

HALIFAX

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Item No. 2
Halifax Regional Council
February 26, 2019

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY: Original signed by 

Catherine Mullally, Director, Human Resources/Office of
Diversity and Inclusion

Original Signed by 

Jacques Dubé, Chief Administrative Officer

DATE: January 23, 2019

SUBJECT: Quarterly Update to Council re Safe Workplace Q3 2018

INFORMATION REPORT

ORIGIN

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

MOVED by Deputy Mayor Mason, seconded by Councillor Mancini:

THAT Halifax Regional Council expresses support for the actions and response from the Chief Administrative Officer, June 11, 2018, regarding HRM's commitment to a safe workplace, responding to the Employment Systems Review and the Human Rights Commission report, and; That the Chief Administrative Officer be directed to provide quarterly public progress reports to Regional Council, subject to the appropriate redaction of personal information on the following:

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

LEGISLATIVE AUTHORITY

Council and Chief Administrative Officer Relationship

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

BACKGROUND

In June 2018, the Nova Scotia Human Rights Commission released its decision in the complaint of an HRM transit employee. The decision found the Municipality discriminated against the employee both vicariously in respect of the actions of our employees and otherwise in terms of the response of management to the circumstances.

The Halifax Regional Municipality respected and accepted the decision of the Nova Scotia Human Rights Board of Inquiry regarding its finding of racial harassment and discrimination by management and coworkers against the transit employee which were the subject of a complaint filed in 2006. The Chief Administrative Officer apologized, on behalf of the Halifax Regional Municipality, to the complainant and family. The CAO also expressed his commitment to advocating for a harassment-free workplace where all persons are treated with dignity and respect. The CAO further expects that everyone working for HRM will live and support corporate values and work together to ensure that racial harassment and discrimination, in any form, are not tolerated.

DISCUSSION

In accordance with Regional Council's direction, the following information provides a quarterly update for the period from September to December 2018 on the external review of HR processes, procedures and plan to implement the recommendations of the consultant; results to date and issues that may be identified during implementation of both the ESR review and the external HR consultant reports; open and completed harassment and discrimination complaints involving workplace bullying, sexual harassment and race both through regular HR processes and the newly established hotline.

External Consultant

HRM, through a request for proposals, has secured consulting services to undertake a comprehensive review of HR policies, programs and organizational practices that support a safe, healthy, diverse, inclusive and harassment-free environment. The review will include the mechanisms that support it, such as conflict resolution process and procedures, communications and messaging to employees, employees/managers' roles/accountability in maintaining a harassment, discrimination-free and respectful workplace, training to support the policy and program, as well as any information, technology, operational or structural changes that might be required.

The project is in progress and a report that incorporates comments and stakeholder input is scheduled to be provided to the CAO by April 30, 2019. A plan to implement the recommendations of the consultant will be developed after that report is received and reviewed.

Employment Systems Review (ESR)

The following highlights additional achievements since the last report to Regional Council on September 18, 2018.

- A revised Employment Equity Policy was approved by the CAO and will be rolled out to the organization over the coming months.

- An Employment Equity Program to support the Policy is under development and will engage all key stakeholders in its design. The program framework is scheduled to be completed by June 1, 2019.
- HRM Hiring Policy/Practices have been updated in draft to reference the Employment Equity Policy and HRM's commitment to a diverse workforce. A draft of the revised Hiring Policy/Practices was shared with stakeholders in October and November 2018 and an updated policy will be provided to the CAO for approval in spring of 2019.
- Managers Hiring Certification Program has been developed which includes training on unconscious biases, employee accommodation, interview documentation, candidate assessment/selection and conducting de-brief sessions after a competition. Training started in November 2018, and 127 managers have become certified. It is anticipated that 75% of all hiring managers will complete the training by March 31, 2019.
- In addition to the Employment Systems Review (ESR), the Halifax Regional Municipality has developed a Diversity and Inclusion Framework to assist the entire organization in our continued efforts to build a diverse and inclusive workforce that provides programs and services to our residents by using a diversity and inclusion lens. Since the launch of the HRM's Diversity and Inclusion Framework in June 2018, Advisors from the Office of Diversity and Inclusion have been working with business units to identify business unit specific diversity and inclusion goals. Added to this, these goals have been included in each business unit's corporate budget plan document.
- The Diversity and Inclusion Leadership Working Group, consisting of representation from every business unit, will work to identify 2-3 corporate diversity and inclusion objectives along with performance measures to support these objectives. The Diversity and Inclusion Leadership working group will also be supporting Human Resources and the Office of Diversity and Inclusion in moving forward the corporate employment equity survey (self-identification) and employment equity program.
- As part of budget planning process, each business unit has been asked to include Diversity and Inclusion objectives. The Diversity and Inclusion Advisors work with business units to develop action plans.
- Diversity and Inclusion training has become a mandatory requirement for all HRM employees. The training program continues to be expanded and is offered across the organization including all summer staff and HRM interns upon hire and to individual business units upon request.
- February 2019, will see the launch of a new module from the Diversity and Inclusion team entitled *Towards Bias Free Practices*. Training is also underway for the Advisor, Indigenous Affairs to become certified in providing Blanket Exercises which can be offered throughout the organization.
- HRM, through Corporate Communications and the Office of Diversity and Inclusion, continues to promote key diversity and inclusion events/initiatives that highlight the diversity of the municipality (e.g., African Heritage Month, Asian Heritage Month, Mi'kmaq History Month, Halifax Pride Festival and other cultural acknowledgements).
- HRM Business units also continue to support staff engagement and participation in affinity groups such as the Racially Visible Employee Caucus and the African Nova Scotian and Racialized Women's Group.

Open and completed harassment and discrimination complaints

Human Resources has updated the summary of employee complaints which was provided to Council in September 2018 by the CAO. The summary includes only the complaints that have been formally reported by HRM employees to Human Resources under the *The Workplace Rights Harassment Prevention Policy*.

The *Workplace Rights Harassment Prevention Policy* supports Halifax Regional Municipality (HRM or the municipality) in its commitment to provide a harassment-free environment where all persons are treated with dignity and respect. The Policy includes harassment based on a prohibited ground of discrimination specified under the *Nova Scotia Human Rights Act*. These grounds consist of age, race, colour, religion, creed, sex, sexual orientation, gender identity, gender expression, physical or mental disability, 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, and an individual's association with another individual or class of individuals having the characteristics of any of the prohibited grounds. This Policy also extends to include workplace harassment not linked to a prohibited ground.

It is important to note that the data provided does not represent the entirety of racial conflict or other forms of conflict within the organization during the period in question. There are other workplace conflicts dealt with outside the formal process via the Supervisor, Manager or Director as well as conflicts that would not be reported at all.

Between September 1, 2018 and December 31, 2018, there were 11 new complaints and 13 complaints were closed. There are currently 12 (down by 3 from the last update) active files under the following category or complaint type:

- Personal harassment – 4
- Interpersonal conflict – 5
- Sexual harassment – 1
- Employment discrimination – 0
- Poisoned workplace – 1

Human Resources also tracks employee complaints under the *The Workplace Rights Harassment Prevention Policy* by fiscal year from 2013-14 to 2017-18 and is working on the development of a more detailed reporting tool.

2013-2014	2014-2015	2015-2016	2016-2017	2017-2018
25	28	57	25	27

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

COMMUNITY ENGAGEMENT

N/A

ATTACHMENTS

N/A

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

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