

# WORKPLACE REINTEGRATION FRAMEWORK 2024

Reintegration using restorative approaches foremost acknowledges and addresses affected persons’ well-being and safety in a practical manner and reduces the risk of further harm and re-traumatization.

This **evergreen** document is intended as **strategic guidance** to any level of the Chain of Command for the safe workplace reintegration of a Canadian Armed Forces (CAF) member who is a respondent throughout the end-to-end process (allegation, investigation, and findings) and post-disposition with regard to a conduct deficiency.

## PURPOSE AND SCOPE

The reintegration framework is a **communication tool** providing a structured overview to support successful reintegration that enhances **transparency, consistency, proportionality, procedural fairness, and safety of engagement** across the organization. This framework has considered the lived experiences of CAF/DND members and perspectives voluntarily shared during the framework development process.

A restorative approach and reintegration measures have been found to be the most effective way to enable those affected to move forward following harm. Hearing, acknowledging and addressing needs of all those involved in an inclusive manner fosters accountable and safe workplace reintegration. Alternatively, the CAF seeks to facilitate the safe transition of CAF members respecting all aspects of safety (Psychological, Mental, Emotional, Physical) as they release and reintegrate into civil society.

The CAF has a zero tolerance position on misconduct, which requires that all events or allegations of conduct deficiencies be taken seriously and acted upon. No incidents of misconduct or conduct deficiencies will ever be ignored, minimized or excused. CAF leadership will support a positive command climate in which it is safe for those who witness or are affected by misconduct to report incidents.

Military service is a privilege and is founded upon trust. Trust is built through a commitment to character and competence. Character requires the ability to consistently live by a set of defining values and principles that shape one’s conduct and judgement. However, trust is fragile and can quickly erode through weakness of character or an inability to deliver results. We must therefore prioritize strength of character and professional excellence in who we are and what we do as a Profession of Arms (Source: Trusted to Serve)."

**GBA Plus** was integrated across the Workplace Reintegration Framework. Both internal and external subject matter advisors with experience in applying intersectional lenses were consulted. Throughout the development and iteration process of this document, GBA Plus was incorporated to emphasize the importance of considering lived experiences and intersectional factors across strategic, operational and tactical levels. Key concepts within the Reintegration Framework are founded in policy as well as legal and evidence-based research.

**Intersectionality** is a framework for understanding how different aspects of a person’s social and political identities (e.g., gender, race, class, sexuality, ability, physical appearance, etc.) combine to create unique modes of discrimination and privilege. Intersectionality identifies advantages and disadvantages that are felt by people due to this combination of factors. It is important to consider that intersectional identities can play a role in the severity and impact of a conduct deficiency. Intersectionality must be considered in developing a healthy inclusive workforce within CAF and addressing cases of misconduct.


## ADVISORY COMMITTEE

On an ad-hoc, as needed basis, a select group of internal subject matter experts in CAF operations, programs, policies and/or conduct may be assembled to provide objective, non-binding advice to leadership on contentious or complex respondent reintegration cases, ensuring transparency and objectivity in their handling and a safe workplace outcome (in alignment with Queen’s Regulations and Orders 19.75 and 101.09). This will have to be disclosed to the respondent and the respondent will have to be provided with an opportunity to make comments. This is the minimum required by procedural fairness.


The advisory committees will be managed by the appropriate authority stipulating their mandate, duration, membership, and making provisions for administrative support and access to relevant personnel and information. Depending on the details of the case, the committee may engage with external stakeholders as applicable. Keeping in mind that personal information is protected by the Privacy Act. Conversations with external stakeholders must not breach the Act.

## FRAMEWORK STRUCTURE


The framework is based on leading practices on psychological safety and outlines four interrelated, end-to-end steps to guide Defence Team leaders in responsively managing CAF respondent reintegration.




**Recognize** the alleged conduct deficiency and unacceptable behaviour that violates Canadian law, CAF policy or that otherwise negatively impacts CAF environments. This step includes disclosure and reporting the incident.



**Address** the alleged conduct deficiency and unacceptable behaviour, with the affected person and respondent, while also considering the needs of the unit as a whole and the impact on the institution.



**Coach** the respondent on the problem and impact of their alleged behaviour.  
**Support** both the affected person and respondent during the period of investigation and preparation for reintegration, as applicable.



