

ADMINISTRATIVE MANUAL

Policy

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(Note: All capitalized terms are defined in Appendix A – Definitions)

PREAMBLE

Nova Scotia Health Authority (NSHA) is committed to fostering an environment that values diversity, and where all Staff, Patients, families, visitors, and others are treated and treat others with respect and dignity in accordance with the [Mission, Vision and Values](#) and the [NSHA Code of Conduct](#). This commitment applies whether at the Workplace or elsewhere in the course of employment responsibilities, including work-related social events, travel, off site meetings, or provision of services outside NSHA facilities.

The purpose of the policy is to:

- Establish a culture of shared responsibility and cooperation in promoting a positive work environment free of all forms of Offensive Behaviour;

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- Create an understanding of what is considered Offensive or Disrespectful Behaviour;
- Promote prevention and prompt resolution of Offensive and Disrespectful Behaviour.

For incidents involving Patient Complaints, refer to [NSHA AD-QR-001 Abuse Prevention and Response](#).

For incidents involving Violence in the Workplace, refer to [NSHA AD-OHS-010 Violence in the Workplace](#).

Incidents involving individuals who are not NSHA Employees will be reviewed by People Services and directed toward the respective employer or accountable body.

POLICY STATEMENTS

1. NSHA is committed to providing a healthy, safe, and Respectful Workplace that values diversity; where all persons are treated and treat others with respect and dignity.
2. All Staff have a shared responsibility to promote and sustain a Respectful Workplace, and are responsible for respecting the dignity and human rights of their co-workers and the communities served by NSHA. All Staff are expected to actively welcome diversity, as well as participate in and work collaboratively towards ensuring a healthy Workplace that is free from Offensive or Disrespectful Behaviour.
3. This Policy is not intended to discourage or prevent any person from:
 - 3.1. Pursuing a Complaint under any applicable legislation (including the [Nova Scotia Human Rights Act](#) and [Criminal Code of Canada](#));
 - 3.2. Filing a grievance under any applicable collective agreement;
 - 3.3. Pursuing a Complaint under the provisions of any governing professional association; and/or
 - 3.4. Exercising any other legal rights under any other law.
4. In accordance with Workplace rights set out under the [Nova Scotia Human Rights Act](#), every Staff has the right to be free from Harassment and Discrimination on the following protected grounds:

• Age	• Physical disability
• Race	• Mental disability
• Colour	• An irrational fear of contracting an illness or disease
• Religion	• Ethnic, national or aboriginal origin
• Creed	• Family status
• Sex (includes pregnancy)	• Marital status
• Sexual orientation	• Source of income
• Gender identity	• Political belief, affiliation or activity
• Gender expression	

- Individual's association with another individual or class of individuals having characteristics of one or more of the protected grounds
5. All Staff have the right to bring forward allegations of Offensive or Disrespectful Behaviour and make either an Informal or Formal Complaint.
 - 5.1 Staff are responsible to report incidents of Offensive or Disrespectful Behaviour they witness or become aware of – either through an Informal or Formal Complaint;
 - 5.2 Complaints are made as soon as reasonably possible;
 - 5.3 If a member of a union, as the Complainant or the Respondent, Staff have the right to be accompanied and assisted by a union representative of their choosing through an Informal or a Formal Complaint process.
 6. Complaints are taken seriously and addressed in an appropriate and timely manner. Discipline up to and including termination may result if:
 - 6.1. There is a failure to abide by this Policy;
 - 6.2. There is a finding of a substantiated Complaint of Offensive or Disrespectful Behaviour;
 - 6.3. There is Retaliation against a party involved in the incident of alleged Offensive or Disrespectful Behaviour. This includes, but is not limited to, Retaliation against Staff for:
 - 6.3.1. Filing a Complaint or expressing an intention to file a Complaint;
 - 6.3.2. Providing evidence, information, or assistance in relation to a Complaint;
 - 6.3.3. Participating in any process under this Policy; and
 - 6.3.4. Being identified as the Respondent to a Complaint.
 7. All Staff are responsible to fully cooperate with the procedures contained in this Policy, including but not limited to, cooperating during an investigation and/or resolution process, and maintaining confidentiality and respecting the privacy of those involved.
 8. Complaints must be made in good faith. A Complaint that is frivolous, vexatious, or malicious in nature and/or is knowingly false may result in Discipline up to and including termination.
 9. Nothing in this policy compromises NSHA's obligation and authority to take immediate action to ensure a safe, Discrimination-free, and Harassment-free Workplace.
 10. This policy promotes Staff involvement in resolving situations. There are various resolution options such as Informal Resolution, Mediation, and Formal Resolution. Depending on the Complaint, Staff may be supported and encouraged to pursue the Informal Resolution process initially. However, they may proceed directly to Formal

Resolution if they feel it is necessary. Mediation is encouraged at any point in the process.

