

Respectful Workplace Policy

Human Resources

Effective Date: April 2, 2024



HALIFAX

Respectful Workplace Policy

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1 - Policy Name

Respectful Workplace Policy

2 - Purpose

Halifax Regional Municipality is committed to fostering a healthy, safe, diverse and inclusive workplace, and to providing a work environment where all persons are treated with respect and dignity. All employees share the responsibility to maintain a work environment free from disrespectful behaviour, harassment, discrimination and violence. This shared responsibility includes demonstrating respect towards others and actively resolving concerns at the earliest opportunity.

3 - Objectives

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

4 - Scope

This Policy applies to all HRM employees (as defined in this Policy), and to others made subject to this Policy pursuant to the terms of a contract or tender.

Specific processes pertaining to sworn members of the Halifax Regional Police and Elected Officials are outlined below:

Halifax Regional Police

Sworn police officers and identified special constables employed by Halifax Regional Police (HRP) are governed by the *Nova Scotia Police Act* and the HRP Collective Agreement. These employees are required to comply with the expected behaviours outlined in this Policy.

Allegations of a breach of this Policy, where discipline is a requested or potential outcome, must be dealt with under the *Police Act*.

Allegations of a breach of this Policy, where the Complainant and Respondent agree to attempt to resolve the matter without disciplinary action, may be dealt with under the Respectful Workplace Policy using a restorative remedy-based process (e.g., facilitated discussion, mediation, etc.)

Respectful Workplace Policy complaints against or between non-sworn employees of Halifax Regional Police are administered under this Policy.

Elected Officials

Per Administrative Order 52, the *Code of Conduct for Elected Municipal Officials* Administrative Order ([Administrative Order 52 | Halifax](#)), Elected Officials shall treat every person, including corporate employees, with dignity, understanding and respect and ensure that their work environment is free from discrimination, bullying and harassment.

Employees who have concerns with an Elected Official, as it pertains to this Policy, should contact their manager or Human Resources. The concerns will be reviewed to determine what support and options are available.

5 - Definitions

In the context of this document:

Bullying means a form of harassment that typically is carried out through a repeated targeted pattern of behaviour that is intended to, or ought reasonably to be known to, cause fear, humiliation, intimidation, distress or other forms of harm. The impact may be physical or psychological and may damage a person's body, feelings, self-esteem, reputation or property. Bullying may be obvious or subtle, direct, or indirect, and can occur in person, writing, or through the use of technology such as social media, text or email.

Complaint means a Respectful Workplace Complaint made by an employee, alleging a violation of this Policy, which contains specific details about the behaviours and identifies the respondent(s).

Complainant means an individual who has made a Respectful Workplace Complaint under this Policy.

Culturally Insensitive Behaviour means actions or remarks that are disrespectful, harmful or offensive to individuals or groups belonging to a particular culture or ethnicity. This type of behaviour can take various forms, such as making derogatory comments, using ethnic slurs, stereotyping, microaggressions or failing to acknowledge and respect cultural differences. Culturally insensitive behaviour can be intentional or unintentional, but regardless of the intent, it can cause harm and perpetuate discrimination against certain groups.

Discrimination means making a distinction, whether intentional or not, based on a protected characteristic (as outlined in the *Nova Scotia Human Rights Act* and defined in this Policy) that has the effect of imposing burdens, obligations or disadvantages on an individual or a class of individuals that is not imposed upon others or which withholds or limits access to opportunities, benefits and advantages available to other individuals or classes of individuals in society.

Disrespectful Behaviour means failing or refusing, through words or actions, to treat others in a professional, courteous and civil manner. Examples of disrespectful behaviour include, but are not limited to, teasing or joking that embarrasses or humiliates; shouting or speaking in a hostile tone; excessive use of profanity and spreading gossip or rumours that damage one's reputation.

Employee means an individual employed by the Municipality, and for the purposes of this Policy includes volunteers, student trainees, interns and individuals employed on a personal service contract or sub-contract. Employee also includes contractors or sub-contractors who are made subject to this Policy pursuant to the terms of a contract or tender, and their employees, in the course of providing goods and services to the Municipality.

Exclusion means a type of harassment involving the shunning or ostracism of an individual, or group of individuals. It can include, but is not limited to, isolating others by no longer communicating with them, denying, or ignoring their presence, distancing them from others or purposefully omitting them from decisions, conversations and work-related events without valid reason.

Investigation consists of a formal investigative process wherein the findings are based on an objective assessment of the evidence to determine, on the balance of probabilities (i.e. more likely than not), if the behaviour occurred and if so, was it a violation of this Policy.

Harassment means a course of derogatory (e.g. condescending, insulting, belittling) or vexatious (e.g., aggressive, angry, antagonistic) conduct or comment that is known or ought reasonably to be known to be harmful or unwelcome. Harassment includes actions or comments that create an intimidating, demeaning or psychologically unsafe work environment. Harassment may occur as a serious one-time incident, but it usually occurs through a course of conduct or pattern of unwelcome behaviour.

Informal Resolution may include discussions with the employee(s) involved, Supervisors, and/or Human Resources. Restorative processes may be used such as, mediation, facilitated conversation, workplace assessments, etc. Participation in restorative processes is voluntary.

Intake means an initial review and assessment of a submitted complaint to determine the best course of action.

Investigator means a person appointed to investigate complaints of harassment or discrimination. The investigator may be a municipal employee or contracted externally.

Leader means a supervisor, manager, director, executive director or employee who has supervising responsibilities in their role (e.g. work assignment, training, etc.).

Microaggression means a subtle, often unintentional, form of prejudice. Rather than an overt declaration against an individual, a microaggression often comes in the form of an off-hand comment, an inadvertently hurtful joke or a pointed insult. Sometimes microaggressions are referred to as “subtle acts of exclusion.”

Municipality means Halifax Regional Municipality; it may also be referred to as “the Organization.”

“Ought Reasonably to have Known” means an objective assessment of how a specific behaviour might generally be received.

Physical Harassment means any unwelcome physical behaviour including threatening or offensive gestures, physical intimidation, coercion, assault, practical jokes or “horseplay” that would reasonably result in embarrassment or humiliation.

If initial analysis of the complaint identifies that the alleged physical harassment involves a threat of physical harm or actual physical harm has occurred, the complaint will be referred to the Safety Specialist for investigation under HRM’s *Workplace Violence Prevention Corporate Procedure*.

Poisoned Work Environment means when inappropriate conduct is so frequent that it results in a hostile and offensive workplace. The conduct may not be directed at anyone in particular but has the overall effect of creating an uncomfortable environment that negatively affects well-being and productivity.

Procedural Fairness means following processes that are consistent, transparent, without bias or conflict of interest and ensuring all necessary information is gathered prior to determinations, including an opportunity for those involved to respond as appropriate.

Protected Characteristics means the list of characteristics as defined by the *Nova Scotia Human Rights Act* that discrimination and harassment are legally prohibited against in the area of employment. The protected characteristics are: age; race; colour; religion; creed; sex; sexual orientation; gender identity; gender expression; physical disability or mental disability; an irrational fear of contracting an illness or disease; ethnic, national or aboriginal origin; family status; marital status; source of income; political belief, affiliation or activity; that individual’s association with another individual or class of individuals having protected characteristics.

Racial Harassment means offensive behaviour based on the grounds of race, colour, citizenship, place of origin, ancestry, ethnic background or creed that includes, but is not limited to derogatory communications, images or offensive stereotypical conduct, racial slurs, ethnic jokes, insulting depictions, adverse differential treatment, criticizing or being intolerant to racial differences in appearance or customs.

Respectful Workplace means a healthy, safe and professional work environment where each person is treated with fairness and dignity. This includes acting and communicating with personal integrity, openness, and civility.

Respondent means an individual against whom a complaint has been made.

Retaliation means any adverse action or threat of adverse action taken by any manager or employee in response to another's participation in the complaint process. Acts of retaliation include conduct that intimidates, coerces, penalizes, excludes or otherwise discriminates against the complainant or those who are involved in the complaint process.

Sexual Harassment means behaviour or comments of a sexual or romantic nature that are known or ought reasonably to be known to be unwelcome and to make the receiver feel uncomfortable. Sexual harassment can also be harassment based on sex, gender expression, sexuality or gender identity that is not sexual or romantic in nature. It may be a single incident or a series of incidents; it may be overt, coercive, or subtle in nature. It may be a solicitation or advance made to an individual by another individual where the other individual is in a position to confer a benefit on or deny a benefit to the individual to whom the solicitation or advance is made. A reprisal or threat of reprisal against an individual for rejecting a sexual solicitation or romantic advance is also a form of sexual harassment. Sexual harassment also includes comments, gestures or physical solicitation of a sexual nature, or comments with a sexual connotation or component that are directed at no specific person but create an intimidating, demeaning or unsafe work environment. Lack of intent to cause harm is not a defense to an allegation of sexual harassment.

