

Respectful Workplace Policy

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1. Policy Statement and Objective

The Department of Education and Early Childhood Development (EECD), Regional Centres for Education (RCEs), and the Conseil scolaire acadien provincial (CSAP) are committed to providing healthy, safe, and supportive workplaces for all employees. Every employee is entitled to employment free of workplace harassment. RCEs and the CSAP (the employers) will ensure, so far as is reasonably practicable, that no employee will be subjected to workplace harassment. This policy supports a respectful workplace that is productive, rewarding, and enjoyable for all.

The objective of this policy is to inform employees of the requirements and expectations for acceptable conduct in the workplace. All employees have an obligation not to engage in workplace harassment, and are encouraged to report incidents of workplace harassment. This policy provides clear guidance to RCEs and the CSAP to promptly address reports of prohibited behaviour by an employee.

The directives outlined in this policy are in addition to, not in place of, those set out in other relevant legislation, policies, and guidelines, such as the *Provincial School Code of Conduct Policy*, *Education Act*, *Conseil scolaire acadien provincial Act*, *Human Rights Act*, *Occupational Health and Safety Act*, and applicable provisions in collective agreements.

2. Definitions

employee: All current employees of the RCEs and the CSAP, including full- and part-time, casual, and temporary employees.

employer: The education entity, specifically a RCE or the CSAP.

prohibited behaviour: This includes, but is not limited to, the following:

- **bullying:** Behaviour, typically repeated, that is intended to cause or should be known to cause fear, intimidation, humiliation, exclusion, distress, or other harm to another person's body, feelings, self-esteem, reputation, or property, and can be direct or indirect, and includes assisting or encouraging the behaviour in any way.
- **cyberbullying:** Any electronic communication through the use of technology including, without limiting the generality of the foregoing, computers and other electronic devices, social networks, text messaging, instant messaging, websites and electronic mail, typically repeated or with continuing effect, that is intended to, or ought reasonably be expected to, cause fear, intimidation, humiliation, distress, or other damage or harm to another person's health, emotional well-being, self-esteem, or reputation, and includes assisting or encouraging such communication in any way.

- **discrimination:** Distinctive treatment, whether intentional or not, on the basis of: age, race, colour, religion, creed, sex, sexual orientation, gender identity, gender expression, abilities, an irrational fear of contracting an illness or disease, ethnic, national, or Mi'kmaq/Indigenous ancestry, 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 any one or more of the characteristics referred to in the list above, that from the perspective of a reasonable person in the position of the complainant has the effect of imposing a burden, obligation, or disadvantage on an individual or a class of individuals not imposed upon others, or which withholds or limits access to opportunities, benefits, and advantages available to other individuals or classes of individuals. Discrimination is prohibited by Nova Scotia's *Human Rights Act*.
- **physical violence:** Using force, gesturing, or inciting others to use force to injure a member of the school community.
- **racist behaviour:** Using racial/cultural slurs, engaging in racial/ethnic name-calling, or actions, or inciting others to use racist language or engage in racist behaviours.
- **retaliation:** Taking, or threatening to take, unjustified employment action against and/or engaging in disrespectful behaviour towards an employee for reporting a concern or participating in any process under this policy.
- **sexual assault:** Any sexual touching or intentional contact without consent, as defined by the *Criminal Code of Canada*.
- **sexual harassment:** Vexatious sexual conduct or course of comments, known, or ought reasonably to be known, as unwelcome; a sexual solicitation or advance made where the individual who makes the advance is in a position to confer a benefit on, or deny a benefit to, the individual to whom the advance is made, where the individual knows, or ought reasonably to know, that the advance is unwelcome; a reprisal or threat of reprisal against an individual for rejecting a sexual solicitation or advance.
- **verbal abuse:** Using, or inciting others to use, language that is demeaning, threatening, or intimidating to another person.
- **workplace harassment:** A single significant occurrence, or a course of repeated occurrences, of objectionable or unwelcome conduct, comment, or action in the workplace, including bullying, that, whether intended or not, degrades, intimidates, or threatens, and includes all of the following, but does not include any action taken by an employer or supervisor relating to the management and direction of an employee or the workplace:
 - (i) workplace harassment or bullying that is based on any personal characteristic, including, but not limited to a characteristic referred to in clauses 5(1)(h) to (v) of the *Human Rights Act*
 - (ii) inappropriate sexual conduct, including, but not limited to, sexual solicitation or advances, sexually suggestive remarks or gestures, circulating or sharing inappropriate images, or unwanted physical contact

respectful behaviour: Behaviour which recognizes the value in each person and treats others with fairness and dignity. This includes acting and communicating with personal integrity, professionalism, openness, and civility.