11. Privacy and Confidentiality

- 11.1. Staff are expected to maintain confidentiality and respect the privacy of all other parties involved in an incident of Offensive or Disrespectful Behaviour.
- 11.2. Recognizing the sensitivity and complexity of Complaints of Offensive or Disrespectful Behaviour, confidentiality is critical and is maintained to the extent practical and appropriate.
- 11.3. All parties to a Complaint, including Witnesses, are expected to maintain confidentiality and respect the privacy of all parties involved. This requires that discussion of the Complaint be limited to those who need to know and to those participating in any attempts to resolve the Complaint.

GUIDING PRINCIPLES AND VALUES

1. NSHA has a duty to protect all Staff from Harassment and Discrimination and to fulfill its responsibilities under the [Nova Scotia Human Rights Act](#). NSHA is committed to raising awareness of Staff rights and responsibilities and ensuring an appropriate process for filing, assessing, investigating, and resolving Complaints.
2. Respect is a [Value of NSHA](#) and underlies our interactions with each other and the people we serve. It insists on caring, compassion, understanding, and [embraces our diversity](#) to foster a positive Workplace for good health. Offensive or Disrespectful Behaviour in the health care Workplace has a negative impact on Patient care, as well as the health, safety, morale, and productivity of Staff.

ROLES AND RESPONSIBILITIES

Respectful Behaviour is a requirement of all Staff and an expectation of all Patients, families, visitors, and others within NSHA.

1. Senior Leadership

- 1.1. Take steps to create a Workplace that promotes respectful behaviour between Staff, Patients, families, visitors, and others;
- 1.2. Treat all Staff, Patients, families, visitors, and others with dignity and respect;
- 1.3. Make resources available to Staff to assist in understanding and resolving incidents of Offensive or Disrespectful Behaviour;
- 1.4. Maintain a procedure for addressing incidents of Offensive or Disrespectful Behaviour; and
- 1.5. Let Staff, Patients, families, visitors, and others know through their own actions that respectful behaviour is expected.

2. Managers/Supervisors

- 2.1 Treat all Staff, Patients, visitors, and others with dignity and respect;
- 2.2 Inform all Staff of this Policy, including their roles and responsibilities;
- 2.3 Provide Staff with opportunities to develop skills in dealing with Offensive or Disrespectful Behaviour;
- 2.4 Coach Staff regarding resources for addressing Offensive or Disrespectful Behaviour;
- 2.5 Address Offensive or Disrespectful Behaviour demonstrated by Staff by coaching, facilitating conversations, and/or enacting Discipline in a timely manner;
- 2.6 Address Offensive or Disrespectful Behaviour demonstrated by Patients, families, visitors, and others in a respectful, private manner to ensure appropriate conduct in our Workplace;
- 2.7 Collaborate with People Services in addressing repeated and/or escalated incidents of Offensive or Disrespectful Behaviour;
- 2.8 Advise Staff of available support resources, including union representatives, Employee and Family Assistance Program (EFAP), and People Services;
- 2.9 Let Staff, Patients, families, visitors, and others know through their own actions that respectful behaviour is expected;
- 2.10 Participate in any resolution process by ensuring that the requirements of the process are adhered to in a timely and appropriate manner.

3. Staff:

- 3.1. Treat all Staff, Patients, families, visitors, and others with dignity and respect;
- 3.2 Develop skills to constructively address Offensive or Disrespectful Behaviour in a professional manner;
- 3.3 Access resources and supports to address Offensive or Disrespectful Behaviour;
- 3.4 Follow resolution processes and/or participate in resolution processes;
- 3.5 Acknowledge their role in incidents of Offensive or Disrespectful Behaviour;
- 3.6 Hold others accountable for incidents of Offensive or Disrespectful Behaviour; and
- 3.7 Let Staff, Patients, families, visitors, and others know through their own actions that respectful behaviour is expected.