Verbal Harassment means an offensive course of demeaning comments directed at an Employee, or used in reference about an Employee, which would reasonably undermine the reputation of that Employee in the workplace. Verbal harassment includes insults, name-calling, threats, slurs, crude or degrading comments, innuendoes, profanities and negative stereotyping that would reasonably cause offence. If initial analysis of the complaint identifies that an alleged verbal threat involves references to physical harm, the complaint will be directed to a Safety Specialist for investigation under HRM's [Workplace Violence Prevention Corporate Procedure](#).

Vexatious complaint means when an Employee knowingly complains without sufficient grounds, or for an ulterior purpose. Instances would include situations such as where the Employee is not seeking protection from harassment but is motivated by malice to cause annoyance or embarrassment to the Respondent. A good faith complaint may become vexatious when the Complainant persists in pursuing the complaint after facts demonstrating that there is no reasonable basis for that belief are brought to the Complainant's attention.

Violence means, but is not limited to, any of the following: threats, including a threatening statement or threatening behaviour that gives an individual reasonable cause to believe that the individual is at risk of physical injury; conduct or attempted conduct that endangers or is intended to endanger the physical health, or the physical safety of an individual. Allegations of violence will be directed to a Safety Specialist for investigation under HRM's *Workplace Violence Prevention Corporate Procedure*.

Witnesses means individuals who are identified as having observed alleged actions or behaviours related to a complaint or who are identified as having knowledge relevant to the alleged actions or behaviours. Employees who are identified as witnesses have a responsibility to cooperate in good faith with the complaint resolution process including providing particulars of the alleged incident.

Workplace means any place occupied by employees and includes (but is not limited to) Municipal offices, vehicles/vessels, and facilities, including hybrid and remote work locations; training events; conferences; business travel; work-related social gatherings or any other location where Municipal activity is conducted or where an employee is representing the Municipality in a professional setting.

6 - Roles and Responsibilities

Employees

Every employee has a responsibility to support and maintain a respectful workplace. Employees are expected to:

- Ensure words and actions are consistent with this Policy.
- Raise concerns regarding workplace behaviours as soon as possible.
- Accept responsibility for their workplace behaviours and their impact on others.
- Cooperate in investigations and handling of alleged violations of this Policy.
- Maintain confidentiality related to investigations and other processes within this Policy.
- Participate in training associated with this Policy.
- Comply with their obligation under the Occupational Health and Safety Act to advise management of any potential risks to the safety of persons in or near the workplace.

Leaders

Leaders have additional responsibilities to create and maintain respectful workplaces and must act immediately on observations or allegations of a violation of this Policy.

Leaders are expected to:

- Make reasonable efforts to ensure work-related practices/procedures in their areas are free from barriers and do not discriminate against groups or individuals.
- Set a good example by ensuring their own words and conduct adhere to this Policy.
- Be aware of what constitutes a violation of this Policy and the procedures in place for addressing and resolving such behaviours.
- Act promptly to address workplace behaviours that do not align with this Policy.
- Consult and work cooperatively with Human Resources as needed.
- Keep a detailed record of any violations of this Policy and corrective actions taken.
- Report this information to Human Resources as required.
- Promote and monitor employee training to support a respectful workplace.
- Ensure this Policy is distributed and posted in a location that is easily accessible by all employees and any other individuals who enter the workplace.
- Monitor the workplace during and following any reported violations of this Policy.

Human Resources

Several different teams within Human Resources (HR) are responsible for supporting Employees and Leaders in ensuring a healthy, safe, and respectful workplace. Either a Human Resources Business Partner (HRBP) or a Respectful Workplace Specialist will be the first point of contact in HR for employees who have concerns or inquiries related to workplace behaviours.

HRBP's are responsible to:

- Promote the Respectful Workplace Policy and encourage preventative approaches to Employees and Leaders.
- Support business units involved in conflict resolution situations. Provide clarification and guidance to employees in complaint processes.

Respectful Workplace Specialists are responsible to:

- Oversee the application of this Policy and ensure employees are aware of their rights and responsibilities.
- Communicate to employees the processes used for resolving complaints made under this Policy.
- Respond to inquiries from Employees and Leaders.
- Perform intake of complaints, restorative processes and investigations as required.
- Ensure appropriate information is communicated to all parties involved in a complaint resolution process.

Corporate Safety Specialists are responsible to:

- Provide support, advice, and recommendations in relation to workplace violence incidents.
- Conduct workplace investigations into allegations of violence in the workplace between employees.
- Provide training and support to the organization on workplace violence prevention and risk assessment.
- Ensure appropriate information is communicated to all parties involved in a complaint resolution process.

Health and Wellness Specialists are responsible to:

- Provide support and advice to employees when a health file is initiated.
- Refer an employee, who discloses they are on leave related to workplace behaviour, to the Respectful Workplace Specialist to discuss the matter and the most appropriate means to resolve the issue. This concern may be disclosed to the Health Specialist by the employee or the employee's treatment provider.

Diversity and Inclusion/African Nova Scotian Affairs Integration Office (ANSAIO)

The Diversity and Inclusion/ANSAIO team will provide advice and considerations related to diversity, equity, inclusion and accessibility to Human Resources and Business Units, when requested, in the process of addressing complaints reported through this Policy.

Chief Administrative Officer

The Chief Administrative Officer is responsible for communicating and holding Leaders accountable to organizational expectations for a safe, respectful workplace and ensuring that regular reporting on meaningful respectful workplace metrics will be reviewed and actioned as required.

7 - Policy Regulations

All employees are responsible for contributing to a respectful workplace, by managing their own actions and words.

Behaviours that do not contribute to a respectful workplace, include but are not limited to:

- Harassment, including:
 - Exclusion
 - Physical harassment
 - Poisoned work environment
 - Racial harassment
 - Sexual harassment
 - Verbal harassment
- Bullying
- Culturally Insensitive Behaviour
- Discrimination
- Violence
- Microaggressions

There are a number of different options for bringing concerns forward:

Employee to Employee

- If appropriate, and the employee feels safe, they may attempt to address the situation directly by respectfully informing the other individual of the impact of their behaviour and requesting that it not happen again. An appropriate time and place that maintains confidentiality and privacy should be considered for the conversation.
- If the situation continues, the employee may address it again with the employee in an attempt to resolve the situation, or they may decide to involve their Leader or Human Resources (HRBP or Respectful Workplace Specialist) as outlined below under Employee to Leader and Employee to Human Resources. At any time, the employee may file a Respectful Workplace Complaint as outlined below under Submitting a Complaint.

Employee to Leader

- If an employee does not feel comfortable speaking directly to the individual, they should bring it to the attention of their Leader as soon as possible, providing as many details as possible about the event and explaining the impact.
- The Leader must make a demonstrated effort to address the employee's concerns and should seek out guidance and support from Human Resources as required.
- For allegations of harassment, bullying, discrimination and violence, the Leader must report this to Human Resources immediately.
- A Leader will be held accountable if they are aware of harmful or disruptive workplace behaviours that have occurred and cannot demonstrate they have taken steps to address or resolve the matter.

Employee to Human Resources

Employees may reach out to Human Resources at any time for guidance related to the Policy. Some ways they can support are:

- Allow the employee's concerns to be heard through an informal meeting with a Respectful Workplace Specialist or Human Resources Business Partner
- Identify options to resolve the concerns including, providing support with addressing the individual(s) involved.
- Provide facilitated discussion or mediation support.
- Identify supports available including training or the EFAP.

Submitting a Complaint

At any time, an employee may file a Respectful Workplace Complaint as follows:

- Complete the [Complaint Information Form \(Appendix A\)](#) detailing as much information as possible about the alleged incident(s). The employee then should email the completed complaint form to the following address: respectfulworkplace@halifax.ca or send by interoffice mail to: Respectful Workplace Team, Human Resources, Purdy's Wharf, Tower 2, 8th Floor.
- The complaint will be reviewed by a member of the Respectful Workplace Team, and contact made with the employee within two business days to discuss the submission. Contact a Respectful Workplace Specialist (respectfulworkplace@halifax.ca) or MyHR (902-490-6145) at any point for assistance with the process.

