**BILATERAL COOPERATION OF THE OAS INTER-AMERICAN NETWORK FOR LABOR ADMINISTRATION (RIAL)**

**BETWEEN THE MINISTRY OF LABOUR OF TRINIDAD AND TOBAGO (MOL) AND THE MINISTRY OF EMPLOYMENT AND SOCIAL DEVELOPMENT OF CANADA (ESDC)**

Modality: Virtual

**Coordination meeting:** June 9, 2021

**1st Cooperation session:** September 13, 2021

**2nd Session:** November 5, 2021

**3rd and final session:** April 27, 2022

All information on this cooperation is available here

<http://rialnet.org/?q=en/tt_can_violence%20and%20harassment>

**FINAL SUMMARY**

**OVERVIEW:**

The Bilateral Cooperation Activity between the Governments of Trinidad and Tobago and Canada on harassment and violence prevention was selected during the 14th RIAL Call for Bilateral Cooperation, and consisted of virtual sessions where Employment and Social Development Canada (ESDC) provided technical assistance regarding their experience in the design, implementation and enforcement of the Canada Harassment and Violence Prevention Initiative, with the aim of supporting Trinidad and Tobago on their efforts to implement the National Workplace Policy on Sexual Harassment (NWPSH).

The RIAL, coordinated by the Organization of American States (OAS), seeks to strengthen the institutional and human capacities of the Ministries of Labor of the Americas through cooperation and technical assistance among them. More info at: <http://rialnet.org>

**OBJECTIVES**

**General:**

* To learn about Canada’s experience vis-à-vis its Harassment and Violence Prevention Initiative in addressing and preventing harassment and violence in the workplace, with a view to developing robust structures at the national level in Trinidad and Tobago to address this issue;

**Specific:**

* To be apprised of the components of Canada’s Harassment and Violence Prevention Initiative, in order to apply best practices to the implementation of Trinidad and Tobago’s National Workplace Policy on Sexual Harassment.

**TECHNICAL NOTE AND RECOMMENDATIONS**

* The cooperation was developed through synchronous sessions that took place using the ZOOM platform provided by the RIAL-OAS. The entirety of the sessions were recorded by the Technical Secretariat.
* To maximize the effectiveness of the synchronous sessions, information was shared between sessions, to give the opportunity to prioritize spaces for discussion and Q&A. The Ministry of Employment and Social Development of Canada shared important / relevant information, and responded in writing to the final set of questions beforehand.
* The RIAL/OAS hired a consultant in Port-of-Spain to support this exchange and achieve the best possible results. The consultant provided technical advice and identified key elements of Canada’s initiative, including legal aspects and operation components, that have been crucial for the development and effectiveness of the initiative, with the view of transferring them to the Trinidadian context.
* All the information regarding this activity, including presentations of all the sessions, is available at [www.rialnet.org](http://www.rialnet.org).

**SESSIONS AND CONTENTS**

During the coordination meeting on June 9, the delegations from Canada and Trinidad and Tobago agreed to undertake the Cooperation activity in three (3) sessions and exchange relevant information before the first session and in the period between subsequent sessions.

* **First session – Sept. 13** - The first session focused on policy and regulations development at the federal level. Experts from Canada made a thorough presentation on “Work Place Harassment and Violence Prevention (WPHVP) Regulations - Federal Jurisdiction” including:
  + Background and development process of Bill C-65, which amended the Canadian Labour Code for harassment and violence;
  + The development of the WPHVP regulations;
  + An overview of employers’ obligations (workplace assessments, prevention policy, training, reporting, among others);
  + Stakeholder engagement in the development of WPHVP regulations, including round-tables and consultations across Canada.

Following the presentation, a very active discussion unfolded where the authorities of Trinidad and Tobago could ask questions on specific elements of the Canadian experience.