Prohibited behaviour does not include

- expressing differences of opinion in a respectful manner
- appropriate supervision, including training, direction, instruction, evaluation, and coaching including offering respectful constructive feedback
- guidance or advice, in a respectful manner, about work related behaviour or performance
- imposition of authorized and appropriate discipline
- occasional curttness or lack of friendliness, but not lack of friendliness that is so persistent or intense and individualized that it constitutes shunning
- other routine interaction, including interpersonal conflicts or difficulties from time to time, short of harassment defined above.

3. Guiding Principles

- 3.1 It is the right of all employees to work in an environment free from bullying, harassment, discrimination, and other prohibited behaviours.
- 3.2 All RCE and CSAP employees share the responsibility to treat each other and those who enter the workplace with respect and dignity, including honest participation in efforts to resolve concerns regarding disrespectful behaviour.
- 3.3 RCEs and the CSAP are committed to promoting awareness, prevention, and prompt resolution of prohibited behaviour.
- 3.4 Protection of employees extends to any conduct that an employee experiences while representing their employer, both on and off RCE and CSAP property.
- 3.5 All allegations of prohibited behaviour will be taken seriously and dealt with promptly.

4. Application

- 4.1 This policy covers conduct that takes place while an employee is representing their employer, including functions such as conferences, workshops, social events, or other events as part of their work duties.
- 4.2 This policy also pertains to use of electronic technology and electronic communication, including off-duty behaviour that has a connection with RCE or CSAP business.

5. Policy Directives

- 5.1 All employees are required to be respectful and shall not participate in any form of prohibited behaviour while representing their employer.
- 5.2 All employees are encouraged to report any incidents of prohibited behaviour, in accordance with the *Respectful Workplace Policy Administrative Procedures*.
- 5.3 Complaints will be addressed and, if required, investigated by the RCE or CSAP, in accordance with the *Respectful Workplace Policy Administrative Procedures*.
- 5.4 Retaliation is prohibited against any employee who has initiated or participated in any process under this policy.

- 5.5 A breach of this policy, including retaliation, may result in disciplinary action up to termination, depending on the circumstances.
- 5.6 Nothing in this policy restricts RCE or CSAP management's authority and responsibility to manage performance of employees, take appropriate disciplinary action when necessary, or take immediate action to ensure a safe work environment, including one that is free from prohibited behaviour.

Procedural Fairness

- 5.7 Procedural fairness shall govern all activities related to reports of violation of this policy.
 - 5.7.1 This means following the *Respectful Workplace Policy Administrative Procedures* and being consistent, transparent, and without bias or conflict of interest, ensuring all necessary information is gathered prior to determinations, including an opportunity for those involved to respond as appropriate.

Confidentiality

- 5.8 Information related to complaints of prohibited behaviour against an employee will be maintained in accordance with the *Freedom of Information and Protection of Privacy* [FOIPOP] Act and other applicable legislation.
- 5.9 The right of every employee to privacy shall be recognized and protected to the greatest extent possible, and access to confidential information will be restricted to employees who require such information as part of their assigned duties and responsibilities, except for the following exceptions:
 - 5.9.1 Disclosure necessary to review the matter and to carry out resolution processes.
 - 5.9.2 As required by law.
 - 5.9.3 To ensure the health, safety, and security of individuals.
 - 5.9.4 If a letter of expectation or disciplinary action results from a respectful workplace matter, this will be held on an employee's personnel record, in accordance with appropriate RCE or CSAP policies and collective agreements, as applicable.
 - 5.9.5 Information related to respectful workplace processes may be shared with EECD and used for policy evaluation, audit, or review. All personal information will be protected and de-identified by the RCE or CSAP, or aggregate information will be used for these purposes.
- 5.10 This policy does not deny or limit access to other avenues of redress available under the law (e.g., criminal prosecution, civil suit, grievance, or human rights complaint).
- 5.11 The Regional Executive Director or Superintendent may direct the investigator to postpone, suspend, or cancel an investigation should other avenues of redress be pursued.
 - 5.11.1 If the Regional Executive Director or Superintendent is the complainant or respondent, the Minister may direct the investigator to postpone, suspend, or cancel an investigation should any of these other avenues of redress be pursued.