Business Unit Executive Directors will be notified about all complaints in their Business Unit. If an employee is not comfortable with their Executive Director being notified, due to real or perceived concerns with involvement in the alleged behaviour, the CAO will be notified of the complaint. Human Resources will work with the employee to determine a course of action that supports the psychological safety and wellbeing of the employee and addresses the alleged behaviours to the extent possible. **Complainants who wish to remain fully or partially anonymous should follow the procedures set out in the Whistleblower Policy.**

Exceptions

- For complaints about Human Resources, the completed complaint form should be sent to the Executive Director of Human Resources.
- For complaints about Executive Directors, the complaint form should be sent to the CAO at the following address: caooffice@halifax.ca or by phone at: 902-490-4026.
- For complaints involving the CAO or Chief of Staff, the complaint form should be sent to the Municipal Solicitor. All complaints received by the Municipal Solicitor will be reported to the Executive Standing Committee along with actions taken to address them.

Complaint Intake Procedure

The Respectful Workplace Specialist will conduct an intake analysis of all complaints received and will make a determination for next steps based on the following factors:

- Applicability - the Complainant and Respondent must be covered under the scope of this Policy.
- Timeliness - Complaints must be made within twelve months of the last behaviour, unless there are extenuating circumstances that prevent that from occurring. Complaints that are made longer than twelve months after the most recent behaviour must include a rationale for why it was not made within the twelve-month window.
- The subject matter of the complaint is covered under this Policy.
- Whether or not the subject matter of the complaint has been or is currently being addressed through an alternate process (i.e. grievance, Human Rights complaint).
- The persistence of the alleged behaviour in duration and frequency.
- The severity of the alleged behaviour.
- The gap between the Complainant's and Respondent's versions of the incident. (i.e. there is significant dispute over the allegations).
- The willingness of the Complainant and Respondent to resolve the matter through an informal resolution or alternative dispute resolution (ADR) (i.e. facilitated discussion, mediation, etc.) and the appropriateness given the nature of the allegations.
- Legal Requirement – whether there is a legal requirement for the employer to conduct an investigation (i.e. violence).

Freedom of Expression

Canadians have the fundamental right of Freedom of Expression; however, that right is not absolute and there are restrictions on certain forms of expressions. Hate speech or expressions which promote or incite violence are not protected forms of Freedom of Expression. While the employer has an obligation to respect the Freedom of Expression of its employees, it also has a legal and statutory obligation to provide a safe work environment that is free from discrimination, harassment, and bullying.

Procedural Fairness

If an investigation is conducted under this Policy, it will follow the principles of procedural fairness.

Confidentiality

Anyone involved in the complaint process must keep information confidential. The complainant will be informed of who has been made aware of their concerns or complaint.

Referral to Workplace Violence Prevention

If the complaint involves physical threats or actions, it will be referred to Corporate Safety for investigation under the *Workplace Violence Prevention Corporate Procedure*.

Complaint Withdrawal

A Complainant may request a withdrawal of a complaint prior to the conclusion of any resolution process, as long as the complaint is not withdrawn due to actual or threatened retaliation for having made the complaint. The Respectful Workplace Specialist may decide the investigation should continue, consistent with its due diligence responsibilities in promoting a respectful workplace, should circumstances reveal reasonable evidence of prohibited behaviours (harassment, bullying, discrimination, violence).

Bad Faith or Vexatious Complaints

This Policy provides employees with options for resolving good faith complaints in a fair and effective manner. Submitting a bad faith or vexatious complaint may result in discipline against the Complainant. A good faith complaint that is unfounded due to insufficient evidence is not considered a bad faith complaint.

Complaint Held in Abeyance

There are circumstances in which action on a complaint may be postponed or held in abeyance for a variety of reasons (e.g. one of the parties is on leave). The request to hold a complaint in abeyance may be made by either party, or by the Municipality. Holding the complaint in abeyance is at the discretion of the Respectful Workplace Specialist. The time to hold the complaint in abeyance depends on the circumstances but should not exceed 6 months. Both parties must be advised in writing by the Respectful Workplace Specialist when a complaint is held in abeyance.

No Further Proceedings

A complaint may result in no further proceedings for any one of the following reasons:

- a) An Intake Analysis determines one or more of the following conditions occurred:
 - The Policy is not applicable as both Parties are not Employees (e.g. complaint by a citizen against an Employee)
 - The complaint is outside the designated time limitation of 12 months with no acceptable reason to grant an exception.
 - The subject matter of the complaint has been, or is currently being, dealt with through another process.
 - The subject matter of complaint does not fall under the behaviours covered in this Policy.
- b) The Employee has abandoned the complaint.
- c) The Employee has withdrawn the complaint.

Retaliation

Retaliation in any form, against any individual involved in the complaint resolution process, is strictly prohibited. Employees alleging retaliation for having participated in the complaint process will be required to provide the following details:

- A description of the incident.
- Identity of person(s) responsible for engaging in the behaviour.
- Dates the behaviour occurred.
- Location where the behaviour occurred.
- Names of Witnesses who observed the behaviour.

If the retaliation involves physical threats or actions, it will be referred to the Safety Specialist for investigation under HRM's *Workplace Violence Prevention Corporate Procedure*.

8 - Repeal

Workplace Harassment Prevention Policy 2017

9 - Effective Date

April 2, 2024

10 - Related Policies and Practices

Respectful Workplace Toolkit

Whistleblower Policy

Workplace Violence Prevention Procedure

Code of Conduct Policy

Social Media Policy

Human Rights Act, RSNS 1989, c. 214

Occupational Health and Safety Act, SNS 1996, c.7

10 - Policy Review

This Policy will be reviewed annually to ensure that it is meeting its stated purpose and aligned with current legislation.

11 - Contact

respectfulworkplace@halifax.ca

12 - Attachments

[Respectful Workplace Complaint Information Form](#) (Appendix A)

[Respectful Workplace Response Information Form](#) (Appendix B)

Respectful Workplace Policy Complaint Information Form



For Office Use only:

Complaint Number: _____

Business Unit: _____

Date Filed: _____

Halifax Regional Municipality is committed to fostering a healthy, safe, diverse, and inclusive workplace, and to providing a work environment where all persons are treated with respect and dignity. If you believe you have personally experienced behaviour that would be in violation of the Respectful Workplace Policy, or you have been witness to such behaviour, you may make a formal complaint by completing this form.

Instructions

- A. Read the Respectful Workplace Policy for information about making a complaint, including the requirement for confidentiality.
- B. Complete as much of this form as possible and provide copies to both:
 1. Your supervisor (note: if you are filing a complaint about your direct supervisor, submit the form to your next level supervisor) AND
 2. Human Resources – submit directly by one of the following methods.

Email: RespectfulWorkplace@halifax.ca

Interoffice Mail: Respectful Workplace Team,
 Human Resources
 Purdy's Wharf, Tower 2, 8th Floor
- D. Attach any documentation you believe supports your complaint.

Please note:

The decision to file a formal Respectful Workplace complaint is a serious one; complaints should be undertaken with great care. All information regarding a complaint is to be treated as confidential and disclosed on a need-to-know basis, only. If you are a unionized employee, you may notify and seek assistance from your union representative at any point during the complaint process.

If you have questions about completing this form, please contact a Respectful Workplace Specialist (RespectfulWorkplace@halifax.ca) or consult your Human Resource Business Partner.

Respectful Workplace Policy Complaint Information Form



Section A: Complainant Information

Please complete the following section, providing as much information as possible.

Name (First & Last): _____

Work Title: _____

Business Unit: _____

Phone Number: _____

Alternate Phone Number (optional): _____

Email: _____

Preferred method of contact (phone, text, email): _____

Work Location: _____

Supervisor's Name & Phone: _____

Respectful Workplace Policy Complaint Information Form



Section B: Respondent Information

The Respondent is the person(s) you are making the complaint about. Please complete and attach one "Section B" Page for each Respondent involved in your complaint.

Name (First & Last): _____

Work Title: _____

Work Location: _____

Business Unit: _____

Manager's Name: _____

Work Phone Number (If known): _____

Work Email (If known): _____

The Respondent is my direct supervisor: Yes No

Respectful Workplace Policy Complaint Information Form



Section C: Your Complaint

What form(s) of offensive behaviour are you alleging to have experienced and/or witnessed from the Respondent? Please check **all** that apply.

Culturally Insensitive Behaviour

Poisoned Work Environment

Bullying

Discrimination

Exclusion

Harassment

Sexual Harassment

Verbal Harassment

Racial Harassment

Disrespectful Behaviour

Physical Harassment

Microaggression

Violence

If you have selected “**Discrimination**,” please select the applicable ground(s) of discrimination from the list below. Please check **all** that apply.