4. People Services:

- 4.1. Develop training, policies and procedures related to the Respectful Workplace policy, and monitor compliance with the policy;
- 4.2. Respond to allegations of Offensive Behaviour through the Informal, Formal, and/or Mediation Resolution process;

- 4.3 Ensure Complaints are processed in a fair, efficient and transparent manner. Determine the best approach based on the facts and circumstances of the situation;
- 4.4 Act in a coaching and advisory capacity on issues of Offensive or Disrespectful Behaviour and on Workplace restoration or Discipline.

PROCEDURE

1. All Staff use the resources available to them to increase their capacity to address Offensive or Disrespectful Behaviour in the Workplace.
 - 1.1 Sources of support and skill development include:
 - 1.1.1 Formal and informal leaders, and colleagues;
 - 1.1.2 Employee and Family Assistance Program (EFAP);
 - 1.1.3 People Services;
 - 1.1.4 Conflict resolution and communication competence building activities;
 - 1.1.5 Union Representatives; and
 - 1.1.6 Incident reporting systems (to seek guidance and determine whether an incident is Offensive or Disrespectful Behaviour or meets the criteria for Workplace Violence).
2. Informal Resolution: When faced with Offensive or Disrespectful Behaviour, the Complainant:
 - 2.1 If appropriate, attempts an Informal Resolution with the Respondent in a respectful and professional manner by calmly informing the Respondent of the impact of their behaviour and requests that it not happen again. The Complainant should ensure the choice of an appropriate time and place for the Informal Resolution – one that respects that maintains confidentiality and privacy;
 - 2.2 Documents all efforts made to resolve the situation;
 - 2.3 If the Offensive or Disrespectful Behaviour continues, and if comfortable in doing so and it is appropriate, speaks with the Respondent again and attempts to resolve the situation. If required, the Complainant should seek guidance and assistance from the manager and/or the Respondent's manager and/or People Services;
 - 2.4 If uncomfortable in addressing again, Informal Resolution is not appropriate, or unsuccessful, the Complainant may make a Formal or Informal Complaint of Offensive or Disrespectful Behaviour against the Respondent, verbally, in person, electronically, or in writing to a manager or People Services Designate.
- 3 Assessment of Informal Complaint
 - 3.1 If a Complaint is made under the Informal Resolution process, the Complainant, Manager, and People Services Designate discuss the alleged Offensive or Disrespectful Behaviour with the Respondent(s).

- 3.2 Together, the parties involved attempt to resolve the matter through Informal Resolution and/or Mediation.
- 3.3 If Informal Resolution and/or Mediation is unsuccessful, the matter may be escalated to the Formal Resolution process.
- 3.4 At any time, the Complainant or Respondent to Complaint may choose to escalate the matter to a Formal Complaint.

4 Making a Formal Complaint

- 4.1 Staff may choose to file a Formal Complaint. Individuals filing formal Complaints must do so in good faith and have reasonable grounds for the Complaint.
- 4.2 Complainants may make Formal Complaints either verbally or in writing, to a manager or People Services Designate.
- 4.3 The Formal Complaint contains as much detail as possible, including:
 - 4.3.1 Specific behaviour being alleged as Offensive or Disrespectful Behaviour;
 - 4.3.2 Dates, times, and locations of incidents;
 - 4.3.3 Names and details regarding the persons involved;
 - 4.3.4 Names and details regarding potential Witnesses;
 - 4.3.5 Any relevant documentation;
 - 4.3.6 Information about any attempts at Informal Resolution, Mediation, or conflict resolution of any kind; and
 - 4.3.7 Remedy being sought by the Complainant.

