1.0 PURPOSE

1.1 NSCC values a respectful learning and working environment. We all share the responsibility to treat each other, and those who enter the College, with respect and consideration. This policy ensures shared understanding and expectations of how the College defines safe and positive behaviours in the learning and working environment.

2.0 SCOPE

2.1 This Policy applies to the College community, which includes, but is not limited to, students, anyone registered in College programs or otherwise participating in College courses, programs, events and activities, all current employees regardless of status, invited guests, those who are in a contractual relationship with the College, College committees, boards, councils, associations, union partners and volunteers.

2.2 This Policy applies to behaviour that is connected to the work and services of the College and includes behaviour taking place in any physical or electronic sites where the College conducts business as well as behaviour taking place off College sites if such behaviour has the potential to adversely impact the learning and/or working environment of the College.

2.3 This Policy applies to the College structure (physical or electronic sites), patterns of behaviour, and policies or practices that are part of the structures of the organization (i.e. systemic discrimination).

2.4 This policy applies to activities or behaviours, not necessarily directed at anyone in particular, that create a hostile or offensive learning and working environment (i.e. poisoned learning and working environment).

2.5 Where it appears that a concern is outside the scope of this policy or is one that should be more appropriately dealt with under another policy, Act or procedure, the College reserves the right to determine the approach to deal with the concern or refer it to the appropriate forum.

2.6 Nothing in this Policy precludes any member of the College community from exercising their rights under a collective agreement or under the Nova Scotia Human Rights Act.

3.0 DEFINITIONS

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<th>TERM</th>
<th>DEFINITION</th>
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<td>Bullying</td>
<td>Is also referred to as psychological/personal harassment. Bullying often refers to offensive, abusive, intimidating or insulting behaviour which makes the recipient feel upset, threatened, humiliated and/or vulnerable, which undermines the recipient’s self-confidence and/or reduces their feelings of self-esteem and self-worth. Conflict is not, on its own, bullying, however, conflict may escalate to the point where it becomes bullying. A single incident of unreasonable behaviour or...</td>
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### Civility
Behaviours that are courteous and polite. Civility and respect are based on showing esteem, care and consideration for others and acknowledging their dignity.

### College Community
NSCC Community member under this policy/procedure includes, but is not limited to the following:

- **a. Employee**: any person who is currently employed by NSCC or provides services to NSCC under an employment contract. This includes all employees, regardless of status, as well as current employees who are on a leave of absence (paid/unpaid).
- **b. Student**: anyone registered in College programs or otherwise participating in College courses, programs, events and activities.
- **c. Volunteer**: any person performing work for NSCC in an unpaid capacity.
- **d. Contractor**: any individual or company (and its employees) who provides services to NSCC under a service contract (i.e. a non-employee-employer relationship).
- **e. NSCC Community Member**: any person working in collaboration with NSCC for a business or academic purpose or an external community member, including all graduates and alumni of NSCC.
- **f. NSCC Board of Governors**: the governing body of the College.

### Discrimination
Making a distinction, whether intentional or not, based upon a characteristic or perceived characteristic protected under the Human Rights Act. Discrimination includes action, behaviour or attitudes, which could or ought reasonably to be known to offend or deny fair treatment based upon the protected characteristics set out in the Nova Scotia Human Rights Act, RSNS 1989, c 214.

### Fairness
There are many forms of fairness. Decision makers under this policy will consider that complete fairness requires Procedural, Substantive, and Relational fairness.

#### a) Procedural Fairness
describes the duty of fairness that is most commonly discussed in relation to administrative decisions, such as investigations. The two primary rights involved in Procedural Fairness are the right to be heard and the right to an unbiased decision. Procedural Fairness requires:

- **i. notice of the matter under consideration**;
- **ii. access to information that will be considered when the decision is made. The College considers personal privacy and safety factors when determining access to information**;
- **iii. the right to respond; a meaningful opportunity to be heard**;
iv. an impartial and unbiased decision maker;

v. reasons for the decision or outcome.

b) Substantive Fairness relates to the fairness of the decision itself. Substantive fairness requires that decisions are:

i. made by those with appropriate authority to do so;

ii. made with relevant information;

iii. not unjust, oppressive or discriminatory, or wrong in fact or law;

iv. are reasonable.

c) Relational fairness describes how the person feels about the process, decision, or outcome. Relational fairness requires a decision maker:

i. provide attention, listening to points of view and evidence;

ii. be approachable and easy to communicate with about the decision and decision-making process;

iii. be honest and forthright in dealings with those affected by decisions;

iv. respect confidentiality during and after the process;

v. be accountable, offer apologies if mistakes are made;

vi. refrain from retaliation in any form. Reasons for the decision or outcome.

