles

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**Version:** 2

## Application

1. This Policy Manual must be read in conjunction with Defence Administrative Order and Directive (DAOD) [5014-0](#), Workplace Harassment and Violence Prevention (WHVP) and applies to the Defence Team, which includes Department of National Defence (DND) Public Service employees and Canadian Armed Forces (CAF) members.

Notes:

- a. For incidents of Workplace Violence involving DND employees that occurred and were reported prior to January 1, 2021, seek guidance from [Directorate of General Safety](#).
- b. Complaints or incidents of workplace harassment involving only CAF members, formally submitted before March 1, 2025, will continue to be addressed under [DAOD 5012-0](#). Starting March 1, 2025, all new reported occurrences, regardless of when they occurred, will be managed under [DAOD 5014-0](#) and the WHVP Policy Manual.

2. Within the context above, this Policy Manual applies to Defence Team members, who are engaged in work, work-related activities, work-related relationships, both on and off Departmental premises. This includes but is not limited to the following definition of workplace, (Defence Terminology Bank 43176), which is any location where work-related functions and other activities take place and work relationships exist. A Defence Team member may be considered to be at a workplace when they are:

- a. on travel status;
- b. at a conference where the attendance is approved by the DND or the CAF;
- c. at information sessions, instruction or training approved by the DND or the CAF;
- d. at events, including social events, approved by the DND or the CAF;
- e. working remotely including from home; and
- f. when using communication technologies with a connection to the workplace or employment conditions.

Note: The workplace for CAF/DND members can include ships, aircraft, vehicles, office spaces, classrooms, garrisons, training areas, hangars, messes, dining halls, quarters, gyms, on-base clubs, online forums and locations for sanctioned events such as holiday gatherings and course parties, both domestically and outside of Canada. CAF members do not simply serve in the CAF, but work, socialize and often live within institutional and social structures established by the CAF.

3. **Workplace harassment and violence (WHV) is defined as:** “any action, conduct or comment, including of a sexual nature, that can reasonably be expected to cause offence, humiliation or other physical or psychological injury or illness to an employee/member, including any prescribed action, conduct or comment” (Defence Terminology Bank 696528).

Note: This includes any behaviours based on the prohibited grounds of discrimination identified in the [Canadian Human Rights Act](#), which include race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, disability and conviction for an offence for which a pardon has been granted or in respect of which a record suspension has been ordered. For more examples of prescribed actions see the [Negative Behaviour Matrix](#).

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## Enquiries

4. For general information on the WHVP Program, please visit the [Workplace Harassment and Violence Prevention Program website](#).
5. For specific questions and information on: Contact/email:
  - WHVP policy, procedures, and training: Email - [WHVPCoE-PHVCE@forces.gc.ca](mailto:WHVPCoE-PHVCE@forces.gc.ca)
  - Submitting a of Notice of Occurrence (NoO): Secure email inbox- [DesignatedRecipientHVP-DestinataireDesignedelaPHV@forces.gc.ca](mailto:DesignatedRecipientHVP-DestinataireDesignedelaPHV@forces.gc.ca) or secure voicemail box at 1-833-451-1604
  - Alternative Dispute Resolution (ADR) services: Website - [Conflict and Complaint Management Services \(CCMS\)](#)
  - Assistance with Restorative Services (RS): Email - [RestorativeServices-Demarchesreparatrices@forces.gc.ca](mailto:RestorativeServices-Demarchesreparatrices@forces.gc.ca)

## Definitions

### **Defence Team** (Defence Team Member)

For the purposes of this Policy Manual, this includes Department of National Defence (DND) Public Service employees and Canadian Armed Forces (CAF) members.

**Note** - It does not apply to staff of the Non-Public Funds (NPF) and Personal Support Programs (PSP).

### **Designated Recipient**

A person designated to receive and respond to notices of occurrences and facilitate the WHVP process as per the regulations and DND/CAF policy.

**Note** – For DND/CAF, the only designated recipients are the centralized team of Designated Recipient established within Chief Professional Conduct and Culture (CPCC) (Director General Conflict Solutions and Services/Workplace Harassment and Violence Prevention).

### **Employer**

For the purposes of this policy manual, the Canadian Armed Forces and/or the Department of National Defence (represented by the Chain of Command (CoC)/manager at the local level) as applicable.

### **Notice of Occurrence**

A complaint of an occurrence of harassment and violence in the workplace submitted verbally or in writing to the CoC/manager or to the Designated Recipient.

### **Occurrence**

An occurrence refers to an alleged incident of harassment and violence in the workplace.

### **Conflict Management Practitioner**

Conflict Management Practitioners help the members of the Defence Team manage conflict through a range of informal options: Alternative Dispute Resolution (ADR) services, coaching, facilitation, small group intervention, outreach, and training.

### **Principal Party**

A DND employee(s) or CAF member(s) who is the object of an occurrence.

### **Responding Party**

A person(s) who is alleged to have been responsible for the occurrence and is identified in the Notice of Occurrence.



## Support Person

Means the individual chosen by either the PP or RP to provide support during the resolution process ([see Support person](#)).

## WHVP Assessment

For the purposes of the WHVP Program and this Policy Manual the Work Place Assessment is the joint identification of risk factors ([Annex C](#)), including Psychological Risk Factors ([Canadian Centre for Occupational Health and Safety](#)), internal and external to the work place, that contribute to harassment and violence in the work place and the joint development and implementation of preventive measures

## Witness

A person who witnessed an occurrence or is informed of an occurrence by the PP or RP. A witness cannot be a support person to either party.

## Purpose

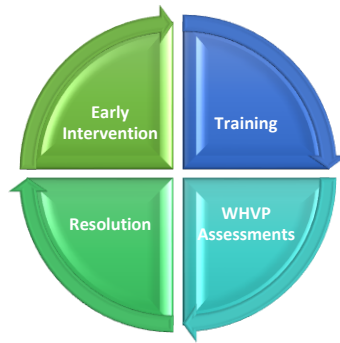
6. The purpose of this Policy Manual is to provide information and instructions on:
  - a. the WHVP program, which places an emphasis on prevention and resolution, and
  - b. the steps that the CoC and/or management must take when a Workplace Harassment and Violence occurs.

## Policy Statement

7. The DND and the CAF are committed to the empowerment and support of Defence Team members through the prevention and resolution of workplace harassment and violence, to foster a safe, respectful, and inclusive workplace.

## Context

8. The Workplace Harassment and Violence Prevention Policy Manual and [DAOD 5014-0](#) were developed jointly with the National Health and Safety Policy Committee and are based on the *Work Place Harassment and Violence Prevention Regulations (SOR/2020-130)* (the Regulations) and the *Canada Labour Code Part II (CLC Part II)*. The Regulations introduced several amendments to strengthen the existing framework for WHVP which are reflected in this Policy Manual. This includes harassment of a sexual nature and sexual violence, discrimination, as well as family violence. See the [Harassment and Violence in the Workplace Behaviour Matrix](#) for examples under the spectrum of harassment and violence.
9. The framework has three main components:
  - a. preventing occurrences of workplace harassment and violence;
  - b. responding effectively to these incidents when they do occur; and
  - c. supporting Principal Party (PP), Responding Party (RP), witnesses, and CoC/managers through the resolution process.
10. The DND and the CAF must protect the occupational health and safety of the Defence Team and every member of the Defence Team has a role to play to prevent workplace harassment and violence. Workplace harassment and violence occurrences are to be addressed promptly, with sensitivity, with fairness, and with an emphasis on early, local and informal resolution, as appropriate.
11. The WHVP program focuses on prevention by using a multifaceted approach through early intervention, training, and preventive measures fostered through the WHVP assessments and resolution of Workplace Harassment and Violence (WHV) occurrences.



