

Proposal regarding Bill 168 – workplace violence and harassment legislation

For a number of months, I have been reporting on discussions about what the Conference can do to help ministries to meet the requirements of Bill 168. The bill was enacted and came into effect in mid-2010; most ministries are not likely in compliance, and there is a potential risk of government enquiries and/or fines if employing ministries are not in compliance.

Background: To recap what has happened so far:

- The original idea that emerged from conversations with the personnel ministers was to do a workshop with every congregation's governing body; the purpose was to inform and empower governing bodies to deal with issues of violence and harassment; the hope was that these conversations would help avoid costly litigation or church processes down the road. The cost of this strategy would be significant, perhaps in the \$250,000 range.
- I consulted the executive secretaries of other Conferences within Ontario to see what might be achieved by working together. They liked the idea of the workshop in every employing ministry, but recognized that the cost would be prohibitive. There was support for doing something about Bill 168.
- In the spring the personnel ministers and I conducted workshops on the church's sexual abuse policy. A portion of the workshop focused on Bill 168. Subsequently, I've been asked a number of times about resources to help congregations to become compliant with the bill.
- I spoke with Bev Oag of the General Council office to see what is happening there. Her portfolio covers the entire church, not just Ontario, and her concerns are broader than Bill 168. She is focusing on workplace health and safety issues in general, but the work being done at the General Council level is in the early stages. Whatever we might do in this Conference would not be in opposition to anything coming out of her office.
- While all this was going on, I was approached in April by a company specializing in Bill 168 issues (name to be provided at the Executive meeting). The company was recommended by a United Church minister because it has done work with many companies, including many synagogues, on Bill 168 issues. In addition to much telephone and e-mail contact, I have met with them to see what they might provide. I asked them to provide a quote for reviewing and up-dating some draft material produced for church purposes. The preliminary request from me was for them to produce policies for each employing ministry that would comply with Bill 168. I also asked them to produce a study guide to encourage the discussion that needs to take place.
- When I met with them on May 24, they presented a draft study guide and draft policies as well as the background resources that the ministries would need to consult before signing off on the policies. We talked about the kind of training that needs to be done. I asked them to prepare a new quote that would cover development of the policies, preparation of the study guide, provision of

resources, and training through webinars and train-the-trainer workshops. The quote to cover all this material and training works out to approximately \$120 per ministry which in this Conference works out to approximately \$36,000. If other Conferences were involved, the cost would be lower.

Moving forward: I believe we should move forward on helping congregations to become compliant with Bill 168. I am prepared to recommend that we accept the general outline as prepared by the company I've consulted. However, I need the Executive's input on one of the policies it has adopted. This is a case where I would prepare to ask for permission rather than forgiveness.

Our policy on Vendor Relations is found on p. 3-10 of the Executive's policy handbook, which reads in part, "For goods or services valued greater than \$5,000 three written quotes must be obtained by a tendering process". A caveat in the policy is, "An exception to the purchasing policy will be for costs relating to professional services, e.g. legal and audit fees."

I am asking the Executive to discuss a couple of questions:

- Does this work on Bill 168, as outlined above, fall within the Executive's understanding of "professional services"? Note that the words "legal" and "audit" are used as examples of professional services; they are not exclusive.
- Should this work be done on a cost-recovery basis? I.e. should every employing ministry be required to pay for the material?

The answers to these questions will help to determine whether there needs to be a tendering process involving three quotes.