Age

Colour

Creed

Ethnic, National or Aboriginal Origin

Family Status

Irrational Fear of Contracting an Illness/Disease

Marital Status

Mental Disability

Physical Disability

Sexual Orientation

Race

Religion

Source of Income

Sexual Orientation

Association with Individual(s) Having Characteristics from This List

Respectful Workplace Policy Complaint Information Form



Section C: Your Complaint Continued

Date the offensive behaviour first occurred: _____

Please list other individuals who have been closely involved as a:

1. Person experiencing offensive behaviour
2. Witness
3. Manager
4. Human Resource Professional
5. Other

What is the current status of this offensive behaviour? (Ongoing, Escalating, Stopped, etc.)?

Section C: Your Complaint Continued

Describe your complaint, including the impact of the offensive behaviour. Please provide specific incidents/examples. Attach additional pages if needed.

Respectful Workplace Policy Complaint Information Form



Section D: Resolution

To the best of your knowledge, what has been done to date to try to resolve this matter and by whom?

What was the outcome of this (if applicable)?

Have you filed a complaint related to this matter pursuant to another process (e.g. grievance, human rights complaint)?

Please suggest how you think this complaint could be resolved.

Section E: Affirmation

- I am submitting this complaint for review under the *Respectful Workplace Policy*.
- I declare that I am making this complaint in good faith.
- I believe that the information on this form is true to the best of my knowledge.
- I understand that the Respondent(s) and authorized personnel will receive details of the allegation(s).
- I agree to maintain confidentiality as outlined in the *Respectful Workplace Policy*.

Complainant Signature

Date

Respectful Workplace Policy Complaint Response Form



For Office Use only

Complaint Number: _____

Business Unit: _____

Date Filed: _____

Halifax Regional Municipality is committed to fostering a healthy, safe, diverse, and inclusive workplace, and to providing a work environment where all persons are treated with respect and dignity. You have been named in a complaint under the *Respectful Workplace Policy*. You have the right to respond to the complaint with your view of the situation by completing and submitting this form.

Instructions

- A. Read the Respectful Workplace Policy for information about responding to a complaint, including the requirement for confidentiality and ban on retaliation.
- B. Complete as much of this form as possible and provide copies to both:
 1. Your supervisor AND
 2. Human Resources – submit directly by one of the following methods.

Email: RespectfulWorkplace@halifax.ca
Interoffice Mail: Respectful Workplace Team,
Human Resources
Purdy's Wharf, Tower 2, 8th Floor
- D. Attach any documentation you believe supports your response.

Please note:

All information regarding a complaint is to be treated as confidential and disclosed on a need-to-know basis, only. If you are a unionized employee, you may notify and seek assistance from your union representative at any point during the complaint process.

If you have questions about completing this form, please contact a Respectful Workplace Specialist (RespectfulWorkplace@halifax.ca) or consult your Human Resource Business Partner.

Respectful Workplace Policy Complaint Response Form



Section A: Respondent Information

Please complete the following section, providing as much information as possible.

Name (First & Last): _____

Work Title: _____

Business Unit: _____

Phone Number: _____

Alternate Phone Number (optional): _____

Email: _____

Preferred method of contact (phone, text, email): _____

Work Location: _____

Supervisor's Name & Phone: _____

Respectful Workplace Policy Complaint Response Form



Section B: Statement

In the space provided, please respond to the allegation(s) that have been detailed in the complaint against you. At a minimum, please include:

- *Whether you acknowledge or deny the allegation(s)*
- *A description of the incident(s) from your point of view*
- *Any witnesses who were present for the incident(s)*

Note: If you require additional room for your statement or witness list, please attach additional pages as needed

Respectful Workplace Policy Complaint Response Form



Section C: Resolution

Please describe any actions you have taken to date to try and resolve this matter:

Please suggest how you think this complaint could be resolved.

Section D: Affirmation

- I am submitting this Response for review under the *Respectful Workplace Policy*.
- I believe that the information on this form is true to the best of my knowledge.
- I understand that the Complainant and authorized personnel will receive details of this Response.
- I agree to maintain confidentiality as outlined in the *Respectful Workplace Policy*.
- I understand that retaliation is strictly prohibited by the *Respectful Workplace Policy*.

Respondent Signature

Date

Building a respectful workplace



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1.0 Introduction: Statement from the CAO

As an organization, respect is one of our seven core values. These values drive our purpose and set the tone for how we interact with others.

It's important you always feel safe and comfortable speaking up, and that you can count on your colleagues to support you and act with dignity and professionalism.

Disrespectful behaviours, when left unaddressed, can evolve into serious matters like harassment and discrimination. This toolkit outlines procedures to help employees and leaders feel better equipped to address matters promptly.

Please speak up if you see or experience incidents in the workplace. Support is available. The goal is always to identify and address concerns before they escalate.

A respectful workplace isn't just a buzzword or a checkbox; it's the foundation upon which our entire organization stands. We all have a role to play in building a safe, respectful workplace where our people feel valued and empowered.

Thank you for your commitment,



Cathie O'Toole

Chief Administrative Officer,
Halifax Regional Municipality



2.0 What is the Respectful Workplace Toolkit? Purpose and Scope

The **Respectful Workplace Toolkit** (“the Toolkit”) supports the [Respectful Workplace Policy](#) (“the Policy”) by providing procedures and tools to prevent and manage incidents of disrespectful behaviour, harassment, discrimination and violence in the workplace.

Recognizing and reinforcing positive behaviour is key to building a safe and healthy workplace. Equally important is ensuring behaviours that are of concern are brought forward and addressed in a timely and appropriate manner. The goal is to find solutions that will help employees resolve conflict and restore relationships, with an emphasis on early identification and intervention before concerns escalate. Every employee should feel empowered to bring forward concerns, and supervisors and leaders are required to respond appropriately.

The **Respectful Workplace Toolkit** will help employees and leaders meet their responsibilities under the Policy and legislative requirements ([Nova Scotia Human Rights Commission](#); [Occupational Health and Safety Act of Nova Scotia](#)), as related to disrespectful workplace behaviour.

The Toolkit will provide tools for leaders and employees to take steps in reducing the potential for disrespectful behaviour, harassment, discrimination and violence. The Toolkit serves as a guide to promote individual responsibility and collective accountability in creating a psychologically healthy workplace. Psychologically healthy and safe workplaces are those which promote employee's well-being and actively work to prevent harm to employee's psychological health. Harassment, discrimination, bullying and workplace violence are symptoms of a psychologically unsafe workplace and must be addressed.

The Toolkit is intended to work in conjunction with other policies, legislation and collective agreements of the Halifax Regional Municipality ("the municipality").

3.0 Behaviour Zones

It can sometimes be difficult to isolate workplace behaviours into categories of respectful or disrespectful behaviours. Real life encounters often expose us to behaviours that fall somewhere in the middle of these two categories. To illustrate this, it's helpful to imagine behaviours on a continuum as illustrated below:

Unmanaged conflict, escalating behaviour and the impact of health and safety of workers