## Roles and Responsibilities

The...

is/are responsible to ...

<b>Chief Professional Conduct and Culture (CPCC)</b>	<ul style="list-style-type: none"> <li>Act as the functional authority for the prevention of workplace harassment and violence.</li> <li>Issue policies, instructions, directives, and guidelines concerning the prevention of workplace harassment and violence for DND employees and CAF members.</li> <li>Appoint a work unit as the Designated Recipient (DR).</li> </ul>
<b>Director General Conflict Solutions and Services (DGCSS)</b>	<ul style="list-style-type: none"> <li>Establish Alternate Dispute Resolution (ADR) services and Restorative Services (RS) to support the WHVP resolution processes.</li> <li>Establish, jointly with the National Health and Safety Policy Committee, a pool of qualified WHVP investigators.</li> </ul>
<b>Director of General Safety</b>	<ul style="list-style-type: none"> <li>Oversee Workplace Violence Program incidents prior to January 1, 2021.</li> <li>Oversee Occupational Health and Safety as it relates to psychosocial factors that may cause workplace harassment and violence.</li> </ul>
<b>National Health and Safety Policy Committee (NHSPC)</b>	<ul style="list-style-type: none"> <li>Act as the applicable partner providing recommendations to the functional authority on prevention of workplace harassment and violence by jointly developing the applicable policy and participating in joint reviews as required.</li> </ul>
<b>Chains of Command (CoC)/ Managers</b>	<p><b>Prevention</b></p> <ul style="list-style-type: none"> <li>Ensure workplace well-being by promoting and modelling the behaviours contained in the <a href="#">DND and CF Code of Values and Ethics</a> and the <a href="#">CAF Ethos: Trusted to Serve</a>.</li> <li>Ensure that all members of the Defence Team are aware that a Policy Manual and WHVP Assessment are <a href="#">readily available</a>.</li> <li>Ensure that all members of the Defence Team are aware of their responsibilities outlined in this Policy Manual and <a href="#">DAOD 5014-0</a>.</li> <li>Promote the prevention of harassment and violence in their organizations and implement measures to minimise the risk of incidents occurring.</li> </ul>



	<ul style="list-style-type: none"> <li>• Establish procedures to respond to emergencies related to workplace harassment and violence.</li> <li>• Work jointly with Workplace Health and Safety Committees (WHSC)/ Health and Safety Representatives (HSR)/ Canadian Armed Forces Safety Committees (CAFSC), as applicable, to complete <a href="#">WHVP Assessments</a> and to develop and monitor preventive measures as required by this Policy Manual.</li> <li>• Correct behaviours in the workplace that are inconsistent with the organizations' values, ethics and expected behaviours.</li> </ul> <p><b>Training</b></p> <ul style="list-style-type: none"> <li>• Ensure that all members of the Defence Team within their area of responsibility take mandatory WHVP courses.</li> </ul> <p><b>WHVP Process</b></p> <ul style="list-style-type: none"> <li>• Advise the WHVP Centre of Expertise (WHVP CoE) within seven calendar days when a NoO is received within their area of responsibility.</li> <li>• Respect the confidentiality of the information shared throughout the resolution process of an occurrence. The disclosure of information about the occurrence must be in keeping with the need-to-know principle.</li> <li>• Make every reasonable effort to resolve an occurrence of harassment and violence through negotiated resolution.</li> <li>• Implement preventive measures derived from negotiated resolution, conciliation, and investigations as well as any additional preventive measures warranted.</li> <li>• Cooperate with an investigator and the investigation process.</li> <li>• Refrain from <a href="#">real or perceived retaliatory behaviour</a> against the PP, RP, witnesses and any other individuals involved in the resolution process of an occurrence.</li> <li>• Support Defence Team members affected by workplace harassment and violence.</li> </ul>
<p><b>Designated Recipient (DR) established within CPCC (DGCSS)</b></p>	<ul style="list-style-type: none"> <li>• Respond to all NoO within seven calendar days of receiving the notice.</li> <li>• Ensure that the PP, RP and CoC/manager are aware of their rights and obligations in the resolution process.</li> <li>• Initiate negotiated resolution with the PP within 45 calendar days after the day on which the NoO is received.</li> <li>• Conduct a review of every NoO with the PP against the definition of harassment and violence.</li> <li>• Make every reasonable effort to resolve an occurrence of harassment and violence for which a NoO is submitted.</li> <li>• Give the PP and RP the option of voluntarily participating in conciliation/ADR and agree on the assigned facilitator.</li> <li>• Provide notice of investigation to the PP and RP if an investigation is requested by the PP.</li> <li>• Provide monthly status updates to the PP and RP on the status of the resolution process.</li> </ul>

	<ul style="list-style-type: none"> <li>Recuse themselves from the process in the event of a conflict of interest.</li> </ul>
<b>Workplace Health and Safety Committees (WHSC)/ Health and Safety Representatives (HSR)/ Canadian Armed Forces Safety Committees (CAFSC)</b>	<p>Jointly with CoC/managers:</p> <ul style="list-style-type: none"> <li>Conduct the WHVP assessment and make recommendations for changes, as required.</li> <li>Monitor and, when necessary, update the WHVP assessment when there is a change to the risk factors identified or a change to the effectiveness of the preventive measures developed and implemented.</li> <li>Review and, when necessary, update the WHVP assessment every three years, commencing in 2021 or after the initial assessment has been completed if after this date.</li> <li>Develop, review and, when necessary, update the emergency procedures and support services, for Defence Team members, related to workplace harassment and violence.</li> <li>Recommend to the employer which of the preventive measures set out in an investigation report are to be implemented.</li> </ul>
<b>Workplace Harassment and Violence Prevention - Centre of Expertise (WHVP CoE) established within CPCC (DGCSS)</b>	<ul style="list-style-type: none"> <li>Oversee the implementation, application, and effectiveness of <a href="#">DAOD 5014-0</a>, this Policy Manual and related procedures by level one (L1) WHVP Program advisors, managers, and commanding officers.</li> <li>Advise on the prevention of workplace harassment and violence, related policies, and procedures.</li> <li>Issue instructions to L1s regarding maintaining corporate records on workplace harassment and violence occurrences, investigations, training and reporting as required.</li> <li>Facilitate consultation with the NHSPC on the elements of the WHVP program.</li> <li>Establish policies, procedures, and training, and provide resources on WHVP for the Defence Team.</li> <li>Lead annual reports to Employment and Social Development Canada as required by the Regulations. In the case of an investigation, select a person to act as an investigator from the list developed jointly by DGCSS and the NHSPC of qualified internal and/or external investigators.</li> <li>Ensure that the investigator selected for an investigation possesses the necessary knowledge, training and experience required by this policy manual and the Regulations.</li> <li>Ensure that the investigator has provided a written statement indicating that they are not in a conflict of interest with respect to the occurrence.</li> <li>Provide the investigator with all information relevant to the investigation.</li> <li>Provide monthly status updates to the PP and RP on the status of the investigation process.</li> </ul>