5. Assessment of Formal Complaint

- 5.1 In consultation with the Complainant's manager (only if appropriate), the People Services Designate conducts an initial assessment to determine the appropriate next steps, including:
 - 5.1.1. Clarifying the details of the Complaint with the Complainant;
 - 5.1.2. Determining whether the allegations, if substantiated, meet the definition of Offensive or Disrespectful Behaviour;
 - 5.1.3. Determining the appropriateness of any intermediate steps to ensure the health and safety of the parties involved; and
 - 5.1.4. Assessing the need for external resources to assist with the Formal Resolution. When possible and depending on the nature of the Complaint, efforts will be made to resolve the Complaint at this stage prior to moving to formal investigation.

6. Formal Resolution Process

- 6.1. Investigation:

- 6.1.1. If an Informal Resolution is not possible, the Complaint will be escalated and a formal investigation will be conducted.
 - 6.1.2. An Investigation Committee is established.
 - 6.1.3. The Investigation Committee is comprised of one or more People Services Designates, and/or other appointed Investigators.
 - 6.1.4. The Investigation Committee conducts the investigation in a fair, unbiased, and timely manner.
 - 6.1.5. Every effort is made to complete the investigation within 90 days. However, the circumstances of each situation are considered. The time frame to complete the investigation may be extended where it is necessary to ensure procedural fairness, including sufficient opportunity for the parties to provide information, and adequate time to interview all Witnesses and gather relevant information. The parties will be informed of the status of the ongoing investigation and advised of the reasons for any delay.
 - 6.1.6. The parties to a Formal Complaint (including the Complainant, Respondent, Witnesses, and the manager(s) involved) are required to cooperate fully during the investigation and/or resolution process. This includes maintaining confidentiality and respecting the privacy of those involved.
 - 6.1.7. The Investigation Committee has the authority to speak with anyone, examine any documents (whether physical or electronic), and enter any NSHA Workplace which, in their opinion, is deemed relevant to the investigation.
- 6.2. Evidence and Findings:
- 6.2.1. The Respondent is advised in writing of the Formal Complaint with details of the allegations. The Respondent has an opportunity to provide a written response and to meet with the Investigation Committee.
 - 6.2.2. Members of the Investigation Committee interview relevant Witnesses and gather all pertinent information and documents.
 - 6.2.3. The Complainant and Respondent are provided with opportunities to respond to the evidence gathered from Witnesses and/or documents in order to provide additional or clarifying information.
 - 6.2.4. Upon reviewing all the evidence, the Investigation Committee prepares a report and communicates the findings to the parties and their manager(s). The Investigation Committee also makes recommendations regarding actions to be taken to address the Formal Complaint.
- 6.3. Remedial Actions and Discipline:
- 6.3.1. The findings and recommendations of the Investigation Committee are reviewed by the manager(s) and People Services to determine the appropriate remedial action(s) to be taken, including but not limited to:

- 6.3.1.1. Mediation or conflict resolution;
- 6.3.1.2. Education, training, or coaching; and/or
- 6.3.1.3. Discipline, up to and including termination.

7. Documentation

7.1. People Services keep any and all information related to the investigation and/or resolution of a Formal Complaint in a confidential investigation file. Documentation of the Offensive or Disrespectful Behaviour follows the following criteria:

- 7.1.1. If the Complaint is unfounded, no documentation will be retained on the Employee Record of either the Complainant or Respondent.
- 7.1.2. If the Complaint is found to be made in Bad Faith, frivolous, or vexatious, documentation of the resulting Discipline will be retained on the Complainant's Employee Record. In this case, no documentation is to be retained on the Respondent's Employee Record.
- 7.1.3. If the Complaint is founded, documentation of the resulting Discipline will be retained on the Respondent's Employee Record. In this case, no documentation is to be retained on the Complainant's Employee Record.

7.2. Investigation records are not kept in the Employee Record of Complainants, Respondents, Witnesses, or any other Staff involved in a Formal Complaint and/or investigation with the following exceptions:

- 7.2.1. Where there is a finding of Offensive or Disrespectful Behaviour, any resulting disciplinary letter is kept on the Respondent's Employee Record.
- 7.2.2. Where the Formal Complaint is determined to have been made in Bad Faith, any resulting disciplinary letter is kept on the Complainant's Employee Record.

8. Staff involved in a Formal Complaint may choose to retain their own independent legal counsel; however, NSHA will not be responsible for any associated costs/legal fees of Staff retaining their own legal counsel.

9. If either party to a Complaint (Complainant or Respondent) believes that the Complaint is not being handled in accordance with this Policy, they should contact the Senior Director, People Services.