Harm(ful) There is a genuine difference between being in conflict and causing harm or experiencing harm. Harm indicates a person has been wronged, treated unjustly, their rights have been violated in some way.

Harassment/Personal Harassment Abusive, unfair, or demeaning treatment, consisting of words or actions that disparage or cause humiliation, offense or embarrassment to a person or group of persons that is known or ought reasonably to be known to be unwelcome. Harassment may consist of a repeated or persistent pattern of behaviours, direct or indirect, that when taken together constitute harassment; or a single act of sufficient severity to constitute harassment in its own right. Harassment can include, but is not limited to, comments or conduct based upon any of the characteristics protected under the Nova Scotia Human Rights Act.

Incivility Behaviours that are rude, discourteous, or insensitive, where there may be no clear intention to harm. Uncivil behaviours may create an environment in which offensive behaviour may occur, particularly when it forms a pattern of behaviour.

Poisoned Learning/Working Environment A poisoned learning and working environment is characterized by activities or behaviours, not necessarily directed at anyone in particular, that create a hostile or offensive learning and working environment.

Resolution Options Refers to a wide range of options to enable and support community members to resolve concerns or conflict. Please refer to the Respectful Community Guidelines for more information.
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Respectful Behaviour
Showing thoughtfulness, consideration, and care toward others in all interactions, recognizing the value in each person, and treating others with fairness and dignity. Includes an absence of offensive behaviour(s).

Restorative Practice
Restorative practices are used to foster a respectful learning and working environment by strengthening relationships between people and the community they share. Restorative practices include processes to proactively build relationships and a sense of community to help prevent conflict and concerns. Restorative practices are also used to respond to conflict and concerns by seeking to repair harm and restore the relationships and community affected.

Systemic Discrimination
Can be described as patterns of behaviour, policies or practices that are part of the structures of an organization, and which create or perpetuate disadvantages, burdens or obligations, or which limit access to benefits, opportunities, or advantages based on characteristics protected under the Nova Scotia Human Rights Act.

4.0 POLICY

4.1 The College shall endeavour at all times to provide an environment that is supportive of learning and working and of the equitable treatment of all members of its community. NSCC is committed to:

a) recognize the dignity and worth of every person and every member of the College community and their right to be free from bullying, discrimination and harassment;

b) enable early communication, education and awareness of expected behaviors as well as unacceptable behaviors and the shared responsibility of students and employees to maintain a positive and civil community;

c) prevent bullying, discrimination and harassment;

d) provide collaborative, efficient, clear and timely approaches for dealing with concerns that arise out of this Policy;

e) build a healthy learning and working environment by improving and restoring relationships and community;

f) take reasonable precautions to maintain confidentiality, to the greatest extent possible, in the resolution of concerns raised through the Respectful Community Policy.

4.2 Each member of the College community has a responsibility to foster a climate of understanding and mutual respect for the dignity and rights of each individual in all areas of the learning and working environment. This includes providing fair treatment, being inclusive and not bullying, harassing or discriminating.

We all share the responsibility to treat each other, and those who interact with the College, with civility and respect. Every member of the College community has the responsibility to
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uphold our values and to understand the impact of their behavior. Members of the community are expected to collaboratively resolve concerns, maintain effective relationships, and contribute to a positive, inclusive community culture.

Community members must consider how social identity, culture, values, and beliefs impact perceptions of what is civil and respectful behaviour. Perceptions can also vary by place, time and context. While factors such as identity may influence perception of behaviour, we will consider the impact of the behavior and respond to concerns in an effective, inclusive and equitable way.

4.3 In response to concerns under this policy, the College’s intention is to be restorative in approach and outcomes as appropriate. The purpose of a restorative approach is to build a healthy learning and working environment by improving and restoring relationships between people and community. Restorative practices are used to foster a respectful learning and working environment by strengthening relationships between people and the community they share.

5.0 POLICY SUPPORTS

41.02 Respectful Community Procedures

Respectful Community Guidelines