<b>Command/Group Principal WHVP Program Advisors</b>	<p>Advise their CoC/managers and WHSC/HSR/CAFSC on:</p> <ul style="list-style-type: none"> <li>• DND WHVP policy, process and training requirements;</li> <li>• DND WHVP assessment process, forms and resources;</li> <li>• Implementation of preventive measures; and</li> <li>• Provide direction and guidance through the CoC/manager of awareness and prevention programs.</li> </ul>
<b>Defence Team Members (Including PP, RP and witnesses)</b>	<p><b>Prevention</b></p> <ul style="list-style-type: none"> <li>• Respect and adhere to all principles, values and expected behaviours related to them and found in the <a href="#">DND and CF Code of Values and Ethics</a> and the <a href="#">CAF Ethos: Trusted to Serve</a></li> <li>• Report risk factors that may contribute to workplace harassment and violence to the CoC/manager.</li> </ul> <p><b>Training</b></p> <ul style="list-style-type: none"> <li>• Complete <a href="#">training</a> as defined in this policy.</li> </ul> <p><b>WHVP Process</b></p> <ul style="list-style-type: none"> <li>• As appropriate, report occurrences of workplace harassment and violence, experienced or observed, to their CoC/manager or the DR.</li> <li>• Co-operate in the resolution of workplace harassment and violence occurrences.</li> <li>• Respect the confidentiality of the information shared throughout the resolution process of an occurrence.</li> <li>• Refrain from real or perceived retaliatory behaviour against the PP, RP, witnesses, and any other individuals involved in the resolution process of an occurrence.</li> </ul>
<b>Employee Representatives/ Bargaining Agents (for unionized DND employees)/Support Person</b>	<ul style="list-style-type: none"> <li>• Provide advice and support to PP, RP, and witnesses.</li> </ul>

## Part II – Prevention

### WHVP Assessments

12. WHVP assessments are mandatory for all workplaces within the DND/CAF and must be jointly completed and reviewed by CoC/management in collaboration with the applicable WHSC/HSR/CAFSC. The WHVP assessment is part of the workplace overall Hazard Prevention Program and is to be recorded with the minutes of the workplace health and safety committee and made available to all Defence Team members of the workplace.

### Risk Factors

13. There are several risk factors that can contribute to workplace harassment and violence including work environments, job factors and external factors. A list of common risk factors was jointly developed by the NHSPC. The risk factors identified are both internal and external to DND/CAF and could contribute to inappropriate, negative, or harmful behaviours, that fall under the definition of workplace harassment and violence. Although these risk factors may occur in isolation, they often overlap and mutually reinforce each other.

Thus, workplaces with a combination of risk factors may produce a heightened risk. These jointly identified risk factors can be found in [Annex C](#).

## Completing the Assessment

14. CoC/manager and the WHSC/HSR/CAFSC, as applicable, must jointly carry out the initial WHVP assessment for every DND/CAF workplace and they must review the assessment once every three years, commencing in 2021, or after the initial assessment has been if after this date, and recommend modifying preventive measures as required. In addition, the assessment must be reviewed whenever:

- a. there are changes to the risk factors within the organization that may warrant a reassessment;
- b. an occurrence is not resolved through the negotiated resolution process and the PP decides to end the resolution process;
- c. there is a change that compromises the effectiveness of a developed and implemented preventive measure;
- d. the RP is not a member of the Defence Team;
- e. a NoO was submitted anonymously; or
- f. a WHVP investigation recommends changes.

15. The [WHVP Assessment Guide](#) provides detailed guidance to assist the CoC/management in collaboration with the applicable WHSC/HSR/CAFSC in completing assessments. The guide contains identified risk factors and associated psychosocial factors along with examples of preventive measures, training, and resources for each risk factor. The guide may not include all the specific risks for each workplace. For any additional risks the workplace identifies that are not captured in the assessment guide, the CoC/management in collaboration with the applicable WHSC/HSR/CAFSC is required to amend their WHVP assessment so that the additional risk(s) and preventive measure(s) are recorded as part of the assessment.

## Training

16. The mandatory training on the prevention of harassment and violence in the workplace is available through the Canada School of Public Service for all Defence Team members (public service employees and CAF) or can be found in [Annex D](#) or on the WHVP program website: [Training](#). The CoC/managers are responsible to ensure all Defence Team members within their organization complete the mandatory training within the following timelines:

- a. new Defence Team members – within three months of joining the DND or CAF;
- b. existing Defence Team members – every three years after the initial training and following any update to the training or their assignment to a new activity or role for which there is an increased or specific risk of workplace harassment and violence; and
- c. WHSC, HSR, and CAFSC members and DRs – prior to assuming their duties.

17. Defence Team members are encouraged to take other trainings that goes beyond the mandatory harassment and violence training. These trainings could focus on unconscious bias, accessibility, anti-racism, for example. By increasing awareness around these issues, it will support a more inclusive and equitable workplace and help prevent harassment and violence.

## Resolution

18. The resolution process contributes to the prevention of WHV by allowing Defence Team members to identify WHV risks and report them directly to their CoC/manager. Through the negotiated resolution, and/or ADR the Defence Team member and the CoC/manager work collaboratively to identify preventive measures which can resolve and prevent further occurrences of WHV. If the resolution process involves an investigation, the investigation report will identify recommendations to the CoC/manager and the applicable safety committee or representative, who will jointly determine which recommendations are to be implemented. The resolution process always involves the CoC/manager in the process of prevention by identifying risks and preventive measures within their workplace and acts as a feedback loop regarding the health and safety of Defence Team Members. [Support services](#) are available to all parties throughout the resolution process.

## Part III – Resolution Process

19. For more information on the appropriate mechanisms to use to file a complaint or report an incident, please contact the [local CCMS](#) or consult the following website: [Submit a formal complaint or report an incident - Canada.ca](#)

20. The Workplace Harassment and Violence resolution process is preventive in nature. As such, it is important that this be the foundational message communicated to the parties to help them understand the resolution process and potential outcomes. The resolution process is to be completed within one year after the day on which the NoO was submitted.

21. Consult the [Process for reporting harassment and violence in the workplace webpage](#) for a description of the resolution process.

### Step 1: Submission of a Notice of Occurrence (NoO)

22. Defence Team members who have experienced harassment and violence in the workplace, or who witness someone being subjected to harassment and violence, are encouraged to report it. Harassment and violence in the workplace can be reported by submitting a NoO in one of three ways:

- a. to the CoC/manager verbally, or in writing by submitting the [Notice of Occurrence](#) form, If the CoC/manager is involved in the occurrence, the NoO must be provided to the DR.
- b. to the DR verbally by calling 1-833-451-1604 for a secure voicemail box or in writing by submitting the [Notice of Occurrence](#) to the following email address: [DesignatedRecipientHVP-DestinataireDesignedelaPHV@forces.gc.ca](mailto:DesignatedRecipientHVP-DestinataireDesignedelaPHV@forces.gc.ca); or
- c. anonymously to the DR by submitting the [Notice of Occurrence](#) and selecting the "anonymous" option on the form and submitting it to the following email address: [DesignatedRecipientHVP-DestinataireDesignedelaPHV@forces.gc.ca](mailto:DesignatedRecipientHVP-DestinataireDesignedelaPHV@forces.gc.ca).

