



- Protect witnesses and complainants from retaliation arising from a harassment complaint having been filed in good faith or having observed harassing behavior/incidents.

- (5) Inform the Deputy Head of any harassment incident or complaint, immediately, and take appropriate steps to prevent the recurrence of harassment.

15. Deputy Heads:

- (1) Maintain corporate responsibility and accountability for keeping the workplace free of harassment, seek resolution to all harassment complaints, amicably and cooperatively between all affected wherever possible, and once resolved, restoration of a healthy and harmonious work environment as quickly as possible.
- (2) Instruct all managers and supervisors to deal promptly, effectively and confidentially with complaints referred to them. All complaints or suspicions of harassment must be treated seriously and attended to with expedience; however such investigation has to be done with sensitivity and in such a way that the employer cannot be accused of overzealously targeting a respondent through approaching other employees who are unaware or may be linked through questionable hearsay.
- (3) Inform all employees of their rights, duties and alternatives under this directive.
- (4) Provide a confidential space, time, and access to equipment and supplies in a manner to ensure the HR+ Managers or designate have the means and resources including time to attend any related training provided to capably carry out their responsibilities as described in this directive.
- (5) Take appropriate and effective action after the investigation of a complaint has been completed.
- (6) Take appropriate steps to prevent the recurrence of the incident giving rise to a complaint.
- (7) Protect witnesses and complainants from retaliation arising from having filed a harassment complaint in good faith or having



- (8) If the evidence does not support the complaint, the respondent's personnel file will not contain any reference to the complaint. The complainant's file will contain only reference to the date that a complaint was made, without supporting detail. The records of the investigation will be held in the master file maintained by the Employee Relations and Job Evaluation Division.
- (9) If the complaint is upheld, the incident and the resulting corrective action will become part of the respondent's employment record.
 - This will be removed after one (1) year for Nunavut Employee Union bargaining members, providing there are no further incidences of harassment or disciplinary actions.
 - This will be removed after two (2) years for Nunavut Teachers Association bargaining members, excluded employees and senior management employees, providing there are no further incidences of harassment or disciplinary actions.
- (10) Due to the sensitive and personal nature of the issues involved in a harassment complaint, anyone having direct knowledge of the complaint and its ultimate outcome will respect and protect the privacy of the parties.

25. **Recourse**

- (1) Filing a complaint pursuant to this directive does not prevent employees from filing a complaint under the Nunavut *Human Rights Act* or a grievance under the applicable grievance procedure. The same is true once the formal resolution process has been completed pursuant to this directive.
- (2) A member of the bargaining unit may file a grievance under their collective agreement or file a complaint pursuant to the Nunavut *Human Rights Act*.
- (3) A management or excluded employee may proceed under the grievance procedure pursuant to the *Public Service Act* and *Regulations* or file a complaint pursuant to the Nunavut *Human Rights Act*.



ᑭᑎᑎᑭᑭ ᑭᑎᑎᑭᑭ ᑭᑎᑎᑭᑭ ᑭᑎᑎᑭᑭ
Building *Nunavut* Together
Nunavut liuqatigiingniq
Bâtir le *Nunavut* ensemble

Human Resources Manual Directive 1010: Harassment Free Workplace

- (4) As a general rule, a tribunal will not assume jurisdiction if the applicant has not exhausted available alternate review procedures. For example, a bargaining unit member may be expected to first use the grievance procedure in the collective agreement. A management or an excluded employee may be expected to first use the grievance procedure in the *Public Service Act* and *Regulations*.

PREROGATIVE OF EXECUTIVE COUNCIL

Nothing in this directive shall in any way be construed to limit the prerogative of Executive Council to make decisions or take action respecting the harassment free workplace directive of the GN, outside the provisions of this directive.

AUTHORITIES AND REFERENCES

Public Service Act

Canadian Human Rights Act

Nunavut Human Rights Act

Access to Information and Protection of Privacy Act

Public Service Regulations

Collective Agreement with the Nunavut Employees Union

Collective Agreement with the Nunavut Teachers Association

Senior Managers' Handbook

Excluded Employees' Handbook

Harassment Free Workplace Policy

Human Resources Manual
Section 701 – Grievances and Complaints
Section 801 – Employee Discipline
Section 1018 – Workplace Conflict Management
Section 1609 – Indemnification

