


Chapter:	Human Resources	Classification:	Public Document
Subject:	Addressing Human Rights Incidents in the Workplace		
For:	Entire Division	 Authorized by Executive Director	


1. Policy

- 1.1 Correctional Services will not tolerate workplace discrimination and harassment and will hold **all** employees accountable for any mistreatment of other staff and offenders.
- 1.2 All employees are expected to
 - 1.2.1 contribute to the development and maintenance of a safe, healthy and secure work environment, free of harassment
 - 1.2.2 treat other employees, the public and offenders with respect, dignity and courtesy
 - 1.2.3 refrain from the use of potentially harmful or discriminatory language
- 1.3 Correctional Services will ensure to address incidents of workplace discrimination and harassment involves every employee in accordance with
 - 1.3.1 *Civil Service Act*
 - 1.3.2 *Human Rights Act*
 - 1.3.3 *Correctional Services Act*
 - 1.3.4 *Correctional Services Regulations*
 - 1.3.5 Code of Professional Conduct
 - 1.3.6 Respectful Workplace Policy
 - 1.3.7 Workplace Violence Prevention Policy
 - 1.3.8 current collective agreements
 - 1.3.9 and this policy

2. Definitions

- 2.1 **Employee:** all bargaining unit and excluded employees as defined in the *Civil Service Act* or the *Correctional Services Act*.
- 2.2 **Harassment:** an objectionable conduct or comment directed towards a specific person, which serves no legitimate work purpose, and creates an intimidating, humiliating, hostile or offensive work environment. It is a form

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of bullying, harassment and violence that is often a manifestation of abuse of power.

- 2.3 **Discrimination:** treating an individual or members of a particular group differently (by intention or otherwise) based on one or more of the protected characteristics as defined in the *Nova Scotia Human Rights Act*.
- 2.4 **Policy Violation:** failure to comply with any terms or conditions of this policy whether intentional or unintentional.
- 2.5 **Supervisor:** any person employed in a full time or acting capacity, who have management or supervisory responsibilities.

3. Guiding Principles

- 3.1 Correctional Services is committed to fostering a workplace that is free from discrimination and/or harassment whether intentional or not, and will ensure that all staff are aware of processes available to address and resolve incidents of discrimination and/or harassment.
- 3.2 All allegations of discrimination and/or harassment are treated seriously and handled on a confidential basis, with the aim to preserve dignity, self-respect and the rights of all parties.
- 3.3 Responses to discrimination and/or harassment will
 - 3.3.1 be addressed within processes and time frames identified by the Nova Scotia Government [Respectful Workplace Policy](#)
 - 3.3.2 address identified problem
 - 3.3.3 restore positive and productive work environments
 - 3.3.4 hold those involved in discriminatory and/or harassing behaviour accountable for their actions
 - 3.3.5 address issues in a manner that ensures **confidentiality** and maintains **dignity and fairness**
- 3.4 To provide ongoing education and training to all correctional staff to
 - 3.4.1 support a cultural and attitudinal shift in organizational behavior
 - 3.4.2 create a workplace respectful of individual rights and freedoms

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- 3.4.3 reduce complaints to the Human Rights Commission by effectively addressing and resolving disputes
- 3.4.4 to make staff aware of the Nova Scotia Government [Respectful Workplace Policy](#)


4. Resolution Options

- 4.1 Employees experiencing workplace discrimination and/or harassment have options available to address the behavior and achieve a satisfactory resolution, including
 - 4.1.1 communicating concerns directly to persons involved in the incident
 - 4.1.2 communication concerns to a supervisor or human resource professional
 - 4.1.3 file a formal complaint with the Respectful Workplace Coordinator
 - 4.1.4 file a grievance with the Nova Scotia General Employees Union (NSGEU)
 - 4.1.5 file a complaint under the criminal code

5. Employee Responsibility

- 5.1 To communicate concerns and complaints employees may utilize one or more of the following options in no specific order:
 - 5.1.1 Employees may also bring the concern directly to the attention of a supervisor or human resource professional **not involved in the incident** and request assistance in resolving the complaint.
 - 5.1.2 Employees witnessing a discriminatory and/or harassing situation should report the matter to a supervisor.
 - 5.1.3 Employees witnessing a discriminatory and/or harassing situation should report the matter to a supervisor.
- 5.2 Employees who choose to participate in mediation are required to commit to participating in good faith towards seeking a reasonable resolution.
- 5.3 All employees are expected to work towards a successful resolution by not engaging in behaviors that will undermine the process by
 - 5.3.1 discussing the situation with their colleagues

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- 5.3.2 gossiping
- 5.3.3 speculating

5.4 No employee will take or threaten to take retaliatory measures against another employee because they have acted in compliance with this policy. This behavior is considered a policy violation.

6. **Supervisor's Responsibility**

- 6.1 Correctional Services supervisors are responsible to
 - 6.1.1 lead by example
 - 6.1.2 take measures to ensure a work environment that is free from offensive behaviour
 - 6.1.3 take measures to address all complaints
 - 6.1.4 immediately address the behaviour
 - 6.1.5 in consultation with human resources determine if an informal complaint resolution is appropriate
 - 6.1.6 inform the employee of resolution options
 - 6.1.7 take action, even in the absence of a complaint, should they become aware of a violation of this policy

7. **Privacy Violations**

- 7.1 Any employee found to have violated this policy may be subject to discipline up to and including dismissal.
- 7.2 Supervisors who fail to take appropriate action to resolve complaints or fail to act appropriately on findings of discrimination and/or harassment, in accordance with this policy may be subject to discipline including termination.
- 7.3 All disciplinary actions pertaining to this policy violation will be in accordance with
 - 7.3.1 Manual 500, Chapter 9, Performance Management
 - 7.3.2 collective agreements
 - 7.3.3 *Civil Service Act*

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