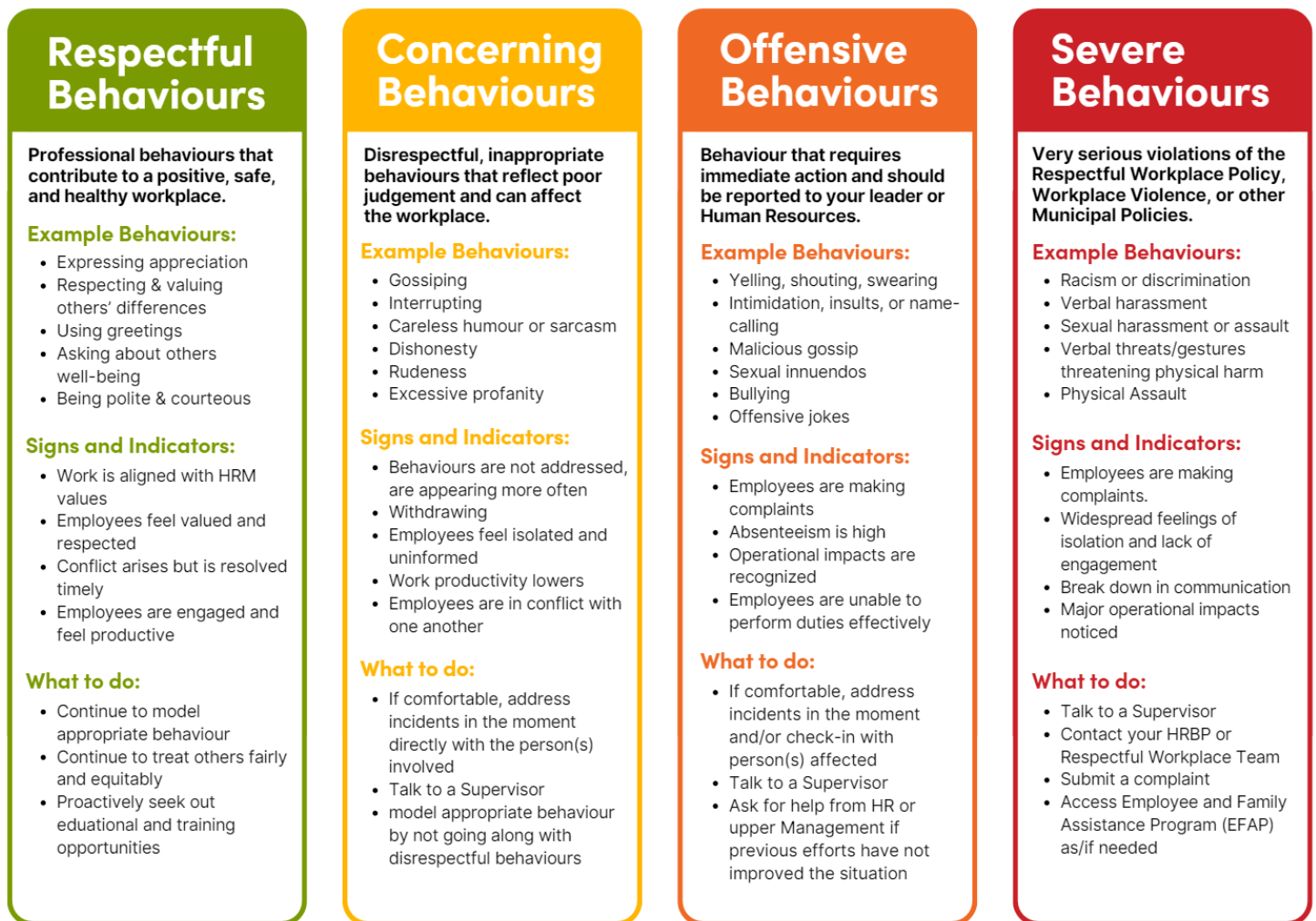


De-escalating through interventions - expectation setting, coaching, training or conflict resolution

The Behaviour Continuum outlines different types of behaviour, ranging from respectful (*green zone*), concerning (*yellow zone*), offensive (*orange zone*) to severe (*red zone*).

The top arrow on the diagram illustrates that behaviours can escalate if conflict is not managed at the onset and how disrespectful behaviours can lead to more severe behaviours, such as harassment or violence, if not addressed. The top arrow also shows that the impact to mental and physical health can escalate over time.

The bottom arrow illustrates how behaviours can shift back towards respectful behaviour through appropriate interventions and supports such as expectation setting, coaching, training and conflict resolution. The focus should always be on building understanding and moving back to respectful behaviour.



3.1 What do respectful workplace behaviours look like?

All employees have a role to play in creating a respectful workplace. Respectful workplace behaviours support and create a healthy, productive workplace and fall within the *green zone* of the behaviour continuum. To create a respectful workplace, and keep behaviours in the *green zone*, employees at all levels should:

- be polite, courteous and respectful to others;
- listen to what others have to say;
- treat others equitably and fairly;
- be open-minded;
- embrace diversity in colleagues and customers;
- be willing to apologize if you have offended someone;
- give positive feedback; and
- lead by example to create the environment you wish to see.

There is opportunity and responsibility to intervene or self-correct if we find that behaviours are moving away from those identified as respectful.

Leaders are expected to be role models and to take all reasonable measures to create a respectful work environment by:

- expressing appreciation and praising good work;
- listening openly to others' points of view;
- sharing knowledge and information;
- being inclusive; and
- taking time to mentor and coach others.

3.2 What is disrespectful behaviour?

Many problematic workplace behaviours can be defined as disrespectful. Typically, disrespectful behaviours fall within the *yellow zone* and *orange zone*. These matters must be addressed in a timely fashion. If left unaddressed, the persistence or repetition of disrespectful behaviours can contribute to further, more severe workplace issues, such as harassment and discrimination (*red zone*).

Disrespectful behaviour is characterized by a failure or refusal, through words or actions, to treat others in a professional, courteous, civil, fair and equitable manner. Examples of disrespectful behaviour include, but are not limited to:

- teasing or joking that embarrasses or humiliates;
- shouting or speaking in a hostile tone;
- excessive use of profanity;
- spreading gossip or rumours;
- condescending or patronizing behaviour; and
- culturally insensitive behaviour.

What is culturally insensitive behaviour?

A type of disrespectful behaviour which refers to actions or remarks that are disrespectful, inappropriate, or offensive to individuals or groups belonging to a particular culture or ethnicity. This type of behaviour can take various forms, such as making derogatory comments, using racial slurs, stereotyping, or failing to acknowledge and respect cultural differences. Culturally insensitive behaviour can be intentional or unintentional, but regardless of the intent, it can cause harm and perpetuate discrimination against certain groups.

What is discrimination?

Discrimination refers to actions or behaviours that result in unfavourable treatment of, or have a negative impact on, an individual or group based on a protected ground under the [Nova Scotia Human Rights Act](#), including imposing burdens or denying benefits or advantages. It may be intentional or unintentional. Discrimination can be obvious, or it can occur in very subtle ways.

The protected grounds under the Nova Scotia Human Rights Act are: age, race, colour, religion, creed, sex, sexual orientation, gender identity, gender expression, physical disability or mental disability, an irrational fear of contracting an illness or disease, ethnic, national or aboriginal origin, family status, marital status, source of income, political belief, affiliation or activity, or an individual's association with another individual or class of individuals having characteristics referred to in this list.

Examples of discrimination include, but are not limited to:

- Disparaging or shunning an employee because they adhere to or are perceived to adhere to a particular faith.
- Passing over an employee with child-care responsibilities for a promotion or a specific project because of their family status.
- Denial of training opportunities, transfers and/or promotions that can be connected to a protected ground.

What is harassment?

Harassment refers to an individual's course of derogatory or vexatious (e.g. aggressive, angry, antagonistic) conduct or comment that is known or ought reasonably to be known to be harmful or unwelcome and is directed at another individual. It includes offensive act(s), comment(s) or display(s) that demean, belittle, or cause personal humiliation or embarrassment, and any act of intimidation or threat. The behaviour may be intended or unintended.

Harassment usually consists of repeated or persistent behaviours towards an individual to torment, undermine, frustrate, or provoke a reaction from that person. Harassment can be one single event when it is demonstrated that it is severe and has had a significant and lasting impact on the affected individual.

Harassment can be:

Personal: directed at an individual(s) but not based on any prohibited ground listed in the Nova Scotia Human Rights Act, or

Based on Protected Ground: harassment that can be linked to one or more of the protected grounds in the Nova Scotia Human Rights Act. This type of harassment is also a form of discrimination.

Examples of harassment include, but are not limited to:

- remarks, jokes or innuendos that demean, ridicule, intimidate or offend;
- offensive comments about sexual orientation or gender identity;
- mimicking or mocking a person who has a disability;
- electronic communication containing offensive material;
- text or instant messaging complaining about an employee's work in an excessive manner;
- bullying;
- sexually suggestive gestures or comments;
- comments about a person's body or appearance;
- sexual banter or participating in a sexually charged work environment;
- sexual jokes, engaging in sexually explicit conversation or asking intrusive sexual questions;
- touching inappropriately;
- repeated offensive behaviours directed at an individual or group which occur in a virtual format (e.g. name calling, typing offensive remarks in the chat box, muting a participant without justifiable reasons, etc.); and
- deliberate and unreasonable exclusion or isolation from relevant work-related meetings, communications, events or activities.

What does not constitute harassment or discrimination?

Determining if harassment has occurred is based on an assessment of the specific facts of each case, and not on the subjective belief of an individual. Some examples of behaviours that would not usually be considered harassment are:

- a single disagreement, comment or action that is not persistent or severe;
- interpersonal conflict between co-workers, unless severe and prolonged;
- rudeness, unless extreme and persistent;
- stressful workplace conditions resulting from workload, technological change or impending layoff; and
- appropriate/reasonable exercise of managerial authority, such as:
 - appropriate discipline or discussing disciplinary action in private;
 - performance management;
 - following up on work absences;
 - providing constructive feedback; or
 - changes in work location, co-workers or assignments.

What is workplace violence?

Threats, including a threatening statement or behaviour that gives an individual reasonable cause to believe that the individual is at risk of physical injury. Any conduct or attempted conduct that endangers the physical health or physical safety of an employee.