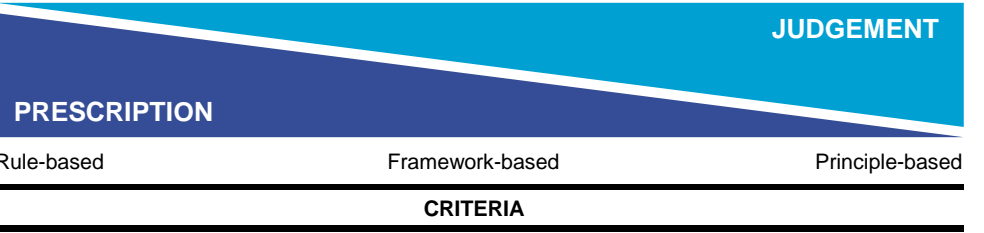
**Commit** to addressing any conduct deficiency and systemic barriers, within the scope of applicable Canadian law and CAF policy and take steps that fairly treat the affected person and respondent, while balancing a focus on CAF institutional credibility, organizational health and operational effectiveness during reintegration and follow-up.

Throughout the four steps, transparency and communication is important in maintaining public confidence, while respecting privacy and the necessary control of information to ensure due process.

This framework provides principle-based guidance and recommendations related to making decisions based on values statements, risk analysis, and consideration of relevant factors rather than a step-by-step, time-bound, case-specific, reintegration process.

## PRINCIPLE-BASED APPROACH

From the time that an alleged conduct deficiency is reported to the time that the incident is closed, there are a series of decision points that an organization will take to appropriately handle the situation, likely starting with a prescriptive rule-based approach. However, in the context of decisions needed to reintegrate a respondent, a more principle-based approach should be considered. The principle-based approach raises questions that surface context, background and history, ultimately guiding decision makers in the use of their judgment on a case-by-case basis.



zSource: Gartner. Developing Decision Criteria for Engaging With Societal Issues.  
Refreshed 25 August 2020, Published 25 April 2019 - ID G00708561.

The Workplace Reintegration Framework 2024, replaces the Workplace Reintegration Framework released in Sept 2023.

## DEFINITIONS

**For the purpose of this framework,**

**Affected Person(s)** is a person or persons against whom an act of misconduct has been committed, or is alleged to have been committed, or who has suffered, or is alleged to have suffered, physical or emotional harm as a result of the commission or alleged commission of the conduct deficiency.

**Conduct Deficiency:** occurs if a CAF member fails to meet an established standard of behaviour in a regulation, code of conduct, policy, order, instruction or directive applicable to the CAF member. A conduct deficiency is incompatible with the effective military service of a CAF member and military ethos.

**Respondent** is a person who is the subject of an alleged, proven or unproven conduct deficiency. An "Individual who has committed a conduct deficiency" refers to a person who has admitted to an allegation, who has found to have committed the conduct in a summary hearing, who has been found guilty by a court, or who has had an administrative review determine that they engaged in misconduct.

A finding by a summary hearing or a court that the member engaged in misconduct is a valid basis of determining that a member committed a conduct deficiency. An Admission by the member is also valid. However, an investigation alone, without procedural fairness being offered to the member, cannot reasonably find that the member committed a conduct deficiency. Please note that the process in DAOD 9005-1 requires DMCA 2, if the member is found not guilty at trial, to determine whether the member engaged in misconduct. If yes, then an AR proceeds. If no, there is no further action. The same principle applies for other misconduct.

**Service Infraction:** An allegation of a service infraction means the matter concerns a service infraction as set out at QR&O arts 120.02, 120.03 and 120.04. The types of sanctions that may be imposed in respect of a service infraction can be found in NDA section 162.7.

**Service Offence:** An offence under the National Defence Act, the Criminal Code or any other Act of Parliament, committed by a person while subject to the Code of Service Discipline.

**Due Process:** Due process is related to the presumption of innocence. It involves a thorough examination of the facts of each case - and recognition of the importance of protecting the legal rights of those charged with offences. Source: Basic principles of Canadian criminal law - Province of British Columbia (gov.bc.ca)

**Procedural Fairness:** The legal principle that reflects the duty to act fairly. It requires that, at a minimum, a person subject to a decision having a life-altering impact upon them, be made aware that a decision is being made, have relevant evidence being considered disclosed to them and have a fair opportunity to make representations to the decision maker. The four important steps based on natural justice are: notice, disclosure, representations and decision. Source: DMCA Aide-Memoire.

