

Remarks to:

**House of Commons  
Standing Committee on  
Human Resources, Skills  
Development and the  
Status of Persons with  
Disabilities**

Re:

**Bill C-65**

02/22/2018

**Canada's banks fully support the federal government's actions to strengthen legislation on harassment and violence in the workplace. The CBA's position on this issue is clear. Harassment and violence have no place in the workforce or in society.**

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Thank you for inviting the Canadian Bankers Association to appear this afternoon to participate in the Committee's review of Bill C-65. My name is Marina Mandal and I am the CBA's Assistant General Counsel.

The CBA is the voice of more than 60 domestic and foreign banks that help drive Canada's economic growth and prosperity. The CBA advocates for public policies that contribute to a sound, thriving banking system to ensure Canadians can succeed in their financial goals.

Canada's banks fully support the federal government's actions to strengthen legislation on harassment and violence in the workplace. The CBA's position on this issue is clear. Harassment and violence have no place in the workforce or in society. Canada's banking sector will continue to set an example for creating safe, rewarding and respectful work environments for all employees.

The CBA actively participated in the government's consultations leading to Bill C-65 and we are pleased that the Bill contains provisions that address what was a key focus for us: protecting the privacy and confidentiality of employees throughout the process of investigating any allegation of harassment or violence. We look forward to working with the government going forward to ensure that Canada continues to have world-class health and safety advancements for all Canadians, including the more than 275,000 diverse employees of Canada's banking sector.

Canadian banks pride themselves on having leading practices in place to help prevent and address harassment in the workplace. In fact, many of the measures outlined in Bill C-65 are already reflected in existing bank practices. Banks have clear written policies that outline: behaviours considered to be workplace violence or harassment; steps employees should take when

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aware of an incident; how the organization will respond to allegations; and, explicit protection against retaliation for raising a concern about workplace violence or harassment. Banks also have mandatory training for all employees on workplace violence and harassment as a condition of continued employment.

If a complaint is brought forward in a bank there are multiple channels through which incidents of workplace violence or harassment may be reported. This includes channels that do not involve the parties' direct management, such as an ombudsman office, which is independent of other bank departments and reports directly to the most senior levels of the bank – directly to the General Counsel or bank's President and CEO.

Banks investigate all allegations of workplace violence or harassment, and more generally inappropriate conduct, regardless of whether the alleged conduct, if it was found to have occurred, would meet the definition of workplace violence or harassment under either the bank's own code of conduct or employee policy, or under the law.

Prior to commencing an investigation, banks will determine whether it is appropriate for the parties to remain in the workplace during the course of the investigation and will ensure all parties are offered personal support during the investigation, for example through counselling services offered through the bank's Employee Assistance Program. Once the investigation is complete they will communicate the findings of the investigation to all complainants and respondents prior to notifying them of the outcome or implementing corrective action. Internal bank review processes must align with legislation and common law, but are created to be flexible in order to account for practical realities. Banks also ensure that all investigations are conducted by a trained investigator who is impartial to the parties involved.

In her speech in the House of Commons Minister Hajdu said that, “the government recognizes that safe workplaces, free of harassment and violence, are critical to the well-being of Canadian workers”. We agree with the Minister’s statement and banks have long worked hard to ensure that this is the case within their institutions.

Thank you once again for inviting the Canadian Bankers Association to participate in the Committee’s review of Bill C-65. I welcome any questions you may have.