Note: When submitting a NoO it must contain specific information:

- a. the name of the principal party and the responding party, if known;
- b. the date of the occurrence; and
- c. a detailed description of each occurrence.

23. In accordance with Canada Occupational Health and Safety Regulations (SOR/86-304) section 15.2(3) disabling injuries and minor injuries from occurrences of harassment and violence are not to be investigated using a hazardous occurrence investigation reporting form (DND 663).

### Anonymous Submission

24. A PP or a witness may choose to provide an anonymous NoO. If a NoO is submitted by a witness or anonymously, and a PP is named, the CoC/manager or the DR will contact the PP to ask if they wish to begin the resolution process. If the PP refuses to participate in the resolution process, the resolution process is considered closed, but a redacted version of the NoO will be shared with the applicable WHSC/HSR or CAFSC who will review and, if necessary, update the WHVP assessment to determine if any additional preventive measures are required. Where inadequate information exists to determine what actual workplace is involved, the L1 advisor or appropriate level in the CoC/manager, should provide direction to all subordinate workplaces to review their assessments to ensure they cover the specific risk factors in question.

Note: All information regarding the identity of parties must not be provided to the applicable safety committee or representative to maintain privacy and confidentiality of the person(s) involved. This includes any reference to work locations, dates, division/group names or additional information that would directly or indirectly reveal the identity of a person involved.

## When a CoC/Manager Receives NoO

25. If the CoC/manager is notified of a NoO, they must inform the WHVP CoE via the positional email [WHVPCoE-PHVCE@forces.gc.ca](mailto:WHVPCoE-PHVCE@forces.gc.ca) within seven calendar days, and submit monthly status update reports until file resolution. If the CoC/manager is either the PP or RP (i.e. involved in a NoO), the NoO must be sent directly to the DR via email: [DesignatedRecipientHVPDestinataireDesignedelaPHV@forces.gc.ca](mailto:DesignatedRecipientHVPDestinataireDesignedelaPHV@forces.gc.ca)

Note: All NoOs must be kept in a safe and secure location (Protected B).

## Time Period to Submit a NoO

26. There are no prescribed time limits for current Defence Team members to submit a NoO. However, a delay in notifying the DR/CoC/manager may affect the ability to address the occurrence.

27. A former Defence Team member may submit a NoO up to 90 calendar days after the day on which they cease to be employed by the DND/CAF.

## Step 2: Initial Review

28. The first step in the initial review is for the CoC/manager or DR to determine whether there is sufficient information to proceed with next steps. A NoO must contain:

- a. name of the PP and the RP, if known;
- b. date of the occurrence(s); and
- c. detailed description of the occurrence.

29. If the NoO is lacking information, the DR/CoC/manager (depending on who received the NoO) must contact the person who submitted the NoO for more information. If no more information is forthcoming the CoC/management in collaboration with the applicable WHSC/HSR/CAFSC is required to review their WHVP assessment to see if any preventive measures need to be amended and the file is closed.

30. A NoO is not to be submitted in respect to an occurrence if:

- a. the RP is not a Defence Team member (see [Occurrences that Involve Visitors or Persons Granted Access to the Workplace](#)); the responding party is not a Defence Team member ([see WHVP for non-Defence Team persons](#));
- b. exposure to harassment and violence is a normal condition of work for the PP (CAF operational requirement); and
- c. the employer has safety measures in place to address the risk factors associated to the workplace harassment and violence.

Note - an example of a CAF operational requirement is an elevated risk where it is a normal working condition for an adversarial force to harass a CAF infantry section, surveillance aircraft crew, or ship's boarding party. It would not be a normal working condition to have CAF members using slurs towards another CAF member, regardless of the workplace.

## Expected behaviours, Conduct Deficiencies, & Criminal Acts

31. The CoC/managers are expected to provide Defence Team members with a healthy and safe workplace and to take action to address issues that contribute to unhealthy workplaces or cause psychological harm or injury to Defence Team members including the monitoring of psychosocial hazards. Supervisors are expected to monitor Defence Team members' behaviour and consult with the CoC/managers to determine the most appropriate action to correct behaviours in the workplace that are inconsistent with the organizations' values, ethics and expected behaviours.

32. Malicious talk and gossip can aggravate and/or escalate a situation, cause further harm, and increase stress in the workplace. In accordance with the [DND and CAF Code of Values and Ethics](#) and/or [CAF Ethos](#),



all Defence Team members must show respect for others and not engage in idle talk and speculation around potential toxic situations in the workplace.

33. If the NoO describes Conduct Deficiencies (CAF) or Misconduct (DND) that contravene the [DND and CAF Code of Values and Ethics](#) and/or [CAF Ethos](#), the CoC/manager must solicit and strongly consider the views of the PP, then take appropriate disciplinary or administrative action as follows:

- a. [DND Public Service Employee Responding Party](#). In cases where the responding party is a DND public service employee, contact the Labour Relations Officer (ADM HR Civ) and refer to [DAOD 5016-0](#), Standards of Civilian Conduct and Discipline.
- b. [CAF Responding Party](#). In cases where the responding party is a CAF member, obtain advice from Legal advisor and the Director Military Careers Administration 2 (DMCA 2), then refer to [DAOD-5019](#) to conduct an Administrative Investigation and potential administrative action.

34. If the NoO describes allegations of criminal offences under the *Criminal Code of Canada* CoC/managers must solicit and consider the views of the PP, then report to the departmental security officer or deputy head, if applicable, and to the police authority with jurisdiction. If the NoO describes allegations of a service offence or service infraction under the *National Defence Act*, an investigation may be required in accordance with QR&O 102.02.

Note: If there is an ongoing civilian police investigation or investigation in the Military Justice System, the resolution process should be put in abeyance until the investigation is completed.

## Acknowledgement and Receipt of NoO

### Response to the PP

35. The CoC/manager or the DR, who received the NoO, must respond within seven calendar days but are encouraged to respond to the PP as soon as possible, using the [“Response to PP Regarding a Notice of Occurrence Template”](#). The template contains the following information:

- a. confirm the NoO has been received, or inform them that a NoO was received from a witness;
- b. inform the PP on how to access the Policy Manual;
- c. explain each step of the resolution process;
- d. inform the PP that they may be accompanied by a [support person](#) of their choice at any time during the resolution process; and
- e. provide information on how to access support services.

### Contacting the RP

36. The RP shall only be contacted or notified of the NoO once the PP agrees. However, the RP must be contacted if the PP chooses to proceed with conciliation/ADR and/or an investigation. Some cases can be resolved at the negotiated resolution without the need to involve the RP.

37. If the PP agrees to meet with the RP, the CoC/manager must contact the RP using the [Response to a Responding Party Template](#) which contains the following information:

- a. inform them that they have been named or identified as the RP in the NoO;
- b. inform the RP on how to access the Policy Manual;
- c. explain each step of the resolution process;
- d. inform the RP that they may be accompanied by a [support person](#) of their choice at any time during the resolution process; and
- e. provide information on how to access support services.

## Occurrences that Involve Visitors or Persons Granted Access to the Workplace

38. It is the responsibility of the Defence Team to ensure that any visitors or persons granted access to the workplace are aware of the Policy Manual mandate and are further responsible for taking appropriate action to prevent or respond to occurrences of workplace harassment and violence. Defence Teams member can provide visitors or persons granted access the pamphlet: [WHVP for non-Defence Team persons](#).