## APPLYING THE FRAMEWORK

The framework assists in determining the required supports for all those involved, and assessing and dealing with reprisal, retaliation and retribution issues to ensure privacy, safety and support.

Leadership shall treat respondents fairly and impartially, be accountable and responsible for the respondent’s welfare, and ensure respondents are treated fairly and in accordance with applicable policies.

Interventions will focus on preventing repeated behaviour and reintegrating the respondent back into the workplace, if appropriate. After a conduct deficiency or unfounded allegation, learning and institutional change is encouraged. One way a respondent can take accountability and share learning is through restorative approaches.

CAF members found to have committed a conduct deficiency will be administered and/or disciplined in accordance with regulations and policy. For disciplinary action, the standard of proof is **beyond a reasonable doubt** for offences heard at court martial while the standard of proof is on the balance of probabilities for service infractions heard at summary hearing. For administrative action, the standard of proof is on the **balance of probabilities**.

A decision to not lay a charge, or to not proceed with a charge that has been laid pursuant to the Code of Service Discipline may be made for a number of reasons, including that a complaint has been determined to be unfounded, or alternatively that there is insufficient evidence to proceed, or that there is no reasonable prospect of conviction based on the evidence that is likely to be available at trial.



# WORKPLACE REINTEGRATION FRAMEWORK 2024



## 1 RECOGNIZE

### ACTIONS

- Actions must be sensitive to the needs of the affected persons, and the impact on their safety, health and well-being
- Confirm well-being and safety of respondent and others involved, and that they are informed about the full range of available services
- Verify at outset whether there are barriers or concerns preventing access to the required support, resources or information
- Ensure respondent's right to due process and procedural fairness
- Identify the risk of retaliation; monitor and mitigate as required
- Depending on the nature of the incident or in situations where there may be safety risks, immediate actions may be required and temporary workplace modifications may be considered
- Confirm awareness of Canadian Forces Morale and Welfare Services (CFMWS), Canadian Forces Health Services (CFHS), Conflict and Complaint Management Services (CCMS), and unit Chaplain Support for all parties
- Report incident in appropriate tracking system(s), including notification through appropriate reporting mechanisms (e.g., Sexual Misconduct Incident Tracking System – SMITS)
- Engage Judge Advocate General (JAG), Canadian Forces Provost Marshal (CFPM) and Canadian Forces National Investigation Service (CFNIS) as required
- Inform Chief of the Defence Staff (CDS) and Vice Chief of the Defence Staff (VCDS) of all conduct deficiency allegations involving General Officers and Flag Officers (GOFOs), and Chief Warrant Officers (CWOs), and Chief Petty Officers First Class (CPO1s) at the Command level (DAOD 2008-3, Issue and Crisis Management)
- The VCDS will inform the Minister's Office in the case of conduct deficiency allegations involving GOFOs, and Command CWOs and CPO1s.

### COMMUNICATIONS

- If media coverage is possible, engage Public Affairs for advice and communications planning support
- Be mindful of Privacy Act compliance when communicating internally and externally
- Develop communications attuned to the impact on all parties
- Communications activities are not to have an adverse impact on due process (administrative or disciplinary proceedings); they must remain impartial to allegations that have not been investigated or proven
- No officer or non-commissioned member shall do or say anything that if seen or heard by any member of the public, might reflect discredit on the DND/CAF or on any of its members, including social media (QR&O 19.14)

### CONSIDERATIONS

- Maintaining privacy and confidentiality of parties is key
- Practice discretion and sensitivity when recognizing the incident
- Factors to consider in determining a conduct deficiency are available in the DAOD 5019 series
- Consider the risk of self-harm and the need to be vigilant
- Monitor, and provide support and resources with specific attention to critical points immediately after an incident is reported, or after major events
- In recognizing a potential conduct deficiency, consider a restorative, principle-based approach that is focused on relationships, hearing and acknowledging the views, perspectives, and the needs and goals of every participant