Examples of workplace violence include, but are not limited to:

- shaking fists, destroying property or throwing objects;
- written or verbal threats with the intent to inflict harm;
- physical attacks, such as hitting, shoving, pushing or kicking; and
- swearing, insults or condescending language.

The municipality is committed to working with employees to provide a workplace free from violence. Violence in the workplace is an occupational health & safety hazard that may result in physical and/or emotional harm.

Any form of violence in the workplace is unacceptable and the municipality is committed to minimizing and, to the extent possible, eliminating the risk of violence. The municipality will not tolerate any act of violence committed by or against employees, contractors, suppliers, volunteers or other persons present at municipal workplaces.

If you are concerned for your immediate safety, or that of someone else, you must:

- Remove yourself from the situation and seek out a safe location
- Call Corporate Security at 902.490.4561
- Call 911 if it is an emergency

If a complaint which contains allegations of violence is submitted under the Respectful Workplace Policy, the complaint will be referred to the Workplace Violence/Corporate Safety team or Labour Relations for investigation and resolution as is appropriate.

Note: Respectful workplace matters such as disrespectful behaviours or discrimination are not considered a security incident. For more information about workplace violence and prevention, refer to the [Corporate Safety intranet page](#).

4.0 What are Employee Responsibilities?

All employees, regardless of job role or employment conditions, have a responsibility to support a safe and respectful workplace that is free from harassment and discrimination.

As an employee, you are responsible and accountable for the following:

- ensuring your actions and words contribute to a respectful work environment;
- accepting responsibility for the impact of your actions, regardless of intent; and
- whenever appropriate, addressing issues of disrespectful behaviour with the person or people directly involved.

For tips on how to approach a conversation aimed to address a conflict, you can refer to tools such as the Conflict Resolution Conversation Starters or [Employee Resources for Difficult Conversations](#). These tools are available at intranet.halifax.ca/respect.

4.1 What are bystander responsibilities?

A bystander is an individual or group who witness disrespectful workplace behaviour. As a bystander in the workplace, you can play an important role in addressing disrespectful behaviour when you see it occurring.

- **If you see disrespectful behaviour occurring, you may want to:**
 - interrupt the situation – “Please stop it.” “Wait a moment.”;
 - say how you feel – “I don’t like what you’re saying/doing.” “That feels disrespectful to me.”; or
 - support the individual – “Are you okay?” “You are not alone. How can I help?”
- If the behaviour doesn’t stop, or you still have concerns, you should inform a leader, Human Resources Business Partner or Respectful Workplace Specialist.

If you are a leader who witnesses disrespectful workplace behaviour, you have an obligation to take appropriate action.

5.0 What are Leader Responsibilities?

In addition to Employee Responsibilities found above, leaders, including supervisors and anyone responsible for employees, are expected to take all necessary steps to create a safe and healthy workplace.

Leaders have an increased accountability to identify, address and prevent disrespectful workplace behaviour as defined in the [Respectful Workplace Policy](#), and in accordance with [Nova Scotia Occupational Health and Safety legislation](#). Disrespectful workplace behaviours and the process of addressing and resolving those behaviours, can be stressful. There are resources, such as the [Employee and Family Assistance Program](#), available for support as well as resources available through an employee’s union.

Leaders have a responsibility to proactively create a respectful workplace. To address disrespectful workplace behaviours early, leaders should:

1. Meet each person involved to explore and determine:
 - What is the issue?
 - What are the facts?
 - What steps have they taken to resolve the concern(s)?
 - What do they need for a safe and productive work environment?
 - What do they see as an appropriate resolution?
2. Evaluate and support employees to address root causes of the concern. This may include:
 - clarifying job roles, responsibilities or authority for decision-making;
 - providing resources, tools, training to do the work; and/or,
 - providing strategies to improve communication.
3. Record the date of your conversations, the agreed-upon next steps and a date for follow-up.
4. If a concern is brought to your attention that you require support with or feel cannot be handled at the Business Unit level, you should consult with your Human Resources Business Partner or a Respectful Workplace Specialist for advice and support.
5. Prior to contacting HR, leaders should:
 - Review the Respectful Workplace Policy to identify any potential violations.
 - Refer to the applicable collective agreement to determine if Union representation is required and/or desired for the employees involved.

5.1 Leader tools

Leaders have a responsibility to address situations that come to their attention promptly and appropriately. Tools for leaders are available at intranet.halifax.ca/respect, such as:

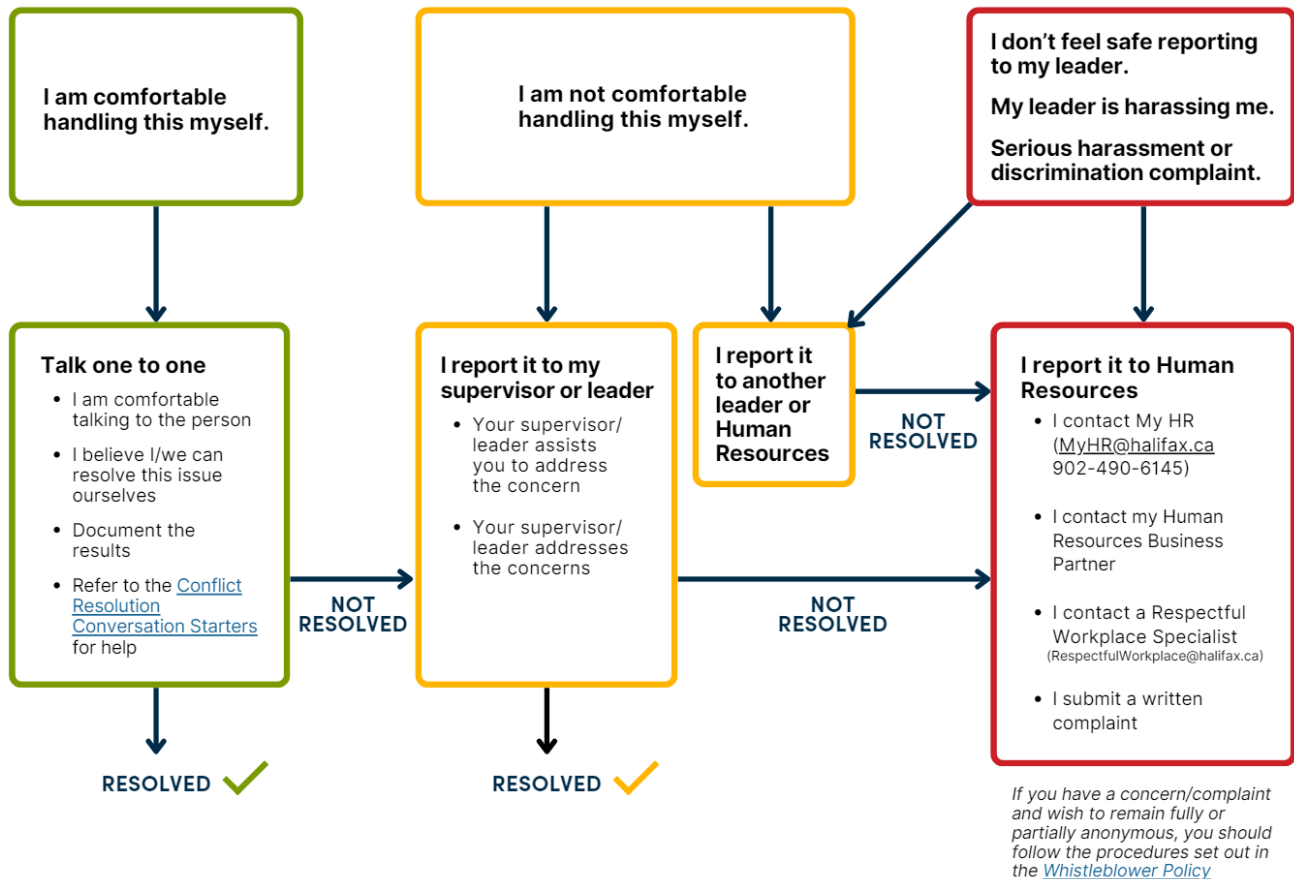
- Conversation Guide for Leaders
- Respectful Workplace Concern: Guidelines for Leaders (Employee to Leader)
- Behaviour Zones: Supervisors Guide

A [Respectful Workplace Specialist](#) can coordinate with you and other areas in Human Resources to help manage respectful workplace concerns.

6.0 I Have a Respectful Workplace Concern. What are my Options?

There are many options for employees to work through concerns proactively within the workplace. If you have observed or experienced an incident of disrespectful workplace behaviour, you can refer to the below flowchart to better understand your responsibilities and options for addressing disrespectful workplace behaviour.