39. If a member of the Defence Team should experience or witness workplace harassment and violence and the RP is a visitor or person granted access (non- defence team) they should inform their CoC/manager so that they can take appropriate action to keep their personnel safe. This will include a review of the [WHVP Assessment](#) to ensure that all appropriate preventive measures are in place and may involve reaching out to the RP's employer to resolve the situation or notifying the appropriate policing authority as required.

## Step 3: Resolution Options

### Negotiated Resolution

40. The negotiated resolution is an opportunity to have an informal, collaborative, and positive discussion to find resolutions between the CoC/manager and/or DR, PP, and RP (if applicable). Resolutions are preventive measures that can be put into place to resolve and help prevent further occurrences. Examples of what is considered a negotiated resolution are in [Annex E](#).

### Joint Review

41. The PP and CoC/manager or DR will conduct a review to determine whether the notice of occurrence describes an action, conduct, or comment that constitutes harassment and violence defined as: *"any action, conduct or comment, including of a sexual nature that can reasonably be expected to cause offence, humiliation or other physical or psychological injury or illness to an employee/member, including any prescribed action, conduct or comment"*. This also includes any behaviours based on the prohibited grounds of discrimination identified in the [Canadian Human Rights Act](#).

42. To assist in the interpretation of the definition of harassment and violence, please consult the [Negative Behaviour Matrix](#).

- a. if both the CoC/manager and the PP agree that the occurrence does not fall within the definition of harassment and violence, then the occurrence will be deemed resolved. However, parties may continue to work together to find an informal resolution to address the situation.
- b. if the CoC/manager does not believe that the occurrence falls within the definition of harassment and violence, but the PP disagrees and wishes to continue with the resolution process, the PP has the option of:
  - i. continuing to work with the CoC/manager and making every reasonable effort to reach a negotiated resolution;
  - ii. pursuing conciliation/ADR; and/or
  - iii. requesting a WHVP investigation.

Note: When CoC/managers act respectfully, professionally, and in good faith, the following actions would be considered normal workplace activities:

- a. directly supervise Defence Team members, including setting out performance expectations and providing constructive feedback about work performance;
- b. take measures to correct performance deficiencies, such as placing a Defence Team member on a performance improvement plan;
- c. take preventive remedial measures;
- d. assign work, and direct how and when it should be done; and

- e. request updates or status reports.

43. Workplace harassment and violence is not to be confused with workplace conflict and differences of opinion. When differences of opinion and conflicting ideas occur, an early, local, and informal approach to resolving workplace conflicts is recommended. For further assistance with conflict resolution services contact your local [Conflict and Complaint Management Services \(CCMS\) office](#).

### Reasonable Effort

44. Efforts to resolve an occurrence must begin as soon as possible, but no later than 45 calendar days after the day on which the NoO was provided. The CoC/manager, PP and RP (if contacted) must make every reasonable effort to resolve an occurrence during the negotiated resolution process, unless doing so would put the PP in further harm, danger, or further aggravate an injury. Examples of what is considered a resolution can be found in [Annex E](#).

### Support Person

45. During the resolution process, the PP and RP have the right to be accompanied by a [person of their choice](#) for support (e.g. bargaining agent/union representative, friend/family, co-worker or other support person of their choice). The role of a support person is to assist a party, but not to represent or make representations on behalf of any party. A party who wishes to have a support person during the resolution process must inform the CoC/manager or DR of this decision. The support person may aid a party in administrative tasks, such as:

- a. scheduling meetings or interviews; and
- b. receiving updates on the status of the resolution process.

46. The parties will be required to personally provide the following during conciliation/ADR or the investigation:

- a. information about the occurrence; and
- b. respond to questions regarding the occurrence during negotiated resolution, conciliation/ADR and/or the WHVP investigation.

47. The support person may not be a party or a witness to the occurrence and cannot support both the PP and RP.

### Temporary Absence

48. As a preventive program, the safety and well-being of all parties involved during the resolution process is crucial. Therefore, if the PP or the RP wish to continue with the resolution process while on medical leave, they should seek the support of their physician prior to participating and may be required to provide a medical note.

49. If the PP or RP is temporarily absent from work for more than 90 calendar days after the day on which the NoO is provided, the resolution will be placed in abeyance until the return of the party. During the absences, monthly updates must continue to be provided to both parties. Upon their return to work, the resolution process is to be completed within one year after the day on which the NoO was provided or six months after the day on which the party returns to work whichever is later.

### Conciliation/Alternate Dispute Resolution (ADR)

50. Conciliation/ADR is a voluntary, informal, and confidential process where a neutral and qualified Conflict Management Practitioner helps the parties find a satisfactory resolution. Conciliation of an occurrence of harassment and violence can only proceed if both the PP and RP agree to it and must also agree on who will facilitate the process. If the PP and RP can create an agreement on how to continue working together in ways which foster a safe and respectful workplace and work toward prevention and resolution of workplace harassment and violence, the agreement will be reported to the DR or CoC/manager, as applicable, and the case will be closed. This service is offered through the [Conflict and Complaint Management Services within DGCSS](#).

## WHVP Investigation

### Initiating an Investigation

51. A PP may request an investigation at any time during the process but must also make every reasonable effort to resolve the matter through negotiated resolution. The CoC/manager or DR must contact the WHVP CoE if an investigation is required. The investigations conducted under this Policy Manual are preventive in nature, aiming to prevent further occurrences and minimize the risk of harassment and violence. Investigators will focus on the root cause of the occurrence in the workplace and propose recommendations on how to prevent similar occurrences in the future. The outcome of the WHVP investigation cannot be used for any remedial or disciplinary measures. In cases that involve alleged misconduct see Step 2.

Note: If there is concurrent negotiated resolution or conciliation/ADR and investigation, once the investigator has provided their report, the negotiated resolution or conciliation/ADR process cannot be used to resolve the occurrence. As well, if the occurrence being investigated is resolved by negotiated resolution or conciliation before the investigator has provided their report, the investigation must be discontinued

### Notice of Investigation

52. The CoC/manager or the DR will provide the PP and the RP with a written notice that an investigation will be carried out.

### Selection of the Investigator

53. In consultation with the NHSPC, a list of qualified internal investigators (established within CPCC (DGCSS)) and external investigators (contracted only through WHVP CoE) is available through the WHVP CoE as a centralized resource. Where possible, the PP will be offered a selection of qualified investigators from the list. The selection of an investigator should be agreed upon by the PP, the RP, and the CoC/manager or DR:

- a. if there is no agreement within 7 calendar days after the Notice of Elected Investigator was received, an investigator from the identified list will be chosen by the WHVP CoE.
- b. if no internal investigator is available, due to conflict of interest or scheduling, a qualified investigator from the National Master Standing Offer (NMSO) or Canadian Centre for Occupational Health and Safety (CCOHS) list will be selected as required.

54. A qualified investigator is a person having the knowledge, training and experience including:

- a. having been trained in investigative techniques;
- b. having knowledge, training and experience that are relevant to harassment and violence in the workplace; and
- c. having knowledge of the CLC, the Canadian Human Rights Act and any other legislation that is relevant to harassment and violence in the workplace.