REFERENCES

Legislative Acts

Government of Canada. (2017). R.S.C., 1985, c. C-46, [Criminal Code](http://laws-lois.justice.gc.ca/PDF/C-46.pdf). Retrieved from <http://laws-lois.justice.gc.ca/PDF/C-46.pdf>

Province of Nova Scotia. (2009). [Violence in the Workplace Regulations](http://novascotia.ca/just/regulations/regsviolence.htm) made under Section 82 of the Occupational Health & Safety Act. Retrieved from <http://novascotia.ca/just/regulations/regsviolence.htm>

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Province of Nova Scotia. (2013). Chapter 214 of the Revised Statutes, 1989. [Human Rights Act](http://nslegislature.ca/legc/statutes/human%20rights.pdf). Retrieved from <http://nslegislature.ca/legc/statutes/human%20rights.pdf>

Province of Nova Scotia. (2016). Chapter 5 of the Acts of 1993. Retrieved from: [Freedom of Information and Protection of Privacy Act](http://nslegislature.ca/legc/statutes/freedom%20of%20information%20and%20protection%20of%20privacy.pdf). Retrieved from <http://nslegislature.ca/legc/statutes/freedom%20of%20information%20and%20protection%20of%20privacy.pdf>

Province of Nova Scotia. (2017). Chapter 7 of the Acts of 1996. [Occupational Health & Safety Act](http://nslegislature.ca/legc/statutes/occupational%20health%20and%20safety.pdf). Retrieved from <http://nslegislature.ca/legc/statutes/occupational%20health%20and%20safety.pdf>

References

The Regents of the University of California, Davis campus. (2017). *Human Resources: Corrective Action (Discipline)*. Retrieved from http://www.hr.ucdavis.edu/Elr/er/corrective_action/index.html

Nova Scotia Health Authority. Diversity & Inclusion. Retrieved from <http://www.cdha.nshealth.ca/diversity-inclusion>

RELATED DOCUMENTS

Policies and Statements

[NSHA AD-QR-001 Abuse Prevention and Response – Protection of Persons in Care](#)

[NSHA Code of Conduct](#)

NSHA-AD-HR-030 Discipline (Pending)

[NSHA-AD-OHS-010 Violence in the Workplace](#)

[NSHA Workplace Violence Prevention Statement](#)

[NSHA Workplace Violence Program](#)

[NSHA Vision, Mission, and Values](#)

Appendices

[Appendix A – Definitions](#)

[Replacing the Following District Health Authority Policies/Version History](#)

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Appendix A – DEFINITIONS

- Bad Faith:** In terms of a Complaint, it is frivolous, vexatious, or malicious in nature and/or is knowingly false, which may result in Discipline for the Complainant.
- Balance of Probabilities:** This is the civil standard of proof requiring that the Complainant establish on a Balance of Probabilities that it is more likely than not that the alleged events occurred.
- Bullying:** Behaviour that could mentally hurt or isolate a person in the Workplace. Bullying usually involves repeated incidents or a pattern of behaviour that is intended to cause or should be known to cause, whether directly or indirectly, fear, intimidation, humiliation, exclusion, distress, or other harm to another person's body, feelings, self-esteem, reputation or property, and includes assisting or encouraging such behaviour in any way. The behaviour may be verbal, non-verbal, written, via computer, social networks, text messaging, instant messaging, electronic mail, or any other electronic medium. It can be an assertion of power through aggression. Comments that are intended to provide constructive feedback are not normally considered Bullying.
- Bullying may be indicated by:
- Criticism that is persistent and non-constructive
 - False allegations of incompetence
 - Unreasonable/impossible work targets being set with inadequate or no negotiation
 - Disparaging comments being made behind a person's back
 - Yelling or using profanity
 - Belittling a person's opinions
 - Tampering with a person's personal belongings or work equipment
- Complainant:** A person (or persons) alleging that Offensive or Disrespectful Behaviour has occurred. The Complainant need not be the target of the alleged behaviour. NSHA may act as a Complainant when, in NSHA's sole opinion, the circumstances are appropriate for it to do so.
- Complaint:** An Informal Complaint or a Formal Complaint of Offensive or Disrespectful Behaviour.

