

HALIFAX

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Item No. 5
Halifax Regional Council
June 18, 2019

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY: Original Signed by Director

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

Original Signed by



Jacques Dubé, Chief Administrative Officer

DATE: April 26, 2019

SUBJECT: Quarterly Update to Council re Safe Workplace Q4 2018-19

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 their 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 January to March 2019 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 Review

HRM, through a request for proposals, 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 also includes 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 about 80% complete and a report and is scheduled to be provided to the CAO by mid-July.

Employment Systems Review (ESR)

The following highlights additional achievements since the last report to Regional Council on February 26, 2019:

- A revised Employment Equity Policy was approved by the CAO and will be rolled out to the organization by June 2019.

- HRM Hiring Policy/Practices have been updated in draft to reference the Employment Equity Policy and HRM's commitment to a diverse workforce. Based on stakeholder feedback, modifications have been made and a final draft is being prepared.
- A *Managers Hiring Certification Program* was developed which includes training on unconscious biases, employee accommodation, interview documentation, candidate assessment/selection and conducting debrief sessions after a competition. A training plan was executed with a target of having 75% of our leaders complete the training in six months. We are pleased to advise that 91% of our leaders completed this training to-date and it is now included as part of our regular training schedule.
- As part of the budget and business planning process, each business unit has included Diversity and Inclusion objectives in their business plans. The Diversity and Inclusion Advisors are working with business units to develop action plans.
- The first session of the new *Towards Bias Free Practices* training module was rolled out with 17 participants attending the pilot. Based on participant feedback, this module will now be a half-day session.

Open and completed harassment and discrimination complaints

Human Resources has continued to update the summary of employee complaints which was provided to Council by the CAO. The summary includes only complaints that have been formally reported by HRM employees to the Human Resources Organizational Effectiveness team under the *The Workplace Rights Harassment Prevention Policy*.

As noted previously, the *Workplace Rights Harassment Prevention Policy* supports Halifax Regional Municipality in its commitment to provide a harassment-free environment where all persons are treated with dignity and respect. The Policy addresses harassment based on prohibited grounds 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 other forms of 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 are not reported at all.

Between January 1, 2019 and March 31, 2019, there were 9 new complaints and 1 complaint was closed. As of March 31, 2019, there were 20 files open.

Type of Complaint	Q2 2018/19 (Jul 1-Sep 30/18)		Q3 2018/19 (Oct 1-Dec 31/18)		Q4 2018/19 (Jan 1-Mar 31/19)	
	New in Q2	Total Open	New in Q3	Total Open	New in Q4	Total Open
Personal Harassment	2	8	5	5	5	10
Interpersonal Conflict	3	7	5	4	1	5
Sexual Harassment	2	2	0	1	0	1
Employment Discrimination	0	1	0	1	1	1
Workplace Violence	0	0	0	0	0	0

Poisoned Workplace	0	0	1	1	2	3
Total	7	18	11	12	9	20

Human Resources also tracks employee complaints under the *The Workplace Rights Harassment Prevention Policy* by fiscal year from 2013-14 to 2018-20 and is working on the development of a more detailed reporting tool.

2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
25	28	57	25	27	33

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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