### Conflict of Interest

55. The investigator will provide the WHVP CoE, the PP, and the RP with a written statement indicating that they are not in a conflict of interest in respect of the occurrence being investigated. Should an investigator have a conflict of interest with any party to the occurrence, they must inform the WHVP CoE and the CoC/manager or DR prior to initiating the investigation. If the WHVP CoE and investigator cannot agree on whether there is a conflict of interest, that will affect the investigation, the WHVP CoE opinion will prevail.

### Information for Investigator

56. The CoC/manager or DR, will provide the investigator with all information that is relevant to the investigation, such as, the nature of the occurrence, scope of the investigation, names, and contact information of parties to be interviewed, work that has been done to date to resolve the occurrence, etc.

## Investigation Report

57. The investigator's report must not reveal, directly or indirectly, the identity of persons who are involved in an occurrence or the resolution process for an occurrence (e.g. names, ranks genders, etc.). Reports are to contain no identifiable information that could possibly expose the identity of any of the parties or witnesses. The investigator's report will provide:

- a. a general description of the occurrence,
- b. conclusions regarding root causes and other circumstances in the workplace that contributed to the occurrence,
- c. recommendations to eliminate or minimize the risk of a similar occurrence; and
- d. a determination as to whether each occurrence meets/does not meet the definition of workplace harassment and violence.

58. A copy of the investigator's report is provided to the CoC/manager, PP, RP, the applicable safety committee or representative, and DR if they were provided with the NoO.

## Implementation of Recommendations

59. The WHSC/HSR or CAFSC must jointly determine with the CoC/manager which recommendations set out in the WHVP investigator's report will be implemented. The applicable safety committee or representative will provide input on all matters relating to the harassment and violence prevention program, including periodic WHVP assessments, prevention strategies, and recommendations in investigation reports.

60. Recommendations are aimed at preventing future occurrences, and parties are advised to keep this in mind when reviewing the report. If the CoC/manager and the applicable safety committee or representative cannot agree on which prevention recommendations set out in the investigator report should be implemented, then it is the CoC/manager's decision as to which prevention recommendations are appropriate to implement. However, the CoC/manager must document their decision, the reasons for that decision and retain it on file for ten years. Refer to [Part VII – Records](#) for more detail.

## Step 4: File Closure

61. The resolution process is deemed completed when the NoO is resolved either through negotiated resolution, conciliation/ADR, or if the NoO does not provide the identity of the PP. Once the investigation report is finalized, the CoC/manager can move forward with implementation. If the report is received and the occurrence meets the definition of WHV, the CoC/manager will jointly determine with the applicable safety committee or representative which recommendations are to be implemented. The CoC/manager is then accountable to implement the measures selected. The file will only be closed once all measures have been implemented.

62. As this program focuses on prevention, if the occurrence in the investigation report does not meet the definition of WHV, preventive recommendations will still be proposed, and it is highly recommended for the CoC/manager to implement them. However, the file will be closed once the report is provided even if the measures are not yet implemented.

63. When a NoO is deemed resolved, the file will be closed and a [File Closure Letter](#) sent to the PP. If the RP participated in the resolution process, they shall also be notified when the occurrence is deemed resolved and the file is closed.

## Part IV – Recourse

### NoO Resolution and Investigation Process

64. If a party believes their CoC/manager or DR has failed to comply with the CLC Part II or Regulations if applicable, DAOD 5014-0 or this policy manual when responding to a NoO, they should first contact their CoC/manager or DR to resolve the issue. If no resolution is found they may contact the WHVP CoE, via the

positional email [WHVPCoE-PHVCE@forces.gc.ca](mailto:WHVPCoE-PHVCE@forces.gc.ca), to register a complaint, have their case reviewed, and/or be given information on their recourse options.

65. If the issue remains unresolved, they may contact the [Employment and Social Development Canada Labour Program for information on their recourse options](#).

66. If a party is not satisfied with the conclusions and/or recommendations in the investigator's report, or believes the investigation was flawed, there is no further recourse under the *CLC* or *Regulations*. Subsequently, a party may [request a judicial review of the investigation by the Federal Court in accordance with the \*Federal Court Act\*](#), within 30 days of receiving the investigator's report. It is recommended that the principal party or the responding party consult with a union representative or a lawyer to obtain additional information regarding the judicial review process, as the *Regulations* do not address the requirements of this process.

67. For more information on the appropriate mechanisms to use to file a complaint/grievance consult the following website: [Submit a formal complaint or report an incident - Canada.ca](#) or contact your [local CCMS](#) for guidance.

## Reprisal

68. Defence Team members must be aware that any reprisal against a Principal Party who has exercised their rights under this Policy Manual, DAOD 5014-0 or the Regulations is unacceptable and incompatible with the [DND and CF Code of Values and Ethics](#) neither the [CAF Ethos](#).

69. The CLC Part II (Section 147) and [QR&O 19.15](#), Prohibition of Reprisals, prohibits threatening to take or take, any reprisal, punitive or disciplinary action against DND employees and CAF members who have acted in accordance with this WHVP Policy manual;

- a. DND employees who believe that prohibited action has taken place may notify the Designated Recipient or Chain of Command/manager. If that is not successful they may file a complaint, under section 133 of the CLC Part II, the with the [Federal Public Sector Labour Relations and Employment Board](#).
- b. CAF members who believe that prohibited action has taken place may notify the Designated Recipient or Chain of Command/manager. If that is not successful, they may file a grievance, in accordance with [QR&O 7.08 Submission of a Grievance](#).

## Grievances

70. Depending on the circumstances of an occurrence, members of the Defence Team may also seek recourse through the grievance procedure under [DAOD 5026-0, Civilian Grievances](#), and [QR&O 7.8 – Submission of a Grievance](#) for Military Grievances, which can be processed concurrently. Other recourse mechanisms can be found at the following link [Submit a formal complaint or report an incident - Canada.ca](#).

## Reporting inappropriate conduct

71. If you have experienced or observed inappropriate conduct, there are mechanisms (systems of recourse) available that can be used to address the situation. The most appropriate mechanism to use depends on the situation and the type of misconduct experienced or noticed. You can find information about how to report or address particular conduct such as hateful conduct, workplace conflict, Human Rights Complaints and Wrongdoing on the [Submit a complaint page](#).

# Part V – Family Violence, Emergency Procedures and Support Measures



## Family Violence

72. Violence, no matter where it takes place, can impact all areas of someone's life – including their workplace.

73. **Family violence is defined as:** an abuse of power or abusive behaviour within a relationship of family, trust or dependency, or from someone with whom there is an intimate relationship. (Defence Terminology Bank Record number 43067)

Note: Family violence includes a single act or several acts that form a pattern of abuse, a child's direct or indirect exposure to abusive conduct, coercive conduct, destruction of property, emotional abuse, financial exploitation, harassment, homicide, injury to pets, neglect, and physical assault.

74. No matter how it is defined, family violence can happen to anyone. Family violence, gender-based violence, intimate partner violence, and other related violences, can be in any form of relationship be it; familial, romantic, sexual, caregiving, and even when no formal relationship exists. It can impact anyone regardless of gender, sex, sexuality, ability, race, religion, socio-economic status, rank, region, etc.

75. Family violence may extend into the workplace where the RP uses emails, phone calls, text messages, social media, stalking, or showing up to the workplace to question co-workers. This can affect the health and safety of those directly or indirectly involved, as well as their employment. However, organizations can help to recognize, respond to, and address the impacts of family violence.