## 2 ADDRESS

### ACTIONS

- Take immediate administrative actions if appropriate such as:
  - Respondent continuing or adjusting duties, or removal from command
  - Relief from the performance of military duty, relief from supervisory, instructional or key positions
  - Administrative actions, separating the member from their unit, temporarily modifying work locations, repatriation,
  - Taking other actions to ensure unit well-being
- Ensure actions that affect the service, employment or working conditions of any party foster a reprisal free workplace (QR&O 19.15 – Prohibition of Reprisals)
- Confirm respondent is aware of relevant QR&Os, DAODs, Director of Military Prosecutions (DMP) policies, and of potential for administrative or disciplinary actions.
- Provide respondent Defence Counsel contact
- Engage representative from the Judge Advocate General (JAG), Canadian Forces Provost Marshal (CFPM), and Chief Military Personnel (CMP) as required for advice on basis and approach for an investigation
- Advise next level of the Chain of Command on the alleged conduct deficiency and the intended approach, including choice of investigation, if applicable
- Explore activities that a respondent could be engaged in for rehabilitation goals, leveraging restorative options
- In cases where sexual misconduct is involved, engage the Sexual Misconduct Support and Resource Centre (SMSRC)

### COMMUNICATIONS

- Provide ongoing communication and transparency with the respondent and affected persons. Subject to legal limitations, provide respondents and affected persons with options to receive one of the following forms of communication updates: No updates, updates throughout the process, or updates at key points of the process. Provide the respondent and affected persons with the opportunity to change their option preference. Maintain regular two-way lines of communications throughout the reintegration process
- If respondent is to be removed from their duties, prepare and communicate to the respondent and team a detailed plan as to whether, when and how these responsibilities are to be reintroduced
- Ensure Public Affairs has the information needed for internal and external communications, as required
- Be mindful of, and attentive to interest from external stakeholders

### CONSIDERATIONS

- Impartiality ensures integrity of investigation
- Be mindful of impact of actions and decisions on others, both directly and indirectly
- Consider QR&Os, that prescribe circumstances where legal advice must be sought prior to exercising authority within the military justice system
- Be aware that allegations of sexual misconduct or allegations involving senior officers are reviewed by the CFNIS. They may conduct their investigations on a confidential basis to maintain the investigation's integrity. Investigators, with the support of DMP and in consultation with their civilian counterparts, may transfer charges to the civilian criminal system. Consult with legal advisor and DAOD 9005-1 as required
- To address a potential conduct deficiency, consider restorative approaches founded on inclusivity, accountability, collaboration and responsiveness
- When any member of the Canadian Armed Forces (CAF) is appointed to a position of leadership, it is because they have earned the trust of the institution to conduct themselves ethically in all matters before them. If they fail in this expectation they risk losing that trust and hence the moral authority to exercise the authorities granted to them by virtue of that appointment. When the moral authority to lead comes into question there are established administrative processes that may lead to temporary or permanent removal from such leadership positions as well as other consequences that could include dismissal from the CAF
- In making any determination, consider the Chief of Defence Staff (CDS) Guidelines on Removal from Command and the DAOD 5019 series for more detail
- Chief, Professional Conduct and Culture (CPCC) is the principal advisor to the CDS and Deputy Minister on all matters related to professional conduct and culture in the Defence Team, excluding those that fall within Review Services responsibility or under another review mechanism
- Depending on the nature of the incident, the position/ranks of the implicated individuals, and the public visibility, the Minister's Office will be informed by the VCDS as the appropriate authority.



## 3 COACH AND SUPPORT

### ACTIONS

- Confirm adequate support services are available, leveraging unit social worker or Chaplain, Sentinel program, Canadian Forces Morale and Welfare Services (CFMWS), Canadian Forces Health Services (CFHS), Conflict and Complaint Management Services (CCMS) and other service providers
- Check-in regularly with respondent, including after all proceedings have ended, to ensure well-being and safety
- Coach and support respondent and team to take full accountability for actions, if applicable
- Facilitate coaching and support through restorative services, and the lessons learned can be moved forward through inclusive restorative learning opportunities
- Monitor impact on units morale and cohesion
- Create opportunities for restorative conversations between persons and teams, as appropriate.
- The authority who relieves an officer or non-commissioned member from the performance of military duty shall order that the member return to duty when the circumstances giving rise to the decision to relieve the member from the performance of military duty are no longer present (QR&O 19.75 and 101.09)

### COMMUNICATIONS

Communicate the intent for a Reintegration Plan to the affected persons, the respondent, the chain of command, and also the team in which reintegration will take place to reinforce confidence in leadership decisions and organizational trust.