What steps should I take to handle a respectful workplace concern?



1. I have a respectful workplace concern and I am comfortable handling it myself. I believe that we can resolve this issue ourselves within the workplace. What should I do?

If you feel comfortable, you should talk one to one to the person(s) involved. Talk calmly and respectfully with the person about what they said or did that you found hurtful or offensive. The following tools, available at intranet.halifax.ca/respect, have tips on how to approach this conversation:

- *Conflict resolution conversation starters*
- *Employee resource for difficult conversations*

2. I have a respectful workplace concern and I don't feel comfortable handing it myself, OR I have already tried and was unsuccessful. I need support to address my concern. What should I do?

If you don't feel comfortable talking with the person(s), or your previous attempts to address it directly with the person(s) did not resolve the concern, you should talk to your supervisor or leader for support.

If you don't feel comfortable talking to your supervisor or leader, OR if your concern is regarding your supervisor's behaviour, you should talk to another leader within your Business Unit or consult your Human Resources Business Partner.

3. I have experienced a serious incident, such as harassment or discrimination. What should I do?

OR

I have a respectful workplace concern regarding the behaviour of my supervisor/leader.

If your concern requires support outside of those available within your Business Unit, or you have experienced a serious incident such as harassment or discrimination, you should contact your Human Resources Business Partner or a Respectful Workplace Specialist, who will advise/support you in filling out and submitting a complaint using the Respectful Workplace Complaint Information Form. You can also talk with your union for support at any time during the process.

4. I am concerned for my immediate safety. What should I do?

If you are concerned for your immediate safety, or that of someone else, you must:

- remove yourself from the situation and seek out a safe location;
- call Corporate Security at 902.490.4561;
- call 911 if it is an emergency; and
- talk to a leader if you are unsure if something is to be reported.

5. I have a concern/complaint, but I want to remain anonymous.

If you wish to remain anonymous in the complaint process, you should follow the procedures set out in the [Whistleblower Policy](#).

7.0 I Contacted the Respectful Workplace Team. Now What?

You can contact a [Respectful Workplace Specialist](#) at any time to seek guidance on what option is best to address your concern. When you contact the Respectful Workplace Team, a Respectful Workplace Specialist will be assigned to your inquiry. Respectful Workplace Specialists provide consultation services and advice to employees and leaders to:

- manage and resolve conflict and respectful workplace incidents;
- interpret and apply the Respectful Workplace Policy;
- refer and educate employees about available resources (such as training, educational materials, Employee and Family Assistance Program, Union, etc.);
- receive complaints under the Respectful Workplace Policy and conduct complaint intake; and
- where necessary, investigate or provide alternative dispute resolutions.

7.1 I want to make a complaint. What should I expect?

If you submit a complaint or a complaint is referred to the Respectful Workplace Team, a Respectful Workplace Specialist will reach out to you to discuss your concern. This may be done in person, over the phone or over Microsoft Teams. Intake may require information gathering to determine the best option to address your concern. You will be asked questions, such as:

- Can you tell me about the behaviour(s) or incident(s) that led to your complaint submission?
- What steps have you taken to address the situation?
- Who have you consulted with about this issue (supervisor, leader, Human Resources, Union, other)?
- Would you consider informal resolution options, such as: facilitated discussion, coaching or mediation to address the issue?
- Are you prepared to share your name, Business Unit and details?
- What do you see as resolution?

Depending on the information gathered, the Respectful Workplace Specialist may:

- advise and support you with available options to manage and/or resolve the complaint;
- gather further information by speaking to others directly involved to better understand the situation and determine next steps;
- consult with your Human Resources Business Partner and/or Supervisor to determine the appropriate option to manage and resolve the complaint; or
- refer you to another area or person to help with your concern.

Ideally, each complaint is resolved at the earliest opportunity before the situation escalates.

After receiving all information, the Respectful Workplace Specialist will complete the Intake Analysis using the following factors to determine the most appropriate resolution method:

1. **Applicability:** the Complainant and Respondent (the person who the complaint is against) must be within the scope of the Respectful Workplace Policy
2. **Timeliness:** the most recent alleged incident occurred no more than twelve (12) months prior to the date of the complaint. Note: In exceptional circumstances, Human Resources may elect to accept a complaint outside of the specified time range, if the Complainant can demonstrate valid reason for the delay.
3. The subject matter of the complaint is in alignment with the Respectful Workplace Policy.
4. If the subject matter of the complaint has been, or is being, addressed through an alternate process (e.g. the grievance process or through the Nova Scotia Human Rights Commission) then the complaint will not be accepted.
5. The persistence of the alleged behaviour in duration and frequency.
6. The severity of the alleged behaviour.
7. The willingness of the Complainant and Respondent to resolve the matter through an Alternative Dispute Resolution process.
8. The gap between the Complainant's and Respondent's versions of the incident (e.g. there is a significant dispute over the central facts such that an investigation may be warranted).
9. Human Resources' recommendation as to the most suitable complaint resolution method.

Once the analysis is complete, a determination is made as to whether the complaint can be resolved through an [informal resolution method](#), or if an investigation is required.

There are four criteria used when determining the course of action:

1. What is the severity of the alleged behaviour?
2. How many people are involved in the complaint?
3. How long has this been going on and how much time has passed since the complaint was made or the last behaviour occurred?
4. What outcome(s) are the parties looking for?

Employees and leaders are expected to fully participate and cooperate in informal and formal resolution options recommended to manage workplace conflict.

8.0 What are Informal Resolution Options?

Informal resolution

Informal methods to manage or address conflict can be facilitated within the Business Unit by leaders, by Human Resources or by a third party hired by the Business Unit. An informal resolution method may also be referred to as Alternative Dispute Resolution (ADR). ADR is a process in which a facilitator helps the individuals involved in the dispute come to an agreement.

Informal resolutions are usually a more timely and collaborative way to resolve concerns. These processes provide you with an opportunity to be heard and to hear from the other person(s). ADR options preserve working relationships and help everyone involved learn better ways to prevent or resolve conflict in the future.

ADR is appropriate when one or more of the following conditions apply:

- you have a clear understanding of your job role, responsibilities and expectations as a municipal employee, including the Code of Conduct;
- everyone is willing and able to participate in the process and open to learning;
- there is minimal dispute of the facts;
- you need each other to do the work;
- you wish to reset working relationships and/or expectations around communication;
- it is not a long-standing issue; and
- there is not a serious violation of the Respectful Workplace Policy

ADR allows management to address incidents of workplace behaviour early and at the lowest possible level. The facilitator can halt the ADR process and opt for a different resolution option at any time in consultation with the Respectful Workplace Specialist.

After an ADR process, you may receive a written summary of the agreed-upon next steps and/or resolution, including recommended follow-up. You will be asked to keep the process confidential.

Depending on available resources, ADR processes may be conducted by various areas within Human Resources or by an external consultant.

There are many different informal resolution options available to address respectful workplace concerns, such as:

- A. Consultation:** An employee may wish to have a one-on-one discussion with an impartial person to discuss the conflict, determine options to manage and resolve the conflict, and/or to better understand what resources are available.

Consultation is helpful when:

- you need to talk to someone about your issue;
- you are not sure if you want or need to escalate the matter; and
- you want to understand your options.

- B. Facilitated Discussion:** A third party leads a dialogue between the Complainant and Respondent which may include others, as necessary. The third party can be a Supervisor, Manager or Human Resources. The goal of the discussion is to enable the Employees to understand the factors leading to the complaint, what changes in behaviour are necessary to prevent a recurrence and to communicate workplace values.

Essentially, the complaint is resolved with a promise to change the disrespectful behaviour.

A facilitated discussion is useful when:

- you and others involved agree to participate in resolution;
- you and others involved want to reset relationships and expectations and not revisit the conflict in detail;
- you want to have a conversation with support; and
- you depend on each other for work and need to work things out.

C. Mediation: A trained and impartial mediator assists the Complainant and Respondent in arriving at a mutually acceptable resolution to the harassment complaint by facilitating communication and insights between them. The process enables them to understand the underlying issues that caused the complaint, leading to an agreement on improving the working relationship and adhering to workplace values. Mediation requires the voluntary, good-faith participation of both the Complainant and Respondent. A successful mediation results in a signed agreement between the two parties.

Mediation is useful when:

- you and others involved agree to participate in resolution;
- you want to have a conversation; and
- you do not feel safe or comfortable enough to have a one-on-one meeting.