* **Second session – Nov. 5** – This session addressed challenges and tools for implementation of the Workplace Harassment and Violence Prevention Regulations, which included:
* The establishment of two tripartite working groups (the Roster of Investigators WG and the Implementation Policies and Guidelines WG) and their activities, operations, functioning and accountability.
* Training modules for employees of the Government of Canada and the public through the Canadian School of Public Service (CSPS)
* Awareness campaigns, including use of social media, email, podcasts and Government’s website. Importance of technical briefings.
* Harassment and Violence Prevention Hub.
* **Third and final session – April 27, 2022** – Given the pressing responsibilities assigned to the Workplace Directorate and the OSH area in Canada, related to new COVID-19 vaccination regulations, among others, this last session had to be postponed until 2022.

The third and final session was divided into 3 parts:

* + The first part of the session consisted of a presentation from the Canadian delegation on enforcement of the workplace harassment and violence prevention regulations. The presentation included details on the operation of the Canadian Harassment and Violence Prevention Hub, as well as their regional enforcement protocols -education and promotional activities, tailored compliance policies, among other matters-, and it highlighted challenges and lessons learned.
  + The second part of the session was a question-and-answer section, focusing on the list of questions that were sent beforehand from the delegation of Trinidad and Tobago and answered in writing by the Canadian delegation. During this time, delegates from Trinidad and Tobago were able to ask follow-up questions based on the written answers. The following topics were addressed: timeframe for reporting an occurrence of violence, type of evidence/information that should be brought forward when opening a case, confidentiality protocol, psycho-social support for those involved in case, the difference between investigation and workplace assessments, the role of bystanders and observers, and sources of funding for training.
  + During the last part of the session, Trinidad and Tobago presented some of the next steps, which will use the Canadian expertise and all the knowledge acquired during this cooperation:
    - Implementation of a helpline
    - Meeting with the drafting committee to formalize enforcement mechanisms
    - The ratification of C190
    - Training officers
    - Meeting with tripartite partners and beyond to try to implement a version of the Canadian Hub in Trinidad and Tobago, and
    - Holding discussions with relevant actors to establish statutory timeframes and the roles of bystanders and observers for different jurisdictions, among other actions.

**PARTICIPANTS**

**MINISTRY OF LABOUR OF CANADA:**

* Ms. Brenda Baxter, Director General, Workplace Directorate
* Mr. Duncan Shaw, Senior Director, Occupational Health and Safety
* Ms. Renee Roussel Senior Director for Regional Regulations and Compliance
* Ms. Ana Maria Iliescu, Senior Policy Analyst, Occupational Health and Safety
* Ms. Marijo Dumont-Labrie, Policy Analyst, Bilateral and Regional Labour Affairs
* Ms. Aster Andemariam, Policy Analyst, ESDC
* Ms. Melanie Aumais, Manager Reg Ops Compliance, ESDC

**MINISTRY OF LABOUR OF TRINIDAD AND TOBAGO:**

* Ms. Sabina Gomez, Chief Labour Relations Officer
* Ms. Sangeeta Boondoo, Senior Legal Officer
* Ms. Phoebe-Ann Edwards, Secretary (Ag.), Law Reform Commission
* Ms. Rosa Mae-Whittier, Director, International Affairs Unit
* Ms. Phoebbe Anne Edwards, Senior Legal Research Officer
* Ms. Sanika Tyson, Legal Officer II
* Ms. Satie Ramlakhan-Jeetay, Labour Relations Officer II
* Ms. Kaliyma Boxill, International Affairs Officer
* Ms. Mary Francique, Business Operations Assistant
* Ms. Jodi Dolabaille, Corporate Communications Manager
* Mr. Jerard Skerritt, Labour Relations Officer
* Mr. Jared Poyah, Legal Services Unit
* Representative/s from the MOL Corporate Communications Unit
* Representative/s from MOL Conciliation Advisory and Advocacy Division
* Representative/s from the MOL Legal Services Unit
* Representative/s from the Occupational Safety and Health Agency

**ORGANIZATION OF AMERICAN STATES**

* Ms. Maria Claudia Camacho, Labor and Employment Section Chief, Department of Human Development, Education and Employment (DHDEE)
* Mr. Guillermo Calzada, Program Officer of the Labor and Employment Section, DHDEE
* Ms. Leah Thompson, Consultant