



HUMAN RIGHTS COMMISSION

Newfoundland and Labrador

Policy on Respectful Behaviour

All people in contact with the Human Rights Commission (HRC) must behave, communicate, and co-operate in a respectful way.

This Policy also applies to staff, Commissioners, and others associated with the HRC. We commit to:

- Treating people fairly and respectfully.
- Working with people in a relational way.
- Acting professionally and impartially.
- Accommodating people to the point of undue hardship.
- Remaining calm.

HRC staff understand that the human rights process can cause people stress and anxiety. The complaints process takes time and there are many steps to follow. Feeling stress from this is a normal response. You might also not agree or like what we have to say, the decisions we make, or the capacity we have to respond. We try to work with people the best we can, but the health, safety, and/or security of our staff is equally important.

HRC staff will not tolerate disrespectful behaviour. Disrespectful behaviour may include the following:

- **Conduct that has an unreasonable impact on Commission staff and/or resources.** This includes making excessive or repeated calls, emails or visits; making demands for complaints to be given priority, irrelevant information be considered, and/or the outcome that should be achieved; refusing to accept the dismissal of a complaint.
- **Lack of cooperation that places a disproportionate burden on other parties or HRC staff.** This includes sending excessive and/or disorganized information and documents; providing little or no details;

refusing to follow instructions or adhere to deadlines; acting dishonestly by withholding information, misquoting others, or falsifying documents.

- **Unreasonable conduct that compromises the health, safety, and/or security of Commission staff or other parties.** This includes acts of aggression; verbal abuse; derogatory, racist or defamatory remarks; intimidation; rude or threatening correspondence; threats of harm; in-person or online stalking; emotional manipulation.

If a person fails to behave and communicate respectfully they will be dealt with on an escalating basis:

Step One – Informal Request: HRC staff will name the disrespectful behaviour and ask that it stop immediately. If necessary, HRC staff can end the unproductive communications (telephone call/meeting/email exchange) at their own discretion. The person will be told why the communication is being ended. The person will also be asked to review this Policy on Respectful Behaviour.

Step Two – Written Warning: The Executive Director will issue a written warning naming the disrespectful behaviour and asking that it stop immediately.

Step Three – Restricting Contact: If the disrespectful behaviour continues, the Executive Director can restrict the person from contacting the HRC, to the extent warranted by the circumstances. This can include:

- Limiting the number and subject matter of communications that will be considered or responded to by HRC staff.
- Limiting contact to only one specific HRC staff.
- Limiting communications to postal mail only.
- Prohibiting a person from emailing, calling, and/or visiting the HRC.
- Any other restrictions deemed appropriate.

The health, safety, and/or security of HRC staff and others who may be exposed to unreasonable conduct is very important to us. The consequences

outlined below will happen if the disrespectful behaviour becomes unreasonable.

Step Four – Dismissal of Complaint: The Executive Director has the discretion to dismiss a complaint under Section 32 of the *Human Rights Act, 2010* for abuse of process or vexatious conduct. These are legal terms which mean that a person is misusing the human rights process for an improper purpose or is harassing HRC staff or others.

The Complainant will be given written notice that their complaint is being reviewed for dismissal under Section 32. They will get an opportunity to say why it should or should not be dismissed. The Executive Director will review the complaint and give written reasons for their decision. If the Complaint is dismissed, the Complainant can file an Application for Judicial Review of the Executive Director’s decision with the Supreme Court of Newfoundland and Labrador.

Please remember that the HRC does not provide emergency services. We try to work with people in a way that does not further criminalize vulnerability. However, if the unreasonable conduct impacts the health, safety, and/or security of HRC staff or others, we will, as a last resort, contact outside resources. This might include: mental health supports, the mobile mental health unit, or the police.

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[i] Many thanks to the Queensland Ombudsman Public Resource “Managing Unreasonable Complainant Conduct” March 2023