76. DND and CAF have a responsibility to protect and prevent against all forms of harassment and violence, including family violence. In some circumstances, it may be impossible to prevent an occurrence of family violence from happening in a space not under the control of the DND or CAF (e.g. the Defence Team member's home). DND and CAF must also ensure [that family violence support resources](#) are accessible to all Defence Team members.

77. If the incident occurred in the workplace which meets the definition of an occurrence, DND and CAF must also follow the process laid out in this Policy Manual. Steps for responding to family violence in the workplace, including a safety plan template, can be found in the [Family Violence: Chain of Command/Manager's Guide](#) available on the WHVP website or by contacting the [WHVP CoE](#).

Note: The purpose of this family violence guide is to assist CoC/Managers in ensuring the safety of Defence Team members at work. It outlines steps for preventing and responding to family violence within the workplace. This guide does not address family violence outside of the workplace, as this is best managed by experts in that field (see guide resources).

78. When a CAF member is involved in a family violence situation, additional administrative action and resources can be found in [DAOD 5044-4](#), Family Violence.

79. For unionized DND employees, the CoC/manager are to consult the relevant collective agreement for any employee leave entitlements regarding family violence.

## Emergency Procedures and Support Measures

80. Defence Team members who are affected by, or witness, an occurrence of harassment and violence in the workplace that poses an immediate threat to an individual's health and safety, should immediately call 911 emergency services, and/or the Military Police if the threat occurs on DND property. Defence Team members should also inform their CoC/manager or another manager in the vicinity and refer to the already established local base/wing/unit emergency procedures.

81. Emergency procedures and support measures related to workplace harassment and violence can be found on the WHVP Website under [Emergency Procedures](#) and [Support Services](#). They are available to assist the CoC/manager and Defence Team members to be prepared for, and respond to, emergencies related to workplace harassment and violence should they arise.

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## Employee Assistance Program

82. The [Employee Assistance Program](#) is a professional, confidential, and proactive service to support DND public service employees and their family members with a wide range of personal, family and work-related concerns. To access this service, call Homewood Health at 1-800-663-1142, or 1-888-384-1152 (for people with hearing impairments) 24 hours a day / 365 days a year.

## Canadian Forces Member Assistance Program

83. The [Canadian Forces Member Assistance Program](#) provide free, short-term professional counselling services and crisis services to CAF members and their family members. Access by calling 1-800-268-7708 | (Teletypewriter) 1-800-567-5803 24 hours a day / 365 days a year.

## Bargaining Agents

84. DND unionized employees may contact their respective bargaining agent (union representative) for information, advice, and support regarding any WHVP issue, occurrence, or procedure.

## Ombudsman

85. Defence Team members may contact the [Ombudsman's Office](#), which provides a safe place to voluntarily raise and discuss options to address workplace issues and options for resolution.

## Canadian Human Rights Commission

86. Reports of harassment of a sexual nature or discrimination based on sex or other prohibited grounds of discrimination can be made directly to Canadian Human Rights Commission (CHRC) regardless of whether internal complaint mechanisms have been exhausted.

# Part VI - Other Considerations

## Privacy and Confidentiality

87. To encourage those who are affected or witness workplace harassment and violence to come forward, complaints relating to harassment and violence will be handled with the utmost sensitivity and discretion. Trust and safety in the process is paramount.

## Disclosure on Need-to-Know Basis Only

88. The disclosure of information about the occurrence must be in keeping with the need-to-know principle. That is, information must not be shared, or be accessible to others, unless it is required by their role in the process. The contents of the NoO, or a summary of the same, will not be shared with anyone except the CoC/manager or DR, WHVP CoE and the parties involved with the occurrence. Where applicable, the information will also be shared with the individual appointed to facilitate the conciliation/ADR process, and the investigator.

89. Furthermore, all parties involved in the resolution process are required to keep the information related to the occurrence and the resolution process confidential. All members of the Defence Team must respect and safeguard the dignity and privacy of people involved in violence and harassment situations by treating all information with discretion. Additionally, the PP, RP and witnesses involved in an occurrence are expected to refrain from sharing any information related to the occurrence or the resolution process with other individuals.

## Legal Requirements

90. It is important to note that protecting the full privacy of affected persons or witnesses to an occurrence of harassment and violence may not always be possible due to legal obligations including those respecting access to information and privacy, and the natural justice and procedural fairness principles. The CoC/manager or DR will work closely with the parties to address the occurrence while ensuring that information about the NoO is not disclosed, unless permissible or required by law. All information relating to occurrences and the investigator

report will be subject to the provisions of the *Privacy Act*, *DAOD 1002-0, Administration of the Privacy Act* and the *Access to Information Act* and will only be collected, used, disclosed, and retained in accordance with these Acts and Directive.

## **Part VII – Records**

### **Records**

91. The CoC/manager must ensure that records and reporting requirements of workplace harassment and violence are maintained and respect the privacy and confidentiality of those involved.

92. **The following records must be kept for a period of ten years:**

- a. a copy of the documents that form part of the WHVP assessment;
- b. a copy of the documents that form part of each review and update of the WHVP assessment;
- c. a record of the Employer's decision in the matter and the reasons for that decision for instances where the Employer and NHSPC, the applicable safety committee or representative are unable to agree on a matter that is required to be jointly done by them;
- d. a record of each NoO submitted to them and of each action taken in response to the NoO;
- e. for each instance where the one-year time limit is not met a document that sets out the reasons for the delay;
- f. a copy of each report that is prepared by an investigator; and
- g. a copy of each WHV related fatality report.

93. All NoOs as well as supporting documents must be kept in a safe and secure location (Protected B).

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# Annexes

## Annex A: Abbreviations

- ARC – Administrative Response Centre
- CAF – Canadian Armed Forces
- CAFSC – Canadian Armed Forces Safety Committee
- CoC – Chain of Command
- CLC Part II – Canada Labour Code Part II
- CMP – Chief Military Personnel
- CPCC – Chief Professional Conduct and Culture
- DAOD – Defence Administrative Order and Directive
- DGCSS – Director General Conflict Solutions and Services
- DND – Department of National Defence
- DR – Designated Recipient
- ESDC – Employment and Social Development Canada
- HSR - Health and Safety Representative
- NHSPC – National Health and Safety Policy Committee
- NoO – Notice of Occurrence
- PP – Principal Party
- RP – Responding Party
- WHSC – Workplace Health and Safety Committee
- WHV – Workplace Harassment and Violence
- WHVP – Workplace Harassment and Violence Prevention
- WHVP CoE – Workplace Harassment and Violence Prevention Center of Expertise

## Annex B: References

### Acts, Regulations, Central Agency Policies and Policy DAOD

- [QR&O 7.8 – Submission of a Grievance](#)
- [QR&O 19.15, Prohibition of Reprisals](#)
- [TBS Directive on the Prevention and Resolution of Workplace Harassment and Violence](#)
- [TBS Policy on People Management](#)
- [Access to Information Act](#)
- [Canadian Human Rights Act and Regulations](#)
- [Canada Labour Code, Part II, Occupational Health and Safety](#)
- [Criminal Code](#)
- [Canadian Occupational Health and Safety Regulations](#)
- [Privacy Act](#)
- [Public Service Employment Act](#)
- [Work Place Harassment and Violence Prevention Regulations](#)
- [Work Place Harassment and Violence Prevention \(HVP\) - 943-1-IPG-104](#)
- [Framework for the Management of Compliance, Treasury Board](#)
- [Department of National Defence and Canadian Forces Code of Values and Ethics](#)
- [Values and Ethics Code for the Public Sector](#)
- [National Joint Council Occupational Health and Safety Directive](#)
- [DAOD 1001-0, Access to Information](#)
- [DAOD 2007-0, Safety](#)
- [DAOD 5014-0, Workplace Harassment and Violence Prevention](#)
- [DAOD 5016-0, Standards of Civilian Conduct and Discipline](#)

