

# WORKPLACE RESTORATION

## How to use this Tool for Prevention, Resolution, and Restoration

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## Workplace Restoration as an ADR Tool

- Workplace Restoration is gaining attention as an essential workplace tool.
- It is very effective in response to disruptive events (complaints and investigations) but is equally effective as a proactive or pre-emptive tool .
- Can be used to address the impact of unresolved conflict, incivility, and toxicity in the workplace before these factors escalate to formal complaints.
- Demand for restoration is being driven by expectations and obligations for psychological safety in the workplace and respectful, inclusive workplace culture.

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## What is Workplace Restoration?

- A framework for building or re-establishing trust, respect, and harmony in the workplace.
- Often used following incidents of harassment, discrimination, bullying or reprisal, and as a response to workplace conflict. Investigators sometimes (and should) recommend workplace restoration after the conclusion of an investigation.
- A tool to support teams during (and after) times of change or uncertainty and can help them move past stressful or disruptive events (i.e. new leadership, organizational initiatives, cultural modernization).
- A proactive and pre-emptive tool, one that can resolve conflict and address the impact of negative factors before they escalate.

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## Legislative Requirements for Proactive Risk Assessment

- As of January 1, 2021, the *Canada Labour Code* mandated that federally regulated employers mitigate the risk of workplace harassment and violence, and support employees beyond the investigation and resolution of complaints.
- Employers must “take the prescribed measures to prevent and protect against harassment and violence in the workplace [...] and offer support to employees affected by harassment and violence in the workplace” (s. 125(1)(z.16)). The prescribed measures include carrying out regular workplace assessments to identify the risks of workplace harassment and violence and implementing preventative measures to mitigate those risks.
- Provincially regulated workplaces in Ontario have a duty under the *Occupational Health and Safety Act* to provide a safe and healthy workplace for all workers which includes the duty to “take every precaution reasonable in the circumstances for the protection of a worker.” The *Ontario Human Rights Code* requires that employers ensure workers are free from discrimination and harassment.

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### The Resolution Spectrum\*



\**Managing Conflict: A Practical Guide to Resolution in the Workplace* (David Liddle)

### Workplace Restoration



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## Goals of Workplace Restoration

Workplace Restoration seeks to:

- re-establish/build a healthy and safe work environment;
- address psychological/emotional harm with parties and work units involved in conflict and/or harmful workplace behaviour;
- create conditions for a respectful and healthy workplace culture;
- create a cohesive team environment in which team members and leaders offer support, encouragement, and recognition;
- promote a healthier, psychologically safe workplace environment by improving interpersonal and/or team dynamics; and,
- promote trust and confidence in leadership.

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## Workplace Restoration Framework

A **Workplace Restoration Framework** generally includes five phases:

1. Consultation with Leaders
2. Communication Strategy
3. Workplace Assessment
4. Restoration Plan Development and Implementation
5. Post Restoration Follow Up



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## 1. Consultation with Leaders

As a first step, the facilitator consults with leaders to establish:

- a) Purpose and scope of the restoration initiative.
- b) Responsibility and accountability: who has carriage of various aspects of the process and their specific roles.
- c) Process for addressing concerns/issues which may arise throughout the process.
- d) Reporting of outcome to management/leaders and members.
- e) Criteria for post restoration follow up.

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## 2. Communication Strategy

- A communication strategy is essential to a successful restoration plan – to establish trust and confidence in the process, and ‘buy-in’ from stakeholders.
- Communication strategy must ensure open, transparent communication with relevant parties about the Workplace Restoration initiatives including addressing expectations of confidentiality during the assessment and planning stages.
- Supports regular updates to keep all stakeholders informed and engaged to maintain trust and confidence.
- Where applicable, the union or association should be included as a key stakeholder in the communication plan and where possible, be an advocate for employee participation.

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## 3. Workplace Assessment

**Workplace Assessment** is a diagnostic process to identify various dynamics which contribute to workplace culture and/or conflict.

Workplace Assessments are **not** investigations – assessment focuses on identifying circumstances and factors in the workplace and the impacts of them on employees and leader in a manner that is less confrontational and intrusive than investigation.

Assessments seek to identify root causes of issues in the workplace, along with the strengths, weaknesses, opportunities, and threats to guide a pathway towards workplace restoration.

Assessments can be conducted using the [13 Factors Impacting Psychological Health and Safety](#) as a guide for the information gathering stage. Information is gathered and analyzed using the themes identified in the Factors.

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# 13 Factors Impacting Psychological Safety and Health in the Workplace

Organizational culture	Balance
Psychological and social support	Psychological protection
Clear leadership and expectations	Protection of physical safety
Civility and respect	Employee Engagement
Psychological competencies and requirements	
Growth and development	
Recognition and reward	
Involvement and Influence by staff	
Workload management	

(Source: Mental Health Commission of Canada)

<https://mentalhealthcommission.ca/13-factors-addressing-mental-health-in-the-workplace/>

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## 3. Workplace Assessment

The **Workplace Assessment** directly involves employees and leaders. Assessments generally conducted in two phases:

**1. Engage** the involved parties (or work units) through:

- (a) a **workplace assessment survey** – to gather information and/or ‘take the pulse’ of the work environment (baseline information for the process), and/or
- (b) **one-on-one interviews** – to gather member perspectives on, and experiences of, the work environment and workplace culture; and/or
- (c) **facilitated group/team discussions** to identify shared issues/concerns, identify team priorities and gather ideas for addressing concerns.

