

Supervisor Fired for Not Cooperating with Harassment Investigation Is Reinstated



A worker claimed that he was being sexually harassed by his female supervisor. The company acknowledged that to the extent it occurred, the sexual harassment was of a fairly low grade of seriousness. However, as the saying goes, the cover up is often worse than the crime. Thus, the company concluded that the supervisor's total lack of cooperation and conduct during the investigation was just cause to terminate. The Nova Scotia arbitrator disagreed and ordered the supervisor reinstated. The sexual harassment charge was he said/she said with no conclusive evidence either way. The evidence also suggested that the supervisor participated in the investigation in good faith. While there was clearly animosity and distrust between the parties, this shouldn't cost a supervisor with 9 years of service and against whom there were no grounds for discipline her job, the arbitrator concluded [[Nova Scotia Government and General Employees Union v Nova Scotia \(Department of Public Works\)](#), 2024 CanLII 69941 (NS LA), July 26, 2024].

Action Point: Find out how to implement a legally sound [workplace violence and harassment investigations policy](#) at your workplace.