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Item No. 3
Halifax Regional Council
June 18, 2024

TO: Mayor Savage and Members of Halifax Regional Council

Original Signed

SUBMITTED BY:

Cathie O'Toole, Chief Administrative Officer

DATE: May 13, 2024

SUBJECT: **Safe Workplace Update Q3-Q4 2023-24**

INFORMATION REPORT

ORIGIN

On December 3, 2019, Regional Council passed the following motion:

MOVED by Councillor Karsten, seconded by Councillor Nicoll

THAT Halifax Regional Council:

1. Amend its June 19, 2018 resolution to require a semi-annual reporting schedule for Safe Workplace updates (Q1/Q2 and Q3/Q4) rather than quarterly reporting; and
2. That the semi-annual reports include the following information:
 - The type of harassment complaint made under the Policy
 - The method of conflict resolution employed
 - Number of active files

MOTION PUT AND PASSED

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, subsection 34(1), as follows:

Council and Chief Administrative Officer Relationship

34 (1) The Chief Administrative Officer is the head of the administrative branch of the government of the Municipality and is responsible to the Council for the proper administration of the affairs of the Municipality in accordance with the by-laws of the Municipality and the policies adopted by the Council.

BACKGROUND

On June 19, 2018, Regional Council passed the following motion:

MOVED by Deputy Mayor Mason, seconded by Councillor Mancini:

THAT Halifax Regional Council expresses support for the actions and response from the Chief Administrative Officer, June 11, 2018, regarding HRM's commitment to a safe workplace, responding to the Employment Systems Review and the Human Rights Commission report, and;

That the Chief Administrative Officer be directed to provide quarterly public progress reports to Regional Council, subject to the appropriate redaction of personal information on the following:

1. the findings of the external HR consultant regarding HR processes, procedures and implementation;
2. a plan to implement the recommendations of the consultant;
3. results to date and issues that may be identified during implementation of both the ESR review and the external HR consultant reports;
4. open and completed harassment and discrimination complaints involving workplace bullying, sexual harassment and race both through regular HR processes and the newly established hotline, and;
5. with quarterly reports to begin no later than September 2018.

On December 3, 2019, Regional Council amended the June 19, 2018, motion to require a semi-annual reporting schedule and to require the reports to include the type of harassment complaint made under the Policy, the method of conflict resolution employed, and the number of active files (see origin section for wording of the motion).

DISCUSSION

In accordance with Regional Council's direction, the following information provides a semi-annual update for the period from October 1, 2023 to March 31, 2024 on the Employment Systems Review (ESR) and the external HR consultant (KPMG) review of processes, procedures, and plans to implement the recommendations of the consultant; results to date and issues that may be identified during implementation of both the ESR review and the external HR consultant reports; open and completed harassment and discrimination complaints involving workplace bullying, sexual harassment and race, both through regular HR processes and the CAO's hotline.

Since the last Safe Workplaces Report in November 2023, the following initiatives have been completed, which has addressed many of the outstanding ESR and KPMG recommendations, as well as the recommendations of the Management of Respectful Workplaces Audit report of June 2022:

- **Respectful Workplace Policy**- The Municipality introduced the new Respectful Workplace Policy on April 2, 2024, replacing the Workplace Rights Harassment Prevention Policy. The Respectful Workplace Policy supports the Municipality in its commitment to provide respectful work environments, expanding beyond preventing harassment, discrimination, and violence in the workplace to also address disrespectful behaviour, bullying, microaggressions, and culturally insensitive behaviours.

The objectives of the Respectful Workplace Policy are:

1. Establish a culture of shared responsibility and cooperation in promoting a positive work environment free from all forms of disrespectful behavior, harassment, discrimination and violence.
2. Promote prevention and prompt resolution of concerns through early intervention supports and tools.
3. Create an understanding of behaviour that does not support a respectful workplace.
4. Outline the process for employees and the Municipality in reporting and responding to incidents as they occur.
5. Outline the process and requirements for investigations of alleged violence, discrimination and harassment.

