



## DISCRIMINATION AND HARASSMENT

### ***Statement of Intent***

It is public policy in Nova Scotia to recognize the dignity and worth of every person and to provide for equal rights and opportunities without discrimination or harassment. According to the *Nova Scotia Human Rights Act*, 1969, as amended in 1991, every person has the right to equal treatment, including the right to freedom from harassment and discrimination.

The Nova Scotia Community College is a post-secondary institution dedicated to the pursuit of knowledge, skills and training. All those who study, work, or teach at the College must be concerned with maintaining the freedoms essential to achieving these purposes. Therefore, the College shall endeavour at all times to provide an environment that is supportive of working and learning and of the equitable treatment of all members of its community. The College community includes - but is not limited to - students (full and part-time), support staff, faculty, administrators, invited guests, those who are in a contractual relationship with the College, and College committees, boards, councils, and associations.

### ***Responsibility***

It is the responsibility of every person in the College community to foster a climate of understanding and mutual respect for the dignity and rights of each individual by providing equal treatment in the area of services, facilities, employment, and memberships on committees and in associations. Equal treatment will be provided without discrimination on the grounds of age, race, colour, sex, religion, creed, aboriginal origin, physical disability, mental disability, ethnic or national origin, marital status, source of income, sexual orientation, family status, political belief, affiliation or activity, or an individual's association with another individual or class of individuals protected under the *Nova Scotia Human Rights Act*. In providing equal treatment the College will not discriminate on the basis of an irrational fear of contracting an illness or a disease.

It is the responsibility of the College to inform and educate the members of the College community about discrimination and harassment. Education is a crucial component to ensuring that all members of the College community are aware of what constitutes harassment and discrimination, why it is so harmful to those who are hurt or offended by it and what individuals can do to take corrective action. As well, it is the personal responsibility of every member of the College community to know the College policy on and redress procedures for discrimination and harassment.



## **Definitions**

### *Discrimination*

Discrimination, as defined in this Policy, means any action, behaviour or attitude, which could or does negatively affect the employment status and/or the academic status of any member of the College community that is based on age, race, colour, sex, religion, creed, aboriginal origin, physical disability, mental disability, ethnic or national origin, marital status, source of income, sexual orientation, an irrational fear of contracting an illness or disease, family status, political belief, affiliation or activity, or an individual's association with another individual or class of individuals protected under the *Nova Scotia Human Rights Act*.

Bias against a person or persons because of their inclusion in any of the above categories, which results in the imposition of a restriction against or the exhibition of negative behaviour toward that person or persons constitutes an act of discrimination as defined in this Policy.

### *Harassment*

Harassment, for the purpose of this Policy means unwelcome comments or conduct consisting of words or actions that disparage or cause humiliation, offense or embarrassment to an individual or class of individuals on any grounds protected against discriminatory action under the *Nova Scotia Human Rights Act*, which may negatively affect performance or mental or physical health. In this context, harassment is a form of discrimination.

Harassing behaviour that is not linked to discriminatory action on any grounds protected against discrimination under the *Nova Scotia Human Rights Act* is not covered by this Policy. Notwithstanding this, such disrespectful behaviour, commonly referred to as 'personal harassment', is not supportive of working and learning and is addressed under the NSCC Academic Climate Policy.

### *Sexual Harassment*

For the purpose of this Policy, sexual harassment means a course of unwelcome comment or persistent or abusive sexual solicitation or advances directed at an individual by another individual or group of the same or opposite sex who knows, or ought reasonably to know, that this attention is unwelcome, and /or any implied or expressed promise of reward for complying with a sexual solicitation or advance, and/or any reprisal or threat of reprisal for refusing to comply with an implied or expressed sexual solicitation or advance.

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## *Complainant*

Complainant refers to a person who advises the College that he/she has been subjected to harassment or discrimination or a third party who initiates a complaint on another person's behalf, with that person's consent. Depending on the nature of the complaint, the College may notify external agencies. The College may also launch an investigation where there is no complainant but where the College deems circumstances warrant such action.

## *Respondent*

Respondent refers to a person against whom a complaint of harassment or discrimination has been lodged.

## ***Right to Appeal***

Where a respondent or a complainant feels that a procedural error has occurred or that the decision is not congruent with the evidence, the complainant or respondent has the right to appeal.