D. Restorative Process: A resolution process that strives to reduce harm and restore relationships by allowing those directly impacted and those who can affect the outcome, to work in a transparent and good faith manner to jointly create a forward-focused plan. The process gives the Respondent an opportunity to address the harm and take responsibility for disrespectful behaviour prior to a remedy being imposed. More serious or complex harms may require the assistance of a restorative facilitator to help the Complainant and Respondent analyze what happened and work on solutions to prevent the harms from recurring.

Restorative Processes are useful when:

- there has been significant disruption to workplace relationships;
- there is a desire to improve mutual trust, workplace morale and day-to-day relationships; and
- there is a mutual desire to understand other participant's perspectives, feelings and impacts.

E. Training: Some complaints may reveal issues within the workplace that require additional training. Training requirements are identified on a case-by-case basis and are

recommended by the Respectful Workplace Specialist in conjunction with a Learning and Development Specialist.

Training is useful when:

- a leader identifies a need for additional education or information for their Business Unit; or
- the nature of the behaviour leading to the complaint indicates the Respondent(s) could benefit from specific training programs that support a Respectful Workplace. Such training may include, but is not limited to:
 - Respectful Workplace Training for Leaders
 - Respectful Workplace Training for Employees
 - Our Values
 - Diversity and Inclusion: An Overview

F. Workplace Assessment: A voluntary, confidential process designed to assess group functioning in the workplace. Workplace Assessments address issues on a group-wide basis and are not limited to only Complainant and Respondent participation. Typically, Workplace Assessments are post-incident and used to address morale, as well as systemic and widespread conflict issues.

Workplace Assessments are useful when:

- leadership is ready and committed to the process;
- team members are open to the process;
- there are interdependent work relationships in the team/area;
- underlying disciplinary and performance issues have been, or are being, addressed; and
- there is good clarity on working roles and responsibilities.

9.0 What is a Formal Resolution? (Investigation)

In some situations, an investigation is required to manage and resolve complaints under the Respectful Workplace Policy.

After intake, a Respectful Workplace investigation may be conducted to determine if there has been a violation of the Respectful Workplace Policy. An investigation is a formal, complaint-driven process conducted by Human Resources, in which an Investigator gathers and analyzes evidence to determine whether the Respectful Workplace Policy has been violated.

If you haven't already done so, you must:

1. Document your complaint with as much detail as you can recall using the Respectful Workplace Complaint Information Form, which should include:
 - the name of the person(s) you are complaining about and where the incident happened;
 - a timeline of events and description of what incidents or behaviours have occurred;
 - all witnesses to the incident(s);
 - a description of what actions you have taken to date (i.e. told the person to stop, notified the supervisor, etc.); and
 - what you see as a preferred resolution to the complaint.
2. Gather any documentation or evidence you have to support your complaint.
3. Review the Respectful Workplace Policy and ask questions about the investigation process.
4. Maintain confidentiality (you can speak to your leader and/or your Union representative).

You have the right to file a complaint. You are protected by the Respectful Workplace Policy and the Nova Scotia Human Rights Act against harassment and discrimination, and retaliation for bringing forward a complaint.

You may access the Employee and Family Assistance Program for support as needed during the complaint process. Union employees are also reminded to contact their union for support and to discuss available options for managing workplace conflict.

9.1 What should I expect during an Investigation?

Once it has been determined that the complaint will be investigated, an impartial investigation will be conducted. Investigations may be conducted internally or by an external investigator. All employees have the right to have a support person present during investigation interviews.

In summary, the investigator will:

1. Meet with the Complainant (the person who submitted the complaint) to clarify the allegations and details of the complaint. The Complainant will identify witnesses and provide any relevant supporting documents.
2. Contact appropriate leaders in the workplace/Business Unit to advise them of the investigation. Leaders may provide additional relevant information and will support next steps following the Respectful Workplace Investigation.

3. Meet with the Respondent (the person who the complaint is against) to respond to the allegations. The Respondent will identify witnesses and provide any relevant supporting documents.
4. If necessary, meet with witnesses and anyone else relevant to the investigation, to gather relevant information pertaining to the allegations and supporting documentation.
5. Prepare a report of the findings. The investigator will also provide the Complainant and Respondent a brief summary of the findings.

Depending on complaint complexity, subsequent meetings with the Complainant, Respondent and witnesses may be required. All information gathered during the investigation, including the written report or summary, will be kept confidential and shared on a need-to-know basis only.

Following an investigation, it may be recommended that involved parties participate in a restorative process to assist in repairing working relationships. Based upon the findings of the investigation, discipline may be warranted. Discipline will be determined by the appropriate leader in consultation with Human Resources (Labour Relations and/or the Human Resources Business Partner).

10.0 Representation and Support

The Respectful Workplace team is committed to working with unions to facilitate a safe and healthy workplace.

Employees may bring a support person to complaint related meetings. It is the employee's responsibility to engage their support person, as required. The role of the support person is to observe and provide emotional support. Support persons are not permitted to speak on behalf of the employee. Unionized employees may be entitled to union representation as outlined in their collective agreement and may consult with their union at any time during the complaint process.

Other support requests, including accommodation requests, will be considered on a case-by-case basis.

11.0 Will my Complaint be Kept Confidential?

During the complaint process (e.g. complaint intake, meetings with Human Resources, informal resolution processes, investigations) confidentiality will be respected and maintained as much as reasonably possible.

Complainants will always be informed about who is being made aware of their complaint.

The information provided in a complaint, including identifying information about individuals or witnesses involved, will not be disclosed unless necessary for the purpose of investigating, taking corrective action, addressing threats of harm to self and others, or as required by law.

Complainants, Respondents, witnesses and leaders (managers and/or supervisors) who are aware of the complaint are not allowed to share information related to the complaint, except when they are seeking advice from legitimate sources (e.g. their union representative, EFAP counselor, external legal counsel, or other person in a position reasonably able to offer assistance).

11.1 What information will be placed on my employee personnel file?

Reports, notes and other complaint-related documents created by an investigator, mediator or person conducting a workplace assessment will be kept secure and separate from your employee personnel file.

- **If a complaint is resolved through mediation:** any agreements, notes and related documents are kept separate from personnel files and are retained by the Mediator. The Complainant and Respondent are provided with a copy of any agreements resulting from mediation.
- **If a workplace assessment is conducted:** notes and related documents that identify an individual are retained by the assessor. Workplace assessment reports used for presentations to leaders, Human Resources and employees must not contain information that could identify an employee.
- **If a good faith complaint is unfounded (i.e. there are no further proceedings or there was no breach of the policy determined to have occurred):** there will be no reference to the complaint or any subsequent investigation on the Complainant or Respondent's personnel file.
- **If an investigation determines that a breach of the Policy has occurred:** the Investigation Report can be referenced in a disciplinary letter placed in the personnel file of the Respondent being disciplined. Placing and retaining this record on the Respondent's personnel file must comply with any applicable Collective Agreements.
- **If a formal disciplinary process arises as a result of investigation findings:** the investigator's interview notes and other documents, including the investigation report, may be disclosed in an arbitration or Nova Scotia Human Rights Commission proceeding. Witnesses to the investigation may be called upon to testify in an arbitration or Human Rights Board of Inquiry.

12.0 Monitoring and Prevention

The Halifax Regional Municipality is committed to addressing disrespectful workplace behaviours early to minimize the potential for incidents that may lead to workplace violence. The Toolkit will be reviewed annually by Human Resources. The municipality is committed to working with employees and groups to ensure continuous improvement to this process. All

employees will be provided with information and instruction on the contents of the Respectful Workplace Policy and the Respectful Workplace Toolkit.

13.0 Additional Resources

The Respectful Workplace Team is one of many resources available to employees and leaders to report and manage workplace conflict. Below are other available resources:

- Direct Supervisor
- Leader(s)
- Human Resources Business Partner
- Corporate Security
- Office of Diversity and Inclusion/ANSAIO
- Office of the Chief Administrative Officer
- Union Groups
- Employee Health and Wellness programs
- Applicable policies
 - Respectful Workplace Policy
 - Code of Conduct Policy
 - Whistleblower Policy
 - Workplace Violence Prevention Procedure
 - Substance Misuse Policy
 - Social Media Policy
 - Learning and Development Policy
- Employee and Family Assistance Program
 - Employee and Family Assistance Program (EFAP) All Employees who are negatively impacted by workplace behaviours are encouraged to consult with the Homewood Health our Employee and Family Assistance Provider. Our EFAP program offers 24-hour service and is completely confidential and free of charge. For more information on EFAP, you can visit the website at: homeweb.ca or contact at: 902.466.EFAP (3327) or Toll Free at 1.800.663.1142.