- Inform the VCDS of conduct deficiencies of GOFO, CWO and CPO1 in order that the VCDS may inform the MNDO as necessary.
- Ensure Public Affairs has the information needed for internal and external communications, as required.

### CONSIDERATIONS

Efforts to support respondent reintegration are complicated when the negative consequences associated with an accusation of act of misconduct extend to those who aid reintegration, also known as "courtesy stigma." This can create barriers leading to further isolation and stress for the respondent.

When assessing the moral authority to lead or command, factors related to the respondent's military career may be weighed against factors pertaining to the incident and harm done.

Factors to consider may include, but are not limited to the following:

- Respondent's military career history, taking into account their rank, military occupation, experience, position and leadership role.
- Did the respondent take ownership, accept responsibility or demonstrate remorse?
- Did the respondent actively take steps to modify behaviour?
- Does the respondent demonstrate capacity to learn and grow?
- Was there an error in judgment?
- When did the act occur?
- What was the outcome of the investigation and the sentence imposed, if any?
- Degree to which the act was harmful or violent.
- Consider power dynamics, such as rank differential between respondent and affected person.
- History of previous conduct deficiencies.
- Risk factors for committing or repeating the conduct deficiency.
- Risk if there is a return to similar circumstances that include access to individuals with similar vulnerabilities.
- Difficulties following rules.
- Propensity to challenge to authority
- What position would they occupy if reintegrated (that is, authority, power or trust)?

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## 4 COMMIT

### ACTIONS

- Reintegration efforts and actions remain, foremost, sensitive to the needs of the affected person(s), and the impact on their safety, health and well-being
- Determine, at the appropriate level of authority, the respondent's moral authority to lead or command depending on scope and level of responsibility.
- Depending on the nature of the case, an Advisory Committee may be constituted at the appropriate level of authority; the VCDS will be involved and CDS will be informed in the case of all GOFOs and Command CWOs and CPO1s (e.g. CAF Senior Leaders for General Flag Officers)
- Establish a Reintegration Plan in consultation with stakeholders. If applicable, engage the Integrated Conflict and Complaint Management (ICCM) services to inform a restorative approach
- In cases where sexual misconduct is involved, consider engaging the Sexual Misconduct Support and Resource Centre (SMSRC)
- Continue to check in with the respondent, to confirm they feel supported throughout the Reintegration Plan
- Foster cohesion with collaborative and inclusive efforts at unit level through restorative services to support the unit in the reintegration
- When making determinations regarding promotions, awards and recognition, and career management, consult Chief Military Personnel (CMP) expertise
- Bearing in mind privacy considerations, capture lessons learned to contribute to institutional learning and the Canadian Armed Forces' (CAF) culture change journey
- In cases where it is known that an officer or non-commissioned member is released due to an Administrative Review related to misconduct, or with the notation on their record of released under Items 1 or 2 or 5F IAW QR&O Vol 1, Chapter 15, additional care should be given to Conflict of Interest or Post-Employment restrictions before being invited in the workplace in any capacity

### COMMUNICATIONS

- Communicate the intent for a Reintegration Plan to the affected persons, the respondent, the chain of command, and also the team in which reintegration will take place to reinforce confidence in leadership decisions and organizational trust
- Inform the VCDS of conduct deficiencies of GOFO, CWO and CPO1 in order that the VCDS may inform the MNDO as necessary
- Ensure Public Affairs has the information needed for internal and external communications, as required

### CONSIDERATIONS

In establishing a Reintegration Plan, consider the following:

- Restorative efforts are an effective element in a successful reintegration plan, particularly when the needs and goals of every participant are heard and addressed;
- Assignment, workplace location, supervision changes and any restrictions as risk warrants;
- Separating the affected person and the respondent if they are within the same work environment;
- Subsequent Remedial Measures or Administrative Review;
- Learning Plan considering precedents from lessons learned from previous similar cases (guidance available from CPCC Training and Education);
- Engaging support groups or support circles;
- Determining if there are barriers or concerns preventing access to the required support, resources or information;
- Impact of stress on ability to function in workplace;
- Review changes made to duties following the incident to ensure they are still effective and/or necessary;
- Progressive reintegration taking into account the work environment and affected member needs;
- Be mindful of anniversary dates of significant points related to the incident. As they approach, consider well-being and coping of respondent; and
- Consider actions at the team and unit level to rebuild trust, foster cohesion and, if applicable, to address the root cause of perceived harm and prevent future harm.
- For cases involving Senior Leaders, consider seeking advice from the CPCC Advice Committee through CPCC COS.
- Be mindful of Respondents returning to the workplace if it is known that their employment was terminated by the Employer due to misconduct or criminal behaviour, whether as contractors, consultants, guests or attendees at work-related events.
- Be mindful of Respondents returning to the workplace who were released honourably but subsequently committed an illegal or criminal act, or engaged in questionable behaviours or activities, that are not illegal, but could reflect negatively onto the CAF.
- Consider when making determinations related to honours, awards, recognition and promotion that CAF leaders, both serving and retired, are the standard-bearers that uphold the CAF Ethos. The criteria used by all leaders when making these choices needs to be entirely aligned with our ethos and transparently communicated to all to reinforce acceptable conduct and behaviour. In practice, we should only promote, celebrate, and honour individuals that best reflect our ethos (Source: Trusted to Serve).