To support these objectives, Human Resources offers the following services:

- Facilitation of an Employee Engagement Survey
- Development and delivery of training to employees and leaders on Respectful Workplace
- Respond to Employee to Human Resources inquiries under the Respectful Workplace Policy
- Receipt, review and analysis of all complaints filed under the Respectful Workplace Policy
- Conduct formal investigations of bullying, harassment, discrimination, violence under the Respectful Workplace Policy
- Facilitate informal resolutions such as workplace assessments, mediated/facilitated discussions under the Respectful Workplace Policy

Metrics available on each of these services to be reported in future Safe Workplace Reports are as follows:

- Employee engagement scores
 - Number of training sessions offered of Respectful Workplace for Leaders (mandatory)
 - Number of trainings sessions offered of Respectful Workplace for Employees (not mandatory)
 - Number of training attendees at Respectful Workplace for Leaders
 - Number of training attendees at Respectful Workplace for Employees
 - Number of Employee to Human Resources inquiries under the Respectful Workplace Policy
 - Number of formal Respectful Workplace complaints received by type
 - Number of findings of bullying, harassment, discrimination, and violence under the Respectful Workplace Policy
 - Number of investigations, workplace assessments, mediated/facilitated discussions completed
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- **Whistleblower Policy**- The Municipality introduced the new Whistleblower Policy on April 2, 2024. The Whistleblower Policy supports the Municipality's commitment to integrity and accountability. The purpose of the Policy is to ensure that all employees have access to an anonymous method of reporting allegations of waste and/or wrongdoing, including discrimination, harassment and bullying, within the Municipality when there is fear of reprisal or discomfort with using the regular process for reporting a specific concern.
 - **Code of Conduct**- The Municipality introduced a revised employee Code of Conduct on April 2, 2024. The Code of Conduct guides Municipal employees on expected behaviours and how to maintain the Municipality's high stands of professional conduct. This revised Policy is updated to cover illegal conduct, an expanded section outlining real or potential conflict(s) of interest, procedural fairness, and confidentiality.

Upcoming initiatives related to the remaining ESR, KPMG, and Management of Respectful Workplace Audit recommendations are as follows:

- **Employment Equity**- The Management of Hiring Practices Audit report released in March 2024 includes recommendations that will require updates to the Fair Hiring Policy, the Employment Equity Policy and supporting program. The planned implementation date for the updated policies is January 1, 2025. Prior to the release of the Audit report, an Employment Equity Program was drafted that outlined the roles and responsibilities of leaders and employees in the organization and notes tangible steps that are to be taken to meet the three objectives of the Employment Equity Policy. This is currently being reviewed in light of the Management of Hiring Practices Audit recommendations. A revised plan with respect to Employment Equity, including collection and maintenance of self-identification data, will be formalized following the implementation of the Employment Equity Policy.
- **Duty to Accommodate Policy**- A Duty to Accommodate Policy that outlines roles and responsibilities and a general procedure for addressing accommodation requests is in draft form and has been reviewed by the Office of Diversity & Inclusion/ANSAIO and Legal Services. The Policy is currently under review by senior leaders and unions. Feedback will be incorporated and the Policy and supporting documents will be finalized and implemented in the organization in the coming months.
- **Exit Surveys**- Human Resources has revised the Exit Survey questions to be more focused on what factors are causing employees to leave HRM or to move internally between business units. Human Resources has also converted the format of the tool to be more user friendly and provide better data than the current tool. The revised Exit Survey is currently under review internally and expected to launch in June 2024. Once launched, Human Resources will monitor the usage of the tool and the value of the data extracted from the tool. When uptake increases to the point where data extracted from it is useful, annual reporting to business units will begin.
- **Workplace Violence Corporate Procedure**- The Workplace Violence Corporate Procedure has been revised and reviewed internally. It is currently under review of the Joint Occupational Health & Safety Committees, with an expected implementation in July 2024.

Open and completed harassment, and discrimination complaints

Complaints Filed

Between **October 1, 2023 and March 31, 2024** there were **sixteen (16)** new complaints filed under the *Workplace Rights Harassment Prevention Policy* as follows:

- Personal Harassment – 5
- Physical Harassment – 1
- Poisoned Workplace – 4
- Sexual Harassment – 2
- Verbal Harassment – 4

Complaints Resolved

Between **October 1, 2023 and March 31, 2024** there were **twenty-one (21)** complaints resolved, as follows:

- No Further Proceedings under the *Policy* – 8
- Referred to the Business Unit for Resolution – 5
- Referred to Labour Relations to address as misconduct – 2
- Investigation – Complaint Substantiated – 2
- Investigation – Complaint Unfounded – 1
- Workplace Assessment – 1
- Alternative Dispute Resolution – 2

Note- future reporting will be of complaints made and resolved under the Respectful Workplace Policy which came into effect April 2, 2024.

Current Active Complaints

Total number of active harassment complaints under the *Policy* as of March 31, 2024 – **three (3)**

FINANCIAL IMPLICATIONS

There are no financial implications associated with this information report.

COMMUNITY ENGAGEMENT

No community engagement was required.

ATTACHMENTS

None

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

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