**2. Gather and analyze** other relevant information, as needed, from additional sources (e.g. complaints and investigation reports and/or other relevant information from other areas of the organization – HR, Professional Standards, Health & Wellness).

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## 4. Developing a Restoration Plan

1. Review and analyze information gathered in the Assessment to inform next steps in the process – which may include conflict resolution, as required, and restorative initiatives.
2. Identify issues which require immediate action (i.e. concerns relating to physical and/or psychological safety) and address, as appropriate.
3. Prepare a Workplace Restoration Implementation Plan (with short, medium, and long-term priorities) and recommended courses of action (with rationale).
4. Engage leaders and employees to finalize the Workplace Restoration Plan.
5. Engage leaders and employees to implement restorative initiatives.

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## 4. Developing a Restoration Plan

- The **Workplace Restoration Plan** should establish clear, resolution-oriented initiatives with specific timelines and deliverables, designed to address identified issues.
- The goals and initiatives in the Plan must be forward-looking.
- The Restoration Plan set outs:
  - Restoration Activities/initiatives (based on themes/priorities identified in the Assessment)
  - Desired outcomes
  - Responsibilities
  - Process for monitoring and assessing implementation and outcomes (with criteria)
- The Plan should also establish a clear process to address issues that arise during implementation.

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# Sample – Restoration Plan

## Desired Outcome

Key themes identified through direct employee engagement (Workplace Assessment) include: [ insert themes rated as weak/requiring improvement]

The desired outcome of restoration efforts includes [add specifics]:

- 1.
- 2.
- 3.
- 4.

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# Sample – Restoration Plan

## Workplace Restoration Plan – Activities

Theme (Factor)*	Workplace Activity	Restoration	Lead(s)	Objectives and Deliverables	Due Date(s)

\*Theme/Factor – based on the 13 Factors evaluated during the assessment

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## 4. Implementing Restorative Actions

Restorative actions identified in the Plan may include:

- a) education and/or training;
- b) resolution options (e.g. mediation, facilitated discussion, counselling, coaching, motivational interviews);
- c) group and/or team building activities to improve dynamics;
- d) performance management and monitoring;
- e) operational changes (policies/procedures/clarifying roles and expectations);
- f) corrective (management) actions; and/or
- g) support/resources, as required, for involved individuals.

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## 5. Post-Restoration Follow Up

1. Assess whether restoration has been achieved by measuring impact using previously identified means (i.e. employee survey, post-process focus-groups, one-on-one interviews) with stakeholders.
2. Monitor/follow-up with involved parties.
3. Determine what additional steps should be taken.
4. Ongoing follow-up and/or check-ins with involved parties (employees and management), where appropriate, during and upon completion of the process to monitor the work environment within a specified period.
5. Consider other options/opportunities, as needed, if there are unresolved issues.

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## Role of the Restoration Facilitator

- Work with leadership to identify the general purpose/objective of Workplace Restoration and assist with ongoing communication to employees members about the initiative.
- Define the scope of the restoration plan.
- Design and support implementation of a customized Workplace Restoration Plan, in consultation with management where appropriate.
- Provide support to employees, teams, and leaders.
- Provide feedback and recommendations for resolution, with timelines.
- Monitor implementation and outcomes and seek feedback from involved parties to gauge impact and inform changes in approach as required.
- Identify areas that require further work going forward (e.g. communication, monitoring outcomes, follow up on restoration activities)

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## Restoration in an ADR Practice

- Restoration is an essential element for any workplace ADR practice (internal or external).
- Restoration can be used at an individual level (one-on-one conflict), team (and/or team and leaders), or organization level.
- Workplace Restoration should be considered at all stages of conflict – and as a proactive or preventive measure to address negative workplace factors before they escalate.
- Organizations that seek to build or restore a psychologically safe, respectful, and inclusive workplace should consider using Workplace Restoration not only in response to disruptive events but also as a proactive or pre-emptive tool to effectively address negative workplace influences before they cause more harm.

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## Resources

- **Restoring The Workplace Following A Harassment Complaint: A Manager's Guide** ([www.canada.ca/en/government/publicservice/wellness-inclusion-diversity-public-service/harassment-violence/restoring-workplace-following-harassment-complaint-managers-guide.html](http://www.canada.ca/en/government/publicservice/wellness-inclusion-diversity-public-service/harassment-violence/restoring-workplace-following-harassment-complaint-managers-guide.html))
- **Workplace Restoration – Q & A** (<https://irc.queensu.ca/workplace-restoration-qa-with-anne-grant/>)
- **Workplace Fairness International** (<https://workplacefairness.ca/workplace-restoration/>)
- **Civility Partners** (<https://civilitypartners.com/free-resources/>)

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## QUESTIONS

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