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## KEY REFERENCES

This framework is not intended to supersede any statutes or regulations, or replace applicable Queen’s Regulations and Orders (QR&O) for the Canadian Forces, Defence Administrative Orders and Directives (DAOD), Canadian Forces Military Personnel Instructions (CF Mil Pers Instr), or a requirement to obtain legal advice in a specific circumstance.

The following documents provide guidance with regard to respondent reintegration, which this framework seeks to bring together and amplify.

- [Canadian Human Rights Act](#)
  - [Employment Equity Act](#)
  - [National Defence Act](#)
  - [QR&O 2.06 – Control and Administration – Chief of the Defence Staff](#)
  - [QR&O 11.01 – Authority for Promotion](#)
  - [QR&O 12.01 – Promotion of Officers](#)
  - [QR&O 19.14 – Improper Comments](#)
  - [QR&O 19.15 – Prohibition of Reprisals](#)
  - [QR&O 19.36 – Disclosure of Information or Opinion](#)
  - [QR&O 19.75 – Relief from Performance of Military Duty](#)
  - [QR&O 101.09 – Relief from Performance of Military Duty – Pre and Post Trial](#)
  - [Code of Service Discipline](#)
  - [DAOD 2008-3 – Issue and Crisis Management](#)
  - [DAOD 2008-8 – Official Use of Social Media](#)
  - [DAOD 6002-7 – Internal Use of Social Media Technologies](#)
  - [CANFORGEN 016/18 CMP 008/18 012210Z FEB 18 – CDS Direction on Professional Military Conduct](#)
- [DAOD 5019 series, Conduct and Performance Deficiencies](#)
  - [DAOD 9005-1, Sexual Misconduct Response](#)
  - [Values and Ethics Code for the Public Sector](#)
  - [Department of National Defence and Canadian Forces Code of Values and Ethics](#)
  - [Leadership in the Canadian Forces: Conceptual Foundations \[PDF – 1.73 MB\]](#)
  - [Duty with Honour: The Profession of Arms in Canada](#)
  - [CAF Ethos: Trusted to Serve \(2022\)](#)
  - CAF Policy on Discrimination, Harassment, and Professional Conduct: Statement of Understanding (2011)
  - [The Path to Dignity and Respect: The CAF Strategy to Address Sexual Misconduct](#)
  - [Sexual Misconduct Incident Management Decision Tree](#)
  - [CDS/DM Initiating Directive for Professional Conduct and Culture](#)
  - CDS Guidelines – Removal from Command (December, 2001)
  - CF Guide to Understanding Moral Stress and Injury
  - Chief of Defence Staff Decision Support Aide-Memoire
  - [Respect in the Canadian Armed Forces \(RitCAF\) training](#)
  - [Gender-based Analysis Plus \(GBA Plus\)](#)

It is understood that the future of the Department of National Defence (DND) and the CAF will be reshaped by ongoing and upcoming policy developments, stemming from the implementation of the agreed upon external independent review recommendations. As future changes in DND/CAF policies come into force, this framework will be amended accordingly, to ensure its content and relevance continue to serve its purpose.

## FOOTNOTES

**Footnote 1**  
This framework leverages Gartner’s: Five Steps to Confront Behaviors that Marginalize Employees, 14 April 2021 – ID G00743028.

**Footnote 2**  
Source: Gartner. Developing Decision Criteria for Engaging With Societal Issues. Refreshed 25 August 2020, Published 25 April 2019 - ID G00708561