Discipline:	A process between a manager and Employee to address an Employee's failure to adhere to policies or standards of performance, conduct or behaviour. This process can include verbal or written warnings, suspension and/or termination of employment.
Discrimination:	Making a distinction, whether intentional or not, based on a protected ground or perceived protected ground under the <i>Nova Scotia Human Rights Act</i> that has the effect of imposing burdens, obligations or disadvantages on an individual or class of individuals not imposed on others or which withholds or limits access to opportunities, benefits and advantages available to others as per the <i>Nova Scotia Human Rights Act</i> .
Disrespectful Behaviour:	Behaviour toward others that is undesirable, inappropriate, Offensive, unsuitable or improper which leads to an uncomfortable, hostile and/or intimidating work environment. The behaviour may be verbal, non-verbal, written or electronic. It can also be described as the assertion of power through aggression. Disrespectful Behaviour that is repeated with intent to embarrass or humiliate may be considered Bullying or Harassment.
Employee:	A person working at NSHA whose salary and compensation are provided by NSHA.
Employee Record:	The individual personnel file of an Employee, which is maintained by the employer, and contains all of the relevant employment history and information for the Employee.
Formal Complaint:	A Complaint being addressed through the Formal Resolution Process.
Formal Resolution:	Consists of a formal investigation wherein the findings are based on an objective assessment of the evidence sufficient to determine, on the Balance of Probabilities, if Offensive or Disrespectful Behaviour occurred or did not occur.
Harassment:	For the purposes of this Policy, Harassment includes Harassment based on the protected grounds under the <i>Nova Scotia Human Rights Act</i> , as well as, sexual Harassment, Discrimination, Bullying, and behaviour that creates a hostile and offensive Workplace. This includes any offensive or inappropriate persistent implicit or explicit behaviour by NSHA Staff that is directed towards any NSHA Staff and which a person knew or ought reasonably to have known to be unwelcome. Harassment is any behaviour that demeans, humiliates, or embarrasses an individual, and that a reasonable person should have known would be unwelcome. It includes objectionable conduct

/actions, comments, or displays made on either a one-time or continuous basis that demeans, belittles, or causes personal humiliation or embarrassment.

Although the following is not an exhaustive list, Harassment may include:

- Verbal abuse or threats;
- threats, blackmail, intimidation or favouritism on the part of a person in authority;
- Display of pornographic, racist or other offensive or derogatory material;
- Vulgar and sexist speech, or slander concerning the moral reputation of a person;
- Unwelcome remarks, jokes, or taunting about a person's appearance, age, marital status, race, ethnic or national origin, religion, sexual orientation, gender or gender identity, disability or mental health;
- Practical jokes or jokes with double meaning causing embarrassment or awkwardness;
- Unwelcome invitations or requests, whether indirect or direct, which a person knew or ought reasonably to have known to be unwelcome;
- Lack of respect for a person's dignity, self-esteem, comfort or privacy;
- Abuse of authority;
- Demands for sexual favors;
- Making or threatening reprisals after a negative response to sexual advances;
- Physical or sexual assault/aggression;
- Stalking;
- Confinement
- Leering or other suggestive gestures;
- Unwanted/unnecessary physical contact;
- Severe and persistent interpersonal conflict that is manifested in Offensive Behaviour towards other Staff may be considered Harassment.

- Harassment is not limited to the aforementioned and includes such actions of exclusion, undermining, intimidation, coercion and verbal and nonverbal behaviour which is directed at another person or person(s).

Harassment is not:

- Appropriate exercise of management responsibilities
- Performance evaluation/management
- Scheduling and assignment of work
- Appropriate Discipline
- Lack of friendliness on an occasional basis. However, lack of friendliness that is so persistent over time as to constitute shunning can be considered Harassment;
- “Grumpy” or curt response on an occasional basis. However, behaviour that is so persistent over time that a reasonable person would be offended may be considered Harassment;
- Other routine day-to-day interaction between Staff, including interpersonal relationship conflicts and/or difficulties, that occurs on an occasional basis. Severe and persistent interpersonal conflict that is manifested in Employees’ Offensive Behaviour towards another person may be considered Harassment.