6. Roles and Responsibilities

Department of Education and Early Childhood Development

- communicate the policy and administrative procedures to the RCEs and the CSAP

Regional Centres for Education and the Conseil scolaire acadien provincial

- provide a safe and respectful work environment for all employees
- communicate the *Respectful Workplace Policy* and *Respectful Workplace Policy Administrative Procedures* to all employees
- hold supervisors and employees accountable for their responsibilities pursuant to this policy
- provide consistent support for the implementation, application, and review of this policy implement and apply this policy
- in collaboration with EECD, review this policy at least once every three years and recommend updates if necessary

Directors of Human Resources

- coordinate the programs, supports, and resources required to support this policy, including training and education required for employees and supervisors, and communication of the availability of these resources to employees and supervisors
- ensure the provision of advice and support, to supervisors and employees, regarding the application of this policy
- follow the *Respectful Workplace Policy Administrative Procedures* when dealing with reports of prohibited behaviour
- determine the best process to follow when receiving an informal complaint
- receive formal written complaints and arrange investigations as required
- determine who will investigate the complaint
- review investigation reports, issue official decisions, and proceed with corrective and responsive actions
- report regularly to the Regional Executive Director or Superintendent regarding complaints and/or investigations pursuant to this policy
- communicate outcomes of the investigation with the involved parties, as appropriate
- notify RCE or CSAP employees when there are new or revised respectful workplace procedures
- ensure all information related to inquiries, investigations, and reports pursuant to this policy are kept confidential



Employees in Supervisory Roles

- ensure that employees are aware of and comply with the policy
- promptly address respectful-workplace-related concerns and complaints, which must be reported immediately to the Director of Human Resources
- advise the Director of Human Resources of any complaints received
- maintain confidentiality and employee privacy

RCE/CSAP Employees

- review and be aware of this policy and comply with the policy
- refrain from engaging in prohibited behaviours and from retaliating against anyone who has initiated, or is participating in, any process under this policy
- address concerns or potential violations under this policy promptly and in a manner appropriate with the circumstances
- cooperate in any investigation that is undertaken pursuant to this policy and/or efforts to resolve concerns regarding disrespectful behaviour

Investigators

- carry out a procedurally fair, systematic, logical, and thorough examination
- ensure the complainant and respondent are heard, the problem is given serious attention according to policy, and provide a reasonable resolution

7. Procedures/Related Documents

Respectful Workplace Policy Administrative Procedures

8. References

Canada. *Criminal Code of Canada*. R.S.C. 1985, c. 46.

<https://laws-lois.justice.gc.ca/PDF/C-46.pdf>.

Nova Scotia. *An Act Respecting Occupational Health and Safety*. S.N.S., 1996. c. 7. <https://nslegislature.ca/sites/default/files/legc/statutes/occupational%20health%20and%20safety.pdf>.

Nova Scotia. *Conseil scolaire acadien provincial Act*. S.N.S. 2023, c. 10.

<https://nslegislature.ca/sites/default/files/legc/statutes/csap%20EN.pdf>.

Nova Scotia. *Education Act*. S.N.S. 2018, c. 1.

<https://nslegislature.ca/sites/default/files/legc/statutes/education.pdf>.

Nova Scotia. *Freedom of Information and Protection of Privacy Act*. S.N.S. 1993, c. 5.

<https://nslegislature.ca/sites/default/files/legc/statutes/freedom%20of%20information%20and%20protection%20of%20privacy.pdf>.

Nova Scotia. *Human Rights Act*. S.N.S., 1989. c. 214.

<https://nslegislature.ca/sites/default/files/legc/statutes/human%20rights.pdf>.

Nova Scotia Department of Education and Early Childhood Development. 2025. *Provincial School Code of Conduct Policy*. Halifax, NS: Province of Nova Scotia. <https://www.ednet.ns.ca/docs/provincialschoolcodeofconduct.pdf>.