- [DAOD 5019-0, Conduct and Performance Deficiencies](#)
- [DAOD 5026-0, Civilian Grievances](#)
- [DAOD 5044-4, Family Violence](#)
- [DAOD 5046-0, Alternate Dispute Resolution](#)
- [DAOD 5516-0, Human Rights](#)
- [DAOD 9005-1, Sexual Misconduct Response](#)

## Other References and Links

- [DAOD 2008-8, Official use of social media](#)
- [DAOD 5005-3, Employee Assistance Program](#)
- [DAOD 5019-1, Personal Relationships and Fraternization](#)
- [DAOD 5047-1, Office of the Ombudsman](#)
- [DAOD 7023-0, Defence Ethics](#)
- [DAOD 7023-1, Defence Ethics Programme](#)
- [DND and CF Code of Values and Ethics](#)
- [WHVP Website](#)
  - [WHVP Assessment Guide](#)
  - [Employer Communication Forms and Templates](#)
  - [Promotion Material](#)
- [TBS Collective Agreements](#)
- [Anti-racism toolkit](#)
- [Workplace Reintegration Framework - Canada.ca](#)

## Annex C: Identified Risk Factors

Workplace Harassment and Violence Identified Risk Factors (as approved by the NHSPC) are broken down into three categories (see [WHVP Assessment guide](#) for examples of each of these risk factors and mapping to psychosocial risk factors):

- **Organizational** factors include social norms, systemic bias or stereotypes, attitudes, and behaviors that are tolerated, looked-past or considered acceptable in a particular group or culture, and organizational functioning, the core process or set of activities carried out within a department or area;
  - Contest culture;
  - Racist, sexist, homophobic, ableist, or crude humor and/or remarks or other discriminatory comments or behaviours are common or tolerated;
  - Lack of understanding and training in harassment and violence and prevention;
  - Periods of performance appraisal and performance management/agreements;
  - Periods of organizational change;
  - Perception of job instability/lack of security;
  - Tolerance or encouragement of substance abuse and/or addictive behaviour; and
  - Lack of accountability around training participation.
- **Environmental** factors include the physical workplace and work location, the type of work that is performed and the dynamic of the workforce itself; and
  - Work areas with crowding, poor ventilation, lack of noise control, and lighting;
  - Working alone, at isolated or decentralized workstations or locations and mobile workstations;
  - Handling money/valuables/attractive items;
  - Working with the public and third parties (clients, contractors, subcontractors); and
  - Working with unstable or volatile person(s).
- **Individual** factors are how individuals interact with others in the work environment;

- Conflict with others and
- Domestic Violence.

## Annex D: Training

Defence Team members are required to complete the following mandatory training (available through the Canada School of Public Service) within the first 3 months of employment and at least once every three years thereafter:

Employees or CAF members you must complete the [Preventing Harassment and Violence Prevention in the Workplace for Employees \(WMT101\)](#)

Chains of Command, managers and supervisors, you must complete: both [Preventing Harassment and Violence Prevention in the Workplace for Employees \(WMT101\)](#) AND [Preventing Harassment and Violence in the Workplace for Managers and Health and Safety Committees \(WMT102\)](#)

Designated Recipients must complete WMT101, WMT 102 and [Preventing Harassment and Violence in the Workplace for Designated Recipients \(WMT103\)](#)

Additionally, a training addendum provides information specific to the culture, conditions, and activities of the workplace. [DND's Workplace Harassment and Violence Prevention \(WHVP\) Program Training Addendum](#)

For information specific to safety committee responsibilities and completing a WHVP assessment see the [DND/CAF WHVP Program Safety Committee Training](#)

Note: CAF members have access to register for Canada School of Public Service. For CAF members with questions or concerns accessing the course through CSPA, please contact [CAF.RegistrationRequiredTraining@forces.gc.ca](mailto:CAF.RegistrationRequiredTraining@forces.gc.ca)

## Annex E: Negotiated Resolution and Options

The negotiated resolution is an opportunity to have an informal, collaborative, and positive discussion to find resolutions between the CoC/manager and/or the DR, the PP and the RP, if applicable. Resolutions are preventive measures that can be put into place to resolve and help prevent further occurrences.

<p><b>What <i>is</i> Negotiated Resolution:</b></p> <ul style="list-style-type: none"> <li>• An opportunity to share harassment and or violence experience and impact.</li> <li>• An opportunity to share tangible measures that can be implemented to resolve and prevent further occurrences.</li> <li>• An opportunity to negotiate a resolution in a unified way.</li> <li>• An opportunity to respond and prevent harassment and violence in the workplace.</li> <li>• An opportunity to restore and mend the relationship between parties involved.</li> </ul>	<p><b>What <i>is not</i> Negotiated Resolution:</b></p> <ul style="list-style-type: none"> <li>• An opportunity to accuse, confront or discipline.</li> <li>• An opportunity to make a request that does not fall in line with responding or preventing the occurrence.</li> <li>• An opportunity to make orders through confrontation.</li> <li>• An opportunity to resolve other issues. Ex: classification issues, collective agreement, letter of expectations, performance management, etc.</li> <li>• An opportunity to make unreasonable requests.</li> </ul>
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A resolution is a tangible and preventive measure that can be implemented by the CoC/Manager to respond and prevent further occurrences of harassment and violence within the workplace. As harassment and violence are seen as risks to the overall workplace health and safety, resolution options are considered mitigation measures and are implemented to ensure that a PP feels safe and comfortable in the workplace all whilst preventing occurrences. Therefore, during the negotiated resolution, the principal party and CoC/manager will negotiate measures to address the occurrence in the workplace.

## Resolution Options

Below are examples of what are and what are not considered resolutions within the WHVP Program:

What <b>is</b> a WHVP Resolution:	What <b>is not</b> a WHVP Resolution:
<p>Workplace training regarding:</p> <ul style="list-style-type: none"><li>• Communication,</li><li>• Conflict resolution,</li><li>• WHVP, etc.</li></ul> <p>The WHVP Center of Expertise can propose training according to a specific occurrence as well as propose a training plan.</p> <p>Workplace design:</p> <ul style="list-style-type: none"><li>• Change office location,</li><li>• Review workload,</li><li>• Access to building, etc.</li></ul> <p>Administrative practices:</p> <ul style="list-style-type: none"><li>• Conduct a WHVP Assessment,</li><li>• Implementing stronger internal procedures</li><li>• Establish outline of roles and responsibilities</li><li>• Review of internal procedures, etc.</li></ul>	<ul style="list-style-type: none"><li>• Monetary compensation</li><li>• Vacation days</li><li>• Request that involves punitive action against the responding party i.e. have the responding party dismissed</li></ul>