

Annual Human Rights and Mutual Respect Complaint Summary Report

In the first half of each year, Human Resources completes a number of assessments comparing year-over-year trends relating to employee attendance, human rights and mutual respect complaints, employee grievances and corporate training. These reports are utilized to identify key trends and issues that require focus going forward, as well as those which may require specific initiatives to be undertaken in an effort to reverse and/or slow the rate of troubling trends.

One of the areas that is a focus of assessment is London Transit's Human Rights Policy and Mutual Respect in the Workplace Policy (along with the Workplace Violence Policy) and related complaints that have been filed and investigated. Collectively these policies address the Commission's expectations of employees and the members of the public that utilize LTC services. For each policy, an associated written procedure outlines the investigation and decision-making process including the option to appeal decisions reached to a higher level. These policies and related procedures have been reviewed with all employees and are incorporated into the orientation-training program for all new employees. Summaries of the complaints/investigations related to both of the above-noted policies, for the years 2015-2018, are set out below.

Human Rights Complaint Process / Summary

The Director of Human Resources or designate (Manager of Human Resources) investigates Human Rights complaints with the respective Department Director of the involved parties, in accordance with the related Policy and Complaint Procedures. If the complaint involves a bargaining unit employee, the Director of Human Resources or designate will conduct the investigation with an ATU Local 741 Union Executive appointed by the ATU Local 741 President in accordance with the related procedures. A summary of the 2015 to 2018 complaints follows, noting internal indicates those complaints filed by a London Transit employee and external indicates those filed by a member of the public. is set out below.

Year	Internal	External	Total
2015	2	15	17
2016	3	15	18
2017	6	13	19
2018	3	13	16
Total	14	56	70
Percent	20%	80%	100%

The following bullets provide additional statistical information that is provided on the total number of complaints (70) received over the four year period. The approach of providing commentary in aggregate is done in order to ensure the privacy of those that have filed complaints, recognizing the relatively small numbers in each given year.

- The number of both internal and external have been relatively consistent over the past four years. However, 2017/18 included a notable trend:
 - Four internal complaints from 2017/18 stem from the treatment by customers towards Operators, all of which relate to race, ethnicity, colour and all were substantiated violations.
- For the period from 2015 to 2018, the 56 external complaints were all filed by members of the public, with the Respondent being a London Transit employee. From the period from 2015 to 2018, there were a total of the 14 internal complaints, the breakdown of the Complainant/ Respondent is as follows:
 - 5 complaints whereby an employee filed a complaint against a member of the public
 - 4 complaints whereby an employee filed a complaint against a co-worker
 - 5 complaints whereby an employee filed a complaint against management
- The grounds for the complaints received are broken down as follows:
 - Race/colour/ethnicity 43%
 - Disability 41%
 - Sexual Orientation/Gender 10%
 - Other 6%

In response to these trends, increased focus has been included in training and corporate messaging regarding Priority/Courtesy Seating policies and Service Animal policies in an effort to mitigate the number of complaints relating to disability. The Diversity Committee has continued its work with respect to raising awareness including but not limited to the complete redevelopment and roll-out of Human Rights and Diversity in the Workplace training modules.

In 87% of the cases, the investigators were able to make a determination of "Conclusive Findings," meaning that London Transit was able to substantiate the facts presented by the parties based on the balance of probabilities.

As noted on the chart above, the majority of Human Rights complaints received are from customers. Over the four year period, 65% of external human rights complaints received were found not to violate London Transit's Human Rights Policy, based on the completed investigation findings. Of significance, 34% of the complaints where no violation of the Human Rights Policy was found, still necessitated corrective action on the basis of customer service being provided which was not in keeping with London Transit's SOP's or Customer Service training. In response to these trends, additional focus has been applied to training modules including Advanced Customer Service, Interpersonal and Communication Skills, and Accessibility for Ontarians with Disabilities Act (AODA).

In 2019, Human Resources will continue to monitor and assess the effectiveness of the aforementioned training programs concerning complaints of human rights violations, with increased focus in the following areas:

- Develop, implement and launch a one-day Operator Education Program that will include increased focus on Human Rights, Diversity in the Workplace and Mutual Respect, as well as Mental Health Resiliency training.
- Include Advanced Customer Service training in the new employee orientation.
- Develop, implement, with Operations and the Diversity Committee a communications strategy to address/support Operators in their interactions with customers (i.e. specific to complaints received.).
- Forward the Report to the Expect Respect Working Group – as additional information to assess in their review.

Mutual Respect Complaint Process / Summary

Mutual Respect investigations cover a broad range of issues, from minor interpersonal conflicts to more serious issues, such as breaches of privacy and/or harassment. The respondent's direct Manager, via the problem resolution process, investigates mutual respect complaints and when involving bargaining unit employees, the co-investigator is appointed from the ATU Local 741 Executive. The final report, including findings and any recommendations, is subject to the concurrence of the Department Director.

London Transit conducts an annual review of all Mutual Respect complaints received and related investigations into same. The chart below provides a summary of the total Mutual Respect complaints received each year over the four year period, broken down by area.

Mutual Respect Complaints Received by Department				
Year	Fleet & Facility	Operations	Administration	Total
2015	1	5	0	6
2016	2	2	2	6
2017	2	6	2	10
2018	2	7	1	10
Total	7	20	5	32
Percent	22%	63%	16%	

The following bullets provide additional statistical information that is provided on the total number of complaints (32) received over the four year period. The approach of providing commentary in aggregate is done in order to ensure the privacy of those that have filed complaints, recognizing the relatively small numbers in each given year.

- For the period from 2015 to 2018 of the 32 complaints, the breakdown of the complainant/respondent is as follows:
 - 21 complaints with the employee filing the complaint against a co-worker
 - 11 complaints with an employee filing the complaint against a manager/supervisor
- In 84% of the complaints filed, the investigators were able to make a determination of “conclusive finding” meaning that the investigators were able to substantiate the facts presented by the parties based on the balance of probabilities.
- 78% of those investigations with conclusive findings resulted in either corrective (53%) or other (25%) action being taken, demonstrating that the London Transit takes non-compliance with the Mutual Respect in the Workplace Policy seriously.

Human Resources will continue to monitor and assess the effectiveness of the above training programs concerning complaints of mutual respect violations. In addition, the results of this analysis will be shared with the Expect Respect Working Group as input into their initial review.