Informal Complaint:	A Complaint being addressed through the Informal Resolution Process.
Informal Resolution:	An early intervention involving discussion between the Complainant and the Respondent, initiated by the Complainant to address the Respondent’s Behaviour as being Offensive or Disrespectful, where the outcome of the intervention is satisfactory to both parties. Informal Resolution may include discussions with the Human Resources Consultant or People Services Designate, conflict resolution specialists and/or manager(s). <u>Participation in the Informal Resolution process is voluntary.</u>
Investigation Committee:	One or more People Services Designates, and/or appointed investigators designated by People Services to conduct assessments and investigations into allegations of Offensive or Disrespectful Behaviour, and to determine if the alleged behaviour has occurred.
Mediation:	A voluntary process used to resolve conflict with the assistance of a neutral person to help the parties attempt to find a mutually acceptable solution.

Offensive Behaviour:	Means Harassment, including sexual Harassment, and Discrimination.
Patient:	For NSHA, defined as all individuals including clients, residents and members of the public who receive or have requested healthcare or services from NSHA and its healthcare providers.
People Services Designate:	Individual operating on behalf of People Services
Respectful Workplace:	A Workplace that is healthy, safe, and respectful that values diversity where all persons are treated with dignity and respect, and where conflict is resolved in a constructive manner, and allegations of Offensive or Disrespectful Behaviour are addressed in accordance with this Policy and the NSHA Code of Conduct .
Respondent:	A person (or persons) alleged to have committed Offensive or Disrespectful Behaviour.
Retaliation:	A reprisal, threat or attempt to intimidate against any person for alleging a violation of this Policy, providing information relevant to a Complaint, or participating in any process under this Policy.
Staff:	Unless specifically limited by a certain policy, refers to all Employees, physicians, learners, volunteers, board members, contractors, contract workers, franchise Employees, and other individuals performing work activities within NSHA.
Witness:	Any person who has personal knowledge of the alleged incident(s) or who may have information relevant to the Complaint investigation.
Workplace:	Any place where Staff is or is likely to be engaged in any occupation and includes, but is not limited to: NSHA facilities, including all leased properties, Patients' residences, community meeting places, any vehicle used or likely to be used by Staff in an occupation, washrooms, cafeterias, business travel, conferences, work related social functions, locker rooms, phone calls, faxes, email, and any location, event or activity where actions of Staff, on duty or not, will have serious repercussions on the work environment.
Violence in the Workplace:	(1)Threats, including a threatening statement or threatening behaviour, that give Staff reasonable cause to believe that they – or someone else – are at risk of physical injury; and/or, (2) Conduct or attempted conduct of a person that endangers the physical health or physical safety of Staff.

This definition has been adapted from the *Violence in the Workplace Regulations*, pursuant to the Nova Scotia *Occupational Health and Safety Act*.

Workplace Violence includes, but is not limited to:

Threats

- Threats of physical harm delivered in person, through phone calls, or in writing via letters or electronically (including social media);
- Intimidating or frightening gestures, such as shaking fists at another person, pounding a desk or counter, punching a wall, or screaming;
- Threatening to throw or strike objects;
- Stalking.

Physical Violence

- Kicking, hitting, biting, grabbing, pinching, scratching, spitting, etc.;
- Injuring a person by using an object such as a chair, cane, or a weapon such as a knife, gun, sharp or blunt instrument.
- Within this Program, Violence includes aggression and responsive behaviour, whether intentional or not, if it meets the definition of Violence.

District Health Authority Policies Being Replaced

SSDHA AD-110-309 Harassment Complaint Process

SSDHA AD-110-308 Harassment

PCHA 2-w-10 Non Harassment/Non Violence

GASHA 3-120 Harassment in the Workplace

CHDA 08-085 Harassment (Staff Behaviour)

SSDHA AD-110-342 Respectful Workplace

CBDHA 70-50 Respectful Workplace

CDHA CH-08-106 Respectful Workplace

AVDHA 140.091 Respectful Workplace

SWH 1103.0 Respectful Workplace

Version History

Major Revisions (e.g. Standard 4 year review)	Minor Revisions (e.g. spelling correction, wording changes, etc.)
New 2017-09-26	Changed link to Violence Prevention Statement